

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 [4]

Stack:

S

Row:

25

Section:

7

Shelf:

10

Position:

3

Shirley --

This is the revised version of C/D after yesterday's meeting. I thought it would be a good idea for you to go over my marked up version so we can send Greg a single copy with our combined comments by mid-morning.

Most of the comments are self explanatory, where there are questions, I was hoping we could resolve them and give a single comment (ergo the pencil).

With regard to the 85 percent match for below minimum wage stipends, I have written in the margins that the match should always be 15 percent up to minimum wage. Robert prefers first 15 percent as disincentive for low stipends. I am concerned that this could result in a much higher percentage match for programs targeted at low income participants (and a problem in the House). On the other hand, Alan Khazei would have his PR arguments that dollars would be matched 70/30 or 60/40. I think we need to discuss this briefly.

We have a meeting at 2:30 at House Leg Counsel. I kept a copy of this mark-up. Give me a call when you have a chance to look this over. Thanks.

F:\GMK\GMK2A

3/31/93

1 SEC. 108. FEDERAL INVESTMENT IN SUPPORT OF NA-
2 TIONAL SERVICE.

Where is —
amount &
use of educational
benefit section?
it used to be there
B?

3 (a) ASSISTANCE PROGRAM AUTHORIZED.—Subtitle C
4 of title I of the National and Community Service Act of
5 1990 (42 U.S.C. 12541 et seq.) is amended to read as
6 follows:

7 **“Subtitle C—National Service**
8 **Program**

9 **“PART I—INVESTMENT IN NATIONAL SERVICE**
10 **PROGRAMS**

11 **“SEC. 121. AUTHORITY TO PROVIDE ASSISTANCE TO NA-**
12 **TIONAL SERVICE PROGRAMS.**

13 “(a) GRANTS.—The Corporation may make grants to
14 States, subdivisions of States, Indian tribes, public and
15 private nonprofit organizations, and institutions of higher
16 education for the planning, establishment, operation, ex-
17 pansion, and replication of full- and part-time national
18 service programs.

19 “(b) TRANSFERS.—The Corporation may also trans-
20 fer funds to the heads of Federal agencies to support na-
21 tional service programs conducted by these agencies. In
22 the case of a transfer of funds under this subsection, the
23 supplementation requirements specified in section 173
24 shall apply with respect to the Federal national service
25 programs supported by such funds.

Could we
organize
to
eligibility &
living
allowance
comes
first?
I think what there
are doing there
be 10 then

see p. 20
Where do
we have
corporation
Training &
technical
assistance
function?
(in innovative
programs)
Where is
displacement
provision!
(in F)

Military
(1) Active
(2) early
out
(3) vets
need to
add
section
to deal
with

F:\GMK\GMK2A

2

1 "SEC. 122. PROVISION OF ASSISTANCE BY COMPETITIVE
2 AND OTHER MEANS.

3 "(a) 30 PERCENT ALLOTMENT FOR CERTAIN
4 STATES.—Of the funds appropriated to carry out this part
5 for a fiscal year, the Corporation shall make a grant under
6 section 121 to each of the several States, the District of
7 Columbia, and the Commonwealth of Puerto Rico. The
8 amount allotted as a grant to each such State under this
9 subsection for a fiscal year shall be equal to the amount
10 that bears the same ratio to 30 percent of the funds ap-
11 propriated to carry out this part for that fiscal year as
12 the population of the State bears to the total population
13 of the several States, the District of Columbia, and the
14 Commonwealth of Puerto Rico.

15 "(b) ONE PERCENT ALLOTMENT FOR CERTAIN
16 OTHER STATES AND INDIAN TRIBES.—Of the funds ap-
17 propriated to carry out this part for a fiscal year, the Cor-
18 poration shall allot [not more than] one percent of
19 such appropriated funds for grants under section 121 to
20 Indian tribes, the Virgin Islands, Guam, American Samoa,
21 the Commonwealth of the Northern Mariana Islands and
22 Palau, until such time as the Compact of Free Association
23 is ratified, to be allotted in accordance with their respec-
24 tive needs.

25 "(c) COMPETITIVE DISTRIBUTION OF REMAINING
26 FUNDS.—

less

F:\GMK\GMK2A

8

1 “(1) STATE COMPETITION.—Of the funds ap-
2 propriated to carry out this part for a fiscal year,
3 the Corporation shall use not less than 20 of such
4 appropriated funds to make grants to States on a
5 competitive basis under section 121.

6 “(2) OTHER APPLICANTS.—The Corporation
7 shall distribute the remainder of the funds appro-
8 priated to carry out this part for a fiscal year on a
9 competitive basis under section 121 to subdivisions
10 of States, Indian tribes, public and private nonprofit
11 organizations, institutions of higher education, and
12 Federal agencies. The Corporation shall ensure that
13 recipients of assistance under this paragraph are
14 geographically diverse and that national service op-
15 portunities are provided in both urban and rural
16 areas.

17 “(3) PRIORITIES.—In making assistance avail-
18 able under paragraph (2), the Corporation shall give
19 priority to applicants requesting assistance for —

20 “(A) national service programs that oper-
21 ate in more than one State and conform to the
22 national service priorities in effect under section
23 123(b) for that fiscal year;

24 “(B) innovative national service programs;
25 and

do we
need a
definition
121
found in —

F:\GMK\GMK2A

4

1 “(C) private national service programs that
2 are well established in one or more States at
3 the time of the application and show the poten-
4 tial of expanding to additional States.

(1) other programs
as designated by
the Corporation

5 “(d) APPLICATION REQUIRED.—The allotment of as-
6 sistance to a State under subsection (a) or (b), and the
7 competitive distribution of assistance under subsection (c),
8 shall be made by the Corporation only pursuant to an ap-
9 plication submitted by a State or other applicant under
10 section 124 and approved by the Corporation under sec-
11 tion 127.

12 **“SEC. 123. TYPES OF NATIONAL SERVICE PROGRAMS TO BE**
13 **ASSISTED.**

14 “(a) ELIGIBLE NATIONAL SERVICE PROGRAMS.—A
15 State, subdivision of a State, Indian tribe, public or pri-
16 vate nonprofit organization, institution of higher edu-
17 cation, or Federal agency that receives assistance under
18 section 121 shall use the assistance to plan, establish, op-
19 erate, expand, or replicate full- and part-time national
20 service programs that address unmet human, educational,
21 environmental, and public safety needs, especially those
22 needs relating to poverty. Such programs shall include the
23 following:

F:\GMK\GMK2A

5

1 “(1) A youth corps program, such as a con-
2 servation corps or youth service corps program,
3 that—

4 “(A) offers full-time, productive work with
5 visible community benefits in a natural resource
6 or human service setting; and

7 “(B) gives participants aged 16 to 25, in-
8 clusive, a mix of work experience, basic and life
9 skills, leadership training, education using serv-
10 ice-learning methods (including education to en-
11 able school dropouts to earn a high school di-
12 ploma or its equivalent), career guidance and
13 counseling, employment training, and support
14 services.

15 “(2) A program that trains and places service-
16 learning coordinators who, after receiving specialized
17 training in service-learning, are placed in programs
18 eligible for funding under part I of subtitle B and
19 are responsible for coordinating service-learning ac-
20 tivities, recruiting and assisting community organi-
21 zations where services take place, providing training
22 and technical assistance to teachers in using service-
23 learning methods, and other similar activities.

24 “(3) A specialized service program that—

*Public
Indian
lands*
(including a
corps
that
performs
service
on
federal
lands)

F:\GMK\GMK2A

6

1 “(A) recruits individuals with special skills
2 or provide specialized preservice training to en-
3 able participants to be placed individually or in
4 teams in positions in which the participants can
5 meet clearly defined community needs; and

6 “(B) brings participants together for addi-
7 tional training and other activities designed to
8 foster a national service ethic and improve the
9 quality of the service provided.

10 “(4) A community corps program that orga-
11 nizes teams of participants of diverse social and eco-
12 nomic backgrounds and different ages, races, and
13 genders to provide needed community services while
14 promoting greater community unity.

15 “(5) An individualized placement program that
16 includes regular group activities, such as leadership
17 training, team-building, problem-solving, and special
18 service projects.

19 “(6) A campus-based program that is designed
20 to engage students who are attending an institution
21 of higher education (including students supported by
22 work-study funds), or teams of such students and
23 community members, in substantial service in the
24 community during the school year and during sum-
25 mer or other vacation periods.

F:\GMK\GMK2A

7

1 “(7) A preprofessional training program in
2 which college students—

3 “(A) take specified classes involving serv-
4 ice-learning;

5 “(B) perform national service outside the
6 classroom during summer or other vacation pe-
7 riods; and

8 “(C) agree to provide professional service
9 in an ~~professionally~~ underserved community
10 upon graduation.

11 “(8) A professional corps program that recruits
12 and places qualified participants in [employ-
13 ment] positions—

14 “(A) as teachers, nurses, police officers,
15 early childhood development staff, or other pro-
16 fessionals providing educational, human service,
17 environmental, or public safety service in pro-
18 fessionally-underserved communities; and

19 “(B) that are sponsored by public or pri-
20 vate nonprofit employers who pay the salaries
21 and benefits of the participants.

22 “(9) A youthbuild program that provides eco-
23 nomically disadvantaged young adults aged 16 to 24
24 with opportunities for meaningful service to their
25 communities in helping to meet the housing needs of

Review

Service in same field

Related

would
this
be
covered
by
250%.

limit?

would
waiver
apply?

should we

cut

Youthbuild
(redundant
w/ corps
depts)

100%
a

F:\GMK\GMK2A

8

1 low-income families and the homeless and the need
2 for community facilities in low-income areas, while
3 enabling such young adults to obtain the education
4 and employment skills necessary to achieve economic
5 self-sufficiency.

6 ^{national service}“(10) A public interest entrepreneur program
7 that identifies, recruits, and trains gifted young
8 adults of all backgrounds and assists them in de-
9 signing solutions to community problems.

10 “(b) NATIONAL SERVICE PRIORITIES.—

11 “(1) ESTABLISHMENT BY CORPORATION.—In
12 order to concentrate national efforts on resolving
13 certain unmet human, educational, environmental, or
14 public safety needs during a particular fiscal year,
15 the Corporation may establish priorities regarding
16 the types of national service programs to be assisted
17 under section 121 in that fiscal year and the pur-
18 poses for which such assistance may be used in that
19 fiscal year. The Corporation shall provide advance
20 notice to potential applicants of any such priorities
21 to be in effect for a fiscal year.

22 “(2) APPLICATION TO SECONDARY GRANTS.—
23 Any national service priorities established by the
24 Corporation under this subsection shall also apply to

Looks
like
old
CAM's

F:\GMK\GMK2A

9

1 any grant program carried out by an applicant using
2 assistance provided under section 121.

3 **"SEC. 124. APPLICATION FOR ASSISTANCE.**

4 "(a) **SUBMISSION REQUIRED.**—To be eligible to re-
5 ceive assistance under section 121, a State, subdivision of
6 a State, Indian tribe, public or private nonprofit organiza-
7 tion, institution of higher education, or Federal agency
8 shall prepare and submit to the Corporation an application
9 at such time and in such manner as the Commission may
10 reasonably require.

11 "(b) **CONTENT OF APPLICATION.**—An application re-
12 quired by this section shall contain the following:

13 "(1) A description of all national service pro-
14 grams proposed to be planned, established, operated,
15 expanded, or replicated directly by the applicant
16 using assistance provided under section 121.

17 "(2) A description of any grant program pro-
18 posed to be conducted by the applicant with assist-
19 ance provided under section 121 to support other
20 national service programs.

21 "(3) A description of the manner and extent to
22 which the proposed national service programs and
23 proposed grant program conform to any national
24 service priorities established by the Corporation
25 under section 123(b).

March 31, 1993

(3 1/2) description of past experience w/
programs or grant programs

F:\GMK\GMK2A

10

1 “(4) A description of the type and number of
2 national service positions that the applicant requests
3 to be designated as national service positions that
4 include the post-service educational benefit under
5 subtitle D as one of the benefits to be provided for
6 successful service in the position.

PART II

7 “(5) An estimate of the number of such ap-
8 proved national service positions that are likely to be
9 filled by individuals who will have already completed
10 the requirements for a baccalaureate degree before
11 beginning to serve in the positions.

12 “(6) A description of the uses to be made of
13 any approved national service positions provided to
14 the applicant in relation to the purposes for which
15 any assistance provided under section 121 will be
16 used.

17 “(7) The guarantees and information required
18 by sections 125, 126, and 130.

19 “(8) Such other information as the Commission
20 may reasonably require.

21 ~~“(e) STATE OR LOCAL PRIORITIES.—An applicant~~
22 ~~for assistance under section 121 may also include in the~~
23 ~~application required by this section a proposal to use such~~
24 ~~assistance to meet unique human, educational, environ-~~
25 ~~mental, or public safety needs of the State or community~~

F:\GMK\GMK2A

11

1 in which the proposed national service program will oper-
2 ate. Such a proposal may include a limitation on the types
3 of national service to be performed by participants and,
4 notwithstanding section 130(a), a limitation on the age of
5 individuals to be eligible to participate in the program.

6 “(d) SPECIAL RULE FOR STATE APPLICANTS.—The
7 application of a State for a grant under section 121,
8 whether submitted to obtain the allotment of the State
9 under section 122(a) or a competitive grant, shall be sub-
10 mitted by the State Commission on National Service re-
11 quired to be established under section 178 and shall in-
12 clude the national service plan for the State required
13 under section 178A.

14 “SEC. 125. NATIONAL SERVICE PROGRAM REQUIREMENTS.

15 ^{b Impact on}
16 “(a) ~~SUPPORT FOR PARTICIPANTS~~.—An application
17 submitted to the Corporation under section 124 shall in-
18 clude a guarantee by the applicant that any national serv-
19 ice program planned, established, operated, expanded, or
20 replicated using assistance provided to the applicant under
21 section 121 will—

22 “(1) involve participants in meaningful national
23 service that—

24 “(A) is not otherwise being provided; and

Break out
(1) as (a)
Impact on
Community

F:\GMK\GMK2A

*measurably*¹²

1 “(B) addresses unmet human, educational,
2 environmental, or public safety needs, especially
3 those needs relating to poverty;

4 “(2) provide national service opportunities for
5 participants for the terms of service required by sec-
6 tion 181;

7 “(3) provide participants with national service
8 that—

9 “(A) builds an ethic of civic responsibility
10 through training in citizenship and an ethic of
11 life-long national and community service;

so separate 12 “(B) [produces a positive change in the
13 lives of participants while ~~also improving the~~
14 ~~lives of those persons served, and~~]

15 “(C) orients participants in the nature,
16 philosophy, and purpose of the program;

17 “(4) provide the training, skills, and knowledge
18 necessary for the type of national service that par-
19 ticipants are called upon to perform;

20 “(5) contain a service-learning component and
21 provide participants with an opportunity to reflect
22 on their service experiences;

23 “(6) provide support services to participants,
24 including support for those participants who are

F:\GMK\GMK2A

13

1 school dropouts to assist such participants earn the
2 equivalent of a high school diploma; and

3 "(7) involve participants in the design of the
4 program and provide leadership positions to partici-
5 pants in implementing and evaluating the program.

6 "(b) ~~CONSULTATION AND EVALUATION.~~ ² An applica-
7 tion under section 124 shall also include a guarantee by
8 the applicant that any national service program planned,
9 established, operated, expanded, or replicated using assist-
10 ance provided to the applicant under section 121 will—

11 "(1) provide in the design, recruitment, and op-
12 eration of the program for broad-based input from
13 the community served and community-based **[agen-**
14 **cies/organizations?]** **[community-based**
15 **agency is defined in section 101(3) of the**
16 **NCSAD0]** with a demonstrated record of experience
17 in providing services;

18 "(2) prior to the placement of participants, con-
19 sult with any local labor organization representing
20 employees in the area who are engaged in the same
21 or similar work as that proposed to be carried out
22 by such program; and

23 ⁽²⁾ ~~"(3)~~ arrange for an independent evaluation of
24 the program.

(K) EVALUATION — An applicant will

(1) develop performance goals and measures
to be used as part of program evaluations, with regard
(A) impact on communities
(B) satisfying and educating participants
(C) other areas as appropriate

provide
evaluative
criteria
including
way to
measure
impact of
service
performed
on
community

Do we
need explicit
non-displacement
language
here?

pick up
Boren
for (F)
Amend.

March 31, 1993

F:\GMK\GMK2A

14

1 “(c) [New] LIVING ALLOWANCES AND OTHER IN-
2 SERVICE BENEFITS.—Except as provided in section
3 132(b), an application under section 124 shall also include
4 a guarantee by the applicant that the applicant will comply
5 with the requirements regarding living allowances and
6 other benefits specified in section 132 that are required
7 to be provided to participants in any national service pro-
8 gram planned, established, operated, expanded, or rep-
9 licated using assistance provided under section 121.

10 “(d) SPECIAL RULE FOR STATE APPLICANTS.—An
11 application submitted by a State under section 124 shall
12 also include a guarantee by the State that not less than
13 ____ percent of the assistance provided to the State under
14 section 121, whether such assistance is in the form of an
15 allotment to the State under section 122(a) or a competi-
16 tive grant, shall be used to make grants on a competitive
17 basis to support national service programs conducted by
18 persons other than State agencies.

19 “(c) SELECTION OF PARTICIPANTS FROM NATIONAL
20 REGISTRY.—The Corporation may also require a guaran-
21 tee by the applicant that any national service program
22 planned, established, operated, expanded, or replicated
23 using assistance provided to the applicant under section
24 121 will select a portion of the participants for the pro-
25 gram from among prospective participants registered with

*(Need to
add (service
program)*

F:\GMK\GMK2A

15

1 the Corporation under section 138(h). The Corporation
 2 may specify a minimum percentage of registered partici-
 3 pants required to be selected and may vary the percentage
 4 for different types of national service programs.

5 **"SEC. 126. INELIGIBLE SERVICE CATEGORIES.**

6 "An application submitted to the Corporation under
 7 section 124 shall include a guarantee by the applicant that
 8 any national service program planned, established, oper-
 9 ated, expanded, or replicated using assistance provided to
 10 the applicant under section 121 will not be conducted by
 11 any—

12 "(1) business organized for profit;

13 "(2) [labor union] **[This prohibition**
 14 **included in section 124(b) of the NCSA90]**

15 "(3) partisan political organization; or

16 "(4) organization engaged in religious activities,
 17 unless such activities do not involve the use of as-
 18 sistance provided under section 121 by program par-
 19 ticipants and program staff to give religious instruc-
 20 tion, conduct worship services, or engage in any
 21 form of proselytization.

22 **"SEC. 127. CONSIDERATION OF APPLICATIONS.**

23 "(a) APPLICATION OF CRITERIA.—The Corporation
 24 shall apply the criteria [described in subsection (b)] in de-
 25 termining whether to approve an application submitted

National Service
 positions will
 not be approved
 if the service
 performed
 is intended
 to benefit
 any;

DOES
 THIS
 HAVE
 ANY IMPACT
 ON USE OF
 EDUCATIONAL
 BENEFITS
 AT
 UNION
 Apprenticeship
 programs?

where
 is the
 overall
 goal
 of diverse
 participation?
 eg race,
 gender,
 disability?
 Put in state plan
 requirements
 also in 127(b)(2)(E)

following

March 31, 1993

F:\GMK\GMK2A

16

1 under section 124 and to provide assistance under section
2 121 to the applicant on the basis of the application. (:)

3 "(b) ASSISTANCE CRITERIA.—The Corporation shall
4 consider the following criteria in evaluating applications
5 submitted under section 124:

why do
we (a)
need (b) ?

6 "(1) In the case of an application submitted by
7 a State National Service Commission, the quality of
8 the national service plan for the State required
9 under section 178A.

10 "(2) The quality of the national service pro-
11 grams to be conducted directly or supported by the
12 applicant, based on the extent to which the
13 programs—

14 "(A) conform to any national service prior-
15 ities established by the Corporation under sec-
16 tion 123(b);

17 "(B) offer valuable services in those
18 communities—

19 "(i) where such services are needed
20 most, such as communities designated as
21 enterprise zones or redevelopment areas or
22 otherwise targeted for special economic in-
23 centives; and

or
economically

add
impact
on
community
served

add
environmental
priority

F:\GMK\GMK2A

17

1 “(ii) where national service programs
2 do not currently exist or are currently too
3 limited to meet community needs;

4 “(C) provide participants with productive,
5 meaningful, and educational experiences that
6 incorporate service-learning methods;

7 “(D) involve the participants, including
8 youth, in the design, operation, and leadership
9 of the program;

10 “(E) involve individuals from diverse back-
11 grounds (including economically disadvantaged
12 youth) to the maximum extent practicable; and

13 “(F) develop the leadership skills of par-
14 ticipants.

15 “(3) The quality of the leadership and manage-
16 ment of the national service programs to be con-
17 ducted directly or supported by the applicant, as
18 measured by—

19 “(A) the qualifications of the principal
20 leaders of the programs; and

21 “(B) the plans and processes for recruit-
22 ment, training, supervision, participant support,
23 evaluation, administration and other key activi-
24 ties.

past record
of the applicant.
if one exists,
in meeting
performance +
other goals

F:\GMK\GMK2A

18

1 “(4) Any innovative aspects of the proposed na-
2 tional service programs, such as—

3 “(A) the ability of the programs to ad-
4 vance knowledge about effective community
5 service in ways that will be broadly applicable
6 beyond the program location; and

7 “(B) the approach to evaluation and other
8 means of learning from the experience of the
9 programs.

10 “(5) The replicability of the proposed national
11 service programs, based on the ability and willing-
12 ness of the programs to assist other persons in
13 learning from the experience and replicating the ap-
14 proach of the programs.

15 “(6) The sustainability of the proposed national
16 service programs, based on—

17 “(A) the inclusion of the programs in the
18 national service plan for a State prepared under
19 section 178A;

20 “(B) the existence of strong and broad-
21 based community support for and involvement
22 in the programs;

23 “(C) evidence ^{of} ~~that financial resources,~~
24 ~~such as~~ funds from multiple funding sources or
25 private funding sources, ~~will be available to con-~~

*evidence that
financial
resources*

break into 2

F:\GMK\GMK2A

19

1 tinue the programs after the expiration of the
2 period of assistance provided under section 121;
3 and

4 “(D) such other factors that the Cor-
5 poration considers to be appropriate.

6 “(c) REJECTION OF APPLICATIONS.—

7 “(1) NOTIFICATION OF STATE APPLICANTS.—If
8 the Corporation rejects an application submitted by
9 a State Commission on National Service under sec-
10 tion 124, the Corporation shall promptly notify the
11 Commission of the reasons for the rejection of the
12 application. The Corporation shall provide the Com-
13 mission with a reasonable opportunity to revise and
14 resubmit the application and may provide technical
15 assistance to the Commission as part of the resub-
16 mission process.

17 “(2) OTHER APPLICANTS.—The Corporation is
18 not required to provide notice to applicants other
19 than States of the failure of the Corporation to ap-
20 prove an application under section 124 for assist-
21 ance.

22 “(d) APPLICATION TO SECONDARY GRANTS.—A
23 State or other applicant that conducts a grant program
24 with assistance provided under section 121 shall use the
25 criteria described in subsection (b) whenever considering

Recoupment
a
reallocation
of
formula
funds

F:\GMK\GMK2A

20

1 applications submitted by national service programs to re-
2 ceive a portion of such assistance.

3 "SEC. 128. TYPES OF ASSISTANCE.

4 "(a) PLANNING ASSISTANCE.—The Corporation may
5 provide assistance under section 121 to qualified appli-
6 cants for the planning and establishment of national serv-
7 ice programs. Assistance provided under this subsection
8 may cover a period of not more than one year.

9 "(b) DEMONSTRATION ASSISTANCE.—The Cor-
10 poration may provide assistance under section 121 to
11 qualified applicants for the establishment and operation
12 of innovative national service programs, as determined by
13 the Corporation. Assistance provided under this subsection
14 may cover a period of not more than three years.

15 "(c) OPERATIONAL ASSISTANCE.—The Corporation
16 may provide assistance under section 121 to qualified ap-
17 plicants for the operation and expansion of national serv-
18 ice programs. Assistance provided under this subsection
19 may cover a period of not more than three years.

20 "(d) REPLICATION ASSISTANCE.—The Corporation
21 may provide assistance under section 121 to qualified ap-
22 plicants for the expansion of a proven national service pro-
23 gram to another geographical location. Assistance pro-
24 vided under this subsection may cover a period of not more
25 than three years.

Need to add
section re.
TRAINING
a
Technical
Assistance
as
Corporation
direct &
grant
function

F:\GMK\GMK2A

21

1 “(e) **LIMITATION ON ADMINISTRATIVE COSTS.**—Ex-
2 cept in the case of assistance described in subsection (a),
3 a State or other applicant receiving assistance under sec-
4 tion 121 may not use more than five percent of the
5 amount of such assistance to cover administrative costs,
6 including indirect costs.

7 “(f) **APPLICATION TO SECONDARY GRANTS.**—The re-
8 quirements of this section shall apply to any State or other
9 applicant receiving assistance under section 121 that pro-
10 poses to conduct a grant program using such assistance
11 to support other national service programs.

12 **“SEC. 129. MATCHING FUNDS REQUIREMENTS BY RECIPI-**
13 **ENTS.**

14 “(a) **REQUIREMENTS.**—A State or other applicant re-
15 ceiving assistance under section 121 which uses such as-
16 sistance to plan, establish, operate, expand, or replicate
17 directly a national service program shall be required to
18 satisfy the matching funds requirements established under
19 section _____. Any national service program receiving funds
20 from a grant program operated by a State or other appli-
21 cant using assistance obtained under section 121 shall also
22 satisfy such matching funds requirements.

23 “(b) **EXCEPTION.**—A Federal agency receiving assist-
24 ance under section 121(b) shall not be required to satisfy
25 the matching funds requirements established under sec-

F:\GMK\GMK2A

22

tion ____ However, the supplementation requirements specified in section 173 shall apply with respect to the Federal national service programs supported with such assistance.

"SEC. 130. ELIGIBILITY REQUIREMENTS FOR NATIONAL SERVICE PARTICIPANTS.

"(a) ELIGIBILITY GENERALLY.—An application submitted to the Corporation under section 124 shall include a guarantee by the applicant that any national service program planned, established, operated, expanded, or replicated using assistance provided to the applicant under section 121 will accept as participants in the program individuals who—

"(1) are 17 years of age or older ^{an out-of-school youth} for school dropouts;

"(2) have received a high school diploma or the equivalent of such diploma, or, in the case of school dropouts, agree to achieve a high school diploma or the equivalent of such diploma while participating in the program; and

"(3) are citizens of the United States or lawfully admitted for permanent residence.

"(b) SPECIAL RULES FOR SCHOOL DROPOUTS.—

"(1) REASON FOR DROPPING OUT.—An individual who is an school dropout may not be accepted

down
Should we explicitly state pre-college, in college and post-college?
stating only minimum
Std makes this look like program for dropouts.

Special rule for dropouts should look like exception rather than rule and

March 31, 1993

would be better at end of eligibility section.

Do we want 16 year old drop outs?

(out of school)

FAGMK\GMK2A

23

1 to participate in a national service program planned,
2 established, operated, expanded, or replicated using
3 assistance provided under section 121 if the person
4 operating the program determines that the individ-
5 ual dropped out of an elementary or secondary
6 school in order to participate in the program.

7 “(2) EDUCATIONAL PROGRAM.—An individual
8 who is a school dropout may be accepted to partici-
9 pate in a national service program planned, estab-
10 lished, operated, expanded, or replicated using as-
11 sistance provided under section 121 only if the indi-
12 vidual enters into an agreement with the person op-
13 erating the program to pursue a course of study, ap-
14 proved by the State educational agency, designed to
15 result in the individual earning the equivalent of a
16 high school diploma during the term of service of the
17 individual.

18 “(c) SCHOOL DROPOUT DEFINED.—For purposes of
19 this section, the term ‘school dropout’ has the meaning
20 established for such term by the Secretary of Education
21 under section 6201(a) of the Elementary and Secondary
22 Education Act of 1964 (20 U.S.C. 3271(a)).

F:\GMK\GMK2A

24

1 "SEC. 181. REQUIRED TERMS OF SERVICE OF NATIONAL
2 SERVICE PARTICIPANTS.

3 "(a) IN GENERAL.—A participant in a national serv-
4 ice program planned, established, operated, expanded, or
5 replicated using assistance provided to an applicant under
6 section 121 shall perform full- or part-time national serv-
7 ice for the applicable term of service specified in sub-
8 section (b).

9 "(b) TERM OF SERVICE.—

10 "(1) FULL-TIME SERVICE.—An individual per-
11 forming full-time national service in a national serv-
12 ice program assisted under section 121 shall agree
13 to perform not less than ____ hours of approved na-
14 tional service over a period of not less than nine
15 months and not more than one year.

16 "(2) PART-TIME SERVICE.—Except as provide
17 in paragraph (3), an individual performing part-time
18 national service in a national service program as-
19 sisted under section 121 shall agree to perform not
20 less than ____ hours of approved national service over
21 a period of not less than one year and not more than
22 two years.

23 "(3) REDUCTION IN HOURS OF PART-TIME
24 SERVICE.—The Corporation may reduce the number
25 of hours required to be served to successfully com-
26 plete part-time national service, except that any re-

note -
these #s
should be
the same

F:\GMR\GMR2A

26

① Require living allowance to be paid

② match
= 15%
up to
minimum
range

This
allows
program
support.

Should we
cross
reference
criteria in

137(b)(7)
applicable to
educational
benefits?

see p. 33

1 of national service performed by the participant will
2 not exceed 200 percent of the hourly Federal mini-
3 mum wage.

4 “(2) LIMITATION ON FEDERAL SHARE.—The
5 amount of a living allowance authorized under para-
6 graph (1) that may be paid using assistance pro-
7 vided under section 121 or other Federal funds shall
8 not exceed 85 percent of the hourly Federal mini-
9 mum wage for each hour of national service per-
0 formed by the participant.

11 “(b) EXCEPTION FROM MAXIMUM LIVING ALLOW-
12 ANCE FOR CERTAIN ASSISTANCE.—A State or other appli-
13 cant for assistance under section 121 that desires to pro-
14 vide a living allowance in excess of the maximum allow-
15 ance authorized in subsection (a) may still apply for such
16 assistance, except that—

17 “(1) any assistance provided to the applicant
18 under section 121 may not be used to pay for any
19 portion of the allowance; and

20 “(2) the applicant may apply for such assist-
21 ance only on a competitive basis from the Cor-
22 poration under section 122(c) for a national service
23 program operated directly by the applicant.”

Fed share -
 proposed wage -
 15% of
 min wage
 if less than
 minimum wage
 Fed share still 85%
 85% of
 shared up to
 85% of
 minimum
 wage

Should we specify any specific criteria such as professions or medical urgent needs? (yes)

by Special
warrant
of the
Corporation

in application

F:\GMK\GMK2A

27

1 “(c) **HEALTH INSURANCE AND CHILD CARE.**—A
2 State or other recipient of assistance under section 121
3 shall—

4 “(1) provide health insurance to each full-time par-
5 ticipant in a national service program who does not other-
6 wise have access to health insurance; and

7 “(2) make child care available for children of each
8 full-time participant in a national service program.

9 **“SEC. 133. POST-SERVICE EDUCATIONAL BENEFITS.**

10 “A participant in a national service program planned,
11 established, operated, expanded, or replicated using assist-
12 ance provided to an applicant under section 121 shall be
13 eligible for the post-service educational benefit authorized
14 by subtitle D, in an amount based upon the time and
15 length of service of the participant, if the participant
16 served in a approved national service position designated
17 under section 136.

18 **“SEC. 134. CORPORATION REPRESENTATIVE IN EACH**
19 **STATE.**

20 “(a) **DESIGNATION OF REPRESENTATIVE.**—The Cor-
21 poration shall designate one employee of the Corporation
22 for each State receiving assistance under section 121
23 whose primary responsibilities shall be to serve as the rep-
24 resentative of the Corporation in the State and to assist

*Part II**one
employee
may be
rep in
more than
one
state.*

F:\GMK\GMK2A

28

1 the Corporation in carrying out the activities described in
2 this subtitle in that State.

3 “(b) DUTIES. The representative designated under
4 this section for a State shall serve as the liaison between—

5 “(1) the Corporation and the State Commission
6 on National Service required to be established under
7 section 178 as a condition for receiving assistance
8 under this subtitle; and

9 “(2) the Corporation and subdivisions of a
10 State, Indian tribes, public and private nonprofit or-
11 ganizations, and institutions of higher education in
12 the State awarded a grant under section 121 directly
13 from the Corporation.

14 “(c) MEMBER OF STATE COMMISSION.—The rep-
15 resentative designated under this section for a State shall
16 also serve as a member of the State Commission on Na-
17 tional Service established in that State.

18 **“PART II—DESIGNATION OF NATIONAL SERVICE**
19 **POSITIONS ELIGIBLE FOR POST-SERVICE**
20 **EDUCATIONAL BENEFITS**

21 **“SEC. 186. DESIGNATION AND DISTRIBUTION OF APPROVED**
22 **NATIONAL SERVICE POSITIONS.**

23 “(a) DESIGNATION AND DISTRIBUTION BY COR-
24 PORATION.—Except as provided in subsections (b) and
25 (c), the Corporation shall—

F:\GMK\GMK2A

29

1 “(1) designate certain national service positions
2 as positions that include the post-service educational
3 benefit under subtitle D as one of the benefits to be
4 provided for successful service in the position; and

5 “(2) distribute such approved national service
6 positions to States, subdivisions of States, Indian
7 tribes, public and private nonprofit organizations, in-
8 stitutions of higher education, and Federal agencies
9 on a competitive basis.

10 “(b) GUARANTEED DISTRIBUTION TO STATES AND
11 INDIAN TRIBES.—

12 “(1) 30 PERCENT ALLOTMENT FOR CERTAIN
13 STATES. The Corporation shall allot to each of the
14 several States, the District of Columbia, and the
15 Commonwealth of Puerto Rico a number of national
16 service positions to be designated by the State as po-
17 sitions that include the post-service educational ben-
18 efit under subtitle D and to be distributed by the
19 State. The number of such national service positions
20 allotted to each such State for a fiscal year shall be
21 equal to the number that bears the same ratio to 30
22 percent of the total number of such positions to be
23 designated for that fiscal year as the population of
24 such State bears to the total population of the sev-

Part II ?

Can we do by
cross reference?

F:\GMK\GMK2A

30

1 eral States, the District of Columbia, and the Com-
2 monwealth of Puerto Rico.

3 "(2) ONE PERCENT ALLOTMENT FOR CERTAIN
4 OTHER STATES AND INDIAN TRIBES.—Of the total
5 number of approved national service positions to be
6 designated under this section for a fiscal year, the
7 Corporation shall reserve **[not more than]** one
8 percent of such number for distribution to Indian
9 tribes, the Virgin Islands, Guam, American Samoa,
10 the Commonwealth of the Northern Mariana Islands
11 and Palau, until such time as the Compact of Free
12 Association is ratified, in accordance with their re-
13 spective needs.

14 "(3) COMPETITIVE DISTRIBUTION.—Of the
15 total number of approved national service positions
16 to be designated under this section for a fiscal year,
17 the Corporation shall distribute not less than 20 of
18 such positions to States **[and Indian tribes?]** on
19 a competitive basis.

20 "(c) CORPORATION PROGRAMS.—**[Provision to**
21 **be added addressing VISTA and CCC program**
22 **eligibility for approved national service posi-**
23 **tions]**

24 "(d) DESIGNATION AND DISTRIBUTION SUBJECT TO
25 APPROPRIATIONS.—The Corporation may not designate

auth
listed in
(2)

F:\GMK\GMK2A

31

1 approved national service positions, or allot the authority
 2 to make such designations under subsection (b), for a fis-
 3 cal year in excess of the number of such positions for
 4 which the Corporation has received sufficient appropria-
 5 tions for that fiscal year to satisfy the obligations to be
 6 incurred by the United States to provide the post-service
 7 educational benefits.

8 “(e) APPLICATION REQUIRED.—The actual allotment
 9 of approved national service positions to a State or other
 10 entity under subsection (b) or (c), and the competitive dis-
 11 tribution of such positions under subsection (a), shall be
 12 made by the Corporation only pursuant to an application
 13 submitted under section 139 and approved by the Cor-
 14 poration under section 140.

15 “(f) SPONSORSHIP OF APPROVED NATIONAL SERV-
 16 ICE POSITIONS.—The Corporation may also enter into
 17 agreements with persons who offer to sponsor additional
 18 national service positions for which the person will be re-
 19 sponsible for supplying the funds necessary to provide the
 20 post-service educational benefit under subtitle D. The dis-
 21 tribution of these approved national service positions shall
 22 be made pursuant to the agreement, and the creation of
 23 these positions shall not be taken into consideration in de-
 24 termining the number of approved national service posi-

What about
private
contributions?

Would
there need to
be an
appropriation
to release
a private
contribution?

Is (f)
enough
to
deal with
this concern?

need explicit
provision
authorizing dedicated
donations to the
Fund

F:\GMK\GMK2A

32

1 tions to be allotted to a State or other entity under this
2 section.

3 **"SEC. 187. CRITERIA FOR DESIGNATING APPROVED NA-**
4 **TIONAL SERVICE POSITIONS.**

5 “(a) IN GENERAL. In designating approved national
6 service positions under section 136, the Corporation or
7 State shall limit such designations to service positions
8 meeting educational, human service, environmental, or
9 public safety needs in the United States. A State shall
10 use the criteria established by the Corporation in des-
11 ignating approved national service positions.

12 “(b) TYPES OF NATIONAL SERVICE ELIGIBLE FOR
13 DESIGNATION.—The Corporation, or a State authorized
14 to designate approved national service positions under sec-
15 tion 136, may designate any of the following as a national
16 service position that includes the post-service educational
17 benefit under subtitle D;

Page 77

18 “(1) A position involving service as a VISTA
19 volunteer under title I of the Domestic Volunteer
20 Service Act of 1973 (42 U.S.C. 4951 et seq.).

21 “(2) A position involving service as a service-
22 learning coordinator in a program that receives as-
23 sistance under subtitle B.

24 “(3) A position involving service in the Civilian
25 Community Corps under subtitle H.

F:\GMK\GMK2A

33

1 “(4) A position involving service in a national
2 service program that receives assistance under part
3 I of this subtitle.

4 “(5) A position involving service in a program
5 that—

6 “(A) is conducted by a State, a subdivision
7 of a State, an Indian tribe, a public or private
8 nonprofit organization, an institution of higher
9 education, or a Federal agency; and

10 “(B) would be eligible to receive assistance
11 under part I of this subtitle, but has not ap-
12 plied for or received such assistance.

13 “(6) A position involving service on the staff of
14 a national service program receiving an approved na-
15 tional service position under section 136, in the case
16 of an individual who has successfully completed one
17 required term of service in an approved national
18 service position.

19 “(7) An employment position involving service
20 as an employee in certain employment positions that
21 are created by a governmental entity or a public or
22 private nonprofit organization and meet human, edu-
23 cational, environmental, or public safety needs if the
24 position—

should this
be first
on list?

yes

> employer-supported

F:\GMK\GMK2A

34

1 “(A) is unlikely to be filled in the next six
2 months due to a shortage of qualified appli-
3 cants; or

4 “(B) is located in an enterprise zone or re-
5 development area or is otherwise targeted for
6 special economic incentives.

7 “(8) Such other positions as the Corporation
8 considers to be appropriate.

9 “(c) NATIONAL REGISTRY.—Approved national serv-
10 ice positions designated by the Corporation or a State
11 under section 136 shall be listed in a national registry
12 maintained by the Corporation. Each State authorized to
13 designate approved national service positions under such
14 section shall also be required to maintain a registry of ap-
15 proved national service positions designated by the State.
16 The Corporation and the States shall make these reg-
17 istries available to the public through the placement offices
18 of institutions of higher education and secondary schools,
19 employment service centers, volunteer centers, and other
20 entities.

21 “SEC. 188. SELECTION OF INDIVIDUALS TO FILL AN AP-
22 PROVED NATIONAL SERVICE POSITION.

23 “(a) SELECTION PROCESS.—The actual recruitment
24 and selection of an individual to fill a national service posi-
25 tion designated under section 136 as including the post-

F:\GMK\GMK2A

35

Part II

1 service educational benefit under subtitle D shall be con-
2 ducted by the State, subdivision of a State, Indian tribe,
3 public or private nonprofit organization, institution of
4 higher education, Federal agency, or other entity to which
5 the approved national service position is distributed under
6 such section.

7 “(b) NATIONAL RECRUITMENT AND PLACEMENT.—

8 The Corporation shall establish a national system to re-
9 cruit individuals who desire to perform national service
10 and to assist the placement of these individuals in ap-
11 proved national service positions. The Corporation may re-
12 quire as a condition on the designation and distribution
13 of approved national service positions under section 136,
14 or as a condition on the receipt of assistance under part
15 I of this subtitle, that the recipient of approved national
16 service positions fill a certain percentage of such positions
17 with individuals recruited under this subsection. The per-
18 centage established by the Corporation may not exceed
19 ____ percent of the approved national service positions pro-
20 vided to a recipient under section 136 for a fiscal year.

21 “(c) INFORMATION REGARDING SELECTED INDIVID-

22 UALS.—The recipient of an approved national service posi-
23 tion shall promptly provide to the Corporation, and update
24 as necessary, the following information about the individ-
25 ual selected to serve in the position:

Shouldn't the
information
needed be
set by
regulation?
yes

F:\GMK\GMK2A

36

1 “(1) The name and social security number of
2 the individual.

3 “(2) The home address of the individual.

4 “(3) The placement of the individual and types
5 of service to be performed.

6 “(4) The term of service to be performed by the
7 individual.

8 **“SEC. 139. APPLICATION TO RECEIVE APPROVED NATIONAL**
9 **SERVICE POSITIONS.**

10 “(a) **SUBMISSION REQUIRED.**—To be eligible to re-
11 ceive approved national service positions that are distrib-
12 uted for a fiscal year, a State, subdivision of a State, In-
13 dian tribe, public or private nonprofit organization, insti-
14 tution of higher education, or Federal agency shall prepare
15 and submit to the Corporation for approval an application
16 at such time and in such manner as the Commission may
17 reasonably require. In the case of a State or other appli-
18 cant also applying for assistance under part I of this sub-
19 title, the application required by this subsection shall be
20 included in the application required under section 124.

21 “(b) **CONTENT OF APPLICATION.**—An application re-
22 quired by this section shall contain the information re-
23 quired by subsection (b) of section 124.

24 “(c) **SPECIAL RULE FOR STATE APPLICANTS.**—The
25 application of a State under this section, whether submit-

F:\GMK\GMK2A

37

1 ted to obtain the allotment of the State under section
2 136(b) or a competitive distribution, shall be submitted
3 by the State Commission on National Service required to
4 be established under section 178 and shall contain the na-
5 tional service plan for the State required under section
6 178A.

7 **"SEC. 140. CONSIDERATION OF APPLICATIONS.**

8 “(a) **APPLICATION OF CRITERIA.**—The Corporation
9 shall apply the criteria described in section 127(b) in de-
10 termining whether—

11 “(1) to approve an application submitted under
12 section 139; and

13 “(2) to designate national service positions de-
14 scribed in the application as national service posi-
15 tions that include the post-service educational bene-
16 fit under subtitle D as one of the benefits to be pro-
17 vided for successful service in the positions.

Part II

18 **"(b) REJECTION OF APPLICATIONS.—**

19 “(1) **NOTIFICATION OF STATE APPLICANTS.**—If
20 the Corporation rejects an application submitted by
21 a State Commission on National Service under sec-
22 tion 139, the Corporation shall promptly notify the
23 Commission of the reasons for the rejection of the
24 application. The Corporation shall provide the Com-
25 mission with a reasonable opportunity to revise and

F:\GMK\GMK2A

38

1 resubmit the application and may provide technical
2 assistance to the Commission as part of the resub-
3 mission process.

4 "(2) OTHER APPLICANTS.—The Corporation is
5 not required to provide notice to applicants other
6 than States of the failure of the Corporation to ap-
7 prove an application under section 139 for approved
8 national service positions."

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

"Subtitle C National Service Program

"PART I—INVESTMENT IN NATIONAL SERVICE PROGRAMS

- could
we
organize
so that
(com-
mit-
ment?)
- "Sec. 121. Authority to provide assistance to national service programs.
 - "Sec. 122. Provision of assistance by competitive and other means.
 - "Sec. 123. Types of national service programs to be assisted.
 - "Sec. 124. Application for assistance.
 - "Sec. 125. National service program requirements.
 - "Sec. 126. Ineligible service categories.
 - "Sec. 127. Consideration of applications.
 - "Sec. 128. Types of assistance.
 - "Sec. 129. Matching funds requirements by recipients.
 - "Sec. 130. Eligibility requirements for national service participants.
 - "Sec. 131. Required terms of service of national service participants.
 - "Sec. 132. Living allowances for national service participants.
 - "Sec. 133. Post-service educational benefits.
 - "Sec. 134. Corporation representative in each State.

"PART II—DESIGNATION OF NATIONAL SERVICE POSITIONS ELIGIBLE FOR
POST-SERVICE EDUCATIONAL BENEFITS

- "Sec. 136. Designation and distribution of approved national service positions.
- "Sec. 137. Criteria for designating approved national service positions.
- "Sec. 138. Selection of individuals to fill an approved national service position.
- "Sec. 139. Application to receive approved national service positions.
- "Sec. 140. Consideration of applications."

OLD

1 **SEC. 103. FEDERAL ASSISTANCE TO SUPPORT NATIONAL**
2 **SERVICE PROGRAMS.**

3 (a) ASSISTANCE PROGRAM AUTHORIZED.—Subtitle C
4 of title I of the National and Community Service Act of
5 1990 (42 U.S.C. 12541 et seq.) is amended to read as
6 follows:

7 **“Subtitle C—Assistance for**
8 **National Service Programs**

9 **“SEC. 121. AUTHORITY TO PROVIDE ASSISTANCE.**

10 “(a) GRANTS.—The Corporation may make grants to
11 States, Indian tribes, public and private nonprofit organi-
12 zations, and institutions of higher education for the plan-
13 ning, establishment, operation, expansion, and replication
14 of full- and part-time national service programs.

subdivisions
of States

15 “(b) TRANSFERS.—The Corporation may also trans-
16 fer funds to the heads of Federal agencies to support na-
17 tional service programs conducted by these agencies. In
18 the case of a transfer of funds under this subsection, the
19 supplementation requirements specified in section 173
20 shall apply with respect to the Federal national service
21 programs supported by such funds.

22 **“SEC. 122. PROVISION OF ASSISTANCE BY COMPETITIVE**
23 **AND OTHER MEANS.**

24 “(a) 30 PERCENT ALLOTMENT FOR CERTAIN
25 STATES.—Of the funds appropriated to carry out this sub-
26 title for a fiscal year, the Corporation shall make a grant

1 under section 121 to each of the several States, the Dis-
2 trict of Columbia, and the Commonwealth of Puerto Rico.
3 The amount of the grant to a State under this subsection
4 for a fiscal year shall be equal to the amount which bears
5 the same ratio to 30 percent of the funds appropriated
6 to carry out this subtitle for that fiscal year as the popu-
7 lation of the State bears to the total population of the
8 several States, the District of Columbia, and the Common-
9 wealth of Puerto Rico.

10 “(b) ONE PERCENT ALLOTMENT FOR CERTAIN
11 OTHER STATES AND INDIAN TRIBES.—Of the funds ap-
12 propriated to carry out this subtitle for a fiscal year, the
13 Corporation shall reserve [not more than] one percent
14 of such appropriated funds for grants under section 121
15 to Indian tribes, the Virgin Islands, Guam, American
16 Samoa, the Commonwealth of the Northern Mariana Is-
17 lands and Palau, until such time as the Compact of Free
18 Association is ratified, to be allotted in accordance with
19 their respective needs.

20 “(c) COMPETITIVE DISTRIBUTION OF REMAINING
21 FUNDS.—

22 “(1) STATE COMPETITION.—Of the funds ap-
23 propriated to carry out this subtitle for a fiscal year,
24 the Corporation shall use not less than 20 of such

less

1 appropriated funds to make grants to States on a
2 competitive basis under section 121.

3 “(2) OTHER APPLICANTS.—The Corporation
4 shall distribute the remainder of the funds appro-
5 priated to carry out this subtitle for a fiscal year on
6 a competitive basis under section 121 to Indian
7 tribes, public and private nonprofit organizations, in-
8 stitutions of higher education, and Federal agencies
9 that submit applications under section 124. In mak-
10 ing assistance available under this paragraph, the
11 Corporation shall—

12 “(A) give priority to innovative national
13 service programs, private programs with the po-
14 tential of expanding to more than one State,
15 and federally targeted programs operating in
16 more than one State **[New]** if such programs
17 conform to the national service priorities, if
18 any, in effect under section 123(b) for that fis-
19 cal year;

existing

20 “(B) ensure that recipients of assistance
21 are geographically diverse; and

22 “(C) ensure that national service opportu-
23 nities are provided in both urban and rural
24 areas.

1 “(d) BASIS FOR PROVIDING ASSISTANCE.—The ac-
 2 tual allotment of assistance to a State under subsection
 3 (a) or (b), and the competitive distribution of assistance
 4 under subsection (c), shall be made by the Corporation
 5 only pursuant to an application submitted by a State or
 6 other applicant under section 124 and approved by the
 7 Corporation under section 127.

8 **“SEC. 123. TYPES OF NATIONAL SERVICE PROGRAMS TO BE**
 9 **ASSISTED.**

10 “(a) ELIGIBLE NATIONAL SERVICE PROGRAMS.—
 11 The types of national service programs eligible to receive
 12 assistance pursuant to section 121 are those full- and
 13 part-time programs that address unmet human, edu-
 14 cational, environmental, and public safety needs, especially
 15 those needs relating to poverty. Such programs shall in-
 16 clude:

17 “(1) Youth corps programs, such as con-
 18 servation corps and youth service corps programs,
 19 that—

20 “(A) offer full-time, productive work with
 21 visible community benefits in a natural resource
 22 or human service setting; and

23 “(B) give participants aged 16 through 25
 24 a mix of work experience, basic and life skills,
 25 leadership training, education using service-

(including
 corps
 that
 perform
 service
 on
 state and
 federal
 land)

1 learning methods (including education to enable
2 school dropouts to earn a high school diploma
3 or its equivalent), career guidance and counsel-
4 ing, employment training, and support services.

5 “(2) Programs that train and place service-
6 learning coordinators who, after receiving specialized
7 training in service-learning, are placed in programs
8 eligible for funding under part I of subtitle B and
9 are responsible for coordinating service-learning ac-
10 tivities, recruiting and assisting community organi-
11 zations where services take place, providing training
12 and technical assistance to teachers in using service-
13 learning methods, and other similar activities.

14 “(3) Specialized service programs that—

15 “(A) recruit individuals with special skills
16 or provide specialized preservice training to en-
17 able participants to be placed individually or in
18 teams in positions where they can meet clearly
19 defined community needs; and

20 “(B) bring participants together for addi-
21 tional training and other activities designed to
22 foster a national service ethic and improve the
23 quality of the service provided.

24 “(4) Community corps programs that organize
25 teams of participants of diverse social and economic

1 backgrounds and different ages, races, and genders
2 to provide needed community services while promot-
3 ing greater community unity.

4 “(5) Individualized placement programs that in-
5 clude regular group activities, such as leadership
6 training, team-building, problem-solving, and special
7 service projects.

8 “(6) Campus-based programs that are designed
9 to engage college students (including students sup-
10 ported by work-study funds), or teams of college stu-
11 dents and community members, in substantial serv-
12 ice in the community during the summer and during
13 the school year.

14 “(7) Preprofessional training programs through
15 which college students—

16 “(A) take specified classes involving serv-
17 ice-learning;

18 “(B) perform national service outside the
19 classroom during summer or other vacation pe-
20 riods; and

21 “(C) agree to provide professional service
22 in an professionally-underserved community
23 upon graduation.

24 “(8) Professional corps programs that recruit
25 and place qualified participants as teachers, nurses,

Does
this
work w/
3/31
changes

1 police officer, early childhood development staff, or
2 other professionals providing educational, human
3 service, environmental, or public safety service in un-
4 derserved communities. Such positions shall be spon-
5 sored by public or private nonprofit employers who
6 shall pay the salaries and benefits of participants.

7 “(9) Youthbuild programs that provide eco-
8 nomically disadvantaged young adults aged 16 to 24
9 with opportunities for meaningful service to their
10 communities in helping to meet the housing needs of
11 low-income families and the homeless and the need
12 for community facilities in low-income areas, while
13 enabling such young adults to obtain the education
14 and employment skills necessary to achieve economic
15 self-sufficiency.

16 “(10) Public interest entrepreneur programs
17 that identify, recruit, and train gifted young adults
18 of all backgrounds and assist them in designing so-
19 lutions to community problems.

20 “(b) NATIONAL SERVICE PRIORITIES.—

21 “(1) ESTABLISHMENT BY CORPORATION.—In
22 order to concentrate national efforts on resolving
23 certain unmet human, educational, environmental, or
24 public safety needs during a particular fiscal year,
25 the Corporation may establish priorities regarding

1 the types of national service programs to be assisted
2 under section 121 in that fiscal year and the pur-
3 poses for which such assistance may be used in that
4 fiscal year. The Corporation shall provide advance
5 notice to potential applicants of any priorities to be
6 imposed on the types of national service programs to
7 be eligible to receive assistance in a fiscal year and
8 the uses of such assistance.

9 “(2) **[New]** APPLICATION TO SECONDARY
10 GRANTS.—Any national service priorities established
11 by the Corporation under this subsection shall also
12 apply to any grant program carried out by an appli-
13 cant using assistance provided under section 121.

14 **“SEC. 124. APPLICATION FOR ASSISTANCE.**

15 “(a) SUBMISSION REQUIRED.—To be eligible to re-
16 ceive assistance under section 121, a State, Indian tribe,
17 public or private nonprofit organization, institution of
18 higher education, or Federal agency shall prepare and sub-
19 mit to the Corporation an application at such time and
20 in such manner as the Commission may reasonably re-
21 quire.

22 “(b) CONTENT OF APPLICATION.—An application re-
23 quired by this section shall contain the following:

24 “(1) A description of all national service pro-
25 grams proposed to be planned, established, operated,

1 expanded, or replicated directly by the applicant
2 using assistance provided under section 121.

3 “(2) A description of any grant program pro-
4 posed to be conducted by the applicant with assist-
5 ance provided under section 121 to support other
6 national service programs.

7 “(3) A description of the manner and extent to
8 which the proposed national service programs and
9 proposed grant program conform to any national
10 service priorities established by the Corporation
11 under section 123(b).

12 “(4) A description of the type and number of
13 national service positions that the applicant requests
14 to be designated as a national service position which
15 includes the post-service educational benefit under
16 part II as one of the benefits to be provided for suc-
17 cessful service in the position.

18 “(5) **[New]** An estimate of the number of such
19 approved national service positions that are likely to
20 be filled by individuals who will have already com-
21 pleted the requirements for a baccalaureate degree
22 before beginning to serve in the positions.

23 “(6) A description of the uses to be made of
24 any approved national service positions provided to
25 the applicant in relation to the purposes for which

1 any assistance provided under section 121 will be
2 used.

3 “(7) The guarantees and information required
4 by sections 125, 126, and 130.

5 “(8) Such other information as the Commission
6 may reasonably require.

7 “(c) STATE OR LOCAL PRIORITIES.—An applicant
8 for assistance under section 121 may also include in the
9 application required by this section a proposal to use such
10 assistance to meet unique human, educational, environ-
11 mental, or public safety needs of the State or community
12 in which the proposed national service programs will oper-
13 ate. Such a proposal may include a limitation on the types
14 of national service to be performed by participants and,
15 notwithstanding section 130(a), a limitation on the age of
16 individuals to be eligible to participate in the programs.

17 “(d) SPECIAL RULE FOR STATE APPLICANTS.—The
18 application of a State for a grant under section 121,
19 whether submitted to obtain the allotment of the State
20 under section 122(a) or a competitive grant, shall be sub-
21 mitted by the State Commission on National Service re-
22 quired to be established under section 178 and shall in-
23 clude the national service plan for the State required
24 under section 178A.

1 **"SEC. 125. NATIONAL SERVICE PROGRAM REQUIREMENTS.**

2 “(a) SUPPORT FOR PARTICIPANTS.—An application
3 submitted to the Corporation under section 124 shall in-
4 clude a guarantee by the applicant that any national serv-
5 ice program planned, established, operated, expanded, or
6 replicated using assistance provided to the applicant under
7 section 121 will—

8 “(1) involve participants in meaningful national
9 service that—

10 “(A) is not otherwise being provided; and

11 “(B) addresses unmet human, educational,
12 environmental, or public safety needs, especially
13 those needs relating to poverty;

14 “(2) provide national service opportunities for
15 participants for the terms of service required by sec-
16 tion 131;

17 “(3) provide participants with national service
18 that—

19 “(A) builds an ethic of civic responsibility
20 through training in citizenship and an ethic of
21 life-long national and community service;

22 “(B) produces a positive change in the
23 lives of participants while also improving the
24 lives of those persons served; and

25 “(C) orients participants in the nature,
26 philosophy, and purpose of the program;

1 “(4) provide the training, skills, and knowledge
2 necessary for the type of national service that par-
3 ticipants are called upon to perform;

4 “(5) contain a service-learning component and
5 provide participants with an opportunity to reflect
6 on their service experiences;

7 “(6) **[New]** provide support services to partici-
8 pants, including support for those participants who
9 are school dropouts to assist such participants earn
10 the equivalent of a high school diploma; and

11 “(7) involve participants in the design of the
12 program and provide leadership positions to partici-
13 pants in implementing and evaluating the program.

14 “(b) CONSULTATION AND EVALUATION.—An applica-
15 tion under section 124 shall also include a guarantee by
16 the applicant that any national service program planned,
17 established, operated, expanded, or replicated using assist-
18 ance provided to the applicant under section 121 will—

19 “(1) provide in the design, recruitment, and op-
20 eration of the program for broad-based input from
21 the community served and community-based **[agen-**
22 **cies/organizations?] [community-based**
23 **agency is defined in section 101(3) of the**
24 **NCSA90]** with a demonstrated record of experience
25 in providing services;

1 “(2) prior to the placement of participants, con-
2 sult with any local labor organization representing
3 employees in the area who are engaged in the same
4 or similar work as that proposed to be carried out
5 by such program; and

6 “(3) arrange for an independent evaluation of
7 the program.

8 “(c) **[New]** SPECIAL RULE FOR STATE APPLI-
9 CANTS.—An application submitted by a State under sec-
10 tion 124 shall also include a guarantee by the State that
11 not less than ____ percent of the assistance provided to
12 the State under section 121, whether such assistance is
13 in the form of an allotment to the State under section
14 122(a) or a competitive grant, shall be used to make
15 grants on a competitive basis to support national service
16 programs conducted by persons other than State agencies.

17 “(d) SELECTION OF PARTICIPANTS FROM NATIONAL
18 REGISTRY.—The Corporation may also require a guaran-
19 tee by the applicant that any national service program
20 planned, established, operated, expanded, or replicated
21 using assistance provided to the applicant under section
22 121 will select a portion of the participants for the pro-
23 gram from among prospective participants registered with
24 the Corporation under section 142(b). The Corporation
25 may specify a minimum percentage of registered partici-

1 pants required to be selected and may vary the percentage
2 for different types of national service programs.

3 **"SEC. 126. INELIGIBLE SERVICE CATEGORIES.**

4 "An application submitted to the Corporation under
5 section 124 shall include a guarantee by the applicant that
6 any national service program planned, established, oper-
7 ated, expanded, or replicated using assistance provided to
8 the applicant under section 121 will not be conducted by
9 any—

10 "(1) business organized for profit;

11 "(2) **[labor union;] [This prohibition**
12 **included in section 124(b) of the NCSA90]**

13 "(3) partisan political organization; or

14 "(4) organization engaged in religious activities,
15 unless such activities do not involve the use of as-
16 sistance provided under section 121 by program par-
17 ticipants and program staff to give religious instruc-
18 tion, conduct worship services, or engage in any
19 form of proselytization.

20 **"SEC. 127. CONSIDERATION OF APPLICATIONS.**

21 "(a) APPLICATION OF CRITERIA.—The Corporation
22 shall apply the criteria described in subsection (b) in de-
23 termining whether to approve an application submitted
24 under section 124 and to provide assistance under section
25 121 to the applicant on the basis of the application.

1 “(b) ASSISTANCE CRITERIA.—The Corporation shall
2 consider the following criteria in evaluating applications
3 submitted under section 124:

4 “(1) In the case of an application submitted by
5 a State National Service Commission, the quality of
6 the national service plan for the State required
7 under section ____.

8 “(2) The quality of the national service pro-
9 grams to be conducted directly or supported by the
10 applicant, based on the extent to which the
11 programs—

12 “(A) conform to any national service prior-
13 ities established by the Corporation under sec-
14 tion 123(b);

15 “(B) offer valuable services in those
16 communities—

17 “(i) where such services are needed
18 most, such as communities designated as
19 enterprise zones or redevelopment areas or
20 otherwise targeted for special economic in-
21 centives; and

22 “(ii) where national service programs
23 do not currently exist or are currently too
24 limited to meet community needs;

1 “(C) provide participants with productive,
2 meaningful, and educational experiences that
3 incorporate service-learning methods;

4 “(D) **[rewritten]** involve the partici-
5 pants, including youth, in the design, operation,
6 and leadership of the program;

7 “(E) involve individuals from diverse back-
8 grounds (including economically disadvantaged
9 youth) to the maximum extent practicable; and

10 “(F) develop the leadership skills of par-
11 ticipants.

12 “(3) The quality of the leadership and manage-
13 ment of the national service programs to be con-
14 ducted directly or supported by the applicant, as
15 measured by—

16 “(A) the qualifications of the principal
17 leaders of the programs; and

18 “(B) the plans and processes for recruit-
19 ment, training, supervision, participant support,
20 evaluation, administration and other key activi-
21 ties.

22 “(4) Any innovative aspects of the proposed na-
23 tional service programs, such as—

24 “(A) the ability of the programs to ad-
25 vance knowledge about effective community

1 service in ways that will be broadly applicable
2 beyond the program location; and

3 “(B) the approach to evaluation and other
4 means of learning from the experience of the
5 programs.

6 “(5) The replicability of the proposed national
7 service programs, based on the ability and willing-
8 ness of the programs to assist other persons in
9 learning from the experience and replicating the ap-
10 proach of the programs.

11 “(6) The sustainability of the proposed national
12 service programs, based on—

13 “(A) the inclusion of the programs in the
14 national service plan for a State prepared under
15 section 178A;

16 “(B) the existence of strong and broad-
17 based community support for and involvement
18 in the programs;

19 “(C) **[Rewritten]** evidence that financial
20 resources, such as funds from multiple funding
21 sources or private funding sources, will be avail-
22 able to continue the programs after the expira-
23 tion of the period of assistance provided under
24 section 121; and

1 “(D) **[New]** such other factors that the
2 Corporation considers to be appropriate.

3 “(c) REJECTION OF APPLICATIONS.—

4 “(1) NOTIFICATION OF STATE APPLICANTS.—If
5 the Corporation rejects an application submitted by
6 a State Commission on National Service under sec-
7 tion 124, the Corporation shall promptly notify the
8 Commission of the reasons for the rejection of the
9 application. The Corporation shall provide the Com-
10 mission with a reasonable opportunity to revise and
11 resubmit the application and may provide technical
12 assistance to the Commission as part of the resub-
13 mission process.

14 “(2) OTHER APPLICANTS.—The Corporation is
15 not required to provide notice to applicants other
16 than States of the failure of the Corporation to ap-
17 prove an application under section 124 for assist-
18 ance.

19 “(d) APPLICATION TO SECONDARY GRANTS.—A
20 State or other applicant that conducts a grant program
21 with assistance provided under section 121 shall use the
22 criteria described in subsection (b) whenever considering
23 applications submitted by national service programs to re-
24 ceive a portion of such assistance.

1 **"SEC. 128. TYPES OF ASSISTANCE.**

2 “(a) **PLANNING ASSISTANCE.**—The Corporation may
3 provide assistance under section 121 to qualified appli-
4 cants for the planning and establishment of national serv-
5 ice programs. Assistance provided under this subsection
6 may cover a period of not more than one year.

7 “(b) **DEMONSTRATION ASSISTANCE.**—The Cor-
8 poration may provide assistance under section 121 to
9 qualified applicants for the establishment and operation
10 of innovative national service programs, as determined by
11 the Corporation. Assistance provided under this subsection
12 may cover a period of not more than three years.

13 “(c) **OPERATIONAL ASSISTANCE.**—The Corporation
14 may provide assistance under section 121 to qualified ap-
15 plicants for the operation and expansion of national serv-
16 ice programs. Assistance provided under this subsection
17 may cover a period of not more than three years.

18 “(d) **REPLICATION ASSISTANCE.**—The Corporation
19 may provide assistance under section 121 to qualified ap-
20 plicants for the expansion of a proven national service pro-
21 gram to another geographical location. Assistance pro-
22 vided under this subsection may cover a period of not more
23 than three years.

24 “(e) **LIMITATION ON ADMINISTRATIVE COSTS.**—Ex-
25 cept in the case of assistance described in subsection (a),
26 a State or other applicant receiving assistance under sec-

1 tion 121 may not use more than five percent of the
2 amount of such assistance to cover administrative costs,
3 including indirect costs.

4 “(f) APPLICATION TO SECONDARY GRANTS.—The re-
5 quirements of this section shall apply to any State or other
6 applicant receiving assistance under section 121 that pro-
7 poses to conduct a grant program using such assistance
8 to support other national service programs.

9 **“SEC. 129. MATCHING FUNDS REQUIREMENTS BY RECIPI-**
10 **ENTS.**

11 “(a) REQUIREMENTS.—A State or other applicant re-
12 ceiving assistance under section 121 which uses such as-
13 sistance to plan, establish, operate, expand, or replicate
14 directly a national service program shall be required to
15 satisfy the matching funds requirements established under
16 section _____. Any national service program receiving funds
17 from a grant program operated by a State or other appli-
18 cant using assistance obtained under section 121 shall also
19 satisfy such matching funds requirements.

20 “(b) EXCEPTION.—A Federal agency receiving assist-
21 ance under section 121(b) shall not be required to satisfy
22 the matching funds requirements established under sec-
23 tion _____. However, the supplementation requirements
24 specified in section 173 shall apply with respect to the

1 Federal national service programs supported with such as-
2 sistance.

3 **"SEC. 130. ELIGIBILITY REQUIREMENTS FOR NATIONAL**
4 **SERVICE PARTICIPANTS.**

5 “(a) **ELIGIBILITY GENERALLY.**—An application sub-
6 mitted to the Corporation under section 124 shall include
7 a guarantee by the applicant that any national service pro-
8 gram planned, established, operated, expanded, or rep-
9 licated using assistance provided to the applicant under
10 section 121 will accept as participants in the program in-
11 dividuals who—

12 “(1) are 17 years of age or older or school
13 dropouts;

14 “(2) have received a high school diploma or the
15 equivalent of such diploma, or, in the case of school
16 dropouts, agree to achieve a high school diploma or
17 the equivalent of such diploma while participating in
18 the program; and

19 “(3) are citizens of the United States or law-
20 fully admitted for permanent residence.

21 “(b) **SPECIAL RULES FOR SCHOOL DROPOUTS.**—

22 “(1) **REASON FOR DROPPING OUT.**—An individ-
23 ual who is an school dropout may not be accepted
24 to participate in a national service program planned,
25 established, operated, expanded, or replicated using

1 assistance provided under section 121 if the person
2 operating the program determines that the individ-
3 ual dropped out of an elementary or secondary
4 school in order to participate in the program.

5 “(2) EDUCATIONAL PROGRAM.—An individual
6 who is a school dropout may be accepted to partici-
7 pate in a national service program planned, estab-
8 lished, operated, expanded, or replicated using as-
9 sistance provided under section 121 only if the indi-
10 vidual enters into an agreement with the person op-
11 erating the program to pursue a course of study, ap-
12 proved by the State educational agency, designed to
13 result in the individual earning the equivalent of a
14 high school diploma during the term of service of the
15 individual.

16 “(c) SCHOOL DROPOUT DEFINED.—For purposes of
17 this section, the term ‘school dropout’ has the meaning
18 established for such term by the Secretary of Education
19 under section 6201(a) of the Elementary and Secondary
20 Education Act of 1964 (20 U.S.C. 3271(a)).

21 **“SEC. 131. REQUIRED TERMS OF SERVICE OF NATIONAL**
22 **SERVICE PARTICIPANTS.**

23 “(a) IN GENERAL.—A participant in a national serv-
24 ice program planned, established, operated, expanded, or
25 replicated using assistance provided to an applicant under

1 section 121 shall perform full- or part-time national serv-
2 ice for the applicable term of service specified in sub-
3 section (b).

4 “(b) TERM OF SERVICE.—

5 “(1) PART-TIME.—An individual performing
6 part-time national service in a national service pro-
7 gram assisted under section 121 shall agree to per-
8 form not less than ____ hours of approved national
9 service over a period of not less than one year and
10 not more than two years.

11 “(2) FULL-TIME.—An individual performing
12 full-time national service in a national service pro-
13 gram assisted under section 121 shall agree to per-
14 form not less than ____ hours of approved national
15 service over a period of not less than nine months
16 and not more than one year.

17 “(c) RELEASE FROM COMPLETING TERM OF SERV-
18 ICE.—A State or other recipient of assistance under sec-
19 tion 121 may release a participant from completing a term
20 of service in a national service program for compelling per-
21 sonal circumstances as demonstrated by the participant.
22 If the released participant was serving in a national serv-
23 ice position designated under subtitle D as including a
24 post-service educational benefit under part II of such sub-

1 title, the participant shall not receive any portion of the
2 post-service educational benefit.

3 **“SEC. 132. LIVING ALLOWANCES FOR FULL-TIME NATIONAL**
4 **SERVICE PARTICIPANTS.**

5 “(a) **LIVING ALLOWANCE REQUIRED.**—From assist-
6 ance provided under section 121 to a State or other recipi-
7 ent to plan, establish, operate, expand, or replicate a na-
8 tional service program, the recipient shall provide to each
9 **[full-time]** participant in the program a living allowance
10 equal to the hourly Federal minimum wage for each hour
11 of national service performed by the participant.

12 “(b) **ADDITIONAL ALLOWANCE AUTHORIZED.**—

13 “(1) **AUTHORITY.**—Subject to paragraph (2), a recipi-
14 ent of assistance under section 121 may provide to, or
15 authorize other persons to provide to, a national service
16 participant an additional amount as a living allowance in
17 excess of the living allowance required by subsection (a).
18 Any additional amounts provided under this subsection
19 shall be derived from non-Federal sources.

20 “(2) **MAXIMUM LIVING ALLOWANCE.**—The total
21 amount of a living allowance provided under subsection
22 (a) and this subsection to a national service participant
23 may not exceed 200 percent of the hourly Federal mini-
24 mum wage for each hour of national service performed by
25 the participant, except that this limitation shall not apply

1 in the case of a professional corps program described in
2 section 123(a)(8). } X

3 “(c) HEALTH INSURANCE AND CHILD CARE.—In ad-
4 dition to the living allowance provided under subsection
5 (a), a recipient of assistance under section 121 shall—

6 “(1) provide health insurance to each full-time par-
7 ticipant in a national service program who does not other-
8 wise have access to health insurance; and

9 “(2) make child care available for children of each
10 full-time participant in a national service program.

11 **“SEC. 133. POST-SERVICE EDUCATIONAL BENEFITS.**

12 “A participant in a national service program planned,
13 established, operated, expanded, or replicated using assist-
14 ance provided to an applicant under section 121 shall be
15 eligible for the post-service educational benefit authorized
16 by section ___, in an amount based upon the time and
17 length of service of the participant, if the participant
18 served in a national service position approved by the Cor-
19 poration for such benefit.

20 **“SEC. 134. CORPORATION REPRESENTATIVE IN EACH**
21 **STATE.**

22 “(a) DESIGNATION OF REPRESENTATIVE.—The Cor-
23 poration shall designate one employee of the Corporation
24 for each State receiving assistance under section 121
25 whose primary responsibilities shall be to serve as the rep-

1 representative of the Corporation in the State and to assist
2 the Corporation in carrying out the activities described in
3 this subtitle in that State.

4 “(b) DUTIES.—The representative designated under
5 this section for a State shall serve as the liaison between—

6 “(1) the Corporation and the State Commission
7 on National Service required to be established under
8 section 178 as a condition for receiving assistance
9 under this subtitle; and

10 “(2) the Corporation and Indian tribes, public
11 and private nonprofit organizations, and institutions
12 of higher education in the State awarded a grant
13 under section 121 directly from the Corporation.

14 “(c) MEMBER OF STATE COMMISSION.—The rep-
15 resentative designated under this section for a State shall
16 also serve as a member of the State Commission on Na-
17 tional Service established in that State.”.

18 (b) TABLE OF CONTENTS.—Section 1(b) of the Na-
19 tional and Community Service Act of 1990 (42 U.S.C.
20 12401 note) is amended by striking the items relating to
21 subtitle C of title I of such Act and inserting the following
22 new items:

“Subtitle C—Assistance for National Service Programs

“Sec. 121. Authority to provide assistance.

“Sec. 122. Provision of assistance by competitive and other means.

“Sec. 123. Types of national service programs to be assisted.

“Sec. 124. Application for assistance.

“Sec. 125. National service program requirements.

- "Sec. 126. Ineligible service categories.
- "Sec. 127. Consideration of applications.
- "Sec. 128. Types of assistance.
- "Sec. 129. Matching requirements by recipients.
- "Sec. 130. Eligibility requirements for national service participants.
- "Sec. 131. Required terms of service of national service participants.
- "Sec. 132. Living allowances for full-time national service participants.
- "Sec. 133. Post-service educational benefits.
- "Sec. 134. Corporation representative in each State."

1 **SEC. 104. NATIONAL SERVICE TRUST FUND AND PROVISION**
2 **OF POST-SERVICE EDUCATIONAL BENEFITS.**

3 (a) ESTABLISHMENT OF TRUST FUND; PROVISION
4 OF BENEFITS.—Subtitle D of title I of the National and
5 Community Service Act of 1990 (42 U.S.C. 12571 et seq.)
6 is amended to read as follows:

7 **“Subtitle D—Provision of Post-**
8 **Service Educational Benefits**
9 **From the National Service Trust**
10 **Fund**

11 “PART I—DESIGNATION OF NATIONAL SERVICE POSI-
12 TIONS ELIGIBLE FOR POST-SERVICE EDUCATIONAL
13 BENEFITS

14 **“SEC. 140. DESIGNATION AND DISTRIBUTION OF APPROVED**
15 **NATIONAL SERVICE POSITIONS.**

16 “(a) DESIGNATION AND DISTRIBUTION BY COR-
17 PORATION.—Except as provided in subsections (b) and
18 (c), the Corporation shall—

19 “(1) designate certain national service positions
20 as including the post-service educational benefit
21 under part II as one of the benefits to be provided
22 for successful service in the position; and

23 “(2) distribute such approved national service
24 positions to States, Indian tribes, public and private
25 nonprofit organizations, institutions of higher edu-
26 cation, and Federal agencies on a competitive basis.

[Note:A definition will be added to section 101 of the NCSA90 to define the term ‘approved national service position’, which means a national service position designated under part I of subtitle D as including a post-service educational benefit under part II of such subtitle as one of the benefits to be provided for successful service in the position.]

1 “(b) GUARANTEED DISTRIBUTION TO STATES AND
2 INDIAN TRIBES.—

3 “(1) 30 PERCENT ALLOTMENT FOR CERTAIN
4 STATES.—The Corporation shall allot to each of the
5 several States, the District of Columbia, and the
6 Commonwealth of Puerto Rico a number of national
7 service positions to be designated by the State as in-
8 cluding the post-service educational benefit under
9 part II and to be distributed by the State. The num-
10 ber of such national service positions allotted to each
11 such State for a fiscal year shall be equal to the
12 number which bears the same ratio to 30 percent of
13 total number of such positions to be designated for
14 that fiscal year as the population of such State bears
15 to the total population of the several States, the Dis-
16 trict of Columbia, and the Commonwealth of Puerto
17 Rico.

1 “(2) ONE PERCENT ALLOTMENT FOR CERTAIN
2 OTHER STATES AND INDIAN TRIBES.—Of the total
3 number of national service positions to be designated
4 for a fiscal year as including the post-service edu-
5 cational benefit under part II, the Corporation shall
6 reserve **[not more than]** one percent of such
7 number for distribution to Indian tribes, the Virgin
8 Islands, Guam, American Samoa, the Common-
9 wealth of the Northern Mariana Islands and Palau,
10 until such time as the Compact of Free Association
11 is ratified, in accordance with their respective needs.

12 “(3) COMPETITIVE DISTRIBUTION.—Of the
13 total number of national service positions to be des-
14 ignated for a fiscal year as including the post-service
15 educational benefit under part II, the Corporation
16 shall distribute not less than 20 of such approved
17 national service positions to States **[and Indian**
18 **tribes?]** on a competitive basis.

19 “(c) ALLOTMENT FOR CERTAIN CORPORATION PRO-
20 GRAMS.—**[Should VISTA and the CCC program**
21 **be guaranteed a certain number of approved**
22 **national service positions?]**

23 “(d) DESIGNATION AND DISTRIBUTION SUBJECT TO
24 APPROPRIATIONS.—The Corporation may not designate
25 national service positions as including the post-service

1 educational benefit under part II, or allot the authority
2 to make such designations under subsection (b), for a fis-
3 cal year in excess of the number of such positions for
4 which the Corporation has received sufficient appropria-
5 tions for that fiscal year to satisfy the obligations to be
6 incurred by the United States to provide the post-service
7 educational benefits.

8 “(e) APPLICATION REQUIRED.—The actual allotment
9 of approved national service positions to a State or other
10 entity under subsection (b) or (c), and the competitive dis-
11 tribution of such positions under subsection (a), shall be
12 made by the Corporation only pursuant to an application
13 submitted under section 143 and approved by the Cor-
14 poration under section 144.

15 “(f) SPONSORSHIP OF APPROVED NATIONAL SERV-
16 ICE POSITIONS.—The Corporation may also enter into
17 agreements with persons who offer to sponsor additional
18 national service positions for which the person will be re-
19 sponsible for supplying the funds necessary to provide the
20 post-service educational benefit under part II. The dis-
21 tribution of these approved national service positions shall
22 be made pursuant to the agreement, and the creation of
23 these positions shall not be taken into consideration in de-
24 termining the number of approved national service posi-

1 tions to be allotted to a State or other entity under this
2 section.

3 **"SEC. 141. CRITERIA FOR DESIGNATING APPROVED NA-**
4 **TIONAL SERVICE POSITIONS.**

5 “(a) IN GENERAL.—In designating a national service
6 position as including the post-service educational benefit
7 under part II as one the benefits to be provided for service
8 in the position, the Corporation or State shall limit such
9 designations to service positions meeting educational,
10 human service, environmental, or public safety needs in
11 the United States. A State shall use criteria established
12 by the Corporation in designating approved national serv-
13 ice positions.

14 “(b) TYPES OF NATIONAL SERVICE ELIGIBLE FOR
15 DESIGNATION.—The Corporation, or a State authorized
16 to designate approved national service positions under sec-
17 tion 140, may designate any of the following as a national
18 service position which includes the post-service educational
19 benefit:

20 “(1) Service as a VISTA volunteer.

21 “(2) Service in the Civilian Community Corps.

22 “(3) Service in a national service program
23 which receives assistance under subtitle C.

24 “(4) Service in programs conducted by States,
25 Indian tribes, public and private nonprofit organiza-

1 tions, institutions of higher education, and Federal
 2 agencies which would be eligible to receive assistance
 3 under subtitle C, but have not applied for assistance
 4 under such subtitle or have not received such assist-
 5 ance.

(including

6 “(5) Service on the staff of a national service
 7 program receiving approved national service posi-
 8 tions under this part, in the case of an individual
 9 who has successfully completed one required term of
 10 service in an approved national service position.

11 “(6) Service as a service-learning coordinator in
 12 a program eligible for funding under subtitle B.

13 “(7) Service as an employee in certain employ-
 14 ment positions that **[are created by a govern-**
 15 **mental entity or a public or private non-**
 16 **profit organization and]** meet human, edu-
 17 cational, environmental, or public safety needs if the
 18 position ^{Service}—

Federal
or
State

19 “(A) ~~has been vacant for not less than~~
 20 ~~twelve months and~~ ^{is unlikely to be filled} in the
 21 next six months due to a shortage of qualified
 22 applicants; or

[Handwritten signature]

Set

23 “(B) is located in an enterprise zone or re-
 24 development area or is otherwise targeted for
 25 special economic incentives.

Underscored
defined

(K) Service in 4 categories in underserved areas

1 “(8) Such other service as the Corporation con-
2 siders to be appropriate.

3 “(c) NATIONAL REGISTRY.—Approved national serv-
4 ice positions designated by the Corporation or a State
5 under section 140 shall be listed in a national registry
6 maintained by the Corporation. Each State authorized to
7 designate approved national service positions under such
8 section shall also be required to maintain a registry of na-
9 tional service positions designated by the State as includ-
10 ing the post-service educational benefit. The Corporation
11 and the States shall make these registries available to the
12 public through college and high school placement offices,
13 employment service centers, volunteer centers, and other
14 entities.

15 "SEC. 142. SELECTION OF INDIVIDUALS TO FILL AN AP-
16 PROVED NATIONAL SERVICE POSITION.

17 “(a) SELECTION PROCESS.—The actual recruitment
18 and selection of an individual to fill a national service posi-
19 tion designated under section 140 as including the post-
20 service educational benefit under part II shall be reserved
21 to the State, Indian tribe, public or private nonprofit orga-
22 nization, institution of higher education, Federal agency,
23 or other entity to which the approved national service posi-
24 tion is distributed under such section.

→ get
to
volunteer
to offer
unmet
needs

1 “(b) NATIONAL RECRUITMENT AND PLACEMENT.—

2 The Corporation shall establish a national system to re-
3 cruit individuals who desire to perform national service
4 and to assist the placement of these individuals in ap-
5 proved national service positions. The Corporation may re-
6 quire as a condition on the designation and distribution
7 of approved national service positions under section 140,
8 or as a condition on the receipt of assistance under sub-
9 title C, that the recipient of approved national service posi-
10 tions fill a certain percentage of such positions with indi-
11 viduals recruited under this subsection. The percentage es-
12 tablished by the Corporation may not exceed ____ percent
13 of the approved national service positions provided to a
14 recipient under section 140 for a fiscal year.

15 “(c) **[New provision]** INFORMATION REGARDING
16 SELECTED INDIVIDUALS.—The recipient of an approved
17 national service position shall promptly provide to the Cor-
18 poration, and update as necessary, the following informa-
19 tion about the individual selected to serve in the position:

20 “(1) The name and social security number of
21 the individual.

22 “(2) The home address of the individual.

23 “(3) The placement of the individual and types
24 of service to be performed.

1 “(4) The term of service to be performed by the
2 individual.

3 **“SEC. 143. APPLICATION TO RECEIVE APPROVED NATIONAL**
4 **SERVICE POSITIONS.**

5 “(a) SUBMISSION REQUIRED.—To be eligible to re-
6 ceive approved national service positions which are distrib-
7 uted for a fiscal year, a State, Indian tribe, public or pri-
8 vate nonprofit organization, institution of higher edu-
9 cation, or Federal agency shall prepare and submit to the
10 Corporation an application at such time and in such man-
11 ner as the Commission may reasonably require. In the
12 case of a State or other applicant also applying for assist-
13 ance under subtitle C, the application required by this sub-
14 section shall be included in the application required under
15 section 124.

16 “(b) CONTENT OF APPLICATION.—An application re-
17 quired by this section shall contain the information re-
18 quired by subsection (b) of section 124, except the guaran-
19 tees and information required by paragraph (7) of such
20 subsection.

21 “(c) SPECIAL RULE FOR STATE APPLICANTS.—The
22 application of a State under this section, whether submit-
23 ted to obtain the allotment of the State under section
24 140(b) or a competitive distribution, shall be submitted
25 by the State Commission on National Service required to

1 be established under section 178 and shall contain the na-
2 tional service plan for the State required under section
3 178A.

4 **"SEC. 144. CONSIDERATION OF APPLICATIONS.**

5 “(a) APPLICATION OF CRITERIA.—The Corporation
6 shall apply the criteria described in section 127(b) in de-
7 termining whether—

8 “(1) to accept an application submitted under
9 section 143; and

10 “(2) to designate national service positions de-
11 scribed in the application as national service posi-
12 tions which include the post-service educational ben-
13 efit under part II as one of the benefits to be pro-
14 vided for successful service in the positions.

15 **“(b) REJECTION OF APPLICATIONS.—**

16 “(1) NOTIFICATION OF STATE APPLICANTS.—If
17 the Corporation rejects an application submitted by
18 a State Commission on National Service under sec-
19 tion 143, the Corporation shall promptly notify the
20 Commission of the reasons for the rejection of the
21 application. The Corporation shall provide the Com-
22 mission with a reasonable opportunity to revise and
23 resubmit the application and may provide technical
24 assistance to the Commission as part of the resub-
25 mission process.

1 “(2) OTHER APPLICANTS.—The Corporation is
2 not required to provide notice to applicants other
3 than States of the failure of the Corporation to ap-
4 prove an application under section 124 for approved
5 national service positions.

6 “PART II—NATIONAL SERVICE TRUST FUND

7 “SEC. 147. ESTABLISHMENT OF THE NATIONAL SERVICE
8 TRUST FUND

9 “[TO BE ADDED]

10 “SEC. 148. INDIVIDUALS ELIGIBLE TO RECEIVE A POST-
11 SERVICE EDUCATIONAL BENEFIT FROM THE
12 TRUST FUND.

13 “(a) ELIGIBLE INDIVIDUALS.—An individual shall
14 receive a post-service educational benefit from the Na-
15 tional Service Trust Fund if the individual—

16 “(1) successfully completes the required term of
17 service described in subsection (b) in a national serv-
18 ice position designated under part I as including the
19 post-service educational benefit as a part of the ben-
20 efits to be provided for service in the position;

21 “(2) was 17 years of age or older at the time
22 the individual began serving in the approved na-
23 tional service position or was a school dropout;

24 “(3) had a high school diploma, or the equiva-
25 lent of such diploma, at the time the individual

1 began serving in the approved national service posi-
2 tion or, in the case of a school dropout, received
3 such a diploma or its equivalent within ____ years
4 after completing the required term of service in the
5 position; and

6 “(4) is a citizen of the United States or lawfully
7 admitted for permanent residence.

8 “(b) TERM OF SERVICE.—The term of service for an
9 approved national service position shall not be less than
10 the full- or part-time term of service specified in section
11 131(b).

12 “(c) LIMITATION ON NUMBER OF TERMS OF SERV-
13 ICE FOR BENEFITS.—Although an individual may serve
14 more than two terms of service described in subsection (b)
15 in an approved national service position, the individual
16 shall receive a post-service educational benefit from the
17 National Service Trust Fund only on the basis of the first
18 two of such terms of service successfully completed.

19 “(d) TIME FOR USE OF EDUCATIONAL BENEFIT.—

20 “(1) FIVE YEAR REQUIREMENT.—An individual
21 eligible to receive a post-service educational benefit
22 under this section shall not receive or use the benefit
23 after the end of the five-year period beginning on
24 the date the individual completed the final required

1 term of service in an approved national service posi-
2 tion that is the basis for receiving the benefit.

3 “(2) EXCEPTION.—Subsection (a) shall not
4 apply if the Corporation determines, on case by case
5 basis, that an individual was unavoidably prevented
6 from using the post-service educational benefit dur-
7 ing such time period.

8 **“SEC. 149. AMOUNT AND AUTHORIZED USES OF THE POST-**
9 **SERVICE EDUCATIONAL BENEFIT.**

10 “(a) AMOUNT GENERALLY.—Except as provided in
11 subsection (b), an individual described in section 148(a)
12 who successfully completes a required term of service in
13 an approved national service position shall receive a post-
14 service educational benefit equal to \$5,000 for each of not
15 more than two such terms of service.

16 “(b) AMOUNT FOR SERVICE AFTER COLLEGE.—An
17 individual described in section 148(a) who **[completes/**
18 **begins?]** a required term of service in an approved na-
19 tional service position after receiving a baccalaureate de-
20 gree from an institution of higher education shall be per-
21 mitted to select one of the following post-service edu-
22 cational benefit options upon successfully completing such
23 term of service:

1 “(1) \$5,000 for each of not more than two suc-
2 cessfully completed terms of service in an approved
3 national service position.

4 “(2) The amount equal to the balance of all
5 qualified Federal student loans on behalf of the indi-
6 vidual which were outstanding on the date the indi-
7 vidual first began serving in an approved national
8 service position after receiving a baccalaureate de-
9 gree, except that such amount shall not exceed
10 \$10,000 for each of not more than two successfully
11 completed terms of service in an approved national
12 service position.

13 “(c) NO BENEFIT FOR PARTIAL COMPLETION OF
14 SERVICE.—If an individual serving in an approved na-
15 tional service position is released from completing the term
16 of service agreed to by the individual, the individual shall
17 not receive any portion of the post-service educational ben-
18 efit approved for the individual.

19 “(d) USE OF EDUCATIONAL BENEFIT.—Except as
20 provided in subsection (e), an individual receiving a post-
21 service educational benefit from the National Service
22 Trust Fund may use the educational benefit only for the
23 following expenses actually incurred by the individual:

24 “(1) Repayment of a qualified Federal student
25 loan issued or insured by the Federal Government

1 under title IV of the Higher Education Act (20
2 U.S.C. 1070 et seq.) or title VII of the Public
3 Health Service Act (42 U.S.C. ____ et seq.).

4 “(2) Cost of attendance at an institution of
5 higher education.

6 “(3) Payment of expenses incurred to receive
7 vocational education provided at a vocational school,
8 as defined in section 435(c) of the Higher Education
9 Act of 1965 (20 U.S.C. 1085(c)).

10 “(4) Payment of expenses incurred in partici-
11 pating in an apprenticeship program approved by
12 the appropriate State agency.

13 “(e) LIMITATION ON USE OF CERTAIN BENEFIT OP-
14 TION.—In the case of an individual described in subsection
15 (b) who selects the post-service educational benefit option
16 specified in paragraph (2) of such subsection, the individ-
17 ual may use the educational benefit only for the repayment
18 of the qualified Federal student loans that were the basis
19 for calculating the amount of the educational benefit.

20 “(f) BENEFIT EXCLUSION FROM GROSS INCOME.—
21 For purposes of section 61 of the Internal Revenue Code
22 of 1986 (26 U.S.C. 61), in the case of an individual, gross
23 income shall not include any amount received as a post-
24 service educational benefit from the National Service
25 Trust Fund.

1 “(g) BENEFIT EXCLUSION FROM MEANS-TESTED
 2 PROGRAMS.—Any amount received by an individual as a
 3 post-service educational benefit from the National Service
 4 Trust Fund shall not be included as income for purposes
 5 of determining eligibility for means-tested Federal pro-
 6 grams. **[Is ‘means-tested Federal programs’ de-
 7 fined somewhere? Are you referring to just
 8 Higher Ed programs?]**

9 “SEC. 150. METHOD FOR USE OF POST-SERVICE EDU-
 10 CATIONAL BENEFITS PROVIDED FROM THE
 11 TRUST FUND.

12 “**[TO BE ADDED]**

13 (b) TABLE OF CONTENTS.—Section 1(b) of the Na-
 14 tional and Community Service Act of 1990 (42 U.S.C.
 15 12401 note) is amended by striking the items relating to
 16 subtitle D of title I of such Act and inserting the following
 17 new items:

 “Subtitle D—Provision of Post-Service Educational Benefits From the
 National Service Trust Fund

 “PART I—DESIGNATION OF NATIONAL SERVICE POSITIONS ELIGIBLE FOR
 POST-SERVICE EDUCATIONAL BENEFITS

 “Sec. 140. Designation and distribution of approved national service positions.
 “Sec. 141. Criteria for designating approved national service positions.
 “Sec. 142. Selection of individuals to fill an approved national service position.
 “Sec. 143. Application to receive approved national service positions.
 “Sec. 144. Consideration of applications.

 “PART II—NATIONAL SERVICE TRUST FUND

 “Sec. 147. Establishment of the National Service Trust Fund
 “Sec. 148. Individuals eligible to receive a post-service educational benefit from
 the Trust Fund.
 “Sec. 149. Amount and authorized uses of the post-service educational benefit.

"Sec. 150. Method for use of post-service educational benefits provided from the Trust Fund."

**COMMITTEE ON EDUCATION AND LABOR**

U.S. HOUSE OF REPRESENTATIVES

2181 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515

(202) 225 4577

FAX - (202) 225-9070

FAX COVER SHEETDATE: 4/1/93

TO:

Jack Lewis

FROM:

Gene SoperNUMBER OF PAGES IN THIS TRANSMISSION: 11

(incl. cover)

COMMENTS:

PLEASE CALL IF THERE ARE ANY PROBLEMS WITH THIS TRANSMISSION.

Needs analysis
conforming amendments

Addressed
in
conforming
amendments

Separate right of action needs to
be created in charter of corporation
Reciprocal notice re: compliance w/ Dept of Ed
Dedicated gifts

Right to
pres. elec
votes

F:\SAC\SAC.008

[DISCUSSION DRAFT]

MARCH 31, 1998

1 "SEC. 147. ESTABLISHMENT OF NATIONAL SERVICE TRUST.

2 "(a) ESTABLISHMENT.—There is established in the
3 Treasury of the United States an account to be known
4 as the National Service Trust. The Trust shall consist
5 of—

6 "(1) such amounts as the Corporation may des-
7 ignate to be available for the payment of post-service
8 educational benefits from the amounts appropriated
9 to the Corporation pursuant to [where is authoriza-
10 tion of appropriations? NOTE: Should include carry-
11 over and advance funding authority.];

12 "(2) any amounts received by the Corporation
13 as gifts or bequests pursuant to [cite authority to
14 receive];

15 "[3] the interest on, and proceeds from the
16 sale or redemption of, any obligations held by the
17 Trust];

18 "[4] other-to be supplied].

19 "(b) INVESTMENT OF TRUST.—It shall be the duty
20 of the Secretary of the Treasury to invest in full the
21 amounts appropriated to the fund. [Except as otherwise
22 expressly provided in gift or bequest instruments agreed
23 to by the Corporation,] such investments may be made

F:\SAC\SAC.003

2

1 only in interest-bearing obligations of the United States
2 or in obligations guaranteed as to both principal and inter-
3 est by the United States. For such purpose, such obliga-
4 tions may be acquired (1) on original issue at the issue
5 price, or (2) by purchase of outstanding obligations at the
6 market place. Any obligation acquired by the fund may
7 be sold by the Secretary at the market price.

8 “(c) **EXPENDITURES FROM TRUST.**—Amounts in the
9 Trust shall be available for payments of post service edu-
10 cational benefits in accordance with section 148.

11 “(d) **REPORTS TO CONGRESS ON RECEIPTS AND EX-**
12 **PENDITURES.**—The Corporation shall submit an annual
13 report to the Congress on the financial status of the Trust.
14 Such report shall—

15 “(1) specify (A) the amount deposited to the
16 Trust from the most recent appropriation to the
17 Corporation, (B) the amount received by the Cor-
18 poration as gifts or bequest during the period cov-
19 ered by the report, and (C) any amounts obtained by
20 the fund pursuant to subsection[s] (a)(3) [and
21 (a)(4)];

22 “(2) identify the number of individuals who are
23 currently performing service to qualify, or have
24 qualified, for post-service educational benefits (A) in

F:\SAC\SAC.003

3

1 accordance with section 149(a), and (B) in accord-
2 ance with section 149(b);

3 “(3) identify the number of individuals whose
4 ability to claim post-service educational benefits has,
5 during the period covered by the report (A) been ter-
6 minated pursuant to section 149(c), or (B) lapsed
7 pursuant to section 148(d);

8 “(4) estimate the number of additional posi-
9 tions which the Corporation will be able to make
10 available under section 140 on the basis of any accu-
11 mulated surplus in the Trust above the amount re-
12 quired to provide post-service educational benefits to
13 individuals identified under paragraph (2);

14 “(5) [other—to be supplied].

F:\SAC\SAC.002

DISCUSSION DRAFT

MARCH 31, 1993

1 "SEC. ____ DISBURSEMENT OF EDUCATIONAL BENEFITS.

2 "(a) IN GENERAL.—Amounts in the Trust shall be
3 available—

4 "(1) to repay student loans in accordance with
5 subsection (b);

6 "(2) to pay all or part of the cost of attendance
7 at an institution of higher education in accordance
8 with subsection (c);

9 "(3) to pay expenses incurred to receive voca-
10 tional education in accordance with subsection (d);
11 and

12 "(4) to pay expenses incurred in participating
13 in an apprenticeship program in accordance with
14 subsection (e).

15 "(b) USE OF EDUCATIONAL BENEFIT TO REPAY
16 OUTSTANDING STUDENT LOANS.—

17 "(1) APPLICATION BY ELIGIBLE INDIVID-
18 UALS.—An eligible individual under section 148 who
19 desires to apply his or her post-service educational
20 benefit to the repayment of qualified student loans
21 shall submit, on a form prescribed by the Cor-
22 poration, an application to the Corporation that—

23 "(A) identifies the lender or lenders of
24 such loans;

F:\SAC\SAC.002

2

1 “(B) indicates the amounts of principal
2 and interest outstanding on the loans; and

3 “(C) contains or is accompanied by such
4 other information as the Corporation may re-
5 quire.

6 “(2) DISBURSEMENT OF REPAYMENTS.—Upon
7 receipt of an application from an eligible individual
8 of an application that complies with paragraph (1),
9 the Corporation shall, as promptly as practicable
10 consistent with paragraph (5), disburse the amount
11 of the post-service educational benefit to which the
12 eligible individual is entitled. Such disbursement
13 shall be made by check or other means that is pay-
14 able to the lender and requires the endorsement or
15 other certification by the eligible individual.

16 “(3) APPLICATION OF DISBURSED AMOUNTS.—
17 If the amount disbursed under paragraph (2) is less
18 than the principal and accrued interest on any quali-
19 fied student loan, such amount shall first be applied
20 to the repayment of principal.

21 “(4) REPORTS BY LENDERS.—Any lender re-
22 ceiving a loan payment pursuant to this subsection
23 shall submit to the Corporation such information as
24 the Corporation may require to verify that such pay-
25 ment was applied in accordance with this subsection

F:\SAC\SAC.002

3

1 and any regulations prescribed to carry out this sub-
2 section.

3 "(5) AUTHORITY TO AGGREGATE PAYMENTS.—

4 The Corporation may, by regulation, provide for the
5 aggregation of payments to lenders under this sub-
6 section. [Timing problems—but will need this to
7 avoid administration costs.]

8 "(6) DEFINITION OF QUALIFIED STUDENT
9 LOANS.—The term 'qualified student loans' means—

10 "(A) any loan made, insured, or guaran-
11 teed pursuant to title IV of the Higher Edu-
12 cation Act of 1965, other than a loan to a par-
13 ent of a student pursuant to section 428B of
14 such Act;

15 "(B) any loan made pursuant to title VII
16 of the Public Health Service Act;

17 "(C) [other - to be supplied]

18 (7) [other - to be supplied]

19 "(c) USE OF EDUCATIONAL BENEFITS TO PAY CUR-
20 RENT EDUCATIONAL EXPENSES.—

21 "(1) APPLICATION BY ELIGIBLE INDIVIDUAL.—

22 An eligible individual under section 148 who desires
23 to apply his or her post-service educational benefit
24 to the payment of current educational expenses
25 shall, on a form prescribed by the Corporation, sub-

F:\SAC\SAC.002

4

1 mit an application to the institution in which stu-
2 dent will be enrolled that contains such information
3 as the Corporation may require to verify the individ-
4 ual's eligibility.

5 “(2) SUBMISSION OF REQUESTS FOR PAYMENT
6 BY INSTITUTIONS.—An institution of higher edu-
7 cation that receives one or more applications that
8 comply with paragraph (1) [may/shall] submit to
9 the Corporation a statement, in a form prescribed by
10 the Corporation, that—

11 “(A) identifies the eligible individuals filing
12 applications under paragraph (1) for a dis-
13 bursement of the individual's post-service edu-
14 cational benefit under this subsection;

15 “(B) specifies the amounts for which such
16 eligible individuals are, consistent with para-
17 graph (6), qualified for disbursement under this
18 subsection;

19 “(C) certifies that (i) the institution has in
20 effect a program participation agreement under
21 section 487 of the Higher Education Act of
22 1965 (20 U.S.C. 1094), and (ii) the institu-
23 tion's eligibility to participate in programs
24 under title IV of such Act has not been limited,
25 suspended, or terminated; and

F:\SAC\SAC.002

5

1 “(D) contains such provisions concerning
2 **[financial compliance]** as the Corporation may
3 require.

4 “(3) DISBURSEMENT OF PAYMENTS.—Upon re-
5 ceipt of a statement from an institution that com-
6 plies with paragraph (2), the Corporation shall, sub-
7 ject to paragraph (4), disburse the total amount of
8 the post-service educational benefits for which eligi-
9 ble individuals who have submitted applications to
10 that institution under paragraph (1) are qualified.
11 Such disbursement shall be made by check or other
12 means that is payable to the institution and requires
13 the endorsement or other certification by the eligible
14 individual.

15 “(4) MULTIPLE DISBURSEMENTS REQUIRED.—
16 The total amount required to be disbursed to an in-
17 stitution under paragraph (3) for any period of en-
18 rollment shall be disbursed by the Corporation in 2
19 or more installments, none of which exceeds $\frac{1}{2}$ of
20 such total amount. The interval between the first
21 and second such installment shall not be less than
22 $\frac{1}{2}$ of such period of enrollment, except as necessary
23 to permit the second installment to be paid at the
24 beginning of the second semester, quarter, or similar
25 division of such period of enrollment.

F:\SAC\SAC.002

6

1 “(5) REFUND RULES.—The Corporation shall,
2 by regulation, provide for the refund to the Cor-
3 poration (and the crediting to the post-service edu-
4 cational benefit of an eligible individual) of amounts
5 disbursed to institutions for the benefit of eligible in-
6 dividuals who withdraw or otherwise fail to complete
7 the period of enrollment for which the assistance
8 was provided. Such regulations shall [be consistent
9 with the fair and equitable refund policies required
10 of institutions pursuant to section 484B of the
11 Higher Education Act of 1965].

12 “(6) MAXIMUM BENEFIT.—The portion of an
13 eligible individual's total available post-service edu-
14 cational benefit that may be disbursed under this
15 subsection for any period of enrollment shall not ex-
16 ceed the difference between—

17 “(A) the eligible individual's cost of attend-
18 ance for such period of enrollment, determined
19 in accordance with section 472 of the Higher
20 Education Act of 1965; and

21 “(B) the student's estimated financial as-
22 sistance for such period pursuant to part A of
23 title IV of such Act, [and veteran's assistance
24 and work-study?].

25 “(7) [Other to be supplied].—

FASAC\SAC.002

7

1 “(d) USE OF EDUCATION BENEFIT TO RECEIVE VO-
2 CATIONAL EDUCATION.—

3 **[to be supplied]**

4 “(e) USE OF EDUCATIONAL BENEFIT TO PARTICI-
5 PATE IN APPRENTICESHIP PROGRAMS.—

6 **[to be supplied]**

7 “(f) GENERAL ADMINISTRATIVE PROVISIONS.—

8 **[to be supplied - may already be located in**
9 **general Corporation powers.]**

10 “(g) **[Addition Provisions - to be supplied].**

> s c y h
h y s in
corporate
if
D = C

Take to DoL

1 (c) CONFORMING AMENDMENTS.—

2 [(1) IMPACT ON ELIGIBILITY FOR STAFFORD
3 LOANS.—Section 428(a)(2)(C)(i) of the Higher Edu-
4 cation Act of 1965 (20 U.S.C. 1078(a)(2)(C)(i)) is
5 amended by inserting after “parts A and C of this
6 title,” the following: “any post-service educational
7 benefit such student will receive under subtitle D of
8 title I of the National and Community Service Act
9 of 1990 (42 U.S.C. 12751 et seq.),”.] [This at-
10 tempts to prevent “overborrowing” of subsidized
11 loans by service benefit recipients.]

12 [(2) IMPACT ON GENERAL NEEDS ANALYSIS.—
13 Section 480(j) of such Act (42 U.S.C. 1087vv(j)) is
14 amended by adding at the end the following new
15 paragraph:

16 [“(3) Notwithstanding paragraph (1), esti-
17 mated financial assistance not received under this
18 title does not include any post-service educational
19 benefit such student will receive under subtitle D of
20 title I of the National and Community Service Act
21 of 1990 (42 U.S.C. 12751 et seq.),”.] [This at-
22 tempts to prevent reduction of grants to service ben-
23 efit recipients.]

24 (3) [Need to amend 480(b)(7)?]

1 **SEC. 102. SERVICE PROGRAMS.**

2 (a) PROGRAMS.—Subtitle B of title I of the National
3 and Community Service Act of 1990 (42 U.S.C. 12501
4 et seq.) is amended to read as follows:

5 **“Subtitle B—Programs for Students**
6 **and Out-of-School Youth**

7 **“PART I—SERVE-AMERICA**

8 **“Subpart A—General Provisions**

9 **“SEC. 110. SHORT TITLE.**

10 “This subtitle may be cited as the ‘Serve-America:
11 The Community Service, Schools and Service-Learning
12 Act of 1990’.

13 **“SEC. 110A. PURPOSE.**

14 “The purpose of this part is to enable the Corpora-
15 tion, and the entities receiving financial assistance under
16 this part, to—

17 “(1) work with teachers in elementary schools
18 and secondary schools within a community, and with
19 community-based agencies, to create and offer serv-
20 ice-learning opportunities for all school-aged youth,
21 which opportunities may be offered at any time dur-
22 ing the calendar year;

23 “(2) educate teachers, and faculty providing
24 teacher training and retraining, about service-learn-
25 ing, and incorporate service-learning opportunities

1 into classroom teaching to strengthen academic
2 learning;

3 “(3) coordinate the work of students who at-
4 tend institutions of higher education and other adult
5 volunteers who work with elementary and secondary
6 schools as part of their community service activities;
7 and

8 “(4) work with employers in the communities to
9 ensure that service opportunities for middle and high
10 school students introduce students to various careers
11 and expose the students to needed further education
12 and training.

13 **“SEC. 110B. DEFINITION.**

14 “As used in this part, the term ‘school’ means an ele-
15 mentary school or a secondary school.

16 **“SEC. 110C. AVAILABILITY OF APPROPRIATIONS.**

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

19 “(1) a sum equal to 85 percent of such amount
20 shall be available to carry out subpart B; and

21 “(2) a sum equal to 15 percent of such amount
22 shall be available to carry out subpart C.

1 **“Subpart B—Grants and Allotments Through States**

2 **“SEC. 111. GENERAL AUTHORITY.**

3 “(a) IN GENERAL.—The Director, in consultation
4 with the Secretary of Education, may make grants under
5 section 112(b)(1) and allotments under section 112(b)(2)
6 to States or, in a case described in subsection (b), local
7 applicants, to pay for the Federal share of—

8 “(1) planning and building State capacity
9 (which may be accomplished through grants and
10 contracts with qualified organizations) for imple-
11 menting statewide, school-based service-learning pro-
12 grams, including—

13 “(A) providing preservice and in-service
14 training for teachers, supervisors, personnel
15 from community-based agencies (particularly
16 with regard to the utilization of young volun-
17 teers), and trainers, in which **【service-learning】**
18 activities will be conducted by qualified individ-
19 uals or organizations that have experience in
20 service-learning programs;

21 “(B) developing service-learning curricula,
22 including age-appropriate learning components
23 for students to analyze and apply their service
24 experiences;

1 “(C) forming local partnerships to develop
2 school-based community service programs in
3 accordance with this subpart;

4 “(D) devising appropriate methods for re-
5 search and evaluation of the educational value
6 of youth service opportunities and the effect of
7 youth service programs on communities;

8 “(E) establishing effective outreach and
9 dissemination to ensure the broadest possible
10 involvement of nonprofit community-based
11 agencies and **【youth-service agencies】** with
12 demonstrated effectiveness in their commu-
13 nities;

14 “(F) integrating service-learning into aca-
15 demic curricula; and

16 “(G) establishing State resource centers to
17 assist elementary or secondary schools, or com-
18 munities, that desire to establish service-learn-
19 ing programs;

20 “(2) implementing, operating, or expanding
21 statewide, school-based service-learning programs,
22 which may include paying for the cost of the recruit-
23 ment, training, supervision, placement, salaries, and
24 benefits of service learning coordinators, through

1 State distribution of Federal funds made available
2 under this subpart to projects and activities that—

3 “(A) may be carried out during any part
4 of the calendar year; and

5 “(B) shall be operated by local partner-
6 ships among—

7 “(i) local educational agencies; and

8 “(ii) one or more community partners
9 that—

10 “(I) shall include a public or pri-
11 vate nonprofit organization that will
12 make service opportunities available
13 for participants; and

14 “(II) may include a private for-
15 profit business organization or private
16 elementary or secondary school;

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

22 “(A) the salaries and benefits of service-
23 learning coordinators; or

24 “(B) the recruitment, training, supervision,
25 and placement of service-learning coordinators

1 who are participants in a program under sub-
2 title C or receive a post-service educational ben-
3 efit under subtitle D,

4 who will identify the community partners described
5 in paragraph (2)(B)(ii) and assist in the design and
6 implementation of a program described in paragraph
7 (2); and

8 “(4) implementing, operating, or expanding
9 programs involving adult volunteers in schools, or
10 partnerships of schools and public or private organi-
11 zations, to utilize service-learning to improve the
12 education of at-risk students, school dropouts, and
13 out-of-school youth through State distribution of
14 Federal funds made available under this part to
15 projects and activities coordinated and operated by
16 local partnerships among—

17 “(A) local education agencies; and

18 “(B) one or more public or private non-
19 profit organization or private for-profit busi-
20 ness.

21 “(b) DIRECT GRANTS.—In any fiscal year in which
22 a State does not participate in programs under this sub-
23 part, the Director may use the allotment of that State
24 under subsection (a) or (b)(2) of section 112 to make di-
25 rect grants for the purposes described in paragraph (2),

1 (3), or (4) of subsection (a) to local applicants in that
2 State who submit **【to the Director】** an application de-
3 scribed in section 114. The Director shall consider the cri-
4 teria described in section 115(a) in evaluating such local
5 applications.

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

7 “(a) INDIAN TRIBES AND TERRITORIES.—Of the
8 amounts appropriated to carry out this subpart for any
9 fiscal year, the Director shall reserve not more than 1 per-
10 cent for payments to Indian tribes, the Virgin Islands,
11 Guam, American Samoa, the Commonwealth of the North-
12 ern Mariana Islands and Palau, until such time as the
13 Compact of Free Association is ratified, to be allotted in
14 accordance with their respective needs.

15 “(b) GRANTS AND ALLOTMENTS THROUGH
16 STATES.—The Director shall use the remainder of the
17 funds appropriated to carry out this subpart for any fiscal
18 year as follows:

19 “(1) GRANTS.—Except as provided in para-
20 graph (3), from **【25 percent】** of such funds, the Di-
21 rector may make grants to State educational agen-
22 cies on a competitive basis.

23 “(2) ALLOTMENTS.—

24 “(A) SCHOOL-AGED YOUTH.—Except as
25 provided in paragraph (3), from **【37.5 percent】**

1 of such funds, the Director shall allot to each
2 State an amount that bears the same ratio to
3 **【37.5 percent】** of such funds as the number of
4 school-aged youth in the State bears to the
5 total number of school-aged youth of all States.

6 (B) ALLOCATION UNDER ELEMENTARY
7 AND SECONDARY EDUCATION ACT OF 1965.—
8 Except as provided in paragraph (3), from
9 **【37.5 percent】** of such funds, the Director
10 shall allot to each State an amount that bears
11 the same ratio to **【37.5 percent】** of such funds
12 as the allocation to the State for the previous
13 fiscal year under chapter 1 of title I of the Ele-
14 mentary and Secondary Education Act of 1965
15 bears to such allocations to all States.

16 (3) MINIMUM AMOUNT.—No State shall re-
17 ceive, under paragraph (2), an allotment that is less
18 than the allotment such State received under this
19 subsection for fiscal year 1993. If the amount of
20 funds made available in a fiscal year to carry out
21 paragraph (2) is insufficient to make such allot-
22 ments, the Director shall make available sums from
23 the 25 percent described in paragraph (1) for such
24 fiscal year to make such allotments.

1 “(4) DEFINITION.—Notwithstanding section
2 101(26), for purposes of this [subsection], the term
3 “State” means each of the several States, the Dis-
4 trict of Columbia, and the Commonwealth of Puerto
5 Rico.

6 “(c) REALLOTMENT.—The amount of the allotment
7 of any State for any fiscal year under this section that
8 the Director determines will not be required for that fiscal
9 year shall be available for reallotment to such other States
10 as the Director may determine to be appropriate.

11 “(d) EXCEPTION.—Notwithstanding this section, if
12 less than \$20,000,000 is made available in any fiscal year
13 to carry out this subpart, the Director shall award grants
14 to States and Indian tribes on a competitive basis.

15 **“SEC. 113. STATE APPLICATION.**

16 “(a) SUBMISSION.—To be eligible to receive a grant
17 under section 112(b)(1) or an allotment under section
18 112(b)(2) under this subpart a State, acting through the
19 State educational agency or equivalent agency, or an In-
20 dian tribe, shall prepare and submit to the Director an
21 application at such time and in such manner as the Direc-
22 tor may reasonably require.

23 “(b) CONTENTS.—An application required by this
24 section shall contain—

1 “(1) a 3-year strategic plan for promoting serv-
2 ice-learning through the programs carried out using
3 such grant or allotment, which plan shall contain—

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

7 “(B) a description of the resources and or-
8 ganization needed to achieve the goals of such
9 programs within schools; and

10 “(C) a description of the manner in
11 which—

12 “(i) the programs will promote in-
13 volvement in service-learning activities
14 within the State and within grade schools,
15 middle schools, and high schools;

16 “(ii) the State will evaluate the extent
17 of community involvement in service-learn-
18 ing programs within schools;

19 “(iii) the programs and activities car-
20 ried out by the State prior to the date of
21 submission of the application relate to the
22 goals described in subparagraph (A); and

23 “(iv) the State will evaluate the suc-
24 cess of the programs, with respect to the

1 State, a local educational agency, or a
2 school;

3 “(2) a State plan containing—

4 “(A) a description of the program goals of
5 the programs to be carried out using such grant
6 or allotment; **【duplication?】**

7 “(B) a description of the manner in
8 which—

9 “(i) local applications relating to the
10 programs will be ranked by the State ac-
11 cording to the criteria described in section
12 115(a), and in a manner that ensures the
13 equitable treatment of local applications
14 submitted by both local educational agen-
15 cies and community-based agencies;

16 “(ii) the programs will be coordinated
17 with other service programs within the
18 State and with other federally assisted
19 education programs, training programs, so-
20 cial service programs, and other appro-
21 priate programs that serve youth;

22 “(iii) cooperative efforts will be en-
23 couraged among the local educational
24 agencies, local government agencies, com-
25 munity-based agencies, businesses, and

1 State agencies, that will carry out such
2 programs to develop and provide service
3 opportunities, including those that involve
4 the participation of urban, suburban, and
5 rural youth working together;

6 “(iv) economically and educationally
7 disadvantaged youths, including individuals
8 with disabilities, youth with limited basic
9 skills or learning disabilities, youth in fos-
10 ter care who are becoming too old for fos-
11 ter care, youth of limited English pro-
12 ficiency, homeless youth and youth with
13 disabilities, are assured of service opportu-
14 nities in such programs;

15 “(v) the State will evaluate the pro-
16 grams and measure the progress of the
17 programs toward the goals described in
18 subparagraph (A);

19 “(vi) the programs will target and
20 serve urban and rural areas and any tribal
21 areas that exist within such State;

22 “(vii) service-learning training and
23 technical assistance will be provided
24 through the programs to State education
25 agency employees, federally assisted edu-

1 cation specialists in the State, local edu-
2 cational agencies, and local grant recipi-
3 ents, by qualified and experienced individ-
4 uals employed by the State or through
5 grant or contract with experienced content
6 specialist and youth service resource orga-
7 nizations;

8 “(viii) non-Federal assistance will be
9 used to expand service opportunities for
10 students and out-of-school youth through
11 the programs; and

12 “(ix) information and outreach serv-
13 ices will be disseminated and utilized to en-
14 sure the involvement of a broad range of
15 organizations, particularly community-
16 based agencies, in the programs; and

17 “(C) a description of the relationship be-
18 tween the programs and the school reform ef-
19 forts of the State;

20 “(3) assurances that—

21 “(A) the programs will target and serve
22 urban and rural areas and any tribal areas that
23 exist within such State;

24 “(B) the State will keep such records and
25 provide such information to the Director with

1 respect to the programs as may be required for
2 fiscal audits and program evaluation; and

3 “(C) the State (acting through the State
4 educational agency) will—

5 “(i) educate the personnel of such
6 agency about service-learning;

7 “(ii) establish a service-learning net-
8 work within the State, comprised of expert
9 teachers and administrators who have im-
10 plemented successful service-learning pro-
11 grams within the State;

12 “(iii) foster an exchange of informa-
13 tion among teachers and administrators in
14 federally assisted programs regarding
15 methods of integrating service-learning
16 into their programs; and

17 “(iv) educate personnel of local edu-
18 cational agencies about the availability of
19 Federal funds under this subtitle, and
20 raise the awareness of service-learning
21 among such personnel; and

22 “(4) such additional information as the Direc-
23 tor may reasonably require.

1 **“SEC. 114. LOCAL APPLICATIONS.**

2 “(a) IN GENERAL.—A partnership that desires to re-
3 ceive financial assistance for a program under this subpart
4 shall prepare and submit to the State Educational Agency
5 a proposal for the program that meets the requirements
6 of this section. Such proposal shall be submitted at such
7 time, in such manner, and containing such information as
8 the State Educational Agency may reasonably require.

9 “(b) REQUIREMENTS OF PROPOSAL.—A proposal
10 with respect to a program that is submitted under sub-
11 section (a) shall, at a minimum, contain—

12 “(1) information specifying the membership and
13 role of an established advisory committee, consisting
14 of representatives of community-based agencies in-
15 cluding community action agencies, service recipi-
16 ents, youth-serving agencies, youth, parents, teach-
17 ers, administrators, agencies that serve older adults,
18 school board members, labor, and business, that will
19 provide advice with respect to the program;

20 “(2) a description of—

21 “(A) the goals of the program which shall
22 include goals that are quantifiable, measurable,
23 and demonstrate any benefits that flow from
24 the program to the participants and the com-
25 munity;

1 “(B) service opportunities to be provided
2 under the program that shall include evidence
3 that participants will make a sustained commit-
4 ment to the service project;

5 “(C) the manner in which participants in
6 the program were or will be involved in the de-
7 sign and operation of the program;

8 “(D) the qualifications, and responsibilities
9 of the coordinator of the program assisted
10 under this subpart;

11 “(E) preservice and inservice training for
12 supervisors, teachers, and participants in the
13 program;

14 “(F) the manner in which exemplary serv-
15 ice will be recognized under the program; and

16 “(G) any potential resources that will per-
17 mit continuation of the program, if needed,
18 after the assistance received under this subpart
19 has ended;

20 “(3) information that shall include—

21 “(A) a disclosure of whether or not the
22 participants will receive academic credit for par-
23 ticipation in the program;

24 “(B) the target levels of participants in the
25 program and the target levels for the hours of

1 service that such participants will provide indi-
2 vidually and as a group;

3 “(C) the proportion of expected partici-
4 pants in the program who are educationally or
5 economically disadvantaged, including partici-
6 pants with disabilities;

7 “(D) the ages or grade levels of expected
8 participants in the program;

9 “(E) other relevant demographic informa-
10 tion concerning such expected participants; and

11 “(F) the role of adult volunteers and of the
12 members of the local partnership described in
13 section 111 in implementing the program, and
14 the manner in which such volunteers and mem-
15 bers will be recruited;

16 “(4) a written agreement, between the members
17 of the local partnership, stating that the program
18 was jointly developed by the parties and that the
19 program will be jointly executed by the parties; and

20 “(5) assurances that—

21 “(A) prior to the placement of a partici-
22 pant, the program will consult with any local
23 labor organization representing employees in
24 the area who are engaged in the same or simi-

1 lar work as that proposed to be carried out by
2 such program;

3 “(B) the applicant will develop an age-ap-
4 propriate learning component for participants
5 in the program that shall include a chance for
6 participants to reflect on service experiences
7 and expected learning outcomes; and

8 “(C) participants in the program will be
9 provided with information concerning VISTA,
10 the Peace Corps (as established by the Peace
11 Corps Act (22 U.S.C. 2501 et seq.)), chapter
12 30 of title 38, United States Code, chapter 106
13 of title 10, United States Code, full-time pro-
14 grams receiving assistance under this title, and
15 other service options and their benefits (such as
16 student loan deferment and forgiveness) as ap-
17 propriate.

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

19 “(a) PRIORITY.—In providing assistance under this
20 subpart, the State educational agency, or the Director if
21 section 111(b) applies, shall give priority to applications
22 submitted under section 114 that describe programs
23 that—

24 “(1) involve participants in the design and op-
25 eration of the program;

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

3 “(3) involve students from both public and pri-
4 vate elementary and secondary schools or individuals
5 of different ages, races, sexes, ethnic groups, disabil-
6 ities and economic backgrounds serving together; or

7 “(4) are integrated into the academic program.

8 “(b) REJECTION OF APPLICATIONS.—

9 “(1) NOTIFICATION OF APPLICANTS.—If the
10 Director rejects an application submitted by a State
11 or Indian tribe under section 113, the Director shall
12 promptly notify the State or Indian tribe of the rea-
13 sons for the rejection of the application. The Direc-
14 tor shall provide the State or Indian tribe with a
15 reasonable opportunity to revise and resubmit the
16 application and may provide technical assistance to
17 the State or Indian tribe as part of the resubmission
18 process.

19 “(2) OTHER APPLICANTS.—The Director is not
20 required to provide notice to applicants other than
21 States and Indian tribes of the failure of the Direc-
22 tor to approve an application under section 114 for
23 assistance.

24 “(c) 【Application to secondary grants?】

1 **“SEC. 115A. PARTICIPATION OF CHILDREN AND TEACHERS**
2 **FROM PRIVATE SCHOOLS.**

3 “(a) IN GENERAL.—To the extent consistent with the
4 number of children in the State or in the school district
5 of the local educational agency involved who are enrolled
6 in private nonprofit elementary and secondary schools,
7 such State or agency shall (after consultation with appro-
8 priate private school representatives) make provision—

9 “(1) for the inclusion of services and arrange-
10 ments for the benefit of such children so as to as-
11 sure the equitable participation of such children in
12 the programs or projects implemented to carry out
13 the purposes and provide the benefits described in
14 this subpart; and

15 “(2) for the training of the teachers of such
16 children so as to assure the equitable participation
17 of such teachers in the programs or projects imple-
18 mented to carry out the purposes and provide the
19 benefits described in this subpart.

20 “(b) WAIVER.—If a State or local educational agency
21 or institution of higher education is prohibited by law from
22 providing for the participation of children or teachers from
23 private nonprofit schools as required by subsection (a), or
24 if the Director determines that a State or local educational
25 agency substantially fails or is unwilling to provide for
26 such participation on an equitable basis, the Director shall

1 waive such requirements and shall arrange for the provi-
2 sion of services to such children and teachers. Such waiv-
3 ers shall be subject to consultation, withholding, notice,
4 and judicial review requirements in accordance with sec-
5 tion 1017 of the Elementary and Secondary Education
6 Act of 1965.

7 **"SEC. 116. FEDERAL, STATE, AND LOCAL CONTRIBUTIONS.**

8 "(a) FEDERAL SHARE.—

9 "(1) IN GENERAL.—The Federal share attrib-
10 utable to this subpart of the cost of carrying out a
11 project for which a grant or allotment is made under
12 this subpart may not exceed—

13 "(A) 90 percent of the total cost of the
14 project for the first year for which the project
15 receives assistance under this subpart;

16 "(B) 80 percent of the total cost of the
17 project for the second year for which the project
18 receives assistance under this subpart;

19 "(C) 70 percent of the total cost of the
20 project for the third year for which the project
21 receives assistance under this subpart; and

22 "(D) 50 percent of the total cost of the
23 project for the fourth year, and for any subse-
24 quent year, for which the project receives assist-
25 ance under this subpart.

1 “(2) CALCULATION.—In providing for the re-
2 maining share of the cost of carrying out such a
3 project, each recipient of assistance under this sub-
4 part shall provide for such share through a payment
5 in cash or in kind fairly evaluated, including facili-
6 ties, equipment, or services.

7 “(b) WAIVER.—The Director may waive the require-
8 ments of subsection (a) with respect to any project in any
9 fiscal year if the Director determines that such a waiver
10 would be equitable due to a lack of available financial re-
11 sources at the local level.

12 **“SEC. 117. USES OF FUNDS; LIMITATIONS.**

13 “(a) STATE USES OF FUNDS.—The State edu-
14 cational agency may reserve, from funds made available
15 to such agency under this subpart—

16 “(1) not more than 5 percent of such funds for
17 administrative costs for any fiscal year; and

18 “(2) not less than 10 percent and not more
19 than 15 percent of such funds to build capacity
20 through training, technical assistance, curriculum
21 development, and coordination activities, described
22 in section 111(a)(1).

23 “(b) AUTHORIZED ACTIVITIES FOR LOCAL
24 PROJECTS.—

1 “(1) IN GENERAL.—Local projects may use
2 funds made available under this subpart for the sal-
3 aries and benefits of service-learning coordinators,
4 the supervision of participating students, program
5 administration, training, reasonable transportation
6 costs, insurance, evaluations, and for other reason-
7 able expenses.

8 “(2) LIMITATION.—Funds made available
9 under this subpart may not be used to pay any sti-
10 pend, allowance, or other financial support to any el-
11 ementary or secondary school student who is a par-
12 ticipant under this subtitle, except reimbursement
13 for transportation, meals, and other reasonable out-
14 of-pocket expenses directly related to participation in
15 a program assisted under this subpart.

16 **“Subpart C—Community-Based Service Programs for**
17 **School-Aged Youth**

18 **“SEC. 117E. GENERAL AUTHORITY.**

19 “(a) GRANTS.—From the funds appropriated to
20 carry out this subpart for a fiscal year, the Director may
21 make grants to State Commissions and public or private
22 nonprofit organizations to pay for the Federal share of
23 the implementation, operation, expansion, or replication of
24 community-based service programs through distribution of

1 such funds, by the Commissions or organizations, to
2 projects and activities operated by eligible entities.

3 “(b) USE OF FUNDS.—An entity may use a grant
4 made under subsection (a)—

5 “(1) to implement, operate, expand, or replicate
6 a program that provides for meaningful human, edu-
7 cational, environmental, or public safety service by
8 school-aged youth; or

9 “(2)(A) to make grants to eligible entities to
10 implement, operate, expand, or replicate such a pro-
11 gram; and

12 “(B) to provide technical assistance to such en-
13 tities.

14 “(c) OPERATION.—Such a program may be operated
15 during any part of a calendar year.

16 **“SEC. 117F. STATE APPLICATIONS.**

17 “To be eligible to receive a grant under this subpart,
18 a State Commission shall prepare and submit to the Direc-
19 tor an application that includes a State plan that contains
20 the descriptions and proposals described in section 117G
21 with respect to each community-based service program
22 proposed to be carried out by the State Commission under
23 this subpart.

1 **“SEC. 117G. LOCAL APPLICATIONS.**

2 “(a) PUBLIC OR PRIVATE NONPROFIT ORGANIZA-
3 TION.—To be eligible to receive a grant under this sub-
4 part, a public or private nonprofit organization shall pre-
5 pare and submit to the Director an application that meets
6 the requirements of this section, and that proposes a com-
7 munity-based service program to be carried out at multiple
8 sites or through grants made to eligible entities. Such ap-
9 plication shall be submitted at such time and in such man-
10 ner as the Director may reasonably require.

11 “(b) IN GENERAL.—To be eligible to receive funding
12 distributed by a State Commission under this subpart, an
13 eligible entity under this subpart shall prepare and submit
14 to the State Commission an application that meets the re-
15 quirements of this section. Such application shall be sub-
16 mitted at such time and in such manner as the State Com-
17 mission may reasonably require.

18 “(c) REQUIREMENTS OF APPLICATION.—An applica-
19 tion submitted under subsection (a) or (b) shall contain—

20 “(1) a description of all community-based serv-
21 ice programs proposed to be implemented, operated,
22 expanded, or replicated directly by the applicant
23 using assistance provided under this subpart;

24 “(2) a description of any grant program pro-
25 posed to be conducted by the applicant with assist-
26 ance provided under this subpart to support other

1 community-based service programs; **【None of the**
2 other application requirements of section 124 ap-
3 peared to be relevant. Please confirm.】

4 “(3) a proposal for carrying out the commu-
5 nity-based service programs that describes the man-
6 ner in which the eligible entity will—

7 “(A) provide preservice and in-service
8 training for supervisors and participants that
9 will be conducted by qualified individuals or or-
10 ganizations that have experience in community-
11 based service programs;

12 “(B) include economically disadvantaged
13 individuals as participants in the programs;

14 “(C) provide an age-appropriate service-
15 learning component for participants in the pro-
16 grams that shall include a chance for partici-
17 pants to reflect on service experiences and ex-
18 pected learning outcomes;

19 “(D) conduct an appropriate evaluation of
20 the programs;

21 “(E) provide for appropriate community
22 involvement in the programs;

23 “(F) provide service experiences that pro-
24 mote youth leadership abilities among partici-
25 pants in the programs;

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

3 “(H) establish and measure progress to-
4 ward program goals; and

5 “(I) organize youth who are participants in
6 the programs into teams, with team leaders who
7 may be participants in a program under subtitle
8 C or individuals who receive a post-service edu-
9 cational benefit under subtitle D; and

10 “(4) such other information as the State Com-
11 mission or the Director, as appropriate, may reason-
12 ably require.

13 “(c) ELIGIBLE ENTITIES.—Entities that are public
14 or private nonprofit organizations with experience working
15 with school-aged youth shall be eligible to receive financial
16 assistance under this subpart.

17 **“SEC. 117H. CONSIDERATION OF APPLICATIONS.**

18 “(a) APPLICATION OF CRITERIA.—The Director shall
19 apply the criteria described in subsection (b) in determin-
20 ing whether to approve an application submitted under
21 section 117F or 177G(b) and to provide assistance under
22 section 117E to the applicant on the basis of the applica-
23 tion.

24 “(b) ASSISTANCE CRITERIA.—The Director shall
25 consider, in evaluating such applications—

1 “(1) in the case of an application submitted by
2 a State Commission, the quality of the State plan
3 for the State required under section 117F;

4 “(2) the quality of the community-based service
5 programs to be conducted directly or supported by
6 the applicant, based on the extent to which the
7 programs—

8 “(A) offer valuable services in those
9 communities—

10 “(i) where such services are needed
11 most, such as communities designated as
12 enterprise zones or redevelopment areas or
13 otherwise targeted for special economic in-
14 centives; and

15 “(ii) where community-based service
16 programs do not currently exist or are cur-
17 rently too limited to meet community
18 needs;

19 “(B) provide participants with productive,
20 meaningful, and educational experiences that
21 incorporate service-learning methods;

22 “(C) involve the participants, including
23 youth, in the design, operation, and leadership
24 of the program;

1 “(D) involve individuals from diverse back-
2 grounds (including economically disadvantaged
3 youth) to the maximum extent practicable; and

4 “(E) develop the leadership skills of par-
5 ticipants;

6 “(3) the quality of the leadership and manage-
7 ment of the community-based service programs to be
8 conducted directly or supported by the applicant, as
9 measured by—

10 “(A) the qualifications of the principal
11 leaders of the programs; and

12 “(B) the plans and processes for recruit-
13 ment, training, supervision, participant support,
14 evaluation, administration and other key activi-
15 ties;

16 “(4) any innovative aspects of the proposed
17 community-based service programs, such as—

18 “(A) the ability of the programs to ad-
19 vance knowledge about effective community
20 service in ways that will be broadly applicable
21 beyond the program location; and

22 “(B) the approach to evaluation and other
23 means of learning from the experience of the
24 programs;

1 “(5) the replicability of the proposed commu-
2 nity-based service programs, based on the ability and
3 willingness of the programs to assist other persons
4 in learning from the experience and replicating the
5 approach of the programs; and

6 “(6) **【the diversity of the funding sources pro-**
7 posed to be used by the applicant to provide for the
8 remaining share described in section
9 117I(a)(2).**】****【None of the other application require-**
10 ments appeared to be relevant. Please confirm.**】**

11 “(c) REJECTION OF APPLICATIONS.—

12 “(1) NOTIFICATION OF STATE APPLICANTS.—If
13 the Director rejects an application submitted by a
14 State Commission under section 117F, the Director
15 shall promptly notify the Commission of the reasons
16 for the rejection of the application. The Director
17 shall provide the Commission with a reasonable op-
18 portunity to revise and resubmit the application and
19 may provide technical assistance to the Director as
20 part of the resubmission process.

21 “(2) OTHER APPLICANTS.—The Director is not
22 required to provide notice to applicants of the failure
23 of the Director to approve an application under sec-
24 tion 117G(b) for assistance.

“(d) APPLICATION TO SECONDARY GRANTS.—A State Commission or other applicant that conducts a grant program with assistance provided under section 117E shall use the criteria described in subsection (b) whenever considering applications submitted by eligible entities to receive a portion of such assistance.

“SEC. 117I. FEDERAL, STATE, AND LOCAL CONTRIBUTIONS.

“(a) FEDERAL SHARE.—

“(1) IN GENERAL.—The Federal share attributable to this subpart of the cost of carrying out a project for which a grant or allotment is made under this subpart may not exceed—

“(A) 90 percent of the total cost of the project for the first year for which the project receives assistance under this subpart;

“(B) 80 percent of the total cost of the project for the second year for which the project receives assistance under this subpart;

“(C) 70 percent of the total cost of the project for the third year for which the project receives assistance under this subpart; and

“(D) 50 percent of the total cost of the project for the fourth year, and for any subsequent year, for which the project receives assistance under this subpart.

1 “(2) CALCULATION.—In providing for the re-
2 maining share of the cost of carrying out such a
3 project, each recipient of assistance under this sub-
4 part shall provide for such share through a payment
5 in cash or in kind fairly evaluated, including facili-
6 ties, equipment, or services.

7 “(b) WAIVER.—The Director may waive the require-
8 ments of subsection (a) with respect to any project in any
9 fiscal year if the Director determines that such a waiver
10 would be equitable due to a lack of available financial re-
11 sources at the local level.

12 **“SEC. 117J. USES OF FUNDS; LIMITATIONS.**

13 “A State Commission or organization that receive a
14 grant under this subpart may reserve, from funds made
15 available to such Commission or organization under this
16 subpart, not more than 5 percent of such funds for admin-
17 istrative costs for any fiscal year.

18 **“PART II—HIGHER EDUCATION INNOVATIVE**
19 **PROJECTS FOR COMMUNITY SERVICE**

20 **“SEC. 118. HIGHER EDUCATION INNOVATIVE PROJECTS**
21 **FOR COMMUNITY SERVICE.**

22 “(a) PURPOSE.—It is the purpose of this part to sup-
23 port innovative projects to expand participation in commu-
24 nity service.

1 “(b) GENERAL AUTHORITY.—The Director, in con-
2 sultation with the Secretary of Education, is authorized
3 to make grants to, and enter into contracts with, institu-
4 tions of higher education (including a combination of such
5 institutions) and other public agencies and nonprofit orga-
6 nizations working in partnership with institutions of high-
7 er education—

8 “(1) to enable the institution to create or ex-
9 pand community service activities for students, fac-
10 ulty, administration, and staff of the institution, and
11 for residents of the community in which the institu-
12 tion is located;

13 “(2) to support student-initiated and student-
14 designed community service projects;

15 “(3) to facilitate the integration of community
16 service into academic curricula, so that students can
17 obtain credit for their community service activities;

18 “(4) to encourage students to participate in
19 community service activities that will engender a
20 sense of social responsibility and commitment to the
21 community, and supplement the work-study funds
22 available under part C of title IV of the Higher Edu-
23 cation Act of 1965 to support service-learning and
24 community service;

1 “(5) to establish a national infrastructure for
2 supporting national and community service activi-
3 ties; and

4 “(6) to provide for the training of teachers, pro-
5 spective teachers, related education personnel, and
6 community leaders in the skills necessary to develop,
7 supervise, and organize service-learning, taking into
8 consideration the particular needs of a community
9 and the ability of the grantee to actively involve a
10 major part of the community in, and substantially
11 benefit the community by, the proposed community
12 service activities.

13 “(c) FEDERAL SHARE.—

14 “(1) IN GENERAL.—The Federal share of each
15 grant or contract awarded under this section shall
16 not exceed 50 percent of the cost of the community
17 service activities carried out with each such grant or
18 contract.

19 “(2) NON-FEDERAL SOURCES.—That portion of
20 the costs of programs that receive assistance under
21 this part that are to be paid from sources other than
22 Federal funds may be paid in cash or in kind (fairly
23 evaluated).

24 “(d) APPLICATION FOR GRANT.—To receive a grant
25 or enter into a contract under this part, an applicant shall

1 prepare and submit to the Director, an application at such
2 time, in such manner, and containing such information as
3 the Director may reasonably require, including—

4 “(1) a description of the proposed program to
5 be established with assistance provided under the
6 grant;

7 “(2) except in the case of training programs, a
8 description of the human, educational, environmental
9 or public safety service that participants will per-
10 form and the community need that will be addressed
11 under such program;

12 “(3) a description of whether or not students
13 will receive academic credit for community service
14 activities under the program;

15 “(4) a description of the procedure for training
16 supervisors and participants and for supervising and
17 organizing participants in such proposed program;

18 “(5) a description of the procedures to ensure
19 that the proposed program provides participants
20 with an opportunity to reflect on their service experi-
21 ences;

22 “(6) a description of the budget for the pro-
23 gram; and

24 “(7) assurances that, prior to the placement of
25 a participant, the applicant will consult with any

1 local labor organization representing employees in
2 the area who are engaged in the same or similar
3 work as that proposed to be carried out by such pro-
4 gram.

5 “(e) PRIORITY.—In making grants and entering into
6 contracts under subsection (b), the Director shall give pri-
7 ority to applicants that submit applications containing
8 proposals that—

9 “(1) demonstrate the commitment of the insti-
10 tution of higher education, other than by dem-
11 onstrating the commitment of the students, to sup-
12 porting community service activities;

13 “(2) specify the manner in which the institution
14 will promote faculty and administration participation
15 in community service activities;

16 “(3) specify the manner in which the institution
17 will provide service to the community through orga-
18 nized programs, including, where appropriate, clini-
19 cal programs for students in professional schools;

20 “(4) describe the partnership that will partici-
21 pate in the community service activities, which part-
22 nership shall be comprised of—

23 “(A) the institution;

24 “(B)(i) a community-based agency;

25 “(ii) a local government agency;

1 “(iii) a nonprofit entity that serves youth;

2 or

3 “(iv) a **[youth-service program]**; and

4 “(C) a student organization;

5 “(5) demonstrate community involvement in the
6 development of the proposal;

7 “(6) specify that the institution will use assist-
8 ance made available through the grant or contract to
9 provide preservice or in-service training to teachers
10 with respect to service-learning programs; or

11 “(7) specify that the institution will use such
12 assistance to strengthen the service infrastructure in
13 institutions of higher education.”.

14 (b) TABLE OF CONTENTS.—Section 1(b) of the Na-
15 tional and Community Service Act of 1990 (42 U.S.C.
16 12401 note) is amended by striking the items relating to
17 subtitle B of title I of such Act and inserting the following:

 “Subtitle B—Programs for Students and Out-of-School Youth

 “PART I—SERVE-AMERICA

 “SUBPART A—GENERAL PROVISIONS

 “Sec. 110. Short title.

 “Sec. 110A. Purposes.

 “Sec. 110B. Definition.

 “Sec. 110C. Availability of appropriations.

 SUBPART B—GRANTS AND ALLOTMENTS THROUGH STATES

 “Sec. 111. General authority.

 “Sec. 112. Grants and allotments.

 “Sec. 113. State application.

 “Sec. 114. Local applications.

 “Sec. 115. Consideration of applications.

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

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

“Sec. 117. Uses of funds; limitations.

“SUBPART C—COMMUNITY-BASED SERVICE PROGRAMS FOR SCHOOL-AGED
YOUTH

“Sec. 117E. General authority.

“Sec. 117F. State applications.

“Sec. 117G. Local applications.

“Sec. 117H. Consideration of applications.

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

“Sec. 117J. Uses of funds; limitations.

“PART H—HIGHER EDUCATION INNOVATIVE PROJECTS FOR COMMUNITY
SERVICE

“Sec. 118. Higher education innovative projects for community service.

1 (c) **TECHNICAL AND CONFORMING AMENDMENTS.—**

2 **【To be supplied.】**

1 **TITLE II—ORGANIZATION**

2 **SEC. 201. CORPORATION FOR NATIONAL SERVICE.**

3 (a) IN GENERAL.—Title I of the National and Com-
4 munity Service Act of 1990 is amended—

5 (1) by repealing subtitle G (42 U.S.C. 12651);

6 and

7 (2) by inserting the following:

8 **“Subtitle G—Corporation for**
9 **National Service**

10 **“PART I—ORGANIZATION**

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

12 “There is established a Corporation for National
13 Service that shall administer the programs established
14 under the national service laws. The Corporation shall be
15 a Government corporation, as defined in section 103 of
16 title 5, United States Code.

17 **“SEC. 191A. BOARD OF DIRECTORS.**

18 “(a) COMPOSITION.—

19 “(1) IN GENERAL.—There shall be in the Cor-
20 poration a Board of Directors (referred to in this
21 part as the ‘Board’) that shall be composed of 11
22 members, including the Director appointed under
23 section 191C, to be appointed by the President by
24 and with the advice and consent of the Senate, and
25 the ex officio members described in paragraph (4).

1 “(2) QUALIFICATIONS.—To the maximum ex-
2 tent practicable, the President shall appoint
3 members—

4 “(A) who have extensive experience in vol-
5 unteer and service opportunity programs and
6 who represent a broad range of viewpoints;

7 “(B) who have expertise in the area of
8 human, educational, environmental, or public
9 safety service; and

10 “(C) so that the Board shall be diverse ac-
11 cording to race, ethnicity, age, and gender, and
12 shall have bipartisan representation.

13 “(3) INITIAL MEMBERS.—The members first
14 appointed to the Board after the date of enactment
15 of this section shall be appointed from among indi-
16 viduals who served on the Board of Directors of the
17 Commission on National and Community Service.

18 “(4) EX OFFICIO MEMBERS.—The Secretary of
19 Education, the Secretary of Health and Human
20 Services, the Secretary of Labor, the Secretary of
21 the Interior, the Secretary of Agriculture, the Sec-
22 retary of Housing and Urban Development, and the
23 Secretary of Defense shall serve as ex officio mem-
24 bers of the Board.

1 “(b) TERMS.—Each member of the Board shall serve
2 for a term of 3 years, except that four of the members
3 first appointed to the Board after the date of enactment
4 of this section shall serve for a term of 1 year and four
5 shall serve for a term of 2 years, as designated by the
6 President.

7 “(c) VACANCIES.—As vacancies occur on the Board,
8 new members shall be appointed by the President, by and
9 with the advice and consent of the Senate, and serve for
10 the remainder of the term for which the predecessor of
11 such member was appointed. The vacancy shall not affect
12 the power of the remaining members to execute the duties
13 of the Board.

14 **“SEC. 191B. AUTHORITIES AND DUTIES OF THE BOARD OF**
15 **DIRECTORS.**

16 “(a) MEETINGS.—The Board shall meet not less than
17 three times each year. The Board shall hold additional
18 meetings if six members of the Board request such meet-
19 ings in writing.

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

22 “(c) VICE CHAIRPERSON.—The Board shall elect a
23 Vice Chairperson from among its membership. The Vice
24 Chairperson may conduct meetings of the Board in the
25 absence of the Director.

Recess!

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) DUTIES.—The Board shall—

14 “(1) advise the Director with respect to policies,
15 programs, and procedures for carrying out the func-
16 tions, duties, or responsibilities of the Director
17 under the national service laws;

18 “(2) advise the Director and the Congress con-
19 cerning developments in national and community
20 service that merit the attention of the Director and
21 the Congress;

22 “(3) prepare an annual strategic plan that
23 makes recommendations to the Director with respect
24 to the policies, standards, criteria, procedures, con-



1 tracts, agreements, and payments described in sec-
2 tion 191D(c)(9);

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

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

8 “(6) arrange for the evaluation of programs es-
9 tablished under the national service laws, in accord-
10 ance with section 179; and

11 “(7) carry out any other activities determined
12 to be appropriate by the Director.

13 **“SEC. 191C. CHAIRPERSON.**

14 “(a) APPOINTMENT.—The Corporation shall be head-
15 ed by a Chairperson, who shall be appointed by the Presi-
16 dent by and with the advice and consent of the Senate.

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

21 “(c) EXECUTIVE DIRECTOR.—The Chairperson shall
22 serve as the Executive Director of the Corporation.

23 “(d) REGULATIONS.—The Chairperson shall pre-
24 scribe such rules and regulations as are necessary or ap-
25 propriate to carry out the national service laws.

1 **“SEC. 191D. AUTHORITIES AND DUTIES OF THE CHAIR-**
2 **PERSON.**

3 “(a) GENERAL POWERS AND DUTIES.—The Director
4 shall be responsible for the exercise of all powers and the
5 discharge of all duties of the Corporation, and shall have
6 authority and control over all personnel and activities of
7 the Corporation.

8 “(b) DUTIES.—In addition to the duties conferred on
9 the Director under the Domestic Volunteer Service Act of
10 1973, the Director shall—

11 “(1) design, administer, and disseminate infor-
12 mation regarding, the programs and initiatives of
13 the Corporation;

14 “(2) consult with appropriate Federal agencies
15 in administering such programs;

16 “(3) directly or through contract with public or
17 private nonprofit organizations that have extensive
18 experience in service programs—

19 “(A) provide training and technical assist-
20 ance to entities carrying out programs under
21 the national service laws; and

22 “(B) support other activities that build the
23 capacity of organizations to operate quality na-
24 tional service programs and expand opportuni-
25 ties for youth leadership; and

1 “(4) notify the Board of any substantial dif-
2 ferences between the actions of the Director and the
3 recommendations of the strategic plan described in
4 section 191B(f)(3).

5 “(c) POWERS.—In addition to the authority conferred
6 on the Director under the Domestic Volunteer Service Act
7 of 1973, the Director may—

8 “(1) establish, alter, consolidate, or discontinue
9 such organizational units or components within the
10 Corporation as the Director considers necessary or
11 appropriate;

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

13 “(A) arrange with and reimburse the heads
14 of other Federal agencies for the performance
15 of any of the provisions of the national service
16 laws; and

17 “(B) as necessary or appropriate—

18 “(i) delegate any of the functions of
19 the Director under the national service
20 laws to such heads of Federal agencies;
21 and

22 “(ii) authorize the redelegation of
23 such functions,

1 subject to provisions to assure the maximum
2 possible liaison between the Corporation and
3 such other agencies at all operating levels;

4 “(3) with their consent, utilize the services and
5 facilities of Federal agencies without reimbursement,
6 and, with the consent of any State or a political sub-
7 division of a State, accept and utilize the services
8 and facilities of the agencies of such State or sub-
9 divisions without reimbursement;

10 “(4) allocate and expend, or transfer to other
11 Federal agencies for expenditure, such funds made
12 available under the national service laws as the Di-
13 rector determines to be necessary to carry out the
14 provisions of such Acts, including expenditure for
15 construction, repairs, and capital improvements;

16 “(5) disseminate, without regard to the provi-
17 sions of section 3204 of title 39, United States
18 Code, data and information, in such form as the Di-
19 rector shall determine to be appropriate to public
20 agencies, private organizations, and the general pub-
21 lic;

22 “(6) collect or compromise all obligations to or
23 held by the Director and all legal or equitable rights
24 accruing to the Director in connection with the pay-
25 ment of obligations in accordance with chapter 37 of

7
Sued
Sued

1 title 31, United States Code (commonly known as
2 the 'Federal Claims Collection Act of 1966');

3 “(7) expend funds made available for such pur-
4 poses, without regard to any other law or regulation,
5 for rent of buildings and space in buildings and for
6 repair, alteration, and improvement of buildings and
7 space in buildings rented by the Director;

8 “(8) notwithstanding any other provision of
9 law, make grants to or contracts with Federal or
10 other public departments or agencies and private
11 nonprofit organizations for the assignment or refer-
12 ral of volunteers under the provisions of the national
13 service laws (except as provided in section 108 of the
14 Domestic Volunteer Service Act of 1973), which may
15 provide that the agency or organization shall pay all
16 or a part of the costs of the program;

17 “(9) establish such policies, standards, criteria,
18 and procedures, enter into such contracts and agree-
19 ments with public agencies and private organizations
20 and persons, and make such payments (in lump sum
21 or installments, and in advance or by way of reim-
22 bursement, and in the case of grants otherwise au-
23 thorized under such provisions, with necessary ad-
24 justments on account of overpayments and under-

1 payments) as are necessary or appropriate to carry
2 out such provisions; and

3 “(10) generally perform such functions and
4 take such steps consistent with the purposes and
5 provisions of the national service laws, as the Direc-
6 tor determines to be necessary or appropriate to
7 carry out such provisions.

8 **“SEC. 191E. OFFICERS.**

9 “(a) EXECUTIVE DIRECTOR.—

10 “(1) IN GENERAL.—There shall be in the Ad-
11 ministration an Executive Director.

12 “(2) DUTIES.—The Executive Director shall
13 carry out operational responsibility for all programs
14 described in subsection (b)(3)(A). The Executive Di-
15 rector shall identify promising service initiatives, and
16 coordinate the work of the Corporation with the
17 work of other Federal agencies involved in service
18 activities and in the design of a competitive grant to
19 provide assistance as authorized under the programs
20 described in subsection (b)(3)(B).

21 “(b) MANAGING DIRECTORS.—

22 “(1) IN GENERAL.—There shall be in the Ad-
23 ministration two Managing Directors.

24 “(2) COMPENSATION.—The Managing Direc-
25 tors shall be compensated at the rate provided for

1 level IV of the Executive Schedule under section
2 5315 of title 5, United States Code.

3 “(3) DUTIES.—

4 “(A) FEDERAL PROGRAMS.—One of the
5 Managing Directors shall be primarily respon-
6 sible for the Federal programs carried out by
7 the Corporation.

8 “(B) GRANT PROGRAMS.—The other Man-
9 aging Director shall be primarily responsible for
10 the grant programs carried out by the Corpora-
11 tion.

12 “(c) INSPECTOR GENERAL.—

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

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

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

23 “(4) DUTIES.—【To be supplied.】

1 **“SEC. 191F. EMPLOYEES, CONSULTANTS, AND OTHER PER-**
2 **SONNEL.**

3 “(a) EMPLOYEES.—

4 “(1) IN GENERAL.—The Director may appoint
5 and determine the compensation of such employees
6 as the Director determines to be necessary to carry
7 out the duties of the Corporation.

8 “(2) TERMS.—【Such an employee shall be ap-
9 pointed for a term that shall not exceed 5 years, and
10 may be appointed for an additional term. No such
11 employee shall be appointed for a total period of
12 more than 7 years.】

13 “(3) APPOINTMENT AND COMPENSATION.—

14 “(A) IN GENERAL.—Except as provided in
15 subparagraphs (B) and (C), the Director may
16 appoint and determine the compensation of em-
17 ployees under this paragraph without regard to
18 the provisions of title 5, United States Code,
19 governing appointments in the competitive serv-
20 ice, and without regard to the provisions of
21 chapter 51 and subchapter III of chapter 53 of
22 such title relating to classification and General
23 Schedule pay rates.

24 “(B) LIMIT ON COMPENSATION.—The rate
25 of compensation for each employee appointed
26 under this paragraph shall not exceed the an-

1 nual rate of basic pay payable for level V of the
2 Executive Schedule under section 5316 of title
3 5, United States Code.

4 “(C) CIVIL SERVICE EMPLOYEES.—The
5 Director may appoint and determine the com-
6 pensation of not more than ____ positions in
7 the Corporation in accordance with the provi-
8 sions of title 5, United States Code.

9 “(b) CONSULTANTS.—The Director may procure the
10 temporary and intermittent services of experts and con-
11 sultants and compensate the experts and consultants in
12 accordance with section 3109(b) of title 5, United States
13 Code.

14 “(c) DETAILS OF PERSONNEL.—The head of any
15 Federal department or agency may detail on a reimburs-
16 able basis, or on a nonreimbursable basis for not to exceed
17 180 calendar days during any fiscal year, as agreed upon
18 by the Director and the head of the Federal agency, any
19 of the personnel of that department or agency to the Cor-
20 poration to assist the Corporation in carrying out the du-
21 ties of the Corporation under this Act. Any detail shall
22 not interrupt or otherwise affect the civil service status
23 or privileges of the Federal employee.

24 **“SEC. 192. ADMINISTRATION.**

25 “(a) DONATIONS.—

1 “(1) SERVICES.—

2 “(A) VOLUNTEERS.—Notwithstanding any
3 other provision of Federal law, the Corporation
4 may solicit and accept the voluntary services of
5 individuals, and provide to such individuals the
6 travel expenses described in section 191B(d).

7 “(B) LIMITATION.—Such a volunteer shall
8 not be considered to be a Federal employee and
9 shall not be subject to the provisions of law re-
10 lating to Federal employment, including those
11 relating to hours of work, rates of compensa-
12 tion, leave, unemployment compensation, and
13 Federal employee benefits, except that—

14 “(i) for the purposes of the tort
15 claims provisions of chapter 171 of title
16 28, United States Code, a volunteer under
17 this subtitle shall be considered to be a
18 Federal employee; and

19 “(ii) for the purposes of subchapter I
20 of chapter 81 of title 5, United States
21 Code, relating to compensation to Federal
22 employees for work injuries, volunteers
23 under this subtitle shall be considered to
24 be employees, as defined in section
25 8101(1)(B) of title 5, United States Code,

1 and the provisions of such subchapter shall
2 apply.

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

8 “(3) RULES.—The Director shall establish writ-
9 ten rules setting forth the criteria to be used in de-
10 termining whether the acceptance of contributions of
11 money or property, real, personal, or mixed, tangible
12 or intangible, received by gift, devise, bequest, or
13 otherwise (pursuant to paragraph (2)) would reflect
14 unfavorably upon the ability of the Corporation or
15 any employee of the Corporation to carry out the re-
16 sponsibilities or official duties of the Corporation in
17 a fair and objective manner, or would compromise
18 the integrity of the programs of the Corporation or
19 any official involved in such programs.

20 “(4) DISPOSITION.—Upon completion of the
21 use by the Corporation of any affected property,
22 such completion shall be reported to the General
23 Services Administration and such property shall be
24 disposed in accordance with title II of the Federal

*Solution
or*

1 Property and Administrative Services Act of 1949
2 (40 U.S.C. 471 et seq.).

3 “(b) TECHNICAL ASSISTANCE.—On the request of
4 the Director, the heads of other pertinent Federal agencies
5 shall provide, without reimbursement, such technical as-
6 sistance and administrative support services to the Cor-
7 poration as the Director determines to be necessary to
8 carry out the duties of the Corporation.

9 “(c) OBTAINING INFORMATION.—The Corporation
10 may secure directly from an officer, department, agency,
11 establishment, or instrumentality of the Federal Govern-
12 ment such information and statistics as the Corporation
13 may require to carry out the duties of the Corporation
14 under this Act, if the information may be disclosed under
15 section 552 of title 5, United States Code. Subject to the
16 previous sentence, on the request of the Director, each
17 such officer, department, agency, establishment, or instru-
18 mentality may furnish, to the extent permitted by law,
19 such information and statistics directly to the Corpora-
20 tion.

21 “(d) CONTRACTS.—Subject to the Federal Property
22 and Administrative Services Act of 1949, the Corporation
23 may enter into contracts, and cooperative and interagency
24 agreements, with Federal and State agencies, private
25 firms, institutions, and individuals to conduct activities

1 necessary to carry out the duties of the Corporation under
2 this Act.

3 **“PART II—CORPORATION PROGRAMS AND**
4 **ACTIVITIES**

5 **“SEC. 193. GRANTS.**

6 “(a) IN GENERAL.—The Director may make grants
7 to eligible entities to assist the entities in—

8 “(1) developing and establishing model or inno-
9 vative programs that engage school-aged youth in
10 service programs;

11 “(2) developing teacher training related to serv-
12 ice-learning, developing service-learning curricula,
13 and implementing and integrating service-learning
14 into educational programs;

15 “(3) disseminating and conducting outreach ef-
16 forts for community-based agencies, and agencies
17 that serve school-aged youth, that have effective pro-
18 grams; and

19 “(4) providing technical assistance and informa-
20 tion to—

21 “(A) persons receiving financial assistance
22 from the Corporation under the national service
23 laws; and

24 “(B) where possible, to organizations
25 that—

1 “(i) are not receiving such assistance;
2 and
3 “(ii) conduct effective community
4 service programs.

5 “(b) ELIGIBLE ENTITIES.—To be eligible to receive
6 a grant under subsection (a), an entity shall be a public
7 or private nonprofit organization, an institution of higher
8 education, a State agency, or a local educational agency.

9 “(c) APPLICATION.—To be eligible to receive a grant
10 under subsection (a), an entity shall submit an application
11 to the Director at such time, in such manner, and contain-
12 ing such information as the Director may require.

13 **“SEC. 193A. CLEARINGHOUSES.**

14 “(a) IN GENERAL.—The Corporation shall provide
15 assistance to appropriate entities to establish one or more
16 regional service clearinghouses. *including* *described in*

17 “(b) SERVICE-LEARNING CLEARINGHOUSE.—At
18 least one such clearinghouse shall carry out clearinghouse
19 activities with respect to information about service-learn-
20 ing and service-learning programs.

21 “(c) PUBLIC AND PRIVATE NONPROFIT AGENCIES.—
22 Public and private nonprofit agencies that have extensive
23 experience with service-learning, including use of adult vol-
24 unteers to foster service-learning, shall be eligible to re-

1 ceive assistance under subsection (a) to establish a clear-
2 inghouse described in subsection (b).

3 “(d) FUNCTION OF CLEARINGHOUSE.—An entity
4 that receives assistance under subsection (a) to establish
5 a clearinghouse described in subsection (b) shall—

6 “(1) assist State and local service-learning pro-
7 grams with needs assessments and planning;

8 “(2) conduct research and evaluations concern-
9 ing service-learning;

10 “(3)(A) provide leadership development and
11 training to State and local service-learning program
12 administrators, supervisors, and participants; and

13 “(B) provide training to persons who can pro-
14 vide the leadership development and training de-
15 scribed in subparagraph (A);

16 “(4) administer award and recognition pro-
17 grams for outstanding service-learning programs and
18 participants;

19 “(5) facilitate communication among service-
20 learning programs and participants;

21 “(6) provide information, curriculum materials,
22 technical assistance on program planning and oper-
23 ation, and training, with respect to service-learning,
24 to States and local entities eligible to receive funds
25 under this title;

1 “(7) gather and disseminate information on
2 successful service-learning programs, components of
3 such successful programs, innovative youth skills
4 curricula related to service-learning, and service-
5 learning projects being implemented nationwide;

6 “(8) make recommendations to State and local
7 entities on quality controls to improve service-learn-
8 ing program delivery and on changes in service-
9 learning programs; and

10 “(9) recruit, screen, and place service-learning
11 coordinators.

12 **“SEC. 193B. PRESIDENTIAL AWARDS FOR SERVICES.**

13 “(a) PRESIDENTIAL AWARDS.—

14 “(1) IN GENERAL.—The President, acting
15 through the Corporation, is authorized to make
16 Presidential Awards for service to—

17 “(A) individuals demonstrating outstand-
18 ing community service, including school-based
19 service;

20 “(B) outstanding service learning and com-
21 munity service programs; and

22 “(C) outstanding teachers in service-learn-
23 ing programs.

24 “(2) NUMBER OF AWARDS.—The President is
25 authorized to make one or more individual awards

1 under paragraph (1)(A), one or more teaching
2 awards under paragraph (1)(C), and one or more
3 program awards under paragraph (1)(B), in each
4 Congressional district, and in each State.

5 “(3) CONSULTATION.—The President shall con-
6 sult with each Governor, and with the Board, in the
7 selection of individuals and programs for the Presi-
8 dential Awards.

9 “(4) PARTICIPANTS IN PROGRAMS.—An individ-
10 ual receiving an award under this subsection need
11 not be a participant in a program assisted under
12 this title.

13 “(b) INFORMATION.—The President shall ensure that
14 information concerning individuals and programs receiving
15 awards under this section is widely disseminated.”.

16 (b) AUTHORITIES OF ACTION AGENCY.—Sections
17 401 and 402 of the Domestic Volunteer Service Act of
18 1972 (42 U.S.C. 5041 and 5042) are repealed.

19 (c) TRANSFERS.—[Transfer provisions to be sup-
20 plied. This draft assumes that the transfer provisions will
21 include language transferring into the Corporation (in ad-
22 dition to the General Schedule, schedule A, schedule C,
23 and Executive Schedule employees of the Commission on
24 National and Community Service and the ACTION Agen-
25 cy), certain officers of the Commission and the ACTION

1 Agency into the Corporation, and the Board of Directors
2 of the Commission. The transfer will take effect October
3 1, 1993.】

4 (d) CONTINUING PERFORMANCE OF CERTAIN FUNC-
5 TIONS.—

6 (1) DIRECTOR OF THE ACTION AGENCY.—An
7 individual who, on the day before the date of enact-
8 ment of this Act, is performing any of the functions
9 required by section 401 or 402 of the Domestic Vol-
10 unteer Service Act of 1973 (42 U.S.C. 5041 or
11 5042), as in effect on such date, to be performed by
12 the Director of the ACTION Agency may, subject to
13 section 191D of the National and Community Serv-
14 ice Act of 1990, as added by subsection (a) of this
15 section, continue to perform such functions until the
16 date on which such functions are assigned to an in-
17 dividual appointed as a Managing Director under
18 such Act.

19 (2) BOARD OF DIRECTORS OF THE COMMIS-
20 SION.—

21 (A) EX OFFICIO MEMBERS.—Section
22 190(b)(1)(B) of the National and Community
23 Service Act of 1990 is amended to read as fol-
24 lows:

1 “(B) EX OFFICIO MEMBERS.—The Sec-
2 retary of Education, the Secretary of Health
3 and Human Services, the Secretary of Labor,
4 the Secretary of the Interior, the Secretary of
5 Agriculture, the Secretary of Housing and
6 Urban Development, and the Secretary of De-
7 fense shall serve as ex officio members of the
8 Board.”.

9 (B) EFFECTIVE DATE.—The amendment
10 made by subparagraph (A) shall take effect on
11 the date of enactment of this Act.

12 (C) CONTINUING PERFORMANCE.—The in-
13 dividuals who, on the day after the date of en-
14 actment of this Act, are performing any of the
15 functions required by section 190 of the Na-
16 tional and Community Service Act of 1990 (42
17 U.S.C. 12651), as in effect on such date, to be
18 performed by the members of the Board of Di-
19 rectors of the Commission on National and
20 Community Service may, subject to section
21 191D of the National and Community Service
22 Act of 1990, as added by subsection (a) of this
23 section, continue to perform such functions
24 until the date on which such functions are as-
25 signed to the Board of Directors of the Cor-

1 poration for National Service. The employment
2 of such individuals shall terminate on such
3 date.

4 (e) TABLE OF CONTENTS.—

5 (1) ESTABLISHMENT AND APPOINTMENT AU-
6 THORITIES.—Section 1(b) of the National and Com-
7 munity Service Act of 1990 (42 U.S.C. 12401 note)
8 is amended by striking the item relating to section
9 190 of such Act and inserting the following:

“Sec. 190. Commission on National and Community Service.

“Sec. 191. Corporation for National Service.

“Sec. 191A. Board of Directors.

“Sec. 191C. Chairperson.”.

10 (2) EFFECTIVE DATE.—The amendments made
11 by paragraph (1) shall take effect on the date of en-
12 actment of this Act.

13 (3) FULL AUTHORITIES.—Section 1(b) of the
14 National and Community Service Act of 1990 (42
15 U.S.C. 12401 note) is amended by striking the items
16 relating to subtitle G of title I of such Act and in-
17 serting the following:

“Subtitle G—Corporation for National Service

“PART I—ORGANIZATION

“Sec. 191. Corporation for National Service.

“Sec. 191A. Board of Directors.

“Sec. 191B. Authorities and duties of the Board of Directors.

“Sec. 191C. Chairperson.

“Sec. 191D. Authorities and duties of the Chairperson.

“Sec. 191E. Officers.

“Sec. 191F. Employees, consultants, and other personnel.

“Sec. 192. Administration.

“PART II—CORPORATION PROGRAMS AND ACTIVITIES

“Sec. 193. Grants.

“Sec. 193A. Clearinghouses.

“Sec. 193B. Presidential awards for services.”.

1 (4) EFFECTIVE DATE.—The amendments made
2 by paragraph (3) shall take effect on October 1,
3 1993.

4 (f) EFFECTIVE DATES.—

5 (1) IN GENERAL.—Except as provided in para-
6 graph (2), the amendments made by subsections (a)
7 and (b) shall take effect on October 1, 1993.

8 (2) ESTABLISHMENT AND APPOINTMENT AU-
9 THORITIES.—Sections 191, 191A, and 191C of the
10 National and Community Service Act of 1990, as
11 added by subsection (a), shall take effect on the date
12 of enactment of this Act.