

FOIA MARKER

This is not a textual record. This is used as an administrative marker by the William J. Clinton Presidential Library Staff.

Collection/Record Group: Clinton Presidential Records

Subgroup/Office of Origin: Legislative Affairs

Series/Staff Member: Jack Lew

Subseries:

OA/ID Number: 2392

FolderID:

Folder Title:

National Service Trust Act-Early Drafts [1]

Stack:

S

Row:

25

Section:

7

Shelf:

10

Position:

3

L:\TOHOLC\ALD83.244

DISCUSSION DRAFT

S.L.C.

61

1 pate in recognized and approved apprenticeship programs.

2 Such regulations shall—

3 (1) [conditions for regulations to be supplied
4 on basis of labor initiatives].

5 “(e) GENERAL ADMINISTRATIVE PROVISIONS.—

6 [to be supplied - may already be located in
7 general Corporation powers.]

8 “(f) [Additional Provisions - to be supplied].

9 “(g) DEFINITION OF INSTITUTION OF HIGHER EDU-
10 CATION.—Notwithstanding section 101 of this Act, for
11 purposes of this section the term ‘institution of higher
12 education’ has the meaning provided by section 481(a) of
13 the Higher Education Act of 1965 (20 U.S.C. 1088(a)).”.

14 (b) TABLE OF CONTENTS.—Section 1(b) of the Na-
15 tional and Community Service Act of 1990 (Public Law
16 101-610; 104 Stat. 3127) is amended by striking the
17 items relating to subtitle D of title I of such Act and in-
18 serting the following new items:

“Subtitle D—National Service Trust and Provision of National Service
Educational Awards

“Sec. 145. Establishment of the National Service Trust.

“Sec. 146. Individuals eligible to receive a national service educational award
from the Trust.

“Sec. 147. Determination of the amount of the national service educational
award.

“Sec. 148. Disbursement of national service educational awards.”.

19 (c) CONFORMING AMENDMENTS.—

20 [(1) IMPACT ON ELIGIBILITY FOR SUBSIDIZED
21 STAFFORD LOANS.—Section 428(a)(2)(C)(i) of the

1 Community Service Act of 1990 (42 U.S.C. 12751
2 et seq.),”.] [This attempts to prevent
3 “overborrowing” of subsidized loans by service
4 award recipients.]

5 [(2) IMPACT ON GENERAL NEEDS ANALYSIS.—
6 Section 480(j) of such Act (20 U.S.C. 1087vv(j)) is
7 amended by adding at the end the following new
8 paragraph:

9 [“(3) Notwithstanding paragraph (1), any na-
10 tional service educational award such student will re-
11 ceive under subtitle D of title I of the National and
12 Community Service Act of 1990 (42 U.S.C. 12751
13 et seq.) shall not be taken into account in determin-
14 ing estimated financial assistance not received under
15 this title.”.] [This attempts to prevent reduction of
16 grants to service award recipients.]

17 [(3) IMPACT ON ELIGIBILITY FOR OTHER
18 NEEDS-TESTED PROGRAMS.—To be supplied, eg.
19 AFDC, EITC?]

20 (4) IMPACT ON ELIGIBILITY FOR STAFFORD
21 LOAN FORGIVENESS.—Section 428J(c) of the Higher
22 Education Act of 1965 (20 U.S.C. 1078-10(c)) is
23 amended by adding at the end the following new
24 paragraph:

1 “(5) INELIGIBILITY OF NATIONAL SERVICE
2 EDUCATIONAL AWARD RECIPIENTS.—No student
3 borrower who may, for the same volunteer service,
4 receive a benefit under both this section and subtitle
5 D of title I of the National and Community Service
6 Act of 1990 (42 U.S.C. 12751 et seq.).” [Note: as-
7 sumes prevention of double benefit for service will
8 occur at time of service, not at time of loan repay-
9 ment. How will this be implemented and coordinated
10 between Corporation and Sec. of Ed.?]

11 (5) IMPACT ON ELIGIBILITY FOR PERKINS LOAN
12 FORGIVENESS.—Section 465(a) of the Higher Edu-
13 cation Act of 1965 (20 U.S.C. 1087ee(a)) is amend-
14 ed by adding at the end the following new para-
15 graph:

16 “(6) No borrower who may, for the same volun-
17 teer service, receive a benefit under both this section
18 and subtitle D of title I of the National and Commu-
19 nity Service Act of 1990 (42 U.S.C. 12751 et
20 seq.).” [Note: assumes prevention of double benefit
21 for service will occur at time of service, not at time
22 of loan repayment. How will this be implemented
23 and coordinated between the Corporation and the
24 college to whom the loan is repaid?]

1 SEC. 103. AMENDMENTS TO PROGRAMS FOR STUDENTS
2 AND OUT-OF-SCHOOL YOUTH.

3 (a) AMENDMENTS TO SERVE-AMERICA PROGRAMS.—

4 (1) PURPOSE.—The purpose of this subsection
5 is to improve the Serve-America programs estab-
6 lished under part I of subtitle B of the National and
7 Community Service Act of 1990, and to enable the
8 Corporation for National Service, and the entities
9 receiving financial assistance under such part, to—

10 (A) work with teachers in elementary
11 schools and secondary schools within a commu-
12 nity, and with community-based agencies, to
13 create and offer service-learning opportunities
14 for all school-age youth;

15 (B) educate teachers, and faculty providing
16 teacher training and retraining, about service-
17 learning, and incorporate service-learning op-
18 portunities into classroom teaching to strength-
19 en academic learning;

20 (C) coordinate the work of adult volunteers
21 who work with elementary and secondary
22 schools as part of their community service ac-
23 tivities; and

24 (D) work with employers in the commu-
25 nities to ensure that projects for middle school
26 and high school students introduce the students

1 to various careers and expose the students to
2 needed further education and training.

3 (2) PROGRAMS.—Subtitle B of title I of the Na-
4 tional and Community Service Act of 1990 (42
5 U.S.C. 12501 et seq.) is amended by striking the
6 subtitle heading and all that follows through the end
7 of part I and inserting the following:

8 **“Subtitle B—School-Based and**
9 **Community-Based Service-**
10 **Learning Programs**

11 **“PART I—SERVE-AMERICA PROGRAMS**

12 **“Subpart A—School-Based Programs for Students**

13 **“SEC. 111. AUTHORITY TO ASSIST STATES AND INDIAN**
14 **TRIBES.**

15 “(a) USE OF FUNDS.—The Corporation, in consulta-
16 tion with the Secretary of Education, may make grants
17 under section 112(b)(1), and allotments under subsections
18 (a) and (b)(2) of section 112, to States and Indian tribes
19 to pay for the Federal share of—

20 “(1) planning and building the capacity of the
21 States or Indian tribes (which may be accomplished
22 through grants or contracts with qualified organiza-
23 tions) to implement statewide or tribal school-based
24 service-learning programs, including—

1 “(A) providing preservice and inservice
2 training for teachers, supervisors, personnel
3 from community-based agencies (particularly
4 with regard to the utilization of participants),
5 and trainers, to be conducted by qualified indi-
6 viduals or organizations that have experience
7 with service-learning;

8 “(B) developing service-learning curricula
9 to be integrated into academic programs, in-
10 cluding the age-appropriate learning component
11 described in section 114(d)(5)(B);

12 “(C) forming local partnerships described
13 in paragraph (2) or (4) to develop school-based
14 service-learning programs in accordance with
15 this subpart;

16 “(D) devising appropriate methods for re-
17 search and evaluation of the educational value
18 of service-learning and the effect of service-
19 learning activities on communities; and

20 “(E) establishing effective outreach and
21 dissemination of information to ensure the
22 broadest possible involvement of community-
23 based agencies with demonstrated effectiveness
24 in working with school-age youth in their com-
25 munities;

1 “(2) implementing, operating, or expanding
2 school-based service-learning programs, which may
3 include paying for the cost of the recruitment, train-
4 ing, supervision, placement, salaries, and benefits of
5 service-learning coordinators, through State distribu-
6 tion of Federal funds made available under this sub-
7 part to projects operated by local partnerships
8 among—

9 “(A) local educational agencies; and

10 “(B) one or more community partners
11 that—

12 “(i) shall include a public or private
13 nonprofit organization that will make
14 projects available for participants, who
15 shall be students; and

16 “(ii) may include a private for-profit
17 business or private elementary or second-
18 ary school;

19 “(3) planning of school-based service-learning
20 programs through State distribution of Federal
21 funds made available under this subpart to local
22 educational agencies or elementary or secondary
23 schools, which planning may include paying for the
24 cost of—

1 “(A) the salaries and benefits of service-
2 learning coordinators; or

3 “(B) the recruitment, training, supervision,
4 and placement of service-learning coordinators
5 who are participants in a program under sub-
6 title C or receive a national service educational
7 award under subtitle D,

8 who will identify the community partners described
9 in paragraph (2)(B) and assist in the design and im-
10 plementation of a program described in paragraph
11 (2); and

12 “(4) implementing, operating, or expanding
13 school-based service-learning programs involving
14 adult volunteers to utilize service-learning to improve
15 the education of students through State distribution
16 of Federal funds made available under this part to
17 local partnerships among—

18 “(A) local educational agencies; and

19 “(B) one or more public or private non-
20 profit organizations or private for-profit busi-
21 nesses,

22 that coordinate and operate projects for participants,
23 who shall be students.

24 “(b) DUTIES OF SERVICE-LEARNING COORDINA-
25 TOR.—A service-learning coordinator referred to in para-

1 graph (2) or (3) of subsection (a) shall provide services
2 to a local educational agency, elementary school, or sec-
3 ondary school by—

4 “(1) expanding the awareness of teachers of the
5 potential of service-learning in strengthening the
6 educational achievement, leadership development,
7 and substantive learning, of students;

8 “(2) providing technical assistance and informa-
9 tion to, and facilitating the training of, teachers who
10 want to use service-learning in their classrooms;

11 “(3) assisting local partnerships described in
12 subsection (a) in the planning, development, and
13 execution of service-learning projects;

14 “(4) recruiting and supervising adult volun-
15 teers, or individuals who are participants in a pro-
16 gram under subtitle C or receive a national service
17 educational award under subtitle D, to expand serv-
18 ice-learning opportunities; and

19 “(5) coordinating the activities of the service-
20 learning coordinator with the activities of the com-
21 mittee described in section 114(d)(1), and, where
22 appropriate, assisting the committee.

23 “(c) **RELATED EXPENSES.**—A partnership, local edu-
24 cational agency, elementary or secondary school, or other
25 qualified organization that receives financial assistance

1 under this subpart may, in carrying out the activities de-
2 scribed in subsection (a), use such assistance to pay for
3 the Federal share of reasonable costs related to the super-
4 vision of participants, program administration, transpor-
5 tation, insurance, evaluations, and for other reasonable ex-
6 penses related to the activities.

7 **“SEC. 111A. AUTHORITY TO ASSIST LOCAL APPLICANTS IN**
8 **NONPARTICIPATING STATES.**

9 “In any fiscal year in which a State or Indian tribe
10 does not participate in programs under this subpart, the
11 Corporation may use the allotment of that State or Indian
12 tribe under subsection (a) or (b)(2) of section 112 to make
13 direct grants to pay for the Federal share of the cost of—

14 “(1) carrying out the activities described in
15 paragraph (2) or (4) of section 111(a), to a local
16 partnership described in such paragraph; or

17 “(2) carrying out the activities described in
18 paragraph (3) of such section, to an agency or
19 school described in such paragraph,

20 that is located in the State, or serves the Indian tribe.

21 **“SEC. 111B. AUTHORITY TO ASSIST PUBLIC OR PRIVATE**
22 **NONPROFIT ORGANIZATIONS.**

23 “(a) IN GENERAL.—The Corporation may make a
24 grant under section 112(b)(1) to a public or private non-
25 profit organization that—

1 “(1) has experience with service-learning; and

2 “(2) was in existence 1 year before the date on
3 which the organization submitted an application
4 under section 114(a).

5 “(b) USE OF FUNDS.—Such an organization may use
6 a grant made under subsection (a) to make grants to part-
7 nerships described in section 111(a)(2) to implement, op-
8 erate, or expand school-based service-learning programs as
9 described in such section.

10 **“SEC. 112. GRANTS AND ALLOTMENTS.**

11 “(a) INDIAN TRIBES AND TERRITORIES.—Of the
12 amounts appropriated to carry out this subpart for any
13 fiscal year, the Corporation shall reserve an amount of not
14 more than 1 percent for payments to Indian tribes, the
15 Virgin Islands, Guam, American Samoa, and the Com-
16 monwealth of the Northern Mariana Islands, to be allotted
17 in accordance with their respective needs. The Corporation
18 may also make payments from such amount to Palau, in
19 accordance with its needs, until such time as the Compact
20 of Free Association is ratified.

21 “(b) GRANTS AND ALLOTMENTS THROUGH
22 STATES.—The Corporation shall use the remainder of the
23 funds appropriated to carry out this subpart for any fiscal
24 year as follows:

1 “(1) GRANTS.—Except as provided in para-
2 graph (3), from **【25 percent】** of such funds, the
3 Corporation may make grants, on a competitive
4 basis, to—

5 “(A) State educational agencies and Indian
6 tribes; or

7 “(B) as described in section 111B, to pub-
8 lic or private nonprofit organizations.

9 “(2) ALLOTMENTS.—

10 “(A) SCHOOL-AGE YOUTH.—Except as pro-
11 vided in paragraph (3), from **【37.5 percent】** of
12 such funds, the Corporation shall allot to each
13 State an amount that bears the same ratio to
14 **【37.5 percent】** of such funds as the number of
15 school-age youth in the State bears to the total
16 number of school-age youth of all States.

17 “(B) ALLOCATION UNDER ELEMENTARY
18 AND SECONDARY EDUCATION ACT OF 1965.—
19 Except as provided in paragraph (3), from
20 **【37.5 percent】** of such funds, the Corporation
21 shall allot to each State an amount that bears
22 the same ratio to **【37.5 percent】** of such funds
23 as the allocation to the State for the previous
24 fiscal year under chapter 1 of title I of the Ele-
25 mentary and Secondary Education Act of 1965

1 (20 U.S.C. 2711 et seq.) bears to such alloca-
2 tions to all States.

3 “(3) MINIMUM AMOUNT.—No State shall re-
4 ceive, under paragraph (2), an allotment that is less
5 than the allotment such State received for fiscal year
6 1993 under section 112(b) of this Act, as in effect
7 on the day before the date of enactment of this part.
8 If the amount of funds made available in a fiscal
9 year to carry out paragraph (2) is insufficient to
10 make such allotments, the Corporation shall make
11 available sums from the **【25 percent】** described in
12 paragraph (1) for such fiscal year to make such al-
13 lotments.

14 “(4) DEFINITION.—Notwithstanding section
15 101(25), for purposes of this subsection, the term
16 ‘State’ means each of the several States, the District
17 of Columbia, the Commonwealth of Puerto Rico, and
18 an Indian tribe.

19 “(c) REALLOTMENT.—If the Corporation determines
20 that the allotment of a State or Indian tribe under this
21 section will not be required for a fiscal year because the
22 State or Indian tribe does not participate in programs
23 under this subpart in such fiscal year, the Corporation
24 shall, after making any grants under section 111A to a
25 partnership, agency, or school described in such section,

1 make any remainder of such allotment available for real-
2 lotment to such other States, and Indian tribes, with ap-
3 proved applications submitted under section 113, as the
4 Corporation may determine to be appropriate.

5 “(d) EXCEPTION.—Notwithstanding subsections (a)
6 and (b), if less than \$20,000,000 is appropriated for any
7 fiscal year to carry out this subpart, the Corporation shall
8 award grants to States and Indian tribes, from the
9 amount so appropriated, on a competitive basis to pay for
10 the Federal share of the activities described in section 111.

11 **“SEC. 113. STATE OR TRIBAL APPLICATIONS.**

12 “(a) SUBMISSION.—To be eligible to receive a grant
13 under section 112(b)(1), an allotment under subsection
14 (a) or (b)(2) of section 112, a reallocation under section
15 112(c), or a grant under section 112(d), a State, acting
16 through the State educational agency, or an Indian tribe,
17 shall prepare, submit to the Corporation, and obtain ap-
18 proval of, an application at such time and in such manner
19 as the Chairperson may reasonably require.

20 “(b) CONTENTS.—An application that is submitted
21 under subsection (a) with respect to service-learning pro-
22 grams described in section 111 shall include—

23 “(1) a 3-year strategic plan for promoting serv-
24 ice-learning through the programs, which plan shall

1 contain such information as the Chairperson may
2 reasonably require, such as—

3 “(A) a description of the goals to be at-
4 tained in promoting service-learning through
5 such programs;

6 “(B) a description of—

7 “(i) the resources and organization
8 needed to achieve the goals of such pro-
9 grams within elementary schools and sec-
10 ondary schools; and

11 “(ii) the manner in which such pro-
12 grams and the activities to be carried out
13 under such programs relate to the goals
14 described in subparagraph (A); and

15 “(C) a description of the manner in
16 which—

17 “(i) the programs will promote in-
18 volvement in service-learning activities
19 within the State or Indian tribe and within
20 such schools;

21 “(ii) the applicant will evaluate the
22 success of the programs and the extent of
23 community involvement in the programs,
24 and measure the extent to which the pro-

grams meet the goals described in subparagraph (A);

“(iii) the applicant will rank applications submitted under section 114(c) according to the criteria described in section 115(b), and in a manner that ensures the equitable treatment of all such applications;

“(iv) the programs will be coordinated with—

“(I) the education reform efforts of the applicant;

“(II) other efforts to meet the **【National Education Goals,】**;

“(III) other service activities in the State or serving the Indian tribe; and

“(IV) other education programs, training programs, social service programs, and appropriate programs that serve school-age youth, that are authorized under Federal law;

“(v) the applicant will disseminate information, conduct outreach, and take other measures, to encourage cooperative

1 efforts among the local educational agen-
2 cies, local government agencies, commu-
3 nity-based agencies, State agencies, and
4 private for-profit businesses that will carry
5 out the service-learning programs proposed
6 by the applicant, to develop and provide
7 projects, including those that involve the
8 participation of urban, suburban, and rural
9 students working together;

10 “(vi) the applicant will promote ap-
11 propriate projects in such programs for
12 economically disadvantaged students, stu-
13 dents with limited basic skills, students in
14 foster care who are becoming too old for
15 foster care, students of limited-English
16 proficiency, homeless students, and stu-
17 dents with disabilities;

18 “(vii) service-learning training and
19 technical assistance will be provided
20 through the programs—

21 “(I) to State and local edu-
22 cational agency personnel, federally
23 assisted education specialists in the
24 State or serving the Indian tribe, and
25 local recipients of grants under this

1 subpart, to raise the awareness of
2 service-learning among such person-
3 nel, specialists, and recipients; and

4 “(II) by qualified and experi-
5 enced individuals employed by the
6 State or Indian tribe or through
7 grants or contracts with such individ-
8 uals;

9 “(viii) a service-learning network will
10 be established for the State or Indian
11 tribe, comprised of expert teachers and ad-
12 ministrators who have carried out success-
13 ful service-learning activities within the
14 State or serving the Indian tribe; and

15 “(ix) the applicant will use payments
16 from sources described in section
17 116(a)(2)(B) to expand projects for stu-
18 dents through the programs proposed by
19 the applicant;

20 “(2) assurances that—

21 “(A) the applicant will keep such records
22 and provide such information to the Corpora-
23 tion with respect to the programs as may be re-
24 quired for fiscal audits and program evaluation;
25 and

1 “(B) the applicant will comply with the
2 nonduplication and nondisplacement require-
3 ments of section 177; and

4 “(3) such additional information as the Chair-
5 person may reasonably require.

6 **“SEC. 114. LOCAL APPLICATIONS.**

7 “(a) APPLICATION TO CORPORATION TO MAKE
8 GRANTS FOR SCHOOL-BASED SERVICE-LEARNING PRO-
9 GRAMS.—

10 “(1) IN GENERAL.—To be eligible to receive a
11 grant in accordance with section 111B(a) to make
12 grants relating to school-based service-learning pro-
13 grams described in section 111(a)(2), a public or
14 private nonprofit organization shall prepare, submit
15 to the Corporation, and obtain approval of, an appli-
16 cation.

17 “(2) SUBMISSION.—Such application shall be
18 submitted at such time and in such manner, and
19 shall contain such information, as the Chairperson
20 may reasonably require. Such application shall in-
21 clude a proposal to assist such programs in more
22 than 1 State.

23 “(b) DIRECT APPLICATION TO CORPORATION TO
24 CARRY OUT SCHOOL-BASED SERVICE-LEARNING PRO-
25 GRAMS IN NONPARTICIPATING STATES.—To be eligible to

1 receive a grant from the Corporation in the circumstances
2 described in section 111A to carry out an activity de-
3 scribed in such section, a partnership, agency, or school
4 described in such section shall prepare, submit to the Cor-
5 poration, and obtain approval of, an application. Such ap-
6 plication shall be submitted at such time and in such man-
7 ner, and shall contain such information, as the Chair-
8 person may reasonably require.

9 “(c) APPLICATION TO STATE OR INDIAN TRIBE TO
10 RECEIVE ASSISTANCE TO CARRY OUT SCHOOL-BASED
11 SERVICE-LEARNING PROGRAMS.—

12 “(1) IN GENERAL.—Any—

13 “(A) qualified organization that desires to
14 receive financial assistance under this subpart
15 from a State or Indian tribe for an activity de-
16 scribed in section 111(a)(1);

17 “(B) partnership described in section
18 111(a)(2) that desires to receive such assistance
19 from a State, Indian tribe, or grantmaking en-
20 tity for an activity described in section
21 111(a)(2);

22 “(C) agency or school described in section
23 111(a)(3) that desires to receive such assistance
24 from a State or Indian tribe for an activity de-
25 scribed in such section; or

1 “(D) partnership described in section
2 111(a)(4) that desires to receive such assistance
3 from a State or Indian tribe for an activity de-
4 scribed in such section,
5 to be carried out through a service-learning program
6 described in section 111, shall prepare, submit to
7 the State educational agency, Indian tribe, or
8 grantmaking entity, and obtain approval of, an ap-
9 plication for the program.

10 “(2) SUBMISSION.—Such application shall be
11 submitted at such time and in such manner, and
12 shall contain such information, as the agency, tribe,
13 or entity may reasonably require.

14 “(d) CONTENTS OF APPLICATION.—An application
15 that is submitted under subsection (a), (b), or (c) with
16 respect to a service-learning program described in section
17 111 shall, at a minimum, contain a proposal that
18 includes—

19 “(1) information specifying the membership and
20 role of an established advisory committee, consisting
21 of representatives of community-based agencies in-
22 cluding service recipients, students, parents, teach-
23 ers, administrators, representatives of agencies that
24 serve school-age youth or older adults, school board
25 members, representatives of labor, and representa-

1 tives of business, that will provide advice with re-
2 spect to the program;

3 “(2) a description of—

4 “(A) the goals of the program which shall
5 include goals that are quantifiable and dem-
6 onstrate any benefits from the program to par-
7 ticipants and the community;

8 “(B) service-learning projects to be pro-
9 vided under the program, and evidence that
10 participants will make a sustained commitment
11 to service in the projects;

12 “(C) the manner in which participants in
13 the program were or will be involved in the de-
14 sign and operation of the program;

15 “(D) preservice and inservice training for
16 supervisors, teachers, service sponsors, and par-
17 ticipants in the program;

18 “(E) the manner in which exemplary serv-
19 ice will be recognized under the program; and

20 “(F) any resources that will permit con-
21 tinuation of the program, if needed, after the
22 assistance received under this subpart for the
23 program has ended;

24 “(3) information that shall include—

1 “(A) a disclosure of whether or not the
2 participants will receive academic credit for par-
3 ticipation in the program;

4 “(B) the expected number of participants
5 in the program and the hours of service that
6 such participants will provide individually and
7 as a group;

8 “(C) the proportion of expected partici-
9 pants in the program who are economically dis-
10 advantaged, including participants with disabil-
11 ities; and

12 “(D) any role of adult volunteers in imple-
13 menting the program, and the manner in which
14 such volunteers will be recruited;

15 “(4) in the case of an application submitted by
16 a local partnership, a written agreement, between
17 the members of the local partnership, stating that
18 the program was jointly developed by the members
19 and that the program will be jointly executed by the
20 members; and

21 “(5) assurances that—

22 “(A) prior to the placement of a partici-
23 pant, the entity carrying out the program will
24 consult with any local labor organization rep-
25 resenting employees in the area who are en-

1 gaged in the same or similar work as that pro-
2 posed to be carried out by such program, to
3 prevent the displacement and protect the rights
4 of such employees;

5 “(B) the entity carrying out the program
6 will develop an age-appropriate learning compo-
7 nent for participants in the program that shall
8 include a chance for participants to analyze and
9 apply their service experiences; and

10 “(C) the entity carrying out the program
11 will comply with the nonduplication and
12 nondisplacement requirements of section 177.

13 **“SEC. 115. CONSIDERATION OF APPLICATIONS.**

14 “(a) CORPORATION CRITERIA FOR APPLICATIONS.—
15 In making grants under section 112(b)(1), the Corpora-
16 tion shall give priority to States and Indian tribes that
17 submit applications under section 113 that meet such cri-
18 teria with respect to sustainability, replicability, innova-
19 tion, and quality of programs under this subpart as the
20 Chairperson may by regulation specify.

21 “(b) PRIORITY FOR LOCAL APPLICATIONS.—

22 “(1) IN GENERAL.—In providing assistance
23 under this subpart, a State educational agency or
24 Indian tribe, or the Corporation if section 111A or
25 111B applies, shall give priority to entities that sub-

1 mit applications under section 114 with respect to
2 service-learning programs described in section 111
3 that—

4 “(A) involve participants in the design and
5 operation of the program;

6 “(B) are in the greatest need of assistance,
7 such as programs targeting low-income areas;

8 “(C) involve—

9 “(i) students from public elementary
10 or secondary schools, and students from
11 private elementary or secondary schools,
12 serving together; or

13 “(ii) students of different ages, races,
14 sexes, ethnic groups, disabilities, or eco-
15 nomic backgrounds, serving together; or

16 “(D) are integrated into the academic pro-
17 gram of the participants.

18 “(c) REJECTION OF APPLICATIONS.—

19 “(1) NOTIFICATION OF APPLICANTS.—If the
20 Corporation rejects an application submitted by a
21 State or Indian tribe under section 113, the Cor-
22 poration shall promptly notify the State or Indian
23 tribe of the reasons for the rejection of the applica-
24 tion. The Corporation shall provide the State or In-
25 dian tribe with a reasonable opportunity to revise

1 and resubmit the application and shall provide tech-
2 nical assistance, if needed, to the State or Indian
3 tribe as part of the resubmission process. The Cor-
4 poration shall promptly reconsider such resubmitted
5 application.

6 “(2) OTHER APPLICANTS.—The Corporation is
7 not required to provide notice to applicants other
8 than States and Indian tribes of the failure of the
9 Corporation to approve an application under section
10 114 for assistance.

11 **“SEC. 115A. PARTICIPATION OF STUDENTS AND TEACHERS**
12 **FROM PRIVATE SCHOOLS.**

13 “(a) IN GENERAL.—To the extent consistent with the
14 number of students in the State or Indian tribe or in the
15 school district of the local educational agency involved who
16 are enrolled in private nonprofit elementary and secondary
17 schools, such State, Indian tribe, or agency shall (after
18 consultation with appropriate private school representa-
19 tives) make provision—

20 “(1) for the inclusion of services and arrange-
21 ments for the benefit of such students so as to allow
22 for the equitable participation of such students in
23 the programs implemented to carry out the objec-
24 tives and provide the benefits described in this sub-
25 part; and

1 “(2) for the training of the teachers of such
2 students so as to allow for the equitable participa-
3 tion of such teachers in the programs implemented
4 to carry out the objectives and provide the benefits
5 described in this subpart.

6 “(b) WAIVER.—If a State, Indian tribe, or local edu-
7 cational agency is prohibited by law from providing for
8 the participation of students or teachers from private non-
9 profit schools as required by subsection (a), or if the Cor-
10 poration determines that a State, Indian tribe, or local
11 educational agency substantially fails or is unwilling to
12 provide for such participation on an equitable basis, the
13 Chairperson shall waive such requirements and shall ar-
14 range for the provision of services to such students and
15 teachers. Such waivers shall be subject to consultation,
16 withholding, notice, and judicial review requirements in
17 accordance with paragraphs (3) and (4) of section 1017(b)
18 of the Elementary and Secondary Education Act of 1965
19 (20 U.S.C. 2727(b)).

20 **“SEC. 116. FEDERAL, STATE, AND LOCAL CONTRIBUTIONS.**

21 “(a) SHARE.—

22 “(1) IN GENERAL.—The Federal share attrib-
23 utable to this subpart of the cost of carrying out a
24 program for which a grant or allotment is made
25 under this subpart may not exceed—

1 “(A) 90 percent of the total cost of the
2 program for the first year for which the pro-
3 gram receives assistance under this subpart;

4 “(B) 80 percent of the total cost of the
5 program for the second year for which the pro-
6 gram receives assistance under this subpart;

7 “(C) 70 percent of the total cost of the
8 program for the third year for which the pro-
9 gram receives assistance under this subpart;
10 and

11 “(D) 50 percent of the total cost of the
12 program for the fourth year, and for any subse-
13 quent year, for which the program receives as-
14 sistance under this subpart.

15 “(2) CALCULATION.—In providing for the re-
16 maining share of the cost of carrying out such a pro-
17 gram, each recipient of assistance under this
18 subpart—

19 “(A) shall provide for such share through
20 a payment in cash or in kind, fairly evaluated,
21 including facilities, equipment, or services; and

22 “(B) may provide for such share through
23 State sources, local sources, or Federal sources
24 (other than funds made available under this
25 Act).

1 “(b) WAIVER.—The Chairperson may waive the re-
2 quirements of subsection (a) with respect to any such pro-
3 gram in any fiscal year if the Corporation determines that
4 such a waiver would be equitable due to a lack of available
5 financial resources at the local level.

6 **“SEC. 116A. LIMITATIONS ON USES OF FUNDS.**

7 “(a) ADMINISTRATIVE COSTS.—

8 “(1) STATE EDUCATIONAL AGENCY, INDIAN
9 TRIBE, OR GRANTMAKING ENTITY.—A State edu-
10 cational agency, Indian tribe, or grantmaking entity
11 that receives a grant or allotment under this subpart
12 for a fiscal year may reserve not more than 5 per-
13 cent of the funds made available through the grant
14 or allotment for the fiscal year, for administrative
15 costs of programs carried out under this subpart.

16 “(2) GRANT RECIPIENT.—If a grantmaking en-
17 tity makes a reservation under paragraph (1) of
18 funds made available for a fiscal year, a partnership
19 that receives a grant from the grantmaking entity
20 under this subpart for such fiscal year may not use
21 funds made available through the grant for adminis-
22 trative costs. If the grantmaking entity does not
23 make such a reservation, the partnership that re-
24 ceives the grant may use not more than 5 percent
25 of the funds made available through the grant for

1 administrative costs of programs carried out under
2 this subpart.

3 “(b) CAPACITY-BUILDING ACTIVITIES.—A State edu-
4 cational agency or Indian tribe that receives a grant or
5 allotment under this subpart for a fiscal year may reserve
6 not less than 10 percent and not more than 15 percent
7 of such funds, to build capacity through training, technical
8 assistance, curriculum development, and coordination ac-
9 tivities, described in section 111(a)(1).

10 “(c) LOCAL USES OF FUNDS.—Funds made available
11 under this subpart may not be used to pay any stipend,
12 allowance, or other financial support to any elementary or
13 secondary school student who is a participant under this
14 subtitle, except reimbursement for transportation, meals,
15 and other reasonable out-of-pocket expenses directly relat-
16 ed to participation in a program assisted under this sub-
17 part.

18 **“SEC. 116B. DEFINITIONS.**

19 “As used in this subpart:

20 “(1) GRANTMAKING ENTITY.—The term
21 ‘grantmaking entity’ means an organization de-
22 scribed in section 111B(a).

23 “(2) SCHOOL-BASED.—The term ‘school-based’
24 means based in an elementary school or a secondary
25 school.

1 “(3) STUDENT.—Notwithstanding section
2 101(28), the term ‘student’ means an individual who
3 is enrolled in an elementary or secondary school on
4 a full- or part-time basis.

5 **“Subpart B—Community-Based Service Programs for**
6 **School-Age Youth**

7 **“SEC. 117. DEFINITIONS.**

8 “As used in this subpart:

9 “(1) COMMUNITY-BASED SERVICE PROGRAM.—
10 The term ‘community-based service program’ means
11 a program described in section 117A(b)(1)(A).

12 “(2) GRANTMAKING ENTITY.—The term
13 ‘grantmaking entity’ means a qualified organization
14 that—

15 “(A) submits an application under section
16 117C(a) to make grants to qualified organiza-
17 tions;

18 “(B) has experience with service-learning;
19 and

20 “(C) was in existence 1 year before the
21 date on which the organization submitted the
22 application.

23 “(3) QUALIFIED ORGANIZATION.—The term
24 ‘qualified organization’ means a public or private

1 nonprofit organization with experience working with
2 school-age youth.

3 **"SEC. 117A. GENERAL AUTHORITY.**

4 "(a) GRANTS.—From the funds appropriated to
5 carry out this subpart for a fiscal year, the Corporation
6 may make grants to State Commissions, grantmaking en-
7 tities, and qualified organizations to pay for the Federal
8 share of the implementation, operation, expansion, or rep-
9 lication of community-based service programs.

10 "(b) USE OF FUNDS.—

11 "(1) STATE COMMISSIONS AND GRANTMAKING
12 ENTITIES.—A State Commission or grantmaking en-
13 tity may use a grant made under subsection (a)—

14 "(A) to make a grant to a qualified organi-
15 zation to implement, operate, expand, or rep-
16 licate such a program that provides projects in-
17 volving meaningful human, educational, envi-
18 ronmental, or public safety service by partici-
19 pants, who shall be school-age youth; or

20 "(B) to provide training and technical as-
21 sistance to a such an organization.

22 "(2) QUALIFIED ORGANIZATIONS.—A qualified
23 organization, other than a grantmaking entity, may
24 use a grant made under subsection (a) to implement,

1 operate, expand, or replicate a program described in
2 paragraph (1)(A).

3 **“SEC. 117B. STATE APPLICATIONS.**

4 “(a) IN GENERAL.—To be eligible to receive a grant
5 under section 117A(a), a State Commission shall prepare,
6 submit to the Corporation, and obtain approval of, an ap-
7 plication.

8 “(b) SUBMISSION.—Such application shall be submit-
9 ted to the Corporation at such time and in such manner,
10 and shall contain such information, as the Chairperson
11 may reasonably require.

12 “(c) CONTENTS.—Such an application shall include,
13 at a minimum, a State plan that contains the descriptions,
14 proposals, and assurance described in section 117C(d)
15 with respect to each community-based service program
16 proposed to be carried out through funding distributed by
17 the State Commission under this subpart.

18 **“SEC. 117C. LOCAL APPLICATIONS.**

19 “(a) APPLICATION TO CORPORATION TO MAKE
20 GRANTS FOR COMMUNITY-BASED SERVICE PROGRAMS.—
21 To be eligible to receive a grant from the Corporation
22 under section 117A(a) to make grants under section
23 117A(b)(1), a qualified organization shall prepare, submit
24 to the Corporation, and obtain approval of, an application
25 that proposes a community-based service program to be

1 carried out through grants made to qualified organiza-
2 tions. Such application shall be submitted at such time
3 and in such manner, and shall contain such information,
4 as the Chairperson may reasonably require.

5 “(b) DIRECT APPLICATION TO CORPORATION TO
6 CARRY OUT COMMUNITY-BASED SERVICE PROGRAMS.—
7 To be eligible to receive a grant from the Corporation
8 under section 117A(a) to implement, operate, expand, or
9 replicate a community service program, a qualified organi-
10 zation shall prepare, submit to the Corporation, and ob-
11 tain approval of, an application that proposes a commu-
12 nity-based service program to be carried out at multiple
13 sites, or that proposes an innovative community-based
14 service program. Such application shall be submitted at
15 such time and in such manner, and shall contain such in-
16 formation, as the Chairperson may reasonably require.

17 “(c) APPLICATION TO STATE COMMISSION OR
18 GRANTMAKING ENTITY TO RECEIVE GRANTS TO CARRY
19 OUT COMMUNITY-BASED SERVICE PROGRAMS.—To be el-
20 igible to receive a grant from a State Commission or
21 grantmaking entity under section 117A(b)(1), a qualified
22 organization shall prepare, submit to the Commission or
23 entity, and obtain approval of, an application. Such appli-
24 cation shall be submitted at such time and in such man-

1 ner, and shall contain such information, as the Commis-
2 sion or entity may reasonably require.

3 “(d) REQUIREMENTS OF APPLICATION.—An applica-
4 tion submitted under subsection (a), (b), or (c) shall, at
5 a minimum, contain—

6 “(1) a description of any community-based
7 service program proposed to be implemented, oper-
8 ated, expanded, or replicated directly by the appli-
9 cant using assistance provided under this subpart;

10 “(2) a description of any grant program pro-
11 posed to be conducted by the applicant with assist-
12 ance provided under this subpart to support a com-
13 munity-based service program;

14 “(3) a proposal for carrying out the commu-
15 nity-based service program that describes the man-
16 ner in which the entity carrying out the program
17 will—

18 “(A) provide preservice and inservice train-
19 ing, for supervisors and participants, that will
20 be conducted by qualified individuals, or quali-
21 fied organizations, that have experience in com-
22 munity-based service programs;

23 “(B) include economically disadvantaged
24 individuals as participants in the program pro-
25 posed by the applicant;

1 “(C) provide an age-appropriate service-
2 learning component described in section
3 114(d)(5)(B);

4 “(D) conduct an appropriate evaluation of
5 the program;

6 “(E) provide for appropriate community
7 involvement in the program;

8 “(F) provide service experiences that pro-
9 mote leadership abilities among participants in
10 the program, including experiences that involve
11 such participants in program design;

12 “(G) involve participants in projects ap-
13 proved by community-based agencies;

14 “(H) establish and measure progress to-
15 ward the goals of the program; and

16 “(I) organize participants in the program
17 into teams, with team leaders who may be par-
18 ticipants in a program under subtitle C or indi-
19 viduals who receive a national service edu-
20 cational award under subtitle D; and

21 “(4) an assurance that the entity carrying out
22 the program proposed by the applicant will comply
23 with the nonduplication and nondisplacement provi-
24 sions of section 177.

1 **“SEC. 117D. CONSIDERATION OF APPLICATIONS.**

2 “(a) APPLICATION OF CRITERIA.—The Corporation
3 shall apply the criteria described in subsection (b) in de-
4 termining whether to approve an application submitted
5 under section 117B or under subsection (a) or (b) of sec-
6 tion 117C and to provide assistance under section 117A
7 to the applicant on the basis of the application.

8 “(b) ASSISTANCE CRITERIA.—The Corporation shall
9 consider, in evaluating such an application—

10 “(1) in the case of an application submitted by
11 a State Commission, the quality of the State plan
12 required under section 117B;

13 “(2) the quality of the community-based service
14 program to be conducted directly or supported by
15 the applicant;

16 “(3) the innovative aspects of the program, and
17 the extent to which the program can be replicated;

18 “(4) the sustainability of the program, based
19 on—

20 “(A) evidence of strong and broad-based
21 community support for the program; and

22 “(B) the existence of multiple funding
23 sources and private funding that will permit
24 continuation of the program after the assistance
25 received under this subpart for the program has
26 ended;

1 “(5)(A) the extent to which the program builds
2 on programs, authorized under this Act or under
3 other authority, that are in existence on the date of
4 submission of the application; and

5 “(B) the past performance of such programs;

6 “(6) the extent to which the community-based
7 service program involves participants in the design,
8 operation, and leadership of the program;

9 “(7) the extent to which the program provides
10 services where the services are needed most, such as
11 in communities that are designated as enterprise
12 zones or redevelopment areas or are otherwise tar-
13 geted for special economic incentives, areas that are
14 environmentally distressed, and communities ad-
15 versely affected by reductions in defense spending;
16 and

17 “(8) such other factors as the Chairperson con-
18 siders to be appropriate.

19 “(c) APPLICATION TO SUBGRANTS.—A State Com-
20 mission or grantmaking entity shall apply the criteria de-
21 scribed in subsection (b) in determining whether to ap-
22 prove an application under section 117C(c) and to make
23 a grant under section 117A(b)(1) to the applicant on the
24 basis of the application.

1 **“SEC. 117E. FEDERAL, STATE, AND LOCAL CONTRIBUTIONS.**

2 “(a) FEDERAL SHARE.—

3 “(1) IN GENERAL.—The Federal share attrib-
4 utable to this subpart of the cost of carrying out a
5 program for which a grant is made under this sub-
6 part may not exceed the percentage specified in sub-
7 paragraph (A), (B), (C), or (D) of section 116(a)(1),
8 as appropriate.

9 “(2) CALCULATION.—Each recipient of assist-
10 ance under this subpart shall comply with section
11 116(a)(2).

12 “(b) WAIVER.—The Chairperson may waive the re-
13 quirements of subsection (a) as provided in section 116(b).

14 **“SEC. 117F. LIMITATIONS ON USES OF FUNDS.**

15 “(a) STATE COMMISSION OR GRANTMAKING EN-
16 TITY.—A State Commission or grantmaking entity that
17 receives a grant under this subpart for a fiscal year may
18 reserve not more than 5 percent of the funds made avail-
19 able through such grant for the fiscal year, for administra-
20 tive costs of programs carried out under this subpart.

21 “(b) QUALIFIED ORGANIZATION.—If a grantmaking
22 entity makes a reservation under subsection (a) of funds
23 made available for a fiscal year, a qualified organization
24 that receives a grant from the entity under this subpart
25 for such fiscal year may not use funds made available
26 through the grant for administrative costs. If the entity

1 does not make such a reservation, the qualified organiza-
2 tion that receives the grant may use not more than 5 per-
3 cent of the funds made available through the grant for
4 administrative costs of programs carried out under this
5 subpart.

6 **“Subpart C—Clearinghouse**

7 **“SEC. 118. SERVICE-LEARNING CLEARINGHOUSE.**

8 “(a) IN GENERAL.—The Corporation shall provide fi-
9 nancial assistance, from funds appropriated to carry out
10 subtitle G, to agencies described in subsection (b) to estab-
11 lish a clearinghouse, which shall carry out activities, either
12 directly or by contract with another such entity, with re-
13 spect to information about service-learning.

14 “(b) PUBLIC AND PRIVATE NONPROFIT AGENCIES.—
15 Public and private nonprofit agencies that have extensive
16 experience with service-learning, including use of adult vol-
17 unteers to foster service-learning, shall be eligible to re-
18 ceive assistance under subsection (a).

19 “(c) FUNCTION OF CLEARINGHOUSE.—An entity
20 that receives assistance under subsection (a) may—

21 “(1) assist entities carrying out State or local
22 service-learning programs with needs assessments
23 and planning;

24 “(2) conduct research and evaluations concern-
25 ing service-learning;

1 “(3)(A) provide leadership development and
2 training to State and local service-learning program
3 administrators, supervisors, service sponsors, and
4 participants; and

5 “(B) provide training to persons who can pro-
6 vide the leadership development and training de-
7 scribed in subparagraph (A);

8 “(4) facilitate communication among entities
9 carrying out service-learning programs and partici-
10 pants in such programs;

11 “(5) provide information, curriculum materials,
12 and technical assistance relating to planning and op-
13 eration of service-learning programs, to States and
14 local entities eligible to receive financial assistance
15 under this title;

16 “(6)(A) gather and disseminate information on
17 successful service-learning programs, components of
18 such successful programs, innovative youth skills
19 curricula related to service-learning, and service-
20 learning projects; and

21 “(B) coordinate the activities of the Clearing-
22 house with appropriate entities to avoid duplication
23 of effort;

1 “(7) make recommendations to State and local
2 entities on quality controls to improve the quality of
3 service-learning programs;

4 “(8) assist organizations in recruiting, screen-
5 ing, and placing service-learning coordinators; and

6 “(9) carry out such other activities as the Cor-
7 poration determines to be appropriate.

8 **“Subpart D—General Provisions**

9 **“SEC. 119. AVAILABILITY OF APPROPRIATIONS.**

10 “Of the aggregate amount appropriated to carry out
11 this part for each fiscal year—

12 “(1) a sum equal to 85 percent of such amount
13 shall be available to carry out subpart A; and

14 “(2) a sum equal to 15 percent of such amount
15 shall be available to carry out subpart B.”.

16 (b) **HIGHER EDUCATION INNOVATIVE PROJECTS.—**
17 Part II of subtitle B of title I of the National and Commu-
18 nity Service Act of 1990 (42 U.S.C. 12531 et seq.) is
19 amended to read as follows:

20 **“PART II—HIGHER EDUCATION INNOVATIVE**
21 **PROGRAMS FOR COMMUNITY SERVICE**

22 **“SEC. 120. HIGHER EDUCATION INNOVATIVE PROGRAMS**
23 **FOR COMMUNITY SERVICE.**

24 “(a) **PURPOSE.—**It is the purpose of this part to ex-
25 pand participation in community service by supporting in-

1 novative community service programs carried out through
2 institutions of higher education, acting as civic institutions
3 to improve the health and well-being of neighboring com-
4 munities.

5 “(b) GENERAL AUTHORITY.—The Corporation, in
6 consultation with the Secretary of Education, is author-
7 ized to make grants to, and enter into contracts with, in-
8 stitutions of higher education (including a combination of
9 such institutions), and partnerships comprised of such in-
10 stitutions and of other public agencies or nonprofit private
11 organizations, to pay for the Federal share of the cost of—

12 “(1) enabling such an institution or partnership
13 to create or expand an organized community service
14 program that engenders a sense of social responsibil-
15 ity and commitment to the community in which the
16 institution is located, and provides projects for par-
17 ticipants, who shall be students, faculty, administra-
18 tion, or staff of the institution, or residents of the
19 community;

20 “(2) supporting student-initiated and student-
21 designed community service projects through the
22 program;

23 “(3) facilitating the integration of community
24 service carried out under the program into academic
25 curricula, including integration of clinical programs

1 into the curriculum for students in professional
2 schools, so that students can obtain credit for their
3 community service projects;

4 “(4) supplementing the funds available to carry
5 out work-study programs under part C of title IV of
6 the Higher Education Act of 1965 (42 U.S.C. 2751
7 et seq.) to support service-learning and community
8 service through the community service program;

9 “(5) strengthening the service infrastructure
10 within institutions of higher education in the United
11 States through the program; and

12 “(6) providing for the training of teachers, pro-
13 spective teachers, related education personnel, and
14 community leaders in the skills necessary to develop,
15 supervise, and organize service-learning.

16 “(c) FEDERAL SHARE.—

17 “(1) SHARE.—

18 “(A) IN GENERAL.—The Federal share of
19 the cost of carrying out a community service
20 project for which a grant or contract is awarded
21 under this part may not exceed 50 percent.

22 “(B) CALCULATION.—Each recipient of as-
23 sistance under this part shall comply with sec-
24 tion 116(a)(2).

1 “(2) WAIVER.—The Chairperson may waive the
2 requirements of paragraph (1) as provided in section
3 116(b).

4 “(d) APPLICATION FOR GRANT.—

5 “(1) SUBMISSION.—To receive a grant or enter
6 into a contract under this part, an institution or
7 partnership described in subsection (b) shall pre-
8 pare, submit to the Corporation, and obtain approval
9 of, an application at such time and in such manner
10 as the Chairperson may reasonably require.

11 “(2) CONTENTS.—An application submitted
12 under paragraph (1) shall contain—

13 “(A) such information as the Chairperson
14 may reasonably require, such as a description
15 of—

16 “(i) the proposed program to be es-
17 tablished with assistance provided under
18 the grant or contract;

19 “(ii) the human, educational, environ-
20 mental, or public safety service that par-
21 ticipants will perform and the community
22 need that will be addressed under such
23 program;

1 “(iii) whether or not students will re-
2 ceive academic credit for community serv-
3 ice projects under the program;

4 “(iv) the procedure for training super-
5 visors and participants and for supervising
6 and organizing participants in such pro-
7 gram;

8 “(v) the procedures to ensure that the
9 program includes the age-appropriate
10 learning component described in section
11 114(d)(5)(B);

12 “(vi) the roles played by community
13 members, including service recipients, in
14 the design and implementation of the pro-
15 gram; and

16 “(vii) the budget for the program;
17 “(B) assurances that—

18 “(i) prior to the placement of a partic-
19 ipant, the applicant will consult with any
20 local labor organization representing em-
21 ployees in the area who are engaged in the
22 same or similar work as that proposed to
23 be carried out by such program, to prevent
24 the displacement and protect the rights of
25 such employees; and

1 “(ii) the applicant will comply with
2 the nonduplication and nondisplacement
3 provisions of section 177; and

4 “(C) such other assurances as the Chair-
5 person may reasonably require.

6 “(e) PRIORITY.—

7 “(1) IN GENERAL.—In making grants and en-
8 tering into contracts under subsection (b), the Cor-
9 poration shall give priority to applicants that submit
10 applications containing proposals that—

11 “(A) demonstrate the commitment of the
12 institution of higher education, other than by
13 demonstrating the commitment of the students,
14 to supporting the community service projects
15 carried out under the program;

16 “(B) specify the manner in which the insti-
17 tution will promote faculty, administration, and
18 staff participation in the community service
19 projects;

20 “(C) specify the manner in which the insti-
21 tution will provide service to the community
22 through organized programs, including, where
23 appropriate, clinical programs for students in
24 professional schools;

1 “(D) describe any partnership that will
2 participate in the community service projects,
3 such as a partnership comprised of—

4 “(i) the institution;

5 “(ii)(I) a community-based agency;

6 “(II) a local government agency; or

7 “(III) a nonprofit entity that serves or
8 involves school-age youth or older adults;

9 or

10 “(iii) a student organization;

11 “(E) demonstrate community involvement
12 in the development of the proposal;

13 “(F) specify that the institution will use
14 such assistance to strengthen the service infra-
15 structure in institutions of higher education; or

16 “(G) with respect to projects involving de-
17 livery of service, specify projects that involve
18 leadership development of school-age youth.

19 “(2) DETERMINATION.—In giving priority to
20 applicants under paragraph (1), the Corporation
21 shall give increased priority to such an applicant for
22 each characteristic described in subparagraphs (A)
23 through (G) of paragraph (1) that is reflected in the
24 application submitted by the applicant.

1 “(f) NATIONAL SERVICE EDUCATIONAL AWARD.—A
2 participant in a program funded under this part shall be
3 eligible for the national service educational award de-
4 scribed in subtitle D, if the participant served in an ap-
5 proved national service position.

6 “(g) DEFINITION.—Notwithstanding section
7 101(28), as used in this part, the term ‘student’ means
8 an individual who is enrolled in an institution of higher
9 education on a full- or part-time basis.”.

10 “(c) TABLE OF CONTENTS.—Section 1(b) of the Na-
11 tional and Community Service Act of 1990 (Public Law
12 101–610; 104 Stat. 3127) is amended by striking the
13 items relating to subtitle B of title I of such Act and in-
14 serting the following:

“Subtitle B—School-Based and Community-Based Service-Learning Programs

“PART I—SERVE-AMERICA PROGRAMS

“SUBPART A—SCHOOL-BASED PROGRAMS FOR STUDENTS

“Sec. 111. Authority to assist States and Indian tribes.

“Sec. 111A. Authority to assist local applicants in nonparticipating States.

“Sec. 111B. Authority to assist public or private nonprofit organizations.

“Sec. 112. Grants and allotments.

“Sec. 113. State or tribal applications.

“Sec. 114. Local applications.

“Sec. 115. Consideration of applications.

“Sec. 115A. Participation of students and teachers from private schools.

“Sec. 116. Federal, State, and local contributions.

“Sec. 116A. Limitations on uses of funds.

“Sec. 116B. Definitions.

“SUBPART B—COMMUNITY-BASED SERVICE PROGRAMS FOR SCHOOL-AGE
YOUTH

“Sec. 117. Definitions.

“Sec. 117A. General authority.

“Sec. 117B. State applications.

“Sec. 117C. Local applications.

“Sec. 117D. Consideration of applications.

110

“Sec. 117E. Federal, State, and local contributions.

“Sec. 117F. Limitations on uses of funds.

“SUBPART C—CLEARINGHOUSE

“Sec. 118. Service-learning clearinghouse.

“SUBPART D—GENERAL PROVISIONS

“Sec. 119. Availability of appropriations.

“PART II—HIGHER EDUCATION INNOVATIVE PROGRAMS FOR COMMUNITY
SERVICE

“Sec. 120. Higher education innovative programs for community service.”.

1 (d) TECHNICAL AND CONFORMING AMENDMENTS.—

2 Section 172(a)(3)(A) of the National and Community
3 Service Act of 1990 (42 U.S.C. 12632(a)(3)(A)) is amend-
4 ed by striking “113(9)” and inserting “113(b)(1)(C)(v)”.

5 **SEC. 104. QUALITY AND INNOVATION ACTIVITIES.**

6 (a) REPEAL.—Subtitle E of title I of the National
7 and Community Service Act of 1990 (42 U.S.C. 12591
8 et seq.) is repealed.

9 (b) TRANSFER.—Title I of the National and Commu-
10 nity Service Act of 1990 is amended—

11 (1) by redesignating subtitle H (42 U.S.C.
12 12653 et seq.) as, and transferring such subtitle to,
13 subtitle E;

14 (2) by inserting subtitle E (as so redesignated
15 by paragraph (1) of this subsection) after subtitle D;
16 and

17 (3) by redesignating sections 195 through 195O
18 as sections 151 through 166, respectively.

1 (c) INVESTMENT FUND FOR QUALITY AND INNOVA-
2 TION.—Title I of the National and Community Service Act
3 of 1990 (as amended by subsection (b) of this section)
4 is amended by adding at the end the following new sub-
5 title:

6 **“Subtitle H—Quality and**
7 **Innovation Activities**

8 **“SEC. 198. ADDITIONAL CORPORATION ACTIVITIES TO SUP-**
9 **PORT NATIONAL SERVICE.**

10 “(a) METHODS OF CONDUCTING ACTIVITIES.—The
11 Corporation may carry out this section directly or through
12 grants, contracts, and cooperative agreements with other
13 entities.

14 “(b) INNOVATION AND QUALITY IMPROVEMENT.—
15 The Corporation may undertake activities to improve the
16 quality of national service programs and to support inno-
17 vative and model programs, including programs for rural
18 youth, employer-based retiree programs, intergenerational
19 programs, and programs sponsored by State Governors.
20 An intergenerational program referred to in this sub-
21 section may include a program in which older adults pro-
22 vide services to children who participate in Head Start
23 programs.

24 “(c) SUMMER PROGRAMS.—The Corporation may
25 support service programs intended to be carried out be-

1 tween May 1 and October 1, except that such a program
2 may also include a year-round component.

3 “(d) COMMUNITY-BASED AGENCIES.—The Corpora-
4 tion may provide training and technical assistance and
5 other assistance to service sponsors and other community-
6 based agencies that provide volunteer placements in order
7 to improve the ability of such agencies to use participants
8 and other volunteers in a manner that results in high-quality
9 service and a positive service experience for the partici-
10 pants and volunteers.

11 “(e) IMPROVE ABILITY TO APPLY FOR ASSIST-
12 ANCE.—The Corporation may provide training and tech-
13 nical assistance to individuals, programs, State edu-
14 cational agencies, State commissions, local educational
15 agencies, local governments, community-based agencies,
16 and other entities to enable them to apply for funding
17 under a national service law, to conduct high-quality pro-
18 grams, to evaluate such programs, and for other purposes.

19 “(f) NATIONAL SERVICE FELLOWSHIPS.—The Cor-
20 poration may award national service fellowships.

21 “(g) CONFERENCES AND MATERIALS.—The Corpora-
22 tion may organize and hold conferences, and prepare and
23 publish materials, to disseminate information and promote
24 the sharing of information among programs for the pur-
25 pose improving the quality of programs and projects.

1 “(h) PEACE CORPS AND FEDERAL PROGRAMS.—The
2 Corporation may provide training assistance to selected in-
3 dividuals who volunteer to serve in the Peace Corps or a
4 program authorized under title I of the Domestic Volun-
5 teer Service Act of 1973 (42 U.S.C. 4951 et seq.). The
6 training shall be provided as part of the course of study
7 of the individual at an institution of higher education and
8 shall cover appropriate skills that the individual will use
9 in the Peace Corps or VISTA.

10 “(i) PROMOTION AND RECRUITMENT.—The Corpora-
11 tion may conduct a campaign to raise funds for the Na-
12 tional Service Trust and to promote and recruit partici-
13 pants for programs that receive assistance under the na-
14 tional service laws.

15 “(j) TRAINING.—The Corporation may support na-
16 tional and regional participant and supervisor training, in-
17 cluding training in specific types of service and in building
18 a national service ethic.

19 “(k) RESEARCH.—The Corporation may support re-
20 search on national service, including service-learning.

21 “(l) INTERGENERATIONAL SUPPORT.—The Corpora-
22 tion may assist programs in developing a service compo-
23 nent that combines students, out-of-school youths, and
24 older adults as participants to provide needed community
25 services.

1 “(m) PLANNING COORDINATION.—The Corporation
2 may coordinate community-wide planning among pro-
3 grams and projects.

4 “(n) POINTS OF LIGHT FOUNDATION.—The Cor-
5 poration may support the activities of the Points of Light
6 Foundation under title III.

7 “(o) ESPRIT DE CORPS.—The Corporation may sup-
8 port the development and dissemination of materials, in-
9 cluding training materials and uniforms, designed to pro-
10 mote unity and shared features among programs that re-
11 ceive assistance under the national service laws.

12 **“SEC. 198A. CLEARINGHOUSES.**

13 “(a) ASSISTANCE.—The Corporation shall provide as-
14 sistance to appropriate entities to establish one or more
15 clearinghouses, including the clearinghouse described in
16 section 118.

17 “(b) APPLICATION.—To be eligible to receive assist-
18 ance under subsection (a), an entity shall submit an appli-
19 cation to the Corporation at such time, in such manner,
20 and containing such information as the Corporation may
21 require.

22 **“SEC. 198B. PRESIDENTIAL AWARDS FOR SERVICE.**

23 “(a) PRESIDENTIAL AWARDS.—

24 “(1) IN GENERAL.—The President, acting
25 through the Corporation, may make Presidential

1 awards for service to individuals providing signifi-
2 cant service, and to outstanding service programs.

3 “(2) INDIVIDUALS AND PROGRAMS.—Notwith-
4 standing section 101(17)—

5 “(A) an individual receiving an award
6 under this subsection need not be a participant
7 in a program authorized under this Act; and

8 “(B) a program receiving an award under
9 this subsection need not be a program author-
10 ized under this Act.

11 “(3) NATURE OF AWARD.—In making an award
12 under this section to an individual or program, the
13 President, acting through the Corporation—

14 “(A) is authorized to incur necessary ex-
15 penses for the honorary recognition of the indi-
16 vidual or program; and

17 “(B) is not authorized to make a cash
18 award to such individual or program.

19 “(b) INFORMATION.—The President, acting through
20 the Corporation, shall ensure that information concerning
21 individuals and programs receiving awards under this sec-
22 tion is widely disseminated.”.

23 (d) TABLE OF CONTENTS.—

24 (1) CIVILIAN COMMUNITY CORPS.—Section 1(b)
25 of the National and Community Service Act of 1990

1 (Public Law 101-610; 104 Stat. 3127) is amended
2 by striking the items relating to subtitle E of title
3 I of such Act and inserting the following:

“Subtitle E—Civilian Community Corps

- “Sec. 151. Purpose.
- “Sec. 152. Establishment of Civilian Community Corps Demonstration Program.
- “Sec. 153. National service program.
- “Sec. 154. Summer national service program.
- “Sec. 155. Civilian Community Corps.
- “Sec. 156. Training.
- “Sec. 157. Service projects.
- “Sec. 158. Authorized benefits for Corps personnel under Federal law.
- “Sec. 159. Administrative provisions.
- “Sec. 160. Status of Corps members and Corps personnel under Federal law.
- “Sec. 161. Contract and grant authority.
- “Sec. 162. Responsibilities of other departments.
- “Sec. 163. Advisory board.
- “Sec. 164. Annual evaluation.
- “Sec. 165. Funding limitation.
- “Sec. 166. Definitions.”.

4 (2) QUALITY AND INNOVATION.—Section 1(b)
5 of the National and Community Service Act of 1990
6 (Public Law 101-610; 104 Stat. 3127) is amended
7 by striking the items relating to subtitle H of title
8 I of such Act and inserting the following:

“Subtitle H—Quality and Innovation Activities

- “Sec. 198. Additional corporation activities to support national service.
- “Sec. 198A. Clearinghouses.
- “Sec. 198B. Presidential awards for service.”.

9 (e) TECHNICAL AND CONFORMING AMENDMENTS.—

10 (1) NATIONAL DEFENSE AUTHORIZATION ACT
11 FOR FISCAL YEAR 1993.—

12 (A) Section 1091(f)(2) of the National De-
13 fense Authorization Act for Fiscal Year 1993

1 (Public Law 102-484) is amended by striking
2 “195G” and inserting “158”.

3 (B) Paragraphs (1) and (2) of section
4 1092(b), and sections 1092(c), 1093(a), and
5 1094(a) of such Act are amended by striking
6 “195A” and inserting “152”.

7 (C) Sections 1091(f)(2), 1092(b)(1), and
8 1094(a), and subsections (a) and (c) of section
9 1095 of such Act are amended by striking
10 “subtitle H” and inserting “subtitle E”.

11 (D) Section 1094(b)(1) and subsections (b)
12 and (c)(1) of section 1095 of such Act are
13 amended by striking “subtitles B, C, D, E, F,
14 and G” and inserting “subtitles B, C, D, F, G,
15 and H”.

16 (2) NATIONAL AND COMMUNITY SERVICE ACT
17 OF 1990.—

18 (A) Section 102 of the National and Com-
19 munity Service Act of 1990 (42 U.S.C. 12512)
20 is amended by striking “B, C, D, or E” and in-
21 serting “B, C, D, or H”.

22 (B) Subsections (b) and (c) of section 171
23 of such Act (42 U.S.C. 12631) are amended by
24 striking “B through E” and inserting “B, C, D,
25 and H”.

1 (C) Section 195B(a) of such Act (42
2 U.S.C. 12635b(a)) is amended by striking
3 “195A(a)” and inserting “152(a)”.

4 (D) Section 195C(a) of such Act (42
5 U.S.C. 12635c(a)) is amended by striking
6 “195A(a)” and inserting “152(a)”.

7 (E) Section 195D of such Act (42 U.S.C.
8 12635d) is amended—

9 (i) in subsection (a), by striking
10 “195H(c)(1)” and inserting “159(c)(1)”;

11 (ii) in subsection (c)(2), by striking
12 “195H(c)(2)” and inserting “159(c)(2)”;
13 and

14 (iii) in subsection (d)(3), by striking
15 “195K(a)(3)” and inserting “162(a)(3)”.

16 (F) Section 195E of such Act (42 U.S.C.
17 12635e) is amended—

18 (i) in subsection (c)(1), by striking
19 “195H(c)(2)” and inserting “159(c)(2)”;
20 and

21 (ii) in subsection (d), by striking
22 “195K(a)(3)” and inserting “162(a)(3)”.

23 (G) Section 195H of such Act (42 U.S.C.
24 12635h) is amended—

25 (i) in subsection (a)—

1 (I) by striking “195A” and in-
2 serting “152”; and

3 (II) by striking “195” and in-
4 serting “151”; and

5 (ii) in subsection (c)(2)(C)(i), by
6 striking “195K(a)(2)” and inserting “sec-
7 tion 162(a)(2)”.

8 (H) Section 195J(b)(1)(B) of such Act (42
9 U.S.C. 12635j(b)(1)(B)) is amended by striking
10 “195K(a)(3)” and inserting “162(a)(3)”.

11 (I) Section 195K(a)(2)(A) of such Act (42
12 U.S.C. 12635k(a)(2)(A)) is amended by strik-
13 ing “195(3)” and inserting “151(3)”.

14 (J) Section 195O of such Act (42 U.S.C.
15 12635o) is amended—

16 (i) in paragraph (2), by striking
17 “195D” and inserting “155”;

18 (ii) in paragraph (8), by striking
19 “195A” and inserting “152”;

20 (iii) in paragraph (10), by striking
21 “195D(d)” and inserting “155(d)”; and

22 (iv) in paragraph (11), by striking
23 “195D(c)” and inserting “155(c)”.

1 **SEC. 105. DEFINITIONS.**

2 (a) IN GENERAL.—Section 101 of the National and
3 Community Service Act of 1990 (42 U.S.C. 12511) is
4 amended to read as follows:

5 **“SEC. 101. DEFINITIONS.**

6 “For purposes of this title:

7 “(1) ADULT VOLUNTEER.—The term ‘adult vol-
8 unteer’ means an individual, such as an older adult,
9 an individual with a disability, a parent, or an em-
10 ployee of a business or public or private nonprofit
11 agency, who—

12 “(A) works without financial remuneration
13 in an educational institution to assist students
14 or out-of-school youth; and

15 “(B) is beyond the age of compulsory
16 school attendance in the State in which the edu-
17 cational institution is located.

18 “(2) APPROVED NATIONAL SERVICE POSI-
19 TION.—The term ‘approved national service position’
20 means a national service position designated by the
21 Corporation as a position that includes a national
22 service educational award described in section 147
23 as one of the benefits to be provided for successful
24 service in the position.

25 “(3) CARRY OUT.—The term ‘carry out’, when
26 used in connection with a national service program

1 described in section 122, means the planning, estab-
2 lishment, operation, expansion, or replication of the
3 program.

4 “(4) CHAIRPERSON.—The term ‘Chairperson’
5 means the Chairperson and Director of the Corpora-
6 tion appointed under section 193.

7 “(5) COMMUNITY-BASED AGENCY.—The term
8 ‘community-based agency’ means a private nonprofit
9 organization that is representative of a community
10 and that is engaged in meeting human, educational,
11 environmental, or public safety community needs.

12 “(6) CORPORATION.—The term ‘Corporation’
13 means the Corporation for National Service estab-
14 lished under section 191.

15 “(7) ECONOMICALLY DISADVANTAGED.—The
16 term ‘economically disadvantaged’ has the same
17 meaning given such term in section 4(8) of the Job
18 Training Partnership Act (29 U.S.C. 1503(8)).

19 “(8) ELEMENTARY SCHOOL.—The term ‘ele-
20 mentary school’ has the same meaning given such
21 term in section 1471(8) of the Elementary and Sec-
22 ondary Education Act of 1965 (20 U.S.C. 2891(8)).

23 “(9) INDIAN.—The term ‘Indian’ means a per-
24 son who is a member of an Indian tribe.

1 “(10) INDIAN LANDS.—The term ‘Indian lands’
2 means any real property owned by an Indian tribe,
3 any real property held in trust by the United States
4 for an Indian or Indian tribe, and any real property
5 held by an Indian or Indian tribe that is subject to
6 restrictions on alienation imposed by the United
7 States.

8 “(11) INDIAN TRIBE.—The term ‘Indian tribe’
9 means an Indian tribe, band, nation, or other orga-
10 nized group or community, including any Native vil-
11 lage, Regional Corporation, or Village Corporation,
12 as defined in subsection (c), (g), or (j), respectively,
13 of section 3 of the Alaska Native Claims Settlement
14 Act (43 U.S.C. 1602 (c), (g), or (j)), that is recog-
15 nized as eligible for the special programs and serv-
16 ices provided by the United States under Federal
17 law to Indians because of their status as Indians.

18 “(12) INSTITUTION OF HIGHER EDUCATION.—
19 The term ‘institution of higher education’ has the
20 same meaning given such term in section 1201(a) of
21 the Higher Education Act of 1965 (20 U.S.C.
22 1141(a)).

23 “(13) LOCAL EDUCATIONAL AGENCY.—The
24 term ‘local educational agency’ has the same mean-
25 ing given such term in section 1471(12) of the Ele-

1 mentary and Secondary Education Act of 1965 (20
2 U.S.C. 2891(12)).

3 “(14) NATIONAL SERVICE LAWS.—The term
4 ‘national service laws’ means this Act and the Do-
5 mestic Volunteer Service Act of 1973 (42 U.S.C.
6 4950 et seq.).

7 “(15) OUT-OF-SCHOOL YOUTH.—The term ‘out-
8 of-school youth’ means an individual who—

9 “(A) has not attained the age of 27;

10 “(B) has not completed college or the
11 equivalent thereof; and

12 “(C) is not enrolled in an elementary or
13 secondary school or institution of higher edu-
14 cation.

15 “(16) PARTICIPANT.—

16 “(A) IN GENERAL.—The term ‘participant’
17 means—

18 “(i) for purposes of subtitle C, an in-
19 dividual in an approved national service
20 position; and

21 “(ii) for purposes of any other provi-
22 sion of this Act, an individual enrolled in
23 a program that receives assistance under
24 this title.

1 “(B) RULE.—A participant shall not be
2 considered to be an employee of the program in
3 which the participant is enrolled.

4 “(17) PARTNERSHIP PROGRAM.—The term
5 ‘partnership program’ means a program through
6 which an adult volunteer, a public or private non-
7 profit agency, an institution of higher education, or
8 a business assists a local educational agency.

9 “(18) PROGRAM.—The term ‘program’, except
10 when used as part of the term ‘academic program’,
11 means a program described in section 111(a) (other
12 than a program referred to in paragraph (3)(B) of
13 such section), 117A(a), 120(b)(1), or 122(a) (other
14 than a program referred to in paragraph (2)(B) of
15 such section), in paragraph (1) or (2) of section
16 152(b), or in section 198.

17 “(19) PROJECT.—The term ‘project’ means an
18 activity, carried out through a program that receives
19 assistance under this title, that results in a specific
20 identifiable service or improvement.

21 “(20) SCHOOL-AGE YOUTH.—The term ‘school-
22 age youth’ means an individual between the ages of
23 5 and 18, inclusive.

24 “(21) SECONDARY SCHOOL.—The term ‘second-
25 ary school’ has the same meaning given such term

1 in section 1471(21) of the Elementary and Second-
2 ary Education Act of 1965 (20 U.S.C. 2891(21)).

3 “(22) SERVICE-LEARNING.—The term ‘service-
4 learning’ means a method—

5 “(A) under which students or participants
6 learn and develop through active participation
7 in thoughtfully organized service that—

8 “(i) is conducted in and meets the
9 needs of a community;

10 “(ii) is coordinated with an elemen-
11 tary school, secondary school, institution of
12 higher education, or community service
13 program, and with the community; and

14 “(iii) helps foster civic responsibility;
15 and

16 “(B) that—

17 “(i) is integrated into and enhances
18 the academic curriculum of the students,
19 or the educational components of the com-
20 munity service program in which the par-
21 ticipants are enrolled; and

22 “(ii) provides structured time for the
23 students or participants to reflect on the
24 service experience.

1 “(23) SERVICE-LEARNING COORDINATOR.—The
2 term ‘service-learning coordinator’ means an individ-
3 ual who provides services as described in section
4 subsection (a)(3) or (b) of section 111.

5 “(24) SERVICE SPONSOR.—The term ‘service
6 sponsor’ means an organization, or other entity, that
7 has been selected to provide a placement for a par-
8 ticipant.

9 “(25) STATE.—The term ‘State’ means each of
10 the several States, the District of Columbia, the
11 Commonwealth of Puerto Rico, the Virgin Islands,
12 Guam, American Samoa, and the Commonwealth of
13 the Northern Mariana Islands. The term also in-
14 cludes Palau, until such time as the Compact of
15 Free Association is ratified.

16 “(26) STATE COMMISSION.—The term ‘State
17 Commission’ means a State Commission on National
18 Service established pursuant to section 178.

19 “(27) STATE EDUCATIONAL AGENCY.—The
20 term ‘State educational agency’ has the same mean-
21 ing given such term in section 1471(23) of the Ele-
22 mentary and Secondary Education Act of 1965 (20
23 U.S.C. 2891(23)).

24 “(28) STUDENT.—The term ‘student’ means an
25 individual who is enrolled in an elementary or sec-

1 ondary school or institution of higher education on
2 a full- or part-time basis.”.

3 (b) TECHNICAL AND CONFORMING AMENDMENTS.—

4 (1) Section 182(a)(2) of the National and Com-
5 munity Service Act of 1990 (42 U.S.C 12642(a)(2))
6 is amended by striking “adult volunteer and partner-
7 ship” each place the term appears and inserting
8 “partnership”.

9 (2) Section 182(a)(3) of the National and Com-
10 munity Service Act of 1990 (42 U.S.C 12642(a)(3))
11 is amended by striking “adult volunteer and partner-
12 ship” and inserting “partnership”.

13 (3) Section 441(c)(2) of the Higher Education
14 Act of 1965 (42 U.S.C. 2751(c)(2)) is amended by
15 striking “service opportunities or youth corps as de-
16 fined in section 101 of the National and Community
17 Service Act of 1990, and service in the agencies, in-
18 stitutions and activities designated in section 124(a)
19 of the National and Community Service Act of
20 1990” and inserting “a project, as defined in section
21 101(19) of the National and Community Service Act
22 of 1990 (42 U.S.C. 12511(18))”.

23 (4) Section 1122(a)(2)(C) of the Higher Edu-
24 cation Act of 1965 (20 U.S.C. 1137a(a)(2)(C)) is
25 amended by striking “youth corps as defined in sec-

1 tion 101(30) of the National and Community Service
2 Act of 1990” and inserting “youth corps programs,
3 as described in section 122(a)(1) of the National
4 and Community Service Act of 1990”.

5 (5) Section 1201(p) of the Higher Education
6 Act of 1965 (20 U.S.C. 1141(p)) is amended by
7 striking “section 101(22) of the National and Com-
8 munity Service Act of 1990” and inserting “section
9 101(22) of the National and Community Service Act
10 of 1990 (42 U.S.C. 12511(21))”.

11 **TITLE II—ORGANIZATIONS**

12 **SEC. 201. STATE COMMISSIONS ON NATIONAL SERVICE.**

13 (a) ESTABLISHMENT REQUIRED.—Subtitle F of title
14 I of the National and Community Service Act of 1990 is
15 amended by striking section 178 (42 U.S.C. 12638) and
16 inserting the following new section:

17 **“SEC. 178. ESTABLISHMENT OF STATE COMMISSIONS ON** 18 **NATIONAL SERVICE.**

19 “(a) ESTABLISHMENT REQUIRED.—To be eligible to
20 receive a grant or allotment under subtitle B or C, or to
21 receive a distribution of approved national service posi-
22 tions under subtitle C, a State shall establish a State Com-
23 mission on National Service that satisfies the require-
24 ments of this section.

1 “(b) APPOINTMENT AND SIZE.—Except as provided
2 in subsection (c)(2), the members of a State Commission
3 for a State shall be appointed by the chief executive officer
4 of the State. A State Commission shall consist of not less
5 than 7 members and not more than 11 members.

6 “(c) COMPOSITION AND MEMBERSHIP.—

7 “(1) IN GENERAL.—Except as provided in para-
8 graph (2), the members of a State Commission shall
9 be appointed from among the following:

10 “(A) Representatives, including partici-
11 pants, of national service programs, such as
12 youth corps programs, service programs for
13 school-age youth, programs in which older
14 Americans are participants, and other national
15 service programs.

16 “(B) Representatives of youth labor and business
17 groups and community-based organizations.

18 “(C) Educators and experts regarding na-
19 tional service or regarding the delivery of 
20 human, educational, environmental, and public
21 safety services to communities and persons.

22 “(2) CORPORATION REPRESENTATIVE.—The
23 representative of the Corporation designated under
24 section 195(b) for a State shall be a full voting
25 member of the State Commission for that State.

1 “(3) EX OFFICIO STATE REPRESENTATIVES.—

2 The chief executive officer of a State may appoint as
3 nonvoting ex officio members of the State Commis-
4 sion for the State not more than _____[number]
5 representatives selected from among officers and em-
6 ployees of State agencies operating community serv-
7 ice, youth service, education, social service, senior
8 service, and job training programs.

9 “(d) MISCELLANEOUS MATTERS.—

10 “(1) MEMBERSHIP BALANCE.—The chief execu-
11 tive officer of a State shall ensure that the member-
12 ship of the State Commission for the State is bal-
13 anced according to political affiliation, race, ethnic
14 background, age, and gender.

507. + 1

15 “(2) TERMS.—Each member of the State Com-
16 mission for a State shall serve for a term of 3 years,
17 except that the chief executive officer of a State
18 shall initially appoint a portion of the members to
19 terms of 1 year and 2 years.

20 “(3) VACANCIES.—As vacancies occur on a
21 State Commission, new members shall be appointed
22 by the chief executive of the State and serve for the
23 remainder of the term for which the predecessor of
24 such member was appointed. The vacancy shall not

1 affect the power of the remaining members to exe-
2 cute the duties of the State Commission.

3 “(4) COMPENSATION.—A member of a State
4 Commission shall not receive any additional com-
5 pensation by reason of service on the State Commis-
6 sion, except that the State may authorize the reim-
7 bursement of travel expenses, including a per diem
8 in lieu of subsistence, in the same manner as other
9 employees serving intermittently in the service of the
10 State.

11 “(5) CHAIRPERSON.—The members of a State
12 Commission shall elect one of the voting members to
13 serve as chairperson of the State Commission.

14 “(e) DUTIES OF A STATE COMMISSION.—The State
15 Commission for a State shall be responsible for the follow-
16 ing duties:

17 “(1) Preparation of the applications of the
18 State under sections 117B and 130 for financial as-
19 sistance.

20 “(2) Assist in the preparation of the application
21 of the State educational agency for assistance under
22 section 113.

23 “(3) Preparation of the application of the State
24 under section 130 for the approval of national serv-



1 ice positions that include the national service edu-
2 cational award described in subtitle D.

3 “(5) Assist in the provision of health care and
4 child care benefits under section 140 to participants
5 in national service programs that receive assistance
6 under section 121.

7 “(6) Development of a State system for the recruit-
8 ment and placement of participants in national service
9 programs that receive assistance under section 121 and
10 dissemination of information concerning national service
11 programs that receive assistance and approved national
12 service positions..

13 “(7) Administration of any grant program in
14 support of national service programs that is con-
15 ducted by the State using assistance provided to the
16 State under section 121, including oversight and
17 evaluation of grant recipients.

18 “(8) Development of projects, training methods,
19 curriculum materials, and other materials and activi-
20 ties related to national service programs that receive
21 assistance directly from the Corporation or from the
22 State using assistance provided under section 121..

23 “(f) PROHIBITED ACTIVITY.—A State Commission
24 may not directly carry out any national service program
25 that receives assistance under section 121.

1 “(g) APPROVAL OF STATE COMMISSION.—

2 “(1) SUBMISSION TO CORPORATION.—The chief
3 executive officer for a State shall notify the Corpora-
4 tion of the establishment of the State Commission
5 for the State. The notification shall include a de-
6 scription of—

7 “(A) the composition and membership of
8 the State Commission; and

9 “(B) the authority of the State Commis-
10 sion regarding national service activities carried
11 out by the State.

12 “(2) REJECTION.—The Corporation may reject
13 a State Commission if the Corporation determines
14 that the composition, membership, or duties of the
15 State Commission do not comply with the require-
16 ments of this section. If the Corporation rejects a
17 State Commission under this paragraph, the Cor-
18 poration shall promptly notify the State of the rea-
19 sons for the rejection.

20 “(3) RESUBMISSION AND RECONSIDERATION.—
21 The Corporation shall provide a State notified under
22 paragraph (2) with a reasonable opportunity to re-
23 vise the State Commission. At the request of the
24 State, the Corporation shall provide technical assist-
25 ance to the State as part of the revision process.

1 The Corporation shall promptly reconsider any re-
2 submission of a notification under paragraph (1).

3 “(4) SUBSEQUENT CHANGES.—This subsection
4 shall also apply to any change in the composition or
5 duties of a State Commission made after approval of
6 the Commission.”.

7 (b) TABLE OF CONTENTS.—Section 1(b) of the Na-
8 tional and Community Service Act of 1990 (Public Law
9 101–610; 104 Stat. 3127) is amended by striking the item
10 relating to section 178 and inserting the following new
11 item:

“Sec. 178. Establishment of State Commissions on National Service.”.

12 (c) EFFECTIVE DATE.—The amendments made by
13 this section shall take effect on the date of the enactment
14 of this Act.

15 (d) TRANSITIONAL PROVISIONS.—

16 (1) USE OF ALTERNATIVES TO STATE COMMIS-
17 SION.—If a State does not have a State Commission
18 on National Service that satisfies the requirements
19 specified in section 178 of the National and Commu-
20 nity Services Act of 1990, as amended by subsection
21 (a), the Corporation for National Service may au-
22 thorize another agency of the State to perform the
23 duties otherwise reserved to a State Commission
24 under subsection (e) of such section.

1 (2) APPLICATION OF SUBSECTION.—This sub-
2 section shall apply only during the 1-year period be-
3 ginning on the date of the enactment of this Act.

4 **SEC. 202. INTERIM AUTHORITIES OF THE CORPORATION**
5 **FOR NATIONAL SERVICE AND ACTION AGEN-**
6 **CY.**

7 (a) NATIONAL AND COMMUNITY SERVICE ACT OF
8 1990.—Subtitle G of title I of the National and Commu-
9 nity Service Act of 1990 (42 U.S.C. 12651) is amended
10 to read as follows:

11 **“Subtitle G—Corporation for**
12 **National Service**

13 **“SEC. 191. CORPORATION FOR NATIONAL SERVICE.**

14 “There is established a Corporation for National
15 Service that shall administer the programs established
16 under this Act. The Corporation shall be a Government
17 corporation, as defined in section 103 of title 5, United
18 States Code.

19 **“SEC. 192. BOARD OF DIRECTORS.**

20 “(a) COMPOSITION.—

21 “(1) IN GENERAL.—There shall be in the Cor-
22 poration a Board of Directors (referred to in this
23 subtitle as the ‘Board’) that shall be composed of—

24 “(A) 11 members, including the Chair-
25 person appointed under section 193, to be ap-

1 pointed by the President, by and with the ad-
2 vice and consent of the Senate; and

3 “(B) the ex officio members described in
4 paragraph (4).

5 “(2) QUALIFICATIONS.—

6 “(A) IN GENERAL.—To the maximum ex-
7 tent practicable, the President shall appoint
8 members—

9 “(i) who have extensive experience in
10 volunteer and service programs, including
11 programs not authorized under this title;

12 “(ii) who represent a broad range of
13 viewpoints;

14 “(iii) who have expertise in the area
15 of human, educational, environmental, or
16 public safety service; and

17 “(iv) so that the Board shall be di-
18 verse according to race, ethnicity, age, and
19 gender, and shall have bipartisan represen-
20 tation.

21 “(B) GRANT APPLICANTS AND RECIPI-
22 ENTS.—An individual who receives financial as-
23 sistance to carry out activities under this Act
24 during a period shall not be eligible to be ap-
25 pointed to the Board during such period. An in-

1 dividual who is an applicant for such financial
2 assistance may be appointed to the Board, but
3 shall not participate in any decision involving
4 such assistance.

5 “(3) INITIAL MEMBERS.—The members first
6 appointed to the Board after the date of enactment
7 of this section shall be appointed from among indi-
8 viduals who served on the Board of Directors of the
9 Commission on National and Community Service.

10 “(4) EX OFFICIO MEMBERS.—The Secretary of
11 Education, the Secretary of Health and Human
12 Services, the Secretary of Labor, the Secretary of
13 the Interior, the Secretary of Agriculture, the Sec-
14 retary of Housing and Urban Development, the Sec-
15 retary of Defense, the Attorney General, and the
16 Administrator of the Environmental Protection
17 Agency shall serve as ex officio nonvoting members
18 of the Board.

19 “(b) TERMS.—Each appointed member of the Board
20 shall serve for a term of 3 years, except that 4 of the mem-
21 bers first appointed to the Board after the date of enact-
22 ment of this section shall serve for a term of 1 year and
23 4 shall serve for a term of 2 years, as designated by the
24 President.

1 “(c) VACANCIES.—As vacancies occur on the Board,
2 new members shall be appointed by the President, by and
3 with the advice and consent of the Senate, and serve for
4 the remainder of the term for which the predecessor of
5 such member was appointed. The vacancy shall not affect
6 the power of the remaining members to execute the duties
7 of the Board.

8 **“SEC. 192A. AUTHORITIES AND DUTIES OF THE BOARD OF**
9 **DIRECTORS.**

10 “(a) MEETINGS.—The Board shall meet not less than
11 3 times each year. The Board shall hold additional meet-
12 ings if 6 members of the Board request such meetings in
13 writing.

14 “(b) QUORUM.—A majority of the appointed mem-
15 bers of the Board shall constitute a quorum.

16 “(c) OFFICERS.—

17 “(1) VICE CHAIRPERSON.—The Board shall
18 elect a Vice Chairperson from among its member-
19 ship. The Vice Chairperson may conduct meetings of
20 the Board in the absence of the Chairperson.

21 “(2) OTHER OFFICERS.—The Board may elect
22 from among its membership such additional officers
23 of the Board as the Board determines to be appro-
24 priate.

1 “(d) EXPENSES.—While away from their homes or
2 regular places of business on the business of the Board,
3 members of such Board may be allowed travel expenses,
4 including per diem in lieu of subsistence, as is authorized
5 under section 5703 of title 5, United States Code, for per-
6 sons employed intermittently in the Government service.

7 “(e) SPECIAL GOVERNMENT EMPLOYEES.—For pur-
8 poses of the provisions of chapter 11 of part I of title 18,
9 United States Code, and any other provision of Federal
10 law, a member of the Board (to whom such provisions
11 would not otherwise apply except for this subsection) shall
12 be a special Government employee.

13 “(f) TORT CLAIMS.—For the purposes of the tort
14 claims provisions of chapter 171 of title 28, United States
15 Code, a member of the Board shall be considered to be
16 a Federal employee.

17 “(g) DUTIES.—The Board shall—

18 “(1) prepare an annual strategic plan for the
19 Corporation with respect to the grants, allotments,
20 contracts, assistance, and payments described in sec-
21 tion 193A(b)(4)(A), and with respect to such stand-
22 ards, policies, procedures, programs, and initiatives
23 as are necessary or appropriate to carry out this
24 Act;

1 “(2) make recommendations with respect to the
2 regulations established under section
3 195(a)(3)(B)(i);

4 “(3)(A) review the actions of the Chairperson
5 with respect to the personnel of the Corporation,
6 and with respect to the standards, policies, proce-
7 dures, programs, and initiatives; and

8 “(B) inform the Chairperson of any aspects of
9 the actions that are not in compliance with the an-
10 nual strategic plan described in paragraph (1) or the
11 recommendations described in paragraph (2), or are
12 not consistent with the objectives of this Act;

13 “(4) receive, and act on, the reports issued by
14 the Inspector General of the Corporation;

15 “(5) advise the Chairperson and the Congress
16 concerning developments in national and community
17 service that merit the attention of the Chairperson
18 and the Congress;

19 “(6) provide for research with respect to na-
20 tional and community service programs, including
21 service-learning programs;

22 “(7) arrange for the evaluation of programs es-
23 tablished under this Act, in accordance with section
24 179;

1 “(8) disseminate information regarding the pro-
2 grams and initiatives of the Corporation; and

3 “(9) carry out any other activities determined
4 to be appropriate by the Chairperson.

5 “(h) ADMINISTRATION.—The Federal Advisory Com-
6 mittee Act (5 U.S.C. App.) shall not apply with respect
7 to the Board.

8 **“SEC. 193. CHAIRPERSON AND DIRECTOR.**

9 “(a) APPOINTMENT.—The Corporation shall be head-
10 ed by an individual who shall serve as Chairperson of the
11 Board and as Director of the Corporation, and who shall
12 be appointed by the President, by and with the advice and
13 consent of the Senate.

14 “(b) COMPENSATION.—The Chairperson shall be
15 compensated at the rate provided for level III of the Exec-
16 utive Schedule under section 5314 of title 5, United States
17 Code.

18 “(c) REGULATIONS.—The Chairperson shall pre-
19 scribe such rules and regulations as are necessary or ap-
20 propriate to carry out this Act.

21 **“SEC. 193A. AUTHORITIES AND DUTIES OF THE CHAIR-**
22 **PERSON.**

23 “(a) GENERAL POWERS AND DUTIES.—The Chair-
24 person shall be responsible for the exercise of the powers
25 and the discharge of the duties of the Corporation that

1 are not reserved to the Board, and shall have authority
2 and control over all personnel of the Corporation.

3 “(b) DUTIES.—In addition to the duties conferred on
4 the Chairperson under any other provision of this Act, the
5 Chairperson shall—

6 “(1) submit a proposal to the Board regarding,
7 and establish, such standards, policies, and proce-
8 dures, as are necessary or appropriate to carry out
9 this Act;

10 “(2) establish and administer such programs
11 and initiatives as the Chairperson, acting on the rec-
12 ommendation of the Board, may determine to be
13 necessary or appropriate to carry out this Act;

14 “(3) consult with appropriate Federal agencies
15 in administering such programs and initiatives;

16 “(4) on the recommendation of the Board—

17 “(A) make such grants and allotments,
18 enter into such contracts, award such other fi-
19 nancial assistance, and make such payments (in
20 lump sum or installments, and in advance or by
21 way of reimbursement, and in the case of finan-
22 cial assistance otherwise authorized under this
23 Act, with necessary adjustments on account of
24 overpayments and underpayments), as are nec-
25 essary or appropriate to carry out this Act; and

1 “(B) suspend or terminate such payments
2 in accordance with section 176;

3 “(5) prepare and submit to the Board an an-
4 nual report, and such interim reports as may be nec-
5 essary, describing the major actions of the Chair-
6 person with respect to the personnel of the Corpora-
7 tion, and with respect to such standards, policies,
8 procedures, programs, and initiatives;

9 “(6) notify, and provide an explanation to, the
10 Board regarding any substantial differences between
11 the actions of the Chairperson and the strategic plan
12 described in section 192A(g)(1); and

13 “(7) prepare and submit to the appropriate
14 committees of Congress an annual report, and such
15 interim reports as may be necessary, describing—

16 “(A) the services referred to in paragraph
17 (1), and the money and property referred to in
18 paragraph (2), of section 196(a) that have been
19 accepted by the Corporation; and

20 “(B) the manner in which the Corporation
21 used or disposed of such services, money, and
22 property.

23 “(c) POWERS.—In addition to the authority conferred
24 on the Chairperson under any other provision of this Act,
25 the Chairperson may—

1 “(1) establish, alter, consolidate, or discontinue
2 such organizational units or components within the
3 Corporation as the Chairperson considers necessary
4 or appropriate;

5 “(2) with the approval of the President—

6 “(A) arrange with and reimburse the heads
7 of other Federal agencies for the performance
8 of any of the provisions of this Act; and

9 “(B) as necessary or appropriate—

10 “(i) delegate any of the functions of
11 the Chairperson under this Act, or, with
12 the permission of the Board, any of the
13 functions of the Board under this Act, to
14 such heads of Federal agencies; and

15 “(ii) authorize the redelegation of
16 such functions,
17 subject to provisions to assure the maximum
18 possible liaison between the Corporation and
19 such other agencies at all operating levels;

20 “(3) with their consent, utilize the services and
21 facilities of Federal agencies without reimbursement,
22 and, with the consent of any State or a political sub-
23 division of a State, accept and utilize the services
24 and facilities of the agencies of such State or sub-
25 divisions without reimbursement;

1 “(4) allocate and expend, or transfer to other
2 Federal agencies for expenditure, such funds made
3 available under this Act as the Chairperson deter-
4 mines to be necessary to carry out the provisions of
5 this Act, including expenditure for construction, re-
6 pairs, and capital improvements;

7 “(5) disseminate, without regard to the provi-
8 sions of section 3204 of title 39, United States
9 Code, data and information, in such form as the
10 Chairperson shall determine to be appropriate to
11 public agencies, private organizations, and the gen-
12 eral public;

13 “(6) collect or compromise all obligations to or
14 held by the Chairperson and all legal or equitable
15 rights accruing to the Chairperson in connection
16 with the payment of obligations in accordance with
17 chapter 37 of title 31, United States Code (com-
18 monly known as the ‘Federal Claims Collection Act
19 of 1966’);

20 “(7) expend funds made available for purposes
21 of this Act, without regard to any other law or regu-
22 lation, for rent of buildings and space in buildings
23 and for repair, alteration, and improvement of build-
24 ings and space in buildings rented by the Chair-
25 person;

1 “(8) sue [and be sued] in any court of record
2 of a State having general jurisdiction or in any dis-
3 trict court of the United States, [with respect to a
4 civil action arising under this Act];

5 “(9) exercise the authorities of the Corporation
6 under section 196; and

7 “(10) generally perform such functions and
8 take such steps consistent with the objectives and
9 provisions of this Act, as the Chairperson determines
10 to be necessary or appropriate to carry out such pro-
11 visions.

12 “(d) DELEGATION.—

13 “(1) DEFINITION.—As used in this subsection,
14 the term ‘function’ means any duty, obligation,
15 power, authority, responsibility, right, privilege, ac-
16 tivity, or program.

17 “(2) IN GENERAL.—Except as otherwise pro-
18 hibited by law or provided in this Act, the Chair-
19 person may delegate any function under this Act,
20 and authorize such successive redelegations of such
21 function as may be necessary or appropriate. No del-
22 egation of a function by the Chairperson under this
23 subsection or under any other provision of this Act
24 shall relieve such Chairperson of responsibility for
25 the administration of such function.

1 “(3) FUNCTION OF BOARD.—The Chairperson
2 may not delegate a function of the Board without
3 the permission of the Board.

4 “(4) FULL-TIME FEDERAL EMPLOYEE.—The
5 Chairperson may delegate a function under this Act
6 only to a full-time Federal employee.

7 “(e) ACTION.—In an action described in subsection
8 (c)(8)—

9 “(1) a district court referred to in such sub-
10 section shall have jurisdiction of such a civil action
11 without regard to the amount in controversy;

12 “(2) such an action brought by [or against]
13 the Chairperson shall survive notwithstanding any
14 change in the person occupying the office of Chair-
15 person or any vacancy in that office;

16 “(3) no attachment, injunction, garnishment, or
17 other similar process, mesne or final, shall be issued
18 against the Chairperson or property under the con-
19 trol of the Chairperson; and

20 “(4) [nothing in this section shall be construed
21 to except litigation arising out of activities under
22 this Act from the application of sections 509, 517,
23 547, and 2679 of title 28, United States Code.]

24 **“SEC. 194. OFFICERS.**

25 “(a) MANAGING DIRECTORS.—

1 “(1) IN GENERAL.—There shall be in the Cor-
2 poration 2 Managing Directors, who shall be ap-
3 pointed by the President, by and with the advice and
4 consent of the Senate.

5 “(2) COMPENSATION.—The Managing Direc-
6 tors shall be compensated at the rate provided for
7 level IV of the Executive Schedule under section
8 5315 of title 5, United States Code.

9 “(3) DUTIES.—

10 “(A) FEDERAL PROGRAMS.—One of the
11 Managing Directors shall be primarily respon-
12 sible for the Federal programs carried out by
13 the Corporation.

14 “(B) INVESTMENT PROGRAMS.—The other
15 Managing Director shall be primarily respon-
16 sible for the financial assistance programs car-
17 ried out by the Corporation.

18 “(b) INSPECTOR GENERAL.—

19 “(1) OFFICE.—There shall be in the Corpora-
20 tion an Office of the Inspector General.

21 “(2) APPOINTMENT.—Such Office shall be
22 headed by an Inspector General appointed in accord-
23 ance with the Inspector General Act of 1978, who
24 shall report directly to the Board.

1 “(3) COMPENSATION.—The Inspector General
2 shall be compensated at the rate provided for level
3 IV of the Executive Schedule under section 5315 of
4 title 5, United States Code.

5 “(4) DUTIES.—[To be supplied.]

6 **“SEC. 195. EMPLOYEES, CONSULTANTS, AND OTHER PER-**
7 **SONNEL.**

8 “(a) EMPLOYEES.—

9 “(1) IN GENERAL.—The Chairperson may ap-
10 point and determine the compensation of such em-
11 ployees as the Chairperson determines to be nec-
12 essary to carry out the duties of the Corporation.

13 “(2) TERMS.—

14 “(A) INITIAL TERM.—

15 “(i) LENGTH OF TERM.—Such an em-
16 ployee shall be appointed for an initial
17 term that shall not exceed 5 years.

18 “(ii) PROBATION PERIOD.—The
19 Chairperson shall take such action, includ-
20 ing the issuance of rules, regulations, and
21 directives, as shall provide, as nearly as
22 conditions of good administration warrant,
23 for a 1-year period of probation before
24 such an appointment becomes final.

1 “(B) ADDITIONAL TERMS.—Such an em-
2 ployee may be appointed for one or more addi-
3 tional terms, if the Chairperson determines that
4 such an appointment is necessary to ensure the
5 continuity of functions under this Act.

6 “(C) LIMITATIONS.—

7 “(i) IN GENERAL.—No such employee
8 shall be appointed for a total period of
9 more than 7 years, unless the Chairperson
10 determines that special circumstances re-
11 quire the appointment of an employee for
12 a longer period.

13 “(ii) DETERMINATION.—The Chair-
14 person may not delegate the authority to
15 make the determination described in clause
16 (i).

17 “(D) APPOINTMENT IN THE COMPETITIVE
18 SERVICE AFTER EMPLOYMENT IN THE COR-
19 PORATION.—

20 “(i) EMPLOYEES WITH NOT LESS
21 THAN 3 YEARS OF EMPLOYMENT.—If an
22 employee, other than a representative de-
23 scribed in section 195(b), is separated
24 from the Corporation on the basis of any
25 requirement of this paragraph, and has

1 been continuously employed by the Corpora-
2 tion for a period of not less than 3 years,
3 such period shall be treated as period of
4 service in the competitive service for pur-
5 poses of chapter 33 of title 5, United
6 States Code.

7 “(ii) EMPLOYEES WITH NOT LESS
8 THAN 1 BUT LESS THAN 3 YEARS OF EM-
9 PLOYMENT.—If an employee, other than a
10 representative described in section 195(b),
11 is separated from the Corporation on the
12 basis of any requirement of this para-
13 graph, and has been continuously employed
14 by the Corporation for a period of not less
15 than 1 year, but less than 3 years, such
16 period shall be treated as period of service
17 in the competitive service for purposes of
18 chapter 33 of title 5, United States Code,
19 until the date that is 3 years after the date
20 of separation.

21 “(iii) DEFINITION.—As used in this
22 subparagraph, the term ‘competitive serv-
23 ice’ has the meaning given the term in sec-
24 tion 2102 of title 5, United States Code.

25 “(3) APPOINTMENT AND COMPENSATION.—

1 “(A) IN GENERAL.—Except as provided in
2 subparagraphs (B)(iv) and (C)(ii), the Chair-
3 person may appoint and determine the com-
4 pensation of employees under this subsection
5 without regard to the provisions of title 5, Unit-
6 ed States Code, governing appointments in the
7 competitive service, and without regard to the
8 provisions of chapter 51 and subchapter III of
9 chapter 53 of such title relating to classification
10 and General Schedule pay rates.

11 “(B) CORPORATION SELECTION AND COM-
12 PENSATION SYSTEMS.—

13 “(i) ESTABLISHMENT OF SYSTEM.—
14 The Chairperson, after consultation with
15 the Director of the Office of Personnel
16 Management and after reviewing the rec-
17 ommendations of the Board under section
18 192A(g)(2), shall issue regulations estab-
19 lishing selection and compensation systems
20 for the Corporation.

21 “(ii) APPLICATION.—The Chairperson
22 shall appoint and determine the compensa-
23 tion of employees referred to in paragraph
24 (1), other than representatives described in
25 section 195(b), in accordance with the se-

1 lection and compensation systems referred
2 to in clause (i).

3 “(iii) SELECTION SYSTEM.—The se-
4 lection system shall include a scheme for
5 the classification of positions in the Cor-
6 poration, and shall provide for the selection
7 of such an employee for such a position—

8 “(I) through a competitive proc-
9 ess; and

10 “(II) on the basis of the quali-
11 fications of applicants and the re-
12 quirements of the position.

13 “(iv) COMPENSATION SYSTEM.—The
14 compensation system shall require that the
15 compensation of such an employee be de-
16 termined on the basis of the job perform-
17 ance of the employee, and shall be consist-
18 ent with the principles described in section
19 5301 of title 5, United States Code. The
20 rate of compensation for each employee
21 compensated through the system shall not
22 exceed the annual rate of basic pay payable
23 for level IV of the Executive Schedule
24 under section 5315 of title 5, United
25 States Code.

1 “(C) SELECTION AND COMPENSATION OF
2 CORPORATION REPRESENTATIVES.—

3 “(i) IN GENERAL.—The Chairperson
4 may appoint and determine the compensa-
5 tion of representatives described in section
6 195(b) without regard to the selection and
7 compensation systems described in sub-
8 paragraph (B).

9 “(ii) LIMITATION ON COMPENSA-
10 TION.—The rate of compensation for each
11 representative described in section 195(b)
12 shall not exceed the maximum rate of basic
13 pay payable for GS-15 of the General
14 Schedule under section 5332 of title 5,
15 United States Code.

16 “(b) CORPORATION REPRESENTATIVE IN EACH
17 STATE.—

18 “(1) DESIGNATION OF REPRESENTATIVE.—The
19 Corporation shall designate 1 employee of the Cor-
20 poration for each State or group of States to serve
21 as the representative of the Corporation in the State
22 or States and to assist the Corporation in carrying
23 out the activities described in this Act in the State
24 or States.

1 “(2) DUTIES.—The representative designated
2 under this subsection for a State or group of States
3 shall serve as the liaison between—

4 “(A) the Corporation and the State Com-
5 mission that is established in the State or
6 States; and

7 “(B) the Corporation and any subdivision
8 of a State, Indian tribe, public or private non-
9 profit organization, or institution of higher edu-
10 cation, in the State or States, that is awarded
11 a grant under section 121 directly from the
12 Corporation.

13 “(3) MEMBER OF STATE COMMISSION.—The
14 representative designated under this subsection for a
15 State or group of States shall also serve as a voting
16 member of the State Commission established in the
17 State or States.

18 “(c) CONSULTANTS.—The Chairperson may procure
19 the temporary and intermittent services of experts and
20 consultants and compensate the experts and consultants
21 in accordance with section 3109(b) of title 5, United
22 States Code.

23 “(d) DETAILS OF PERSONNEL.—The head of any
24 Federal department or agency may detail on a reimburs-
25 able basis, or on a nonreimbursable basis for not to exceed

1 180 calendar days during any fiscal year, as agreed upon
2 by the Chairperson and the head of the Federal agency,
3 any of the personnel of that department or agency to the
4 Corporation to assist the Corporation in carrying out the
5 duties of the Corporation under this Act. Any detail shall
6 not interrupt or otherwise affect the civil service status
7 or privileges of the Federal employee.

8 “(e) ADVISORY COMMITTEES.—

9 “(1) ESTABLISHMENT.—The Chairperson may
10 establish advisory committees in the Corporation to
11 advise the Board with respect to national service is-
12 sues, such as the type of programs to be established
13 or assisted under the national service laws, priorities
14 and criteria for such programs, and methods of con-
15 ducting outreach for, and evaluation of, such pro-
16 grams.

17 “(2) COMPOSITION.—Such an advisory commit-
18 tee shall be composed of members appointed by the
19 Chairperson, with such qualifications as the Chair-
20 person may specify.

21 “(3) EXPENSES.—Members of such an advisory
22 committee may be allowed travel expenses as de-
23 scribed in section 192A(d).

24 “(4) STAFF.—The Chairperson is authorized to
25 appoint and fix the compensation of such staff as

1 the Chairperson determines to be necessary to carry
2 out the functions of the advisory committee, in ac-
3 cordance with subsection (a)(3)(A), and without re-
4 gard to the selection and compensation systems de-
5 scribed in subsection (a)(3)(B). Such compensation
6 shall not exceed the rate described in subsection
7 (a)(3)(C)(ii).

8 **"SEC. 196. ADMINISTRATION.**

9 "(a) DONATIONS.—

10 "(1) SERVICES.—

11 "(A) VOLUNTEERS.—Notwithstanding sec-
12 tion 1342 of title 31, United States Code, the
13 Corporation may solicit and accept the vol-
14 untary services of individuals to assist the Cor-
15 poration in carrying out the duties of the Cor-
16 poration under this Act, and may provide to
17 such individuals the travel expenses described in
18 section 192A(d).

19 "(B) LIMITATION.—Such a volunteer shall
20 not be considered to be a Federal employee and
21 shall not be subject to the provisions of law re-
22 lating to Federal employment, including those
23 relating to hours of work, rates of compensa-
24 tion, leave, unemployment compensation, and
25 Federal employee benefits, except that—

1 “(i) for the purposes of the tort
2 claims provisions of chapter 171 of title
3 28, United States Code, a volunteer under
4 this subtitle shall be considered to be a
5 Federal employee; and

6 “(ii) for the purposes of subchapter I
7 of chapter 81 of title 5, United States
8 Code, relating to compensation to Federal
9 employees for work injuries, volunteers
10 under this subtitle shall be considered to
11 be employees, as defined in section
12 8101(1)(B) of title 5, United States Code,
13 and the provisions of such subchapter shall
14 apply.

15 “(2) PROPERTY.—The Corporation may solicit,
16 accept, use, and dispose of, in furtherance of the
17 purposes of this Act, donations of any money or
18 property, real, personal, or mixed, tangible or intan-
19 gible, received by gift, devise, bequest, or otherwise.

20 “(3) RULES.—The Chairperson shall establish
21 written rules setting forth the criteria to be used in
22 determining whether the solicitation or acceptance of
23 contributions of money or property, real, personal,
24 or mixed, tangible or intangible, received by gift, de-
25 vice, bequest, or otherwise (pursuant to paragraph

1 (2)) would reflect unfavorably upon the ability of the
2 Corporation or any employee of the Corporation to
3 carry out the responsibilities or official duties of the
4 Corporation in a fair and objective manner, or would
5 compromise the integrity of the programs of the
6 Corporation or any official involved in such pro-
7 grams.

8 “(4) DISPOSITION.—Upon completion of the
9 use by the Corporation of any affected property,
10 such completion shall be reported to the General
11 Services Administration and such property shall be
12 disposed in accordance with title II of the Federal
13 Property and Administrative Services Act of 1949
14 (40 U.S.C. 471 et seq.).

15 “(5) VOLUNTEER.—As used in this subsection,
16 the term ‘volunteer’ does not include a participant.

17 “(b) CONTRACTS.—Subject to the Federal Property
18 and Administrative Services Act of 1949, the Corporation
19 may enter into contracts, and cooperative and interagency
20 agreements, with Federal and State agencies, private
21 firms, institutions, and individuals to conduct activities
22 necessary to carry out the duties of the Corporation under
23 this Act.”.

24 (b) DOMESTIC VOLUNTEER SERVICE ACT OF
25 1973.—Section 401 of the Domestic Volunteer Service Act

1 of 1973 (42 U.S.C. 5041) is amended by inserting after
2 the second sentence the following: "The Director shall re-
3 port directly to the Chairperson of the Corporation for Na-
4 tional Service."

5 (c) TRANSFER OF FUNCTIONS OF COMMISSION ON
6 NATIONAL AND COMMUNITY SERVICE.—

7 (1) DEFINITIONS.—For purposes of this sub-
8 section, unless otherwise provided or indicated by
9 the context, each term specified in section 203(c)(1)
10 shall have the meaning given the term in such sec-
11 tion.

12 (2) TRANSFER OF FUNCTIONS.—There are
13 transferred to the Corporation the functions that the
14 Board of Directors or Executive Director of the
15 Commission on National and Community Service ex-
16 ercised before the effective date of this subsection
17 (including all related functions of any officer or em-
18 ployee of the Commission).

19 (3) APPLICATION.—The provisions of para-
20 graphs (3) through (10) of section 203(c) shall
21 apply with respect to the transfer described in para-
22 graph (2), except that—

23 (A) for purposes of such application, ref-
24 erences to the term "ACTION Agency" shall be
25 deemed to be references to the Corporation; and

1 (B) paragraph (10) of such section shall
2 not preclude the transfer of the members of the
3 Board of Directors of the Commission to the
4 Corporation if, on the effective date of this sub-
5 section, the Board of Directors of the Corpora-
6 tion has not been appointed.

7 (d) CONTINUING PERFORMANCE OF CERTAIN FUNC-
8 TIONS.—The individuals who, on the day before the date
9 of enactment of this Act, are performing any of the func-
10 tions required by section 190 of the National and Commu-
11 nity Service Act of 1990 (42 U.S.C. 12651), as in effect
12 on such date, to be performed by the members of the
13 Board of Directors of the Commission on National and
14 Community Service may, subject to section 193A of the
15 National and Community Service Act of 1990, as added
16 by subsection (a) of this section, continue to perform such
17 functions until the date on which such functions are as-
18 signed to the Board of Directors of the Corporation for
19 National Service. The service of such individuals as mem-
20 bers of the Board of Directors of such Commission, and
21 the employment of such individuals as special government
22 employees, shall terminate on such date.

23 (e) JOB SEARCH ASSISTANCE.—The Chairperson
24 shall establish a program to provide, or shall seek to enter
25 into a memorandum of understanding with the Secretary

1 of Labor to provide, job search and related assistance to
2 employees of the ACTION agency who are not transferred
3 to the Corporation for National Service under section
4 203(c).

5 (f) TABLE OF CONTENTS.—Section 1(b) of the Na-
6 tional and Community Service Act of 1990 (Public Law
7 101-610; 104 Stat. 3127) is amended by striking the
8 items relating to subtitle G of title I of such Act and in-
9 serting the following:

“Subtitle G—Corporation for National Service

“Sec. 191. Corporation for National Service.

“Sec. 192. Board of Directors.

“Sec. 192A. Authorities and duties of the Board of Directors.

“Sec. 193. Chairperson and Director.

“Sec. 193A. Authorities and duties of the Chairperson.

“Sec. 194. Officers.

“Sec. 195. Employees, consultants, and other personnel.

“Sec. 196. Administration.”.

10 (g) EFFECTIVE DATES.—

11 (1) IN GENERAL.—Except as provided in para-
12 graph (2), the amendments made by this section
13 shall take effect on October 1, 1993.

14 (2) ESTABLISHMENT AND APPOINTMENT AU-
15 THORITIES.—Sections 191, 192, and 193 of the Na-
16 tional and Community Service Act of 1990, as added
17 by subsection (a), shall take effect on the date of en-
18 actment of this Act.

1 **SEC. 203. FINAL AUTHORITIES OF THE CORPORATION FOR**
2 **NATIONAL SERVICE.**

3 (a) NATIONAL AND COMMUNITY SERVICE ACT OF
4 1990.—

5 (1) APPLICATION.—Subtitle I of the National
6 and Community Service Act of 1990 (as amended by
7 section 202 of this Act) is amended in section 191,
8 paragraphs (1) and (3) of section 192A(g), section
9 193(c), subsections (b), (c) (other than paragraph
10 (8)), and (d) of section 193A, subsections (a), (b),
11 and (d) of section 195, and subsections (a) and (b)
12 of section 196, by striking “this Act” each place the
13 term appears and inserting “the national service
14 laws”.

15 (2) GRANTS.—Section 192A(g) of the National
16 and Community Service Act of 1990 (as added by
17 section 202 of this Act) is amended—

18 (A) by striking “and” at the end of para-
19 graph (8);

20 (B) by redesignating paragraph (9) as
21 paragraph (10); and

22 (C) by inserting after paragraph (8) the
23 following:

24 “(9) notwithstanding any other provision of
25 law, make grants to or contracts with Federal or
26 other public departments or agencies and private

1 nonprofit organizations for the assignment or refer-
2 ral of volunteers under the provisions of the Domes-
3 tic Volunteer Service Act of 1973 (except as pro-
4 vided in section 108 of the Domestic Volunteer Serv-
5 ice Act of 1973), which may provide that the agency
6 or organization shall pay all or a part of the costs
7 of the program; and”.

8 (b) AUTHORITIES OF ACTION AGENCY.—Sections
9 401 and 402 of the Domestic Volunteer Service Act of
10 1973 (42 U.S.C. 5041 and 5042) are repealed.

11 (c) TRANSFER OF FUNCTIONS FROM ACTION
12 AGENCY.—

13 (1) DEFINITIONS.—For purposes of this sub-
14 section, unless otherwise provided or indicated by
15 the context—

16 (A) the term “Chairperson” means the
17 Chairperson of the Corporation;

18 (B) the term “Corporation” means the
19 Corporation for National Service, established
20 under section 191 of the National and Commu-
21 nity Service Act of 1990;

22 (C) the term “Federal agency” has the
23 meaning given to the term “agency” by section
24 551(1) of title 5, United States Code;

1 (D) the term “function” means any duty,
2 obligation, power, authority, responsibility,
3 right, privilege, activity, or program; and

4 (E) the term “office” includes any office,
5 administration, agency, institute, unit, organi-
6 zational entity, or component thereof.

7 (2) TRANSFER OF FUNCTIONS.—There are
8 transferred to the Corporation such functions as the
9 President determines to be appropriate that the Di-
10 rector of the ACTION Agency exercised before the
11 effective date of this subsection (including all related
12 functions of any officer or employee of the ACTION
13 Agency).

14 (3) DETERMINATIONS OF CERTAIN FUNCTIONS
15 BY THE OFFICE OF MANAGEMENT AND BUDGET.—
16 If necessary, the Office of Management and Budget
17 shall make any determination of the functions that
18 are transferred under paragraph (2).

19 (4) REORGANIZATION.—The Chairperson is au-
20 thorized to allocate or reallocate any function trans-
21 ferred under paragraph (2) among the officers of the
22 Corporation.

23 (5) TRANSFER AND ALLOCATIONS OF APPRO-
24 PRIATIONS AND PERSONNEL.—Except as otherwise
25 provided in this subsection, the personnel employed

1 in connection with, and the assets, liabilities, con-
2 tracts, property, records, and unexpended balances
3 of appropriations, authorizations, allocations, and
4 other funds employed, used, held, arising from,
5 available to, or to be made available in connection
6 with the functions transferred by this subsection,
7 subject to section 1531 of title 31, United States
8 Code, shall be transferred to the Corporation. Unex-
9 pended funds transferred pursuant to this paragraph
10 shall be used only for the purposes for which the
11 funds were originally authorized and appropriated.

12 (6) INCIDENTAL TRANSFER.—The Director of
13 the Office of Management and Budget, at such time
14 or times as the Director shall provide, is authorized
15 to make such determinations as may be necessary
16 with regard to the functions transferred by this sub-
17 section, and to make such additional incidental dis-
18 positions of personnel, assets, liabilities, grants, con-
19 tracts, property, records, and unexpended balances
20 of appropriations, authorizations, allocations, and
21 other funds held, used, arising from, available to, or
22 to be made available in connection with such func-
23 tions, as may be necessary to carry out the provi-
24 sions of this subsection. The Director of the Office
25 of Management and Budget shall provide for the ter-

1 mination of the affairs of all entities terminated by
2 this subsection and for such further measures and
3 dispositions as may be necessary to effectuate the
4 purposes of this subsection.

5 (7) EFFECT ON PERSONNEL.—

6 (A) IN GENERAL.—Except as otherwise
7 provided by this subsection, the transfer pursu-
8 ant to this subsection of full-time personnel (ex-
9 cept special Government employees) and part-
10 time personnel holding permanent positions
11 shall not cause any such employee to be sepa-
12 rated or reduced in grade or compensation, or
13 to have the benefits of the employee reduced,
14 for 1 year after the date of transfer of such em-
15 ployee under this subsection.

16 (B) EXECUTIVE SCHEDULE POSITIONS.—
17 Except as otherwise provided in this subsection,
18 any person who, on the day preceding the effec-
19 tive date of this subsection, held a position com-
20 pensated in accordance with the Executive
21 Schedule prescribed in chapter 53 of title 5,
22 United States Code, and who, without a break
23 in service, is appointed in the Corporation to a
24 position having duties comparable to the duties
25 performed immediately preceding such appoint-

1 ment shall continue to be compensated in such
2 new position at not less than the rate provided
3 for such previous position, for the duration of
4 the service of such person in such new position.

5 (C) TERMINATION OF CERTAIN POSI-
6 TIONS.—Positions whose incumbents are ap-
7 pointed by the President, by and with the ad-
8 vice and consent of the Senate, the functions of
9 which are transferred by this subsection, shall
10 terminate on the effective date of this sub-
11 section.

12 (8) SAVINGS PROVISIONS.—

13 (A) CONTINUING EFFECT OF LEGAL DOCU-
14 MENTS.—All orders, determinations, rules, reg-
15 ulations, permits, agreements, grants, contracts,
16 certificates, licenses, registrations, privileges,
17 and other administrative actions—

18 (i) that have been issued, made,
19 granted, or allowed to become effective by
20 the President, any Federal agency or offi-
21 cial thereof, or by a court of competent ju-
22 risdiction, in the performance of functions
23 that are transferred under this subsection;
24 and

1 (ii) that are in effect at the time this
2 subsection takes effect, or were final before
3 the effective date of this subsection and
4 are to become effective on or after the ef-
5 fective date of this subsection,
6 shall continue in effect according to their terms
7 until modified, terminated, superseded, set
8 aside, or revoked in accordance with law by the
9 President, the Chairperson, or other authorized
10 official, a court of competent jurisdiction, or by
11 operation of law.

12 (B) PROCEEDINGS NOT AFFECTED.—The
13 provisions of this subsection shall not affect any
14 proceedings, including notices of proposed rule-
15 making, or any application for any license, per-
16 mit, certificate, or financial assistance pending
17 before the ACTION Agency at the time this
18 subsection takes effect, with respect to func-
19 tions transferred by this subsection but such
20 proceedings and applications shall be continued.
21 Orders shall be issued in such proceedings, ap-
22 peals shall be taken therefrom, and payments
23 shall be made pursuant to such orders, as if
24 this subsection had not been enacted, and or-
25 ders issued in any such proceedings shall con-

1 tinue in effect until modified, terminated, su-
2 perseded, or revoked by a duly authorized offi-
3 cial, by a court of competent jurisdiction, or by
4 operation of law. Nothing in this subparagraph
5 shall be deemed to prohibit the discontinuance
6 or modification of any such proceeding under
7 the same terms and conditions and to the same
8 extent that such proceeding could have been
9 discontinued or modified if this subsection had
10 not been enacted.

11 (C) SUITS NOT AFFECTED.—The provi-
12 sions of this subsection shall not affect suits
13 commenced before the effective date of this sub-
14 section, and in all such suits, proceedings shall
15 be had, appeals taken, and judgments rendered
16 in the same manner and with the same effect
17 as if this subsection had not been enacted.

18 (D) NONABATEMENT OF ACTIONS.—No
19 suit, action, or other proceeding commenced by
20 or against the ACTION Agency, or by or
21 against any individual in the official capacity of
22 such individual as an officer of the ACTION
23 Agency, shall abate by reason of the enactment
24 of this subsection.

1 (E) ADMINISTRATIVE ACTIONS RELATING
2 TO PROMULGATION OF REGULATIONS.—Any ad-
3 ministrative action relating to the preparation
4 or promulgation of a regulation by the AC-
5 TION Agency relating to a function transferred
6 under this subsection may be continued by the
7 Corporation with the same effect as if this sub-
8 section had not been enacted.

9 (9) SEVERABILITY.—If a provision of this sub-
10 section or its application to any person or cir-
11 cumstance is held invalid, neither the remainder of
12 this subsection nor the application of the provision
13 to other persons or circumstances shall be affected.

14 (10) TRANSITION.—The Chairperson is author-
15 ized to utilize—

16 (A) the services of such officers, employ-
17 ees, and other personnel of the ACTION Agen-
18 cy with respect to functions transferred to the
19 Corporation by this subsection; and

20 (B) funds appropriated to such functions
21 for such period of time as may reasonably be
22 needed to facilitate the orderly implementation
23 of this subsection.

24 (d) EFFECTIVE DATE.—This section, and the amend-
25 ments made by this section, shall take effect—

1 (1) 18 months after the date of enactment of
2 this Act; or

3 (2) on such earlier date as the President deter-
4 mines to be appropriate.

5 **TITLE III—HIGHER EDUCATION**

6 **SEC. 301. HIGHER EDUCATION.**

7 **[To be supplied.]**

8 **TITLE IV—REAUTHORIZATION**

9 **Subtitle A—National and**

10 **Community Service Act of 1990**

11 **SEC. 401. AUTHORIZATION OF APPROPRIATIONS.**

12 **[To be supplied. Language should include carryover**
13 **provisions and an advance funding provision similar to the**
14 **following:**

15 **“(____) ADVANCE FUNDING.—**

16 **“(1) IN GENERAL.—In order to afford the re-**
17 **sponsible State, local, and Federal officers concerned**
18 **adequate notice of available Federal financial assist-**
19 **ance for programs under the [national service**
20 **Acts], appropriations for grants, contracts, or other**
21 **payments under any applicable program under such**
22 **Acts are authorized to be included in the appropria-**
23 **tion Act for the fiscal year preceding the fiscal year**
24 **for which the appropriations are available for obliga-**
25 **tion.**

1 “(2) APPLICATION.—In order to effect a transi-
2 tion to the method of timing appropriation action
3 described in paragraph (1), paragraph (1) shall
4 apply notwithstanding that the initial application of
5 the paragraph under such program will result in the
6 enactment in the same year (whether in the same
7 appropriation Act or otherwise) of two separate ap-
8 propriations, one for the then current fiscal year and
9 one for the succeeding fiscal year.”.]

10 **Subtitle B—Domestic Volunteer**
11 **Service Act of 1973**

12 **SEC. 411. SHORT TITLE; REFERENCES.**

13 (a) SHORT TITLE.—This subtitle may be cited as the
14 “Domestic Volunteer Service Act Amendments of 1993”.

15 (b) REFERENCES.—Except as otherwise specifically
16 provided, whenever in this subtitle an amendment or re-
17 peal is expressed in terms of an amendment to, or repeal
18 of, a section or other provision, the reference shall be con-
19 sidered to be made to a section or other provision of the
20 Domestic Volunteer Service Act of 1973 (42 U.S.C. 4950
21 et seq.).

1 **CHAPTER 1—VISTA AND OTHER ANTI-**
2 **POVERTY PROGRAMS**

3 **SEC. 421. PURPOSE OF THE VISTA PROGRAM.**

4 The last sentence of section 101 (42 U.S.C. 4951)
5 is amended to read as follows: “In addition, the objective
6 of this part is to generate the commitment of private sec-
7 tor resources, to encourage volunteer service at the local
8 level, and to strengthen local agencies and organizations
9 to carry out the purpose set forth in this part.”.

10 **SEC. 422. SELECTION AND ASSIGNMENT OF VISTA VOLUN-**
11 **TEERS.**

12 (a) **VOLUNTEER ASSIGNMENTS.**—Section 103(a) (42
13 U.S.C. 4953(a)) is amended—

14 (1) in the matter preceding paragraph (1), by
15 striking “a public” ;

16 (2) in paragraph (2), by striking “and” at the
17 end thereof;

18 (3) in paragraph (3), by striking “illiterate or
19 functionally illiterate youth and other individuals,”;

20 (4) in paragraph (5), by striking “and” at the
21 end thereof;

22 (5) in paragraph (6)—

23 (A) by striking “or the Community Eco-
24 nomic” and inserting “the Community Eco-
25 nomic”;

1 (B) by inserting “or other similar Acts”
2 after “1981,”; and

3 (C) by striking the period and inserting “;
4 and”; and

5 (6) by adding at the end thereof the following
6 new paragraph:

7 “(7) in strengthening, supplementing, and ex-
8 panding efforts to address the problem of illiteracy
9 throughout the United States.”.

10 (b) RECRUITMENT PROCEDURES.—Section 103(b)
11 (42 U.S.C. 4953(b)) is amended—

12 (1) by striking paragraphs (2), (4), (5) and (6);
13 and

14 (2) by redesignating paragraphs (3) and (7) as
15 paragraphs (2) and (3), respectively; and

16 (3) in paragraph (2) (as so redesignated), by
17 striking “paragraph (7)” and inserting “paragraph
18 (3)”; and

19 (4) in paragraph (3) (as so redesignated)—

20 (A) by striking “paragraph (4)” in sub-
21 paragraph (A) and inserting “paragraph (2)”;
22

23 (B) by striking subparagraphs (B) and
(E);

1 (C) by redesignating subparagraphs (C),
2 (D) and (F) as subparagraphs (B), (C) and
3 (D), respectively;

4 (D) by striking subparagraph (B) (as so
5 redesignated) and inserting the following new
6 subparagraph: and

7 “(B) A sponsoring organization may recruit volun-
8 teers for service under this part subject to final selection
9 approval by the Director of ACTION.”.

10 (c) PUBLIC AWARENESS AND RECRUITMENT.—Sub-
11 section (c) of section 103 (42 U.S.C. 4953(c)) is
12 amended—

13 (1) in paragraph (1), to read as follows:

14 “(1) The Director shall conduct national and local
15 public awareness and recruitment activities in order to
16 meet the volunteer goals of the program. Such activities
17 may include public service announcements, advertise-
18 ments, publicity on loan deferments and cancellations
19 available to VISTA Volunteers, maintenance of a toll-free
20 telephone system, and provision of technical assistance for
21 the recruitment of volunteers to programs and projects re-
22 ceiving assistance under this part. Further, the Director
23 shall take steps to recruit individuals 18 through 27 years
24 of age, 55 years of age and older, recent graduates of in-

1 stitutions of higher education, and special skilled volun-
2 teers.”;

3 (2) in paragraph (3), by adding at the end
4 thereof the following new sentence: “In addition, the
5 Director shall take steps to provide opportunities for
6 returned Peace Corps Volunteers to serve in Vista.”;

7 (3) by striking paragraphs (4) and (5);

8 (4) by redesignating paragraphs (6) as para-
9 graph (4); and

10 (5) by striking paragraph (4) (as so redesign-
11 ated), and inserting the following new paragraph:

12 “(4) Beginning in fiscal year 1994 and for each fiscal
13 year thereafter, for the purpose of carrying out this sub-
14 section, the Director shall obligate such sums as necessary
15 of the amounts appropriated for each fiscal year under
16 section 501(a).”.

17 (d) COORDINATION WITH OTHER FEDERAL AGEN-
18 CIES.—Section 103 (42 U.S.C. 4953) is amended by add-
19 ing at the end thereof the following new subsection:

20 “(h) The Director of ACTION is encouraged to enter
21 into agreements with other Federal agencies to use VISTA
22 Volunteers in furtherance of program objectives that are
23 consistent with the purposes described in section 101.”.

1 **SEC. 423. TERMS AND PERIODS OF SERVICE.**

2 (a) CLARIFICATION AND PERIODS OF SERVICE.—
3 Subsection (b) of section 104 (42 U.S.C. 4954(b)) is
4 amended to read as follows:

5 “(b) Volunteers serving under this part may be en-
6 rolled initially for not less than 1 year, nor more than 2
7 years, except as provided for under subsection (e), except
8 that volunteers serving under this part may be enrolled
9 for periods of service of less than 1 year when the Director
10 determines, on an individual basis, that a period of service
11 of less than 1 year is necessary to meet a critical scarce
12 skill need. Volunteers serving under this part may be
13 reenrolled for periods of service in a manner to be deter-
14 mined by the Director. No volunteer shall serve for more
15 than a total of 5 years under this part.”.

16 (b) SUMMER PROGRAM.—Section 104 (42 U.S.C.
17 4954) is amended by adding at the end thereof the follow-
18 ing new subsection:

19 “(e) Notwithstanding any other provision under this
20 part, the Director may enroll full-time VISTA Summer
21 Associates for the summer months only, under the terms
22 and conditions to be set by the Director. Such individuals
23 must be assigned to projects that meet the criteria set
24 forth in section 103(a). The Agency shall report on par-
25 ticipants, costs, and accomplishments under the summer
26 program separately. The limitation on funds appropriated

1 for grants and contracts, as contained in section 108, shall
2 not apply to the summer program.”.

3 **SEC. 424. SUPPORT FOR VISTA VOLUNTEERS.**

4 (a) POSTSERVICE STIPEND.—Section 105(a)(1) (42
5 U.S.C. 4955(a)(1)) is amended by striking the second sen-
6 tence and inserting the following: “Such stipend shall not
7 exceed \$95 per month in fiscal year 1994, but shall be
8 set at a minimum of \$125 per month during the volun-
9 teer’s service after October 1, 1994, assuming the avail-
10 ability of funds to accomplish this increase. The Director
11 may provide a stipend of a minimum of \$200 per month
12 in the case of persons who have served for at least 1 year
13 and who, in accordance with standards established in reg-
14 ulations which the Director shall prescribe, have been des-
15 ignated volunteer leaders on the basis of experience and
16 special skills and a demonstrated leadership among volun-
17 teers.”.

18 (b) SUBSISTENCE ALLOWANCE.—Section 105(b) (42
19 U.S.C. 4955(b)) is amended—

20 (1) in paragraph (3)—

21 (A) by striking subparagraph (A);

22 (B) by striking the subparagraph of sub-
23 paragraph (B); and

24 (C) by adding at the end thereof the fol-
25 lowing new sentence: “The Director shall review

1 such adjustments on an annual basis to assure
2 they are current.”; and
3 (2) by striking paragraph (4).

4 **SEC. 425. PARTICIPATION OF YOUNGER AND OLDER PER-**
5 **SONS.**

6 Section 107 (42 U.S.C. 4957) is amended to read as
7 follows:

8 “PARTICIPATION OF YOUNGER AND OLDER PERSONS

9 “SEC. 107. In carrying out this part and part C, the
10 Director shall take necessary steps, including the develop-
11 ment of special projects, where appropriate, to encourage
12 the fullest participation of individuals 18 through 27 years
13 of age and individuals 55 years of age and older in the
14 various programs and activities authorized under such
15 parts.”.

16 **SEC. 426. LITERACY ACTIVITIES.**

17 Section 109 (42 U.S.C. 4959) is amended—

18 (1) in subsection (g)—

19 (A) by striking paragraph (1); and

20 (B) by striking the paragraph designation
21 of paragraph (2); and

22 (2) in subsection (h), by striking paragraph (3).

23 **SEC. 427. APPLICATIONS FOR ASSISTANCE.**

24 Section 110 (42 U.S.C. 4960) is amended to read as
25 follows:

1 “APPLICATIONS FOR ASSISTANCE

2 “SEC. 110. The Director shall not deny assistance
3 under this part to any project or program, or any public
4 or private nonprofit organization, solely on the basis of
5 the duration of the assistance such project, program, or
6 organization has previously received under this part. The
7 Director shall grant assistance under this part on the
8 basis of merit and to accomplish the goals of the VISTA
9 program, and shall consider the needs and requirements
10 of existing projects as well as potential new projects.”.

11 **SEC. 428. REPEAL OF AUTHORITY FOR STUDENT COMMU-**
12 **NITY SERVICE PROGRAMS.**

13 Part B of title I (42 U.S.C. 4971 et seq.) is
14 amended—

15 (1) in section 111 (42 U.S.C. 4971(a))—

16 (A) by striking out subsection (a); and

17 (B) by striking out the subsection designa-
18 tion of subsection (b); and

19 (2) by repealing section 114 (42 U.S.C. 4974).

20 **SEC. 429. UNIVERSITY YEAR FOR VISTA.**

21 Part B of title I (42 U.S.C. 4971 et seq.) is
22 amended—

23 (1) in the part heading to read as follows:

1 “PART B—UNIVERSITY YEAR FOR VISTA”;

2 (2) by striking “University Year for ACTION”
3 each place that such appears in such part and in the
4 Act and inserting “University Year for VISTA”;

5 (3) by striking “UYA” each place that such ap-
6 pears in such part and in the Act and inserting
7 “UYV”;

8 (4) in section 112 (42 U.S.C. 4972) by striking
9 the section heading and inserting the following new
10 section heading:

11 “AUTHORITY TO OPERATE UNIVERSITY YEAR FOR VISTA
12 PROGRAM”; AND

13 (5) in section 113(a) (42 U.S.C. 4973(a))—

14 (A) by striking “of not less than the dura-
15 tion of an academic year” and inserting “of not
16 less than the duration of an academic semester
17 or its equivalent”; and

18 (B) by adding at the end thereof the fol-
19 lowing new sentence: “Volunteers may receive a
20 living allowance and such other support or al-
21 lowances as the Director determines appro-
22 priate.”.

1 **SEC. 430. AUTHORITY TO ESTABLISH AND OPERATE SPE-**
2 **CIAL VOLUNTEER AND DEMONSTRATION**
3 **PROGRAMS.**

4 Section 122 (42 U.S.C. 4992) is amended to read as
5 follows:

6 "AUTHORITY TO ESTABLISH AND OPERATE SPECIAL
7 VOLUNTEER AND DEMONSTRATION PROGRAMS

8 "SEC. 122. (a) IN GENERAL.—The Director is au-
9 thorized to conduct or award grants or contracts to public
10 and nonprofit organizations for special volunteer programs
11 or demonstration programs to encourage wider volunteer
12 participation on a full-time, part-time, or short-term basis
13 to further the purpose of this part, and to identify particu-
14 lar segments of the poverty community which could benefit
15 from volunteer and other antipoverty efforts. The assign-
16 ment of volunteers under this section, and the provision
17 of support for such volunteers, including any subsistence
18 allowances and stipends, shall be on such terms and condi-
19 tions as the Director shall determine but shall not exceed
20 the level of support provided under section 105. Projects
21 using nonstipend volunteers may also be supported under
22 this section.

23 "(b) CRITERIA.—In carrying out the activities au-
24 thorized under this section and section 123, the Director
25 shall establish criteria and priorities to award grants and
26 enter into contracts in each fiscal year. No grant or con-

1 tract exceeding \$100,000 shall be made under this part
2 unless the grantee or contractor has been selected by a
3 competitive process which includes public announcement
4 of the availability of funds for such grant or contract, gen-
5 eral criteria for the selection of recipients or contractors,
6 and a description of the application process and applica-
7 tion review process.”.

8 **SEC. 431. TECHNICAL AND FINANCIAL ASSISTANCE.**

9 Section 123 (42 U.S.C. 4993) is to read as follows:

10 “TECHNICAL AND FINANCIAL ASSISTANCE

11 “SEC. 123. The Director may provide technical and
12 financial assistance to Federal agencies, State and local
13 governments and agencies, private nonprofit organiza-
14 tions, employers, and other private organizations which
15 utilize or desire to utilize volunteers in carrying out the
16 purpose of this part.”.

17 **SEC. 432. ELIMINATION OF SEPARATE AUTHORITY FOR**
18 **DRUG ABUSE PROGRAMS.**

19 Section 124 (42 U.S.C. 4994) is repealed.

20 **CHAPTER 2—NATIONAL SENIOR**
21 **VOLUNTEER CORPS**

22 **SEC. 441. NATIONAL SENIOR VOLUNTEER CORPS.**

23 (a) REFERENCES.—The Act is amended by striking
24 “Older American Volunteer Programs” each place that
25 such appears and inserting “National Senior Volunteer
26 Corps.”.

1 (b) TITLE HEADING.—The heading for title II is
2 amended to read as follows:

3 **“TITLE II—NATIONAL SENIOR**
4 **VOLUNTEER CORPS”.**

5 **SEC. 442. THE RETIRED AND SENIOR VOLUNTEER PRO-**
6 **GRAM.**

7 Section 200 (42 U.S.C. 5000) is amended by striking
8 “retired senior volunteer program” each place that such
9 appears in such section and the Act and inserting “retired
10 and senior volunteer program”.

11 **SEC. 443. OPERATION OF THE RETIRED AND SENIOR VOL-**
12 **UNTEER PROGRAM.**

13 (a) ELIGIBILITY FOR PARTICIPANTS IN THE PRO-
14 GRAM.—Section 201(a) (42 U.S.C. 5001(a)) is
15 amended—

16 (1) in the matter preceding paragraph (1), by
17 inserting “and older working” after “retired”; and

18 (2) in paragraph (2), by striking “aged sixty”
19 and inserting “aged fifty-five”.

20 (b) DELETION OF REQUIREMENT FOR STATE AGEN-
21 CY REVIEW.—Section 201 (42 U.S.C. 5001) is amended—

22 (1) by striking subsection (c); and

23 (2) by redesignating subsection (d) as sub-
24 section (c).

1 **SEC. 444. SERVICES UNDER THE FOSTER GRANDPARENT**
2 **PROGRAM.**

3 Section 211(a) (42 U.S.C. 5011(a)) is amended—

4 (1) by striking “receiving care in hospitals,
5 homes for dependent and neglected children, or
6 other establishments providing care for children with
7 special needs” and inserting “receiving care in hos-
8 pitals; residing in homes for dependent and ne-
9 glected children; and participating in day care cen-
10 ters, schools, Head Start projects, and a variety of
11 other establishments and institutions providing serv-
12 ices for children with special or exceptional needs”;
13 and

14 (2) by inserting after the first sentence the fol-
15 lowing new sentence: “Individual foster grand-
16 parents may provide person-to-person services to one
17 or more children depending upon the needs of the
18 project and local site.”.

19 **SEC. 445. STIPENDS FOR LOW-INCOME VOLUNTEERS.**

20 Section 211(d) (42 U.S.C. 5011(d)) is amended in
21 the second sentence by striking “Any stipend or allowance
22 provided under this subsection shall not be less than \$2.20
23 per hour until October 1, 1990, \$2.35 per hour during
24 fiscal year 1991, and \$2.50 per hour and after October
25 1, 1992,” and inserting “Any stipend or allowance pro-
26 vided under this section shall not be less than \$2.45 per

1 hour on and after October 1, 1993, and shall be adjusted
2 once during the period of 1993 through 1997 to account
3 for inflation, as determined by the Director and rounded
4 to the nearest five cents.”.

5 **SEC. 446. PARTICIPATION OF NON-LOW-INCOME PERSONS**
6 **UNDER PARTS B AND C.**

7 Subsection (f) of section 211(f) (42 U.S.C. 5011(f))
8 is amended to read as follows:

9 “(f) Individuals who are not low-income persons may
10 serve as volunteers under parts B and C, in accordance
11 with such regulations as the Director shall issue, at the
12 discretion of the local project and without receiving any
13 allowance, stipend, or other financial support except reim-
14 bursement for transportation, meals, and out-of-pocket ex-
15 penses incident to serving.”

16 **SEC. 447. CONDITIONS OF GRANTS AND CONTRACTS.**

17 Section 212 (42 U.S.C. 5012) is repealed.

18 **SEC. 448. EVALUATION OF THE SENIOR COMPANION PRO-**
19 **GRAM.**

20 Paragraph (3) of section 213(c) (42 U.S.C.
21 5013(c)(3)) is repealed.

22 **SEC. 449. AGREEMENTS WITH OTHER FEDERAL AGENCIES.**

23 Section 221(a) (42 U.S.C. 5021) is amended by add-
24 ing at the end thereof the following new sentence: “The
25 Director is encouraged to enter into agreements with the

1 Department of Health and Human Services to provide fos-
2 ter grandparents in Head Start projects, to use Medicaid
3 funds where cost-effective in involving Senior Companions
4 in health care arrangements, and to promote in-home care
5 in cooperation with the Administration on Aging, with the
6 Department of Education to promote intergenerational tu-
7 toring and mentoring for at-risk children, and with the
8 Environmental Protection Agency to support conservation
9 efforts.”.

10 **SEC. 450. PROGRAMS OF NATIONAL SIGNIFICANCE.**

11 Section 225 (42 U.S.C. 5025) is amended—

12 (1) in subsection (a)—

13 (A) by striking paragraph (1) and insert-
14 ing the following new paragraph:

15 “(1) The Director is authorized to make grants under
16 the programs authorized in parts A, B, and C of this title
17 to support programs that address national problems that
18 are also of local concern. The Director may, in any fiscal
19 year, determine which programs of national significance
20 will receive priority in that year.”;

21 (B) by striking “paragraph (10)” in para-
22 graph (2)(B) and inserting “paragraphs (10)
23 and (12)”;

1 (C) by striking “and (10)” in paragraph
2 (2)(C) and inserting “(10), (12), (15), and
3 (16)”;

4 (2) in subsection (b), by adding at the end
5 thereof the following new paragraphs:

6 “(12) Programs that address environmental
7 needs.

8 “(13) Programs that reach out to organizations
9 not previously involved in addressing local needs,
10 such as labor unions and profit-making organiza-
11 tions.

12 “(14) Programs that provide for ethnic out-
13 reach.

14 “(15) Programs that support criminal justice
15 activities.

16 “(16) Programs that involve older volunteers
17 working with young people in apprenticeship pro-
18 grams.”; and

19 (5) in subsection (d), by striking paragraph (1)
20 and inserting the following new paragraph:

21 “(1) Except as provided in paragraph (2), in each
22 fiscal year there shall be available to the Director to make
23 grants under subsection (a) such sums as necessary.”.

1 **SEC. 451. ADJUSTMENTS TO FEDERAL FINANCIAL ASSIST-**
2 **ANCE.**

3 Section 226 (42 U.S.C. 5026) is amended—

4 (1) by striking subparagraph (B) of subsection
5 (a)(1) and all that follows through subsection (b);
6 and

7 (B) by striking “(a)(1)(A)”.

8 **SEC. 452. ARRANGEMENTS WITH PRIVATE, PROFIT-MAKING**
9 **ORGANIZATIONS.**

10 Part D of title II (42 U.S.C. 5021) is amended by
11 adding at the end thereof the following new section:

12 “ARRANGEMENTS WITH PRIVATE, PROFIT-MAKING
13 ORGANIZATIONS

14 “SEC. 228. The Director and grantees funded under
15 this title may enter into arrangements with profit-making
16 organizations so as to offer the services of Senior Compan-
17 ions, Foster Grandparents, and Retired Senior Volunteers
18 to those profit-making organizations, including their em-
19 ployees and relatives, on the condition that all costs of the
20 services, including administrative expenses, are paid for
21 by the profit-making organization and that there is no im-
22 pact on the ACTION funded project to provide services
23 to the community under the grant.”.

24 **SEC. 453. DEMONSTRATION PROGRAMS.**

25 Title II is amended by adding at the end thereof the
26 following new part:

1 “PART E—DEMONSTRATION PROGRAMS

2 “AUTHORITY OF DIRECTOR

3 “SEC. 231. The Director is authorized to make
4 grants or contracts to public and nonprofit organizations,
5 including the organizations funded under parts A, B, and
6 C, for the purposes of demonstrating innovative activities
7 involving older Americans as volunteers. The Director may
8 support both nonstipend and stipended volunteers under
9 this part. Funding may be provided for activities such
10 as—

11 “(1) linking youth groups and older American
12 organizations in volunteer activities;

13 “(2) involving older volunteers in programs and
14 activities different from those currently supported in
15 the community; and

16 “(3) testing whether older American volunteer
17 programs may contribute to new objectives or cer-
18 tain national priorities.

19 “PROHIBITION

20 “SEC. 232. The Director may not reduce the activi-
21 ties, projects, or volunteers funded under the other parts
22 of this title in order to support projects under this part.”.

23 **CHAPTER 3—ADMINISTRATION**

24 **SEC. 461. PURPOSE OF AGENCY.**

25 Section 401 (42 U.S.C. 5041) is amended by insert-
26 ing after the first sentence the following: “This Agency

1 shall also promote the coordination of volunteer efforts
2 among Federal, State, and local agencies and organiza-
3 tions, exchange technical assistance information among
4 them, and provide technical assistance to other nations
5 concerning domestic volunteer programs within their coun-
6 tries.”.

7 **SEC. 462. AUTHORITY OF THE DIRECTOR.**

8 Section 402 (42 U.S.C. 5042) is amended—

9 (1) in paragraphs (5) and (6), by inserting “so-
10 licit and” before “accept” in each such paragraph;

11 (2) in paragraph (13), by striking “and” at the
12 end thereof;

13 (3) by redesignating paragraph (14) as para-
14 graph (15); and

15 (4) by inserting after paragraph (13) the fol-
16 lowing new paragraph:

17 “(14) enter into arrangements with private,
18 profit-making organizations under terms and condi-
19 tions determined by the Director when such agree-
20 ments will further the purposes of the Act; and”.

21 **SEC. 463. COMPENSATION FOR VOLUNTEERS.**

22 Section 404(c) (42 U.S.C. 5044(c)) is amended by
23 inserting “from such volunteers or beneficiaries” after
24 “compensation”.

1 **SEC. 464. REPEAL OF REPORT ON ANNUAL RECRUITMENT**
2 **PLAN.**

3 Section 407 (42 U.S.C. 5047) is repealed.

4 **SEC. 465. APPLICATION OF FEDERAL LAW.**

5 Section 415(b)(4)(A) (42 U.S.C. 5055(b)(4)(A)) is
6 amended by striking “grade GS-7” and inserting “grade
7 GS-5”.

8 **SEC. 466. EVALUATION OF PROGRAMS.**

9 Section 416 (42 U.S.C. 5056) is amended—

10 (1) in subsection (a)—

11 (A) by striking “(including the VISTA Lit-
12 eracy Corps which shall be evaluated as a sepa-
13 rate program at least once every 3 years)” in
14 the first sentence; and

15 (B) by striking “at least once every 3
16 years” in the second sentence and inserting
17 “periodically”;

18 (2) in subsection (b) to read as follows:

19 “(b) In carrying out evaluations of ACTION’s pro-
20 grams, the Director shall create appropriate management
21 information systems that will summarize volunteer activi-
22 ties and accomplishments across the programs supported
23 under this Act. The Director shall report this information
24 on a periodic basis.”; and

25 (3) by striking subsections (d), (e), (f), and (g).

1 **SEC. 467. NONDISCRIMINATION PROVISIONS.**

2 Section 417 (42 U.S.C. 5057) is amended to read as
3 follows:

4 “NONDISCRIMINATION PROVISIONS

5 “SEC. 417. (a) IN GENERAL.—An individual with re-
6 sponsibility for the operation of a project that receives as-
7 sistance under this Act shall not discriminate against a
8 participant or member of the staff of such project on the
9 basis of race, color, national origin, sex, age, disability,
10 or political affiliation of such participant or member.

11 “(b) FEDERAL FINANCIAL ASSISTANCE.—Any assist-
12 ance provided under this Act shall constitute Federal fi-
13 nancial assistance for purposes of title VI of the Civil
14 Rights Act of 1964 (42 U.S.C. 2000d et seq.), title IX
15 of the Education Amendments of 1972 (20 U.S.C. 1681
16 et seq.), the Rehabilitation Act of 1973 (29 U.S.C. 701
17 et seq.), the Age Discrimination Act of 1975 (42 U.S.C.
18 6101 et seq.), and the regulations issued under such Acts.

19 (c) RELIGIOUS DISCRIMINATION.—

20 (1) IN GENERAL.—Except as provided in para-
21 graph (2), an individual with responsibility for the
22 operation of a project that receives assistance under
23 this Act shall not discriminate on the basis of reli-
24 gion against a participant or a member of the
25 project staff who is paid with funds received under
26 this Act.

1 (2) EXCEPTION.—Paragraph (1) shall not
2 apply to the employment, with assistance provided
3 under this Act, of any member of the staff of a
4 project that receives assistance under this Act who
5 was employed with the organization operating the
6 project on the date the grant under this Act was
7 awarded.

8 (d) RULES AND REGULATIONS.—The Director shall
9 promulgate rules and regulations to provide for the en-
10 forcement of this section that shall include provisions for
11 summary suspension of assistance for not more than 30
12 days, on an emergency basis, until notice and an oppor-
13 tunity to be heard can be provided.”.

14 **SEC. 468. ELIMINATION OF SEPARATE REQUIREMENTS FOR**
15 **SETTING REGULATIONS.**

16 Section 420 (42 U.S.C. 5060) is repealed.

17 **SEC. 469. CLARIFICATION OF ROLE OF INSPECTOR GEN-**
18 **ERAL.**

19 Section 422 (42 U.S.C. 5062) is amended—

20 (1) in subsection (a), by inserting “and the In-
21 specter General of ACTION” after “Director”; and

22 (2) in subsection (b), by inserting “, the Inspec-
23 tor General of ACTION,” after “Director” each
24 place that such appears.

1 **SEC. 470. COPYRIGHT PROTECTION.**

2 Title IV is amended by adding at the end thereof,
3 the following new section:

4 “COPYRIGHT PROTECTION

5 “SEC. 426. (a) IN GENERAL.—The following are
6 hereby declared the property of the United States:

7 “(1) The name ‘Retired and Senior Volunteer
8 Program’ and the logo and acronym, ‘RSVP’, associ-
9 ated therewith;

10 “(2) The name ‘Foster Grandparent Program’
11 and the logo and acronym, ‘FGP’, associated there-
12 with;

13 “(3) The name ‘Senior Companion Program’
14 and the logo and acronym, ‘SCP’, associated there-
15 with;

16 “(4) The name ‘Volunteers in Service to Amer-
17 ica’ and the logo and acronym, ‘VISTA’, associated
18 therewith; and

19 “(5) The name ‘National Senior Volunteer
20 Corps’.

21 “(b) SPECIAL ACCOUNT.—The Director shall deposit
22 into a special account, to be available to foster and expand
23 volunteerism consistent with this Act, all fees collected
24 under regulations prescribed by the Director relating to
25 use or reproduction of the property described in subsection
26 (a) by entities other than ACTION.

1 “(c) IMPROPER USE.—

2 “(1) IN GENERAL.—Whoever, except as per-
3 mitted by the laws of the United States and regula-
4 tions issued by the Director—

5 “(A) uses the names ‘ACTION’, ‘National
6 Senior Volunteer Corps’, ‘Retired and Senior
7 Volunteer Program’ (or its acronym, ‘RSVP’),
8 ‘Foster Grandparent Program’ (or its acronym,
9 ‘FGP’), ‘Senior Companion Program’ (or its ac-
10 ronym, ‘SCP’), or ‘Volunteers in Service to
11 America’ (or its acronym, ‘VISTA’), as part of
12 the business or firm name of a person, corpora-
13 tion, partnership, association or other business
14 entity; or

15 “(B) falsely advertises or represents, or
16 publishes or displays any sign, symbol or adver-
17 tisement reasonably calculated to convey the
18 impression that the entity is affiliated with,
19 funded by, or operating under the authority of
20 ACTION or any of its locally funded programs;
21 may be enjoined under an action filed by the Attor-
22 ney General, upon a complaint by the Director.

23 “(2) EXCEPTION.—This section shall not make
24 unlawful the use of any name or title which was law-
25 ful on the date of enactment of this section.

1 “(d) DEFINITIONS.—For purposes of this section:

2 “(1) FOSTER GRANDPARENT PROGRAM.—The
3 term ‘Foster Grandparent Program’ means the pro-
4 gram established under part B of title II.

5 “(2) NATIONAL SENIOR VOLUNTEER CORPS.—
6 The term ‘National Senior Volunteer Corps’ means
7 the programs established under parts A, B, C, and
8 E of title II.

9 “(3) RETIRED AND SENIOR VOLUNTEER PRO-
10 GRAM.—The term ‘Retired and Senior Volunteer
11 Program’ means the program established under part
12 A of title II.

13 “(4) SENIOR COMPANION PROGRAM.—The term
14 ‘Senior Companion Program’ means the program es-
15 tablished under part C of title II.

16 “(5) VOLUNTEERS IN SERVICE TO AMERICA.—
17 The terms ‘Volunteers in Service to America’ and
18 ‘VISTA’ mean the program established under part A
19 of title I.”.

20 **SEC. 471. CENTER FOR RESEARCH AND TRAINING.**

21 Title IV (as amended by section 470) is further
22 amended by at the end thereof the following new section:

23 “CENTER FOR RESEARCH AND TRAINING

24 SEC. 427. There is established within ACTION a
25 Center for Research and Training on Volunteerism. The
26 Center shall carry out research concerning the impact of

1 volunteerism on individuals, organizations, and commu-
2 nities. The Center shall provide training to help improve
3 programs across the country. The Center may award
4 grants to, or enter into contracts with, organizations in
5 order to carry out its responsibilities.”.

6 **SEC. 472. DEPOSIT REQUIREMENT CREDIT FOR SERVICE AS**
7 **A VOLUNTEER.**

8 (a) CIVIL SERVICE RETIREMENT SYSTEM.—

9 (1) CREDITABLE SERVICE.—Section 8332(j) of
10 title 5, United States Code, is amended—

11 (A) in paragraph (1), by inserting “as a
12 full-time volunteer enrolled in a program of at
13 least 1 year’s duration under part A, B, or C
14 of title I of the Domestic Volunteer Service Act
15 of 1973,” after “Economic Opportunity Act of
16 1964,”; and

17 (B) by adding at the end thereof the fol-
18 lowing new paragraph:

19 “(3) The provisions of paragraph (1) relating to
20 credit for service as a volunteer or volunteer leader
21 under the Economic Opportunity Act of 1964 and
22 the Domestic Volunteer Service Act of 1973 shall
23 not apply to any period of service as a volunteer or
24 volunteer leader of an employee or Member with re-
25 spect to which the employee or Member has made

1 the deposit with interest, if any, required by section
2 8334(1).”.

3 (2) DEDUCTIONS, CONTRIBUTIONS, AND DEPOS-
4 ITS.—

5 (A) Section 8334 of title 5, United States
6 Code, is amended by adding at the end thereof
7 the following new subsection:

8 “(1)(1) Each employee or Member who has performed
9 service as a volunteer or volunteer leader under part A
10 of title VIII of the Economic Opportunity Act of 1964 or
11 as a full-time volunteer enrolled in a program of at least
12 1 year’s duration under part A, B, or C of title I of the
13 Domestic Volunteer Service Act of 1973, before the date
14 of separation from service on which the entitlement to any
15 annuity under this subchapter is based may pay, in ac-
16 cordance with such regulations as the Office of Personnel
17 Management shall issue, to the agency by which the em-
18 ployee is employed or, in the case of a Member or a Con-
19 gressional employee, to the Secretary of the Senate or the
20 Clerk of the House of Representatives, as appropriate, an
21 amount equal to 7 percent of the readjustment allowance
22 paid to the employee or Member under section 803 of the
23 Economic Opportunity Act of 1964 or section 105(a) or
24 the Domestic Volunteer Service Act of 1973 for each pe-
25 riod of service as such a volunteer or volunteer leader.

1 “(2) Any deposit made under paragraph (1) more
2 than 2 years after the later of—

3 “(A) the date of enactment of this subsection;
4 or

5 “(B) the date on which the employee or Mem-
6 ber making the deposit first becomes an employee or
7 Member,

8 shall include interest on such amount, computed and com-
9 puted annually beginning on the date of the expiration of
10 the 2-year period. The interest rate that is applicable in
11 computing interest in any year under this paragraph shall
12 be equal to the interest rate that is applicable for such
13 year under subsection (e).

14 “(3) Any payment received by an agency, the Sec-
15 retary of the Senate, or Clerk of the House of Representa-
16 tives under this subsection shall be immediately remitted
17 to the Office of Personnel Management for deposit in the
18 Treasury of the United States to the credit of the Fund.

19 “(4) The Director of ACTION shall furnish such in-
20 formation to the Office to the Personnel Management as
21 the Office may determine to be necessary for the adminis-
22 tration of this subsection.”.

23 (B) Section 8334(e) of title 5, United
24 States Code, is amended in paragraphs (1) and

1 (2) by striking “or (k)” each place that such
2 appears and inserting “(k), or (l)”.

3 (b) FEDERAL EMPLOYEES RETIREMENT SYSTEM.—

4 (1) CREDITABLE SERVICE.—Section 8411 of
5 title 5, United States Code, is amended—

6 (A) in subsection (b)(3), by striking “sub-
7 section (f)” and inserting “subsection (f) or
8 (h)”; and

9 (B) by adding at the end thereof the fol-
10 lowing new subsection:

11 “(h) An employee or Member shall be allowed credit
12 for services as a volunteer or volunteer leader under part
13 A of title VIII of the Economic Opportunity Act of 1964,
14 or as a full-time volunteer enrolled in a program of at least
15 1 year’s duration under part A, B, or C of title I of the
16 Domestic Volunteer Service Act of 1973, performed at any
17 time prior to the separation from service entitlement to
18 any annuity is based if the employee or Member has made
19 a deposit with interest, if any, with respect to such service
20 under section 8422(f).”.

21 (2) DEDUCTIONS, CONTRIBUTIONS.—Section
22 8422 of title 5, United States Code, is amended by
23 adding at the end thereof the following new sub-
24 section:

1 “(f)(1) Each employee or Member who has performed
2 service as a volunteer or volunteer leader under part A
3 of title VIII of the Economic Opportunity Act of 1964,
4 or as a full-time volunteer enrolled in a program or at
5 least 1 year’s duration under part A, B, or C of title I
6 of the Domestic Volunteer Service Act of 1973, before the
7 date of the separation from service on which the entitle-
8 ment to any annuity under this subchapter, or subchapter
9 V of this chapter, is based may pay, in accordance with
10 such regulations as the Office of Personnel Management
11 shall issue, to the agency by which the employee is em-
12 ployed or, in the case of Member or a congressional em-
13 ployee, to the Secretary of the Senate or Clerk of the
14 House of Representatives, as appropriate, an amount
15 equal to 3 percent of the readjustment allowance paid to
16 the employee or Member under title VIII of the Economic
17 Opportunity Service Act of 1964 or title I of the Domestic
18 Volunteer Service Act of 1973 for each period of service
19 as such a volunteer or volunteer leader.

20 “(2) Any deposit made under paragraph (1) more
21 than 2 years after the later of—

22 “(A) the date of enactment of this subsection,
23 or

1 “(B) the date on which the employee or Mem-
2 ber making the deposit first becomes an employee or
3 Member,
4 shall include interest on such amount computed and
5 compounded annually beginning on the date of the expira-
6 tion of the 2-year period. The interest rate that is applica-
7 ble in computing interest in any year under this paragraph
8 shall be equal to the interest rate that is applicable for
9 such year under section 8334(e).

10 “(3) Any payment received by an agency, the Sec-
11 retary of the Senate, or the Clerk of the House of Rep-
12 resentatives under this subsection shall be immediately re-
13 mitted to the Office of Personnel Management for deposit
14 in the Treasury of the United States to the credit of the
15 Fund.

16 “(4) The Director of ACTION shall furnish such in-
17 formation to the Office of Personnel Management as the
18 Office may determine to be necessary for the administra-
19 tion of this subsection.”

20 (c) **APPLICABILITY AND OTHER PROVISIONS.—**

21 (1) **APPLICABILITY.—**

22 (A) The amendments made by subsections
23 (a) and (b) shall apply with respect to credit for
24 service as a volunteer or volunteer leader under
25 the Economic Opportunity Act of 1964 or the

1 Domestic Volunteer Service Act of 1973 to indi-
2 viduals who are entitled to an annuity on the
3 basis of a separation from service occurring be-
4 fore, on, or after the effective date of this Act.

5 (B) In the case of any individual whose en-
6 titlement to an annuity is based on a separation
7 from service occurring before the date of enact-
8 ment of this Act, any increase in such individ-
9 ual's annuity on the basis of a deposit made
10 pursuant to section 8334(l) or section 8442(f)
11 of title 5, United States Code, as amended by
12 this Act, shall be effective only with respect to
13 annuity payments payable for calendar months
14 beginning after the date of enactment of this
15 Act.

16 (C) In the case of any individual who is
17 entitled to an annuity under subchapter III of
18 chapter 83 of title 5, United States Code, credit
19 for service under such subchapter III shall be
20 subject to paragraphs (2) through (6).

21 (2) OLD AGE OR SURVIVOR'S ENTITLEMENT.—
22 Subject to paragraph (3), in any case in which an
23 individual described in paragraph (1)(C) is also enti-
24 tled to old age or survivor's insurance benefits under
25 section 202 of the Social Security Act (or would be

1 entitled to such benefits upon filing an application
2 therefore), the amount of the annuity to which such
3 individual is entitled under subchapter III of chapter
4 83 of title 5, United States Code (after taking in ac-
5 count service as a volunteer or volunteer leader
6 under the Economic Opportunity Act of 1964 and
7 the Domestic Volunteer Service Act of 1973) which
8 is payable for any month shall be reduced by an
9 amount determined by multiplying the amount of
10 such old-age or survivor's insurance benefit for the
11 determination month by a fraction—

12 (A) the numerator of which is the total of
13 the wages (within the meaning of section 209 of
14 the Social Security Act) for service as a volun-
15 teer or volunteer leader under the Economic
16 Opportunity Act of 1964 and the Domestic Vol-
17 unteer Service Act of 1973 of such individual
18 credited for years before the calendar year in
19 which the determination month occurs, up to
20 the contribution and benefit base determined
21 under section 230 of the Social Security Act (or
22 other applicable maximum annual amount re-
23 ferred to in section 215(e)(1) of such Act for
24 each year); and

1 (B) the denominator of which is the total
2 of all wages described in subparagraph (A),
3 plus all other wages (within the meaning of sec-
4 tion 209 of such Act) and all self-employment
5 income (within the meaning of section 211(b) of
6 such Act) of such individual credited for years
7 after 1936 and before the calendar year in
8 which the determination month occurs, up to
9 the contribution and benefit base (of such other
10 amount referred to in section 215(e)(1) of such
11 Act) for each such year.

12 (3) LIMITATION.—Paragraph (2) shall not re-
13 duce the annuity of an individual below the amount
14 of the annuity which would be payable to the indi-
15 vidual for the determination month if service of a
16 volunteer or volunteer leader under the Economic
17 Opportunity Act of 1964 or the Domestic Volunteer
18 Service Act of 1973 were not creditable in the com-
19 putation of the individual's annuity for such month.

20 (4) DETERMINATION MONTH.—For purposes of
21 this subsection, the term “determination month”
22 means—

23 (A) the first month the individual de-
24 scribed in paragraph (1)(C) is entitled to old-
25 age or survivor's benefits under section 202(a)

1 of the Social Security Act (or would be entitled
2 to such benefits upon filing an application
3 therefore); or

4 (B) the first calendar month beginning
5 after the date of enactment of this Act, in the
6 case of any individual entitled to such benefits
7 for such month.

8 (5) EFFECTIVE DATE.—The provisions of para-
9 graphs (2) through (4) shall take effect with respect
10 to any annuity payment payable under subchapter
11 III of chapter 83 of title 5, United States Code, for
12 calendar months beginning after the date of enact-
13 ment of this Act.

14 (6) FURNISHING OF INFORMATION.—The Sec-
15 retary of Health and Human Services shall furnish
16 such information to the Office of Personnel Manage-
17 ment as may be necessary to carry out the provi-
18 sions of this subsection.

19 (7) ACTION TO INFORM INDIVIDUALS.—The Di-
20 rector of the Office of Personnel Management shall
21 take such action as may be necessary and appro-
22 priate to inform individuals entitled to credit under
23 this section for service as a volunteer or volunteer
24 leader, or to have any annuity recomputed, or to

1 make a deposit under this section, of such entitle-
2 ment.

3 **CHAPTER 4—AUTHORIZATION OF APPRO-**
4 **PRIATIONS AND OTHER AMENDMENTS**

5 **SEC. 481. AUTHORIZATION OF APPROPRIATIONS FOR TITLE**

6 **I.**

7 Section 501 (42 U.S.C. 5081) is amended to read as
8 follows:

9 “NATIONAL VOLUNTEER ANTIPOVERTY PROGRAMS

10 “SEC. 501. (a) AUTHORIZATIONS.—

11 “(1) VOLUNTEERS IN SERVICE TO AMERICA.—

12 There are authorized to be appropriated to carry out
13 part A of title I, excluding sections 104(e) and 109,
14 such sums as may be necessary for each of the fiscal
15 years 1994 through 1998.

16 “(2) SUMMER PROGRAM.—There are authorized
17 to be appropriated to carry out section 104(e), such
18 sums as may be necessary for each of the fiscal
19 years 1994 through 1998.

20 “(3) LITERACY ACTIVITIES.—There are author-
21 ized to be appropriated to carry out section 109,
22 such sums as may be necessary for each of the fiscal
23 years 1994 through 1998.

24 “(4) STUDENT COMMUNITY SERVICE PRO-
25 GRAMS.—There are authorized to be appropriated to
26 carry out part B of title I, such sums as may be nec-

1 essary for each of the fiscal years 1994 through
2 1998.

3 “(5) SPECIAL VOLUNTEER PROGRAMS.—There
4 are authorized to be appropriated to carry out part
5 C of title I, excluding section 125, such sums as may
6 be necessary for each of the fiscal years 1994
7 through 1998.

8 “(6) LITERACY CHALLENGE GRANTS.—There
9 are authorized to be appropriated to carry out sec-
10 tion 125, such sums as may be necessary for each
11 of the fiscal years 1994 through 1998.

12 “(b) SUBSISTENCE.—The minimum level of allow-
13 ances for subsistence required under section 105(b)(2), to
14 be provided to each volunteer under this Act may not be
15 reduced or limited in order to provide for an increase in
16 the number of volunteer service years under part A of title
17 I.

18 “(c) LIMITATION.—No part of the funds appro-
19 priated to carry out part A of title I may be used to pro-
20 vide volunteers or assistance to any program or project
21 authorized under part B or C of title I, or under title II,
22 unless the program or project meets the antipoverty cri-
23 teria of part A of title I.

1 “(d) AVAILABILITY.—Amounts appropriated for part
2 A of title I shall remain available for obligation for a 2-
3 year period.

4 “(e) VOLUNTEER SERVICE REQUIREMENT.—Of the
5 amounts appropriated under this section for parts A, B,
6 and C of title I, including section 125, there shall first
7 be available for part A of title I an amount not less than
8 the amount necessary to provide 5,500 volunteer service
9 years in fiscal year 1994, and 7,500 volunteer service
10 years in each of fiscal years 1995, 1996, 1997, and 1998.
11 If funds are insufficient to meet this requirement, the Di-
12 rector shall submit a plan to the relevant authorizing and
13 appropriations committees of Congress that will detail
14 what is necessary to fully meet this requirement.”.

15 **SEC. 482. AUTHORIZATION OF APPROPRIATIONS FOR TITLE**

16 **II.**

17 Section 502 (42 U.S.C. 5082) is amended to read as
18 follows:

19 “NATIONAL SENIOR VOLUNTEER CORPS

20 “SEC. 502. (a) RETIRED AND SENIOR VOLUNTEER
21 PROGRAM.—There are authorized to be appropriated to
22 carry out part A of title II, such sums as may be necessary
23 for each of the fiscal years 1994 through 1998.

24 “(b) FOSTER GRANDPARENT PROGRAM.—There are
25 authorized to be appropriated to carry out part B of title

1 II, such sums as may be necessary for each of the fiscal
2 years 1994 through 1998.

3 “(c) SENIOR COMPANION PROGRAM.—There are au-
4 thorized to be appropriated to carry out part C of title
5 II, such sums as may be necessary for each of the fiscal
6 years 1994 through 1998.

7 “(d) DEMONSTRATION PROGRAMS.—There are au-
8 thorized to be appropriated to carry out part E of title
9 II, such sums as may be necessary for each of the fiscal
10 years 1994 through 1998.”.

11 **SEC. 483. AUTHORIZATION OF APPROPRIATIONS FOR TITLE**
12 **IV.**

13 Section 504 (42 U.S.C. 5084) is amended to read as
14 follows:

15 “ADMINISTRATION AND COORDINATION

16 “SEC. 504 (a) IN GENERAL.—For each of the fiscal
17 years 1994 through 1997, there are authorized to be ap-
18 propriated for the administration of this Act as provided
19 for in title IV, 20 percent of the total amount appropriated
20 under sections 501, 502, and title VII with respect to such
21 year.

22 “(b) EVALUATION AND CENTER FOR RESEARCH AND
23 TRAINING.—For each of the fiscal years 1994 through
24 1998, the Director is authorized to expend not less than
25 one-half of 1 percent, nor more than 1 percent, from the

1 amounts appropriated under sections 501, 502, and title
2 VII for the purposes prescribed in sections 416 and 427.”.

3 **SEC. 484. CONFORMING AMENDMENTS; COMPENSATION**
4 **FOR VISTA FECA CLAIMANTS.**

5 Section 8143(b) of title 5, United States Code, is
6 amended by striking “GS-7” and inserting “GS-5”.

7 **SEC. 485. REPEAL OF AUTHORITY FOR YOUTHBUILD PRO-**
8 **GRAM.**

9 Title VII (42 U.S.C. 5051 et seq.) is repealed.

10 **SEC. 486. EFFECTIVE DATE.**

11 This subtitle shall become effective on October
12 1, 1993, or on the date of enactment of this Act,
13 whichever is later.

14 **TITLE V—TECHNICAL AND**
15 **CONFORMING AMENDMENTS**

16 **SEC. 501. DEFINITION OF DIRECTOR.**

17 The Domestic Volunteer Service Act of 1973 is
18 amended—

19 (1) in section 421 (42 U.S.C. 5061), by striking
20 paragraph (1) and inserting the following new para-
21 graph:

22 “(1) the term ‘Director’ means the Chairperson
23 and Executive Director of the Corporation for Na-
24 tional Service appointed under section 191C of the

1 National and Community Services Act of 1990;”;
2 and

3 (2) in section 713 (42 U.S.C. 5091*l*) by striking
4 paragraph (2) and inserting the following new para-
5 graph:

6 “(2) DIRECTOR.—The term ‘Director’ means
7 the Chairperson and Executive Director of the Cor-
8 poration for National Service appointed under sec-
9 tion 191C of the National and Community Services
10 Act of 1990.”.

11 **SEC. 502. REFERENCES TO ACTION AND THE ACTION AGEN-**
12 **CY IN THE NATIONAL SERVICE LAWS.**

13 (a) DOMESTIC VOLUNTEER SERVICE ACT OF 1973.—
14 The Domestic Volunteer Service Act of 1973 is amended
15 as follows:

16 (1) Section 2(b) (42 U.S.C. 4950(b)) is
17 amended—

18 (A) by striking “ACTION, the Federal do-
19 mestic volunteer agency,” and inserting “this
20 Act”; and

21 (B) by striking “ACTION” and inserting
22 “the Corporation for National Service”.

23 (2) Section 103(b) (42 U.S.C. 4953(b)) is
24 amended—

1 (A) in paragraph (2)(A), by striking “the
2 national headquarters of the ACTION Agency”
3 and inserting “the Corporation”;

4 **【reference to regional employee】** (B) in
5 paragraph (2)(C), by striking “the ACTION
6 Agency” and inserting “the Corporation”;

7 (C) in paragraph (5)—

8 (i) by striking “the ACTION Agency”
9 both places it appears and inserting “the
10 Corporation”; and

11 (ii) by striking “of the Agency”; and
12 **【reference to regional office】** (D) in para-
13 graph (6)—

14 (i) by striking “the ACTION Agency”
15 and inserting “the Corporation”; and

16 (ii) by striking “the regional ACTION
17 office” and inserting “the office of the
18 Corporation”.

19 (3) Section 103(c)(1)(D) (42 U.S.C.
20 4953(c)(1)(D)) is amended by striking “the AC-
21 TION Agency” and inserting “the Corporation”.

22 (4) Section 105(b) (42 U.S.C. 4955(b)) is
23 amended—

1 **【reference to regional office】** (A) in para-
2 graph (3)(A), by striking “the ACTION Agen-
3 cy” and inserting “the Corporation”; and

4 **【reference to regional office】** (B) in para-
5 graph (4), by striking “the ACTION Agency”
6 and inserting “the Corporation”.

7 (5) NOTE: Sections 111, 112, and 113 refer to
8 the “University Year for ACTION (UYA)” program.
9 What should be done about this reference?

10 (6) Section 125(b) (42 U.S.C. 4995(b)) is
11 amended by striking “the ACTION Agency” and in-
12 serting “the Corporation”.

13 (7) Section 225(e) (42 U.S.C. 5025(e)) is
14 amended by striking “the ACTION Agency” and in-
15 serting “the Corporation”.

16 (8) Section 403(a) (42 U.S.C. 5043(a)) is
17 amended—

18 (A) by striking “the ACTION Agency” the
19 first place it appears and inserting “the Cor-
20 poration under this Act”; and

21 (B) by striking “the ACTION Agency” the
22 second place it appears and inserting “the Cor-
23 poration”.

1 (9) Section 407(5) (42 U.S.C. 5047(5)) is
2 amended by striking “the ACTION Agency” and in-
3 serting “the Corporation”.

4 (10) Section 408 (42 U.S.C. 5048) is amended
5 by striking “the ACTION Agency” and inserting
6 “the Corporation”.

7 (11) Section 416(f)(1) (42 U.S.C. 5056(f)(1))
8 is amended by striking “ACTION Agency” and in-
9 serting “Corporation”.

10 (12) Section 420(b) (42 U.S.C. 5060(b)) is
11 amended by striking “the ACTION Agency” and in-
12 serting “the Corporation”.

13 (13) Section 702(a) (42 U.S.C. 5091a(a)) is
14 amended by striking “of the ACTION Agency”.

15 (b) NATIONAL AND COMMUNITY SERVICE ACT OF
16 1990.—**[To be Added]**

17 **SEC. 503. REFERENCES TO ACTION AND THE ACTION AGEN-**
18 **CY IN OTHER LAWS.**

19 (a) INSPECTOR GENERAL.—Section 8E(a)(2) of the
20 Inspector General Act of 1978 (5 U.S.C. App.) is
21 amended—

22 (1) by striking “ACTION,”; and

23 (2) by inserting “the Corporation for National
24 Service,” after “the Consumer Product Safety Com-
25 mission,”.

1 (b) PUBLIC HOUSING SECURITY.—Section 207(c) of
2 the Public Housing Security Demonstration Act of 1978
3 (Public Law 95–557; 92 Stat. 2093; 12 U.S.C. 1701z–
4 6 note) is amended—

5 (1) in paragraph (3)(ii), by striking “Action”
6 and inserting “the Corporation for National Serv-
7 ice”; and

8 (2) in paragraph (4), by striking “Action” and
9 inserting “the Corporation for National Service”.

10 (c) NATIONAL FOREST VOLUNTEERS.—Section 1 of
11 the Volunteers in the National Forests Act of 1972 (16
12 U.S.C. 558a) is amended by striking “Action” and insert-
13 ing “the Corporation for National Service”.

14 (d) PEACE CORPS.—Section 2A of the Peace Corps
15 Act (22 U.S.C. 2501–1) is amended by inserting after
16 “the ACTION Agency” the following: “, the successor to
17 the ACTION Agency,”.

18 (e) INDIAN ECONOMIC DEVELOPMENT.—Section 502
19 of the Indian Financing Act of 1974 (25 U.S.C. 1542)
20 is amended by striking “ACTION Agency” and inserting
21 “the Corporation for National Service”.

22 (f) OLDER AMERICANS.—The Older Americans Act
23 of 1965 is amended—

24 (1) in section 202(c)(1) (42 U.S.C. 3012(c)(1)),
25 by striking “the Director of the ACTION Agency”

1 and inserting “the Corporation for National Serv-
2 ice”;

3 (2) in section 203(a)(1) (42 U.S.C.
4 3013(a)(1)), by striking “the ACTION Agency” and
5 inserting “the Corporation for National Service”;
6 and

7 (3) in section 422(b)(12)(C) (42 U.S.C.
8 3035a(b)(12)(C)), by striking “the ACTION Agen-
9 cy” and inserting “the Corporation for National
10 Service”.

11 (g) VISTA SERVICE EXTENSION.—Section 101(c)(1)
12 of the Domestic Volunteer Service Act Amendments of
13 1989 (Public Law 101–204; 103 Stat. 1810; 42 U.S.C.
14 4954 note) is amended by striking “Director of the AC-
15 TION Agency” and inserting “Executive Director of the
16 Corporation for National Service”.

17 (h) AGING RESOURCE SPECIALISTS.—Section 205(c)
18 of the Older American Amendments of 1975 (Public Law
19 94–135; 89 Stat. 727; 42 U.S.C. 5001 note) is amended—

20 (1) in paragraph (1)—

21 (A) by striking “the ACTION Agency,”
22 and inserting “the Corporation for National
23 Service,”; and

1 (B) by striking “the Director of the AC-
2 TION Agency” and inserting “the Executive
3 Director of the Corporation;

4 (2) in paragraph (2)(A), by striking “ACTION
5 Agency” and inserting “Corporation”; and

6 (3) in paragraph (3), by striking subparagraph
7 (A) and inserting the following new subparagraph:

8 “(A) the term ‘Corporation’ means the Cor-
9 poration for National Service established by section
10 191 of the National and Community Service Act of
11 1990.”.

12 (i) PROMOTION OF PHOTOVOLTAIC ENERGY.—Sec-
13 tion 11(a) of the Solar Photovoltaic Energy Research, De-
14 velopment, and Demonstration Act of 1978 (42 U.S.C.
15 5590) is amended by striking “the Director of ACTION,”.

16 (j) COORDINATING COUNCIL ON JUVENILE JUS-
17 TICE.—Section 206(a)(1) of the Juvenile Justice and De-
18 linquency Prevention Act of 1974 (42 U.S.C. 5616(a)(1))
19 is amended by striking “the Director of the ACTION
20 Agency” and inserting “the Executive Director of the Cor-
21 poration for National Service”.

22 (k) ENERGY CONSERVATION.—Section 413(b)(1) of
23 the Energy Conservation and Production Act (42 U.S.C.
24 6863(b)(1)) is amended by striking “the Director of the
25 ACTION Agency,”.

1 (l) INTERAGENCY COUNCIL ON THE HOMELESS.—
2 Section 202(a) of the Stewart B. McKinney Homeless As-
3 sistance Act (42 U.S.C. 11312(a)) is amended by striking
4 paragraph (12) and inserting the following new para-
5 graph:

6 “(12) The Executive Director of the Corpora-
7 tion for National Service, or the designee of the Ex-
8 ecutive Director.”.

9 (m) ANTI-DRUG ABUSE.—Section 3601 of the Anti-
10 Drug Abuse Act of 1988 (42 U.S.C. 11851) is amended
11 by striking paragraph (6) and inserting the following new
12 paragraph:

13 “(6) the term ‘Director’ means the Chairperson
14 and Executive Director of the Corporation for Na-
15 tional Service,”.

16 (n) ADMINISTRATION CHILDREN, YOUTH, AND FAMI-
17 LIES.—Section 916(b) of the Claude Pepper Young Amer-
18 icans Act of 1990 (42 U.S.C. 13212(b)) is amended by
19 striking “the Director of the ACTION Agency” and in-
20 serting “the Executive Director of the Corporation for Na-
21 tional Service”.

22 **SEC. 504. DEFINITION OF CORPORATION.**

23 Section 421 of the Domestic Volunteer Service Act
24 of 1973 (42 U.S.C. 5061) is amended—

1 (1) by striking “and” at the end of paragraph
2 (6);

3 (2) by striking the period at the end of para-
4 graph (7) and inserting “; and”; and

5 (3) by adding at the end the following new
6 paragraph:

7 “(8) the term ‘Corporation’ means the Corpora-
8 tion for National Service established under section
9 191 of the National and Community Service Act of
10 1990.”.

11 **SEC. 505. REFERENCES TO COMMISSION.**

12 **【To be supplied.】**

13 **SEC. 506. EFFECTIVE DATE.**

14 (a) ACTION.—The amendments made by sections
15 501 through 503 shall take effect on the effective date
16 of section 203.

17 (b) COMMISSION.—The amendments made by sec-
18 tions 504 and 505 will take effect on October 1, 1993.

19 **【Other amendments to be supplied】**

OFFICE OF MANAGEMENT AND BUDGET

*Legislative Reference Division
Labor - Welfare - Personnel Branch*

Facsimile Transmittal Sheet**FROM:** Chris Mustain**DATE:** 4/29**PHONE:** 395-3923**FAX:** 395-6148**TO:**

Jack Lew

TIME: 11:50**PAGES SENT (including transmittal sheet):** 4**COMMENTS:**

Further OPM comments

PLEASE CALL THE PERSON(S) NAMED ABOVE FOR IMMEDIATE PICK-UP.

150

1 “(D) ADDITIONAL TERMS.—Such an em-
2 ployee may be appointed for one or more addi-
3 tional terms, if the Chairperson determines that
4 such an appointment is necessary to ensure the
5 continuity of functions under this Act.

6 “(C) LIMITATIONS.—

7 “(i) IN GENERAL.—No such employee
8 shall be appointed for a total period of
9 more than 7 years, unless the Chairperson
10 determines that special circumstances re-
11 quire the appointment of an employee for
12 a longer period.

13 “(ii) DETERMINATION.—The Chair-
14 person may not delegate the authority to
15 make the determination described in clause
16 (i).

17 “(D) APPOINTMENT IN THE COMPETITIVE
18 SERVICE AFTER EMPLOYMENT IN THE COR-

19 PORATION.— *The Director of the Office of Personnel Management may grant*
20 *competitive status for appointment to the competitive service, under such conditions as the*

21 ~~“(ii) EMPLOYEES WITH NOT LESS~~
22 ~~THAN 5 YEARS OF EMPLOYMENT.—If an~~

23 employee, other than a representative de-
24 scribed in section 195(b), ^{why} is separated
25 from the Corporation on the basis of any
 requirement of this paragraph, and has ^{why}
 passed a suitable noncompetitive examination,

151

1 ~~been continuously employed by the Corpora-~~
2 ~~tion for a period of not less than 3 years,~~
3 ~~such period shall be treated as period of~~
4 ~~service in the competitive service for pur-~~
5 ~~poses of chapter 33 of title 5, United~~
6 ~~States Code.~~

7 “(II) EMPLOYEES WITH NOT LESS
8 THAN 1 BUT LESS THAN 3 YEARS OF EM-
9 PLOYMENT.—If an employee, other than a
10 representative described in section 195(b),
11 is separated from the Corporation on the
12 basis of any requirement of this para-
13 graph, and has been continuously employed
14 by the Corporation for a period of not less
15 than 1 year, but less than 3 years, such
16 period shall be treated as period of service
17 in the competitive service for purposes of
18 chapter 33 of title 5, United States Code,
19 until the date that is 3 years after the date
20 of separation.

21 “(iii) DEFINITION.—As used in this
22 subparagraph, the term ‘competitive serv-
23 ice’ has the meaning given the term in sec-
24 ~~tion 2102 of title 5, United States Code.~~

25 “(3) APPOINTMENT AND COMPENSATION.—

*Would
be more all
spread states*

152

1 “(A) IN GENERAL.—Except as provided in
2 subparagraphs (B)(iv) and (C)(ii), the Chair-
3 person may appoint and determine the com-
4 pensation of employees under this subsection
5 without regard to the provisions of title 5, Unit-
6 ed States Code, governing appointments in the
7 competitive service, and without regard to the
8 provisions of chapter 51 and subchapter III of
9 chapter 53 of such title relating to classification
10 and General Schedule pay rates.

11 “(B) CORPORATION SELECTION AND COM-
12 PENSATION SYSTEMS.—

13 “(i) ESTABLISHMENT OF SYSTEM.—

14 The Chairperson, ~~after consultation with~~
15 ~~the Director of the Office of Personnel~~
16 ~~Management and~~ after reviewing the rec-
17 ommendations of the Board under section
18 192A(g)(2), shall issue regulations estab-
19 lishing selection and compensation systems
20 for the Corporation.

21 “(ii) APPLICATION.—The Chairperson
22 shall appoint and determine the compensa-
23 tion of employees referred to in paragraph
24 (1), other than representatives described in
25 section 195(b), in accordance with the se-

*and after obtaining the approval of the Director
of the Office of Personnel Management,*

2 pages

OK

EXECUTIVE OFFICE OF THE PRESIDENT OFFICE OF MANAGEMENT AND BUDGET

ROUTE SLIP

TO JACK LEW	Take necessary action	___
	Approval or signature	___
	Comment	___
	Prepare reply	___
	Discuss with me	___
	For your information	___
	See remarks below	xxx
FROM Pamela B. VanWie, Labor Branch		DATE April 29, 1993

REMARKS

Here are a few more important comments that Barbara and our General Counsel's office wanted me to raise with you.

✓ 1) Is there an authorization for appropriations for the Corporation included in the bill? We didn't see one. I know the bill includes authorization of appropriations for the ACTION programs. There are two ways to handle this authorization of appropriation: a) language that would provide authorization for the \$394 million included in the President's Budget; or b) language similar to ACTION's authorization "such sums as necessary . . .".

dl 2) On page 62, lines 17 and 18, where the language for the AFDC and the BITC need to be filled in. Treasury believes and we believe that as the bill language currently reads the volunteers will be eligible for BITC. However, the Educational award would be considered wages accordingly, even with the IRS exemption, for the BITC and FICA purposes.

3) We would also like to add a phrase on page 141, Section 193A (a) so that line 23 would read: "(a) General Powers and Duties. Subject to all laws except as expressly provided in this Act, The Chairperson shall be responsible . . .". This is more standard language. ✓

4) We would suggest on page 144, line 21, that the language read, "facilities of Federal agencies with or without reimbursement". This will give the Corporation more flexibility and cover all variations of such Federal agency agreements.. ✓

Next page →

5) GC's office is uncomfortable with page 145, paragraph (4) and suggests removing the following language from that paragraph: "as the Chairperson determines to be necessary to carry out the provisions of this Act,". They just want to make sure that the Chairperson could not make illegal decisions regarding the allocation, expenditure and transfer of funds.



Call me if you have any questions or need any more clarification on these comments. Thanks and Good Luck.

✓ Romer -- NYT plus query on GOP support

Purposes and findings

Get bill and mark up

Edelman testimony for Mikulski at 10 on Thursday

Update section by section

Outreach to dems on H and S Committees

Tell Tom Sanders that Sen. Campbell wants to co-sponsor

Send Wed.\intro on thursday in HOUse

hearing schedule to be announced on day of intro

Call Paster re goals 2000 -- pres call tsf to make time

ten most common quetions

goal is to intro with as many committee co-sponmsors as possible;
McCurdy first dem after committee, then gop who are not committee
members

call Mack Fleming

call Kim Wincup

check with Gene and call parliamentariuans

NEA

Hoyer

Bonior

Sam G.

Final transmittal to OMB for final review

Forebearnace language from Dept of Education

Danforth -- Jeffrey Ballabon need to call

Cleo Fields -- set up Black Caucus Meeting -- need to call

Romer -- NYT plus query on GOP support

Purposes and findings

Get bill and mark up

Edelman testimony for Mikulski at 10 on Thursday

Update section by section

Outreach to dems on H and S Committees

Tell Tom Sanders that Sen. Campbell wants to co-sponsor

Send Wed.\intro on thursday in HHouse

hearing schedule to be announced on day of intro

Call Paster re goals 2000 -- pres call tsf to make time

ten most common quetions

goal is to intro with as many committee co-sponmsors as possible;
McCurdy first dem after committee, then gop who are not committee
members

call Mack Fleming

call Kim Wincup

check with Gene and call parliamentariuans

NEA

Hoyer

Bonior

Sam G.

Final transmittal to OMB for final review

(Consequencer)
708.5547

✓ Forebearnace language from Dept of Education

Danforth -- Jeffrey Ballabon need to call

Cleo Fields -- set up Black Caucus Meeting -- need to call