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103D CONGRESS
1ST SESSION

S. _____

IN THE SENATE OF THE UNITED STATES

_____ introduced the following bill; which was read twice and
referred to the Committee on _____

A BILL

To amend the National and Community Service Act of 1990
to establish a Corporation for National Service, to im-
prove service-learning programs and national and com-
munity service programs, and for other purposes.

(1) service
opportunities
(2) educational
opportunities

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "National Service Trust
5 Act of 1993".

TITLE I—PROGRAMS

SEC. 101. DEFINITIONS.

Section 101 of the National and Community Service Act of 1990 (42 U.S.C. 12511) is amended to read as follows:

“SEC. 101. DEFINITIONS.

“For purposes of this title:

“(1) ADULT VOLUNTEER.—The term ‘adult volunteer’ means—

“(A) an individual who is beyond the age of compulsory schooling, including an older American, an individual with a disability, and a parent;

“(B) an employee of a private business;

“(C) an employee of a public or nonprofit agency; or

“(D) any other individual working without financial remuneration in an education institution to assist students or out-of-school youth.

“(2) **[New]** APPROVED NATIONAL SERVICE POSITION.—The term ‘approved national service position’ means a national service position designated under part II of subtitle C as a position that includes a post-service educational benefit under sub-

1 title D as one of the benefits to be provided for suc-
2 cessful service in the position.

3 “(3) COMMUNITY-BASED AGENCY.—The term
4 ‘community-based agency’ means a private nonprofit
5 organization that is representative of a community
6 or a significant segment of a community and that is
7 engaged in meeting human, educational, environ-
8 mental, **[or public safety]** community needs, ~~includ-~~
9 ~~ing churches and other religious entities and commu-~~
10 ~~nity action agencies.~~

11 “(4) **[New]** CORPORATION.—The term ‘Cor-
12 poration’ means the Corporation for National Serv-
13 ice established under section 191.

14 “(5) CREW SUPERVISOR.—The term ‘crew su-
15 pervisor’ means the adult staff individual who is re-
16 sponsible for supervising a crew of participants, in-
17 cluding the crew leader.

18 “(6) **[New]** DIRECTOR.—The term ‘Director’,
19 except when used as part of the term ‘Managing Di-
20 rector’ or ‘Board of Directors’, means the Chair-
21 person and Executive Director of the Corporation.

22 “(7) ECONOMICALLY DISADVANTAGED.—The
23 term ‘economically disadvantaged’ with respect to
24 youths has the same meaning given such term in

1 section 4(8) of the Job Training Partnership Act
2 (29 U.S.C. 1503(8)).

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

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

9 “(10) INDIAN LANDS.—The term ‘Indian lands’
10 means any real property owned by an Indian tribe,
11 any real property held in trust by the United States
12 for an Indian or Indian tribes, and any real property
13 held by an Indian or Indian tribes that is subject to
14 restrictions on alienation imposed by the United
15 States.

16 “(11) INDIAN TRIBE.—The term ‘Indian tribe’
17 means an Indian tribe, band, nation, or other orga-
18 nized group or community, including any Alaska Na-
19 tive village or regional or village corporation as de-
20 fined in or established pursuant to the Alaska Na-
21 tive Claims Settlement Act (43 U.S.C. 1601 et seq.)
22 that is recognized as eligible for the special pro-
23 grams and services provided by the United States to
24 Indians because of their status as Indians.

1 “(12) INSTITUTION OF HIGHER EDUCATION.—

2 The term ‘institution of higher education’ has the
3 same meaning given such term in section 1201(a) of
4 the Higher Education Act of 1965 (20 U.S.C.
5 1141(a)).

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6 “(13) LOCAL EDUCATIONAL AGENCY.—The
7 term ‘local educational agency’ has the same mean-
8 ing given such term in section 1471(12) of the Ele-
9 mentary and Secondary Education Act of 1965 (20
10 U.S.C. 2891(12)).

11 “(14) LOCAL GOVERNMENT AGENCY.—The
12 term ‘local government agency’ means a public agen-
13 cy that is engaged in meeting human, social, edu-
14 cational, or environmental needs.

15 “(15) **[New]** NATIONAL SERVICE LAWS.—The
16 term ‘national service laws’ means this Act and the
17 Domestic Volunteer Service Act of 1973.

18 “(16) OUT-OF-SCHOOL YOUTH.—The term ‘out-
19 of-school youth’ means an individual who—

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

21 “(B) has not completed college or the
22 equivalent thereof; and

23 “(C) is not enrolled in an elementary or
24 secondary school or institution of higher edu-
25 cation.

1 “(17) PARTICIPANT.—The term ‘participant’
2 means an individual enrolled in a program that re-
3 ceives assistance under this title. Participants shall
4 not be considered employees of the program.

5 “(18) PARTNERSHIP PROGRAM.—The term
6 ‘partnership program’ means a program through
7 which adult volunteers, public or private agencies,
8 institutions of higher education, or businesses assist
9 a local educational agency.

10 “(19) PLACEMENT.—The term ‘placement’
11 means the matching of a participant with a specific
12 project.

13 “(20) PROGRAM.—The term ‘program’ means
14 an activity carried out with assistance provided
15 under this title.

16 “(21) PROGRAM AGENCY.—The term ‘program
17 agency’ means—

18 “(A) a Federal or State agency designated
19 to manage a youth corps program;

20 “(B) the governing body of an Indian tribe
21 that administers a youth corps program; or

22 “(C) a local applicant administering a
23 youth corps program.

24 “(22) PROJECT.—The term ‘project’ means an
25 activity that results in a specific identifiable service

1 or product that otherwise would not be done with ex-
2 isting funds, and that does not duplicate the routine
3 services or functions of the employer to whom par-
4 ticipants are assigned.

5 “(23) PUBLIC LANDS.—The term ‘public lands’
6 means any lands or waters (or interest therein)
7 owned or administered by the United States or by
8 an agency or instrumentality of a State or local gov-
9 ernment.

10 “(24) **[New]** SCHOOL-AGED YOUTH.—The
11 term ‘school-aged youth’ means an individual be-
12 tween the ages of 5 and 17, inclusive.

13 “(25) SECONDARY SCHOOL.—The term ‘second-
14 ary school’ has the same meaning given such term
15 in section 1471(21) of the Elementary and Second-
16 ary Education Act of 1965 (20 U.S.C. 2891(21)).

17 “(26) SERVICE-LEARNING.—The term ‘service-
18 learning’ means a method—

19 “(A) under which students or participants
20 learn and develop through active participation
21 in thoughtfully organized service experiences
22 that meet actual community needs and that are
23 coordinated in collaboration with an elementary
24 school, secondary school, **[**institution of higher

1 education?], or community service program,
2 and with the community;

3 “(B) that is integrated into the academic
4 curriculum or educational program of the stu-
5 dents or participants, or provides structured
6 time for a student or participant to think, talk,
7 or write about what the student or participant
8 did and saw during the actual service activity;

9 “(C) that provides students or participants
10 with opportunities to use newly acquired skills
11 and knowledge in real-life situations in their
12 own communities; and

13 “(D) that enhances what is taught in an
14 elementary school or secondary school, or in the
15 educational components of a community service
16 program, by extending student or participant
17 learning beyond the classroom and into the
18 community and helps to foster the development
19 of a sense of caring for others.

20 “(27) SERVICE-LEARNING COORDINATOR.—The
21 term ‘service-learning coordinator’ means an individ-
22 ual who provides services, with respect to a local
23 educational agency or an elementary school or sec-
24 ondary school, by—

1 “(A) working with community-based agen-
2 cies to develop service-learning opportunities for
3 students;

4 “(B) expanding the awareness of teachers
5 of the potential of service-learning as a method
6 for strengthening educational achievement,
7 youth leadership development, and substantive
8 learning;

9 “(C) providing technical assistance and in-
10 formation to teachers who want to use service-
11 learning in their classrooms;

12 “(D) assisting in the planning and execu-
13 tion of service-learning projects, including the
14 age-appropriate learning component described
15 in section 114(b)(5)(B);

16 “(E) recruiting and supervising adult vol-
17 unteers, or individuals who are participants in
18 a program under subtitle C or receive a post-
19 service educational benefit under subtitle D, to
20 assist in expanding service-learning opportuni-
21 ties;

22 “(F) advocating the formation of a com-
23 mittee comprised of teachers, students, parents,
24 representatives of community-based agencies,
25 and administrators, who are interested in, and

1 supportive of, service-learning, in order to build
2 a commitment to service-learning; and

3 “(G) facilitating teacher training in serv-
4 ice-learning.

5 “(28) SERVICE OPPORTUNITY.—The term ‘serv-
6 ice opportunity’ means a program or project, includ-
7 ing service learning programs or projects, that en-
8 ables participants to perform meaningful and con-
9 structive service in agencies, institutions, and situa-
10 tions where the application of human talent and
11 dedication may help to meet human, educational, lin-
12 guistic, and environmental community needs, espe-
13 cially those relating to poverty.

14 “(29) SPECIAL SENIOR SERVICE PARTICI-
15 PANT.—The term ‘special senior service participant’
16 means an individual who is age 60 or over and will-
17 ing to work full-time or part-time in conjunction
18 with a full-time national service program.

19 “(30) SPONSORING ORGANIZATION.—The term
20 ‘sponsoring organization’ means an organization, eli-
21 gible to receive assistance under this title, that has
22 been selected to provide a placement for a partici-
23 pant.

24 “(31) STATE.—The term ‘State’ means each of
25 the several States, the District of Columbia, the

1 Commonwealth of Puerto Rico, the Virgin Islands,
2 Guam, American Samoa, the Commonwealth of the
3 Northern Mariana Islands, and Palau, until such
4 time as the Compact of Free Association is ratified.

5 “(32) **[New]** STATE COMMISSION.—The term
6 ‘State Commission’ means a State Commission on
7 National Service established pursuant to section
8 178.

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

14 “(34) STUDENT.—The term ‘student’ means an
15 individual who is enrolled in an elementary or sec-
16 ondary school or institution of higher education on
17 a full- or part-time basis.

18 “(35) SUMMER PROGRAM.—The term ‘summer
19 program’ means a full-time or part-time youth corps
20 program authorized under this title that is limited to
21 a period beginning after April 30 and ending before
22 October 1.

23 “(36) **[New]** VOLUNTEER.—The term ‘volun-
24 teer’ does not include a participant.

1 “(37) YOUTH CORPS PROGRAM.—The term
2 ‘youth corps program’ means a program, such as a
3 conservation corps or youth service corps program,
4 that offers full-time, productive work (to be financed
5 through living allowances) with visible community
6 benefits in a natural resource or human service set-
7 ting and that gives participants a mix of work expe-
8 rience, basic and life skills, education, training, and
9 support services.”.

103D CONGRESS
1ST SESSION

S. _____

Staff -
Chair to
Board

IN THE SENATE OF THE UNITED STATES

_____ introduced the following bill; which was read twice and
referred to the Committee on _____

A BILL

To amend the National and Community Service Act of 1990
to establish a Corporation for National Service, to im-
prove service-learning programs and national and com-
munity service programs, and for other purposes.

(1) expand opportunities
to provide service-
learning over
21 provide ~~for~~
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1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "National Service Trust
5 Act of 1993".

6 **SEC. ____ . CORPORATION FOR NATIONAL SERVICE.**

7 (a) IN GENERAL.—Section 190 of the National and
8 Community Service Act of 1990 (42 U.S.C. 12651) is
9 amended to read as follows:

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1 "SEC. 190. CORPORATION FOR NATIONAL SERVICE.

2 "(a) ESTABLISHMENT.—There is established a Cor-
3 poration for National Service that shall administer the
4 programs established under the national service Acts. The
5 Corporation shall be an independent establishment, as de-
6 fined in section 104 of title 5, United States Code.

7 "(b) OFFICERS.—

8 "(1) CHAIRPERSON.—

9 "(A) IN GENERAL.—The Corporation shall
10 be headed by a Chairperson (referred to in this
11 section as the "Chairperson"), who shall be ap-
12 pointed by the President by and with the advice
13 and consent of the Senate. The Chairperson
14 shall be compensated at the rate provided for
15 level III of the Executive Schedule under sec-
16 tion 5314 of title 5, United States Code.

17 "(B) GENERAL POWERS AND DUTIES.—

18 The Chairperson shall be responsible for the ex-
19 ercise of all powers and the discharge of all du-
20 ties of the Corporation, and shall have authority
21 and control over all personnel and activities of
22 the Corporation.

23 "(C) SPECIFIC AUTHORITIES.—In addition
24 to the authority conferred on the Chairperson
25 under the Domestic Volunteer Service Act of
26 1973, the Chairperson—

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1 “(i) shall design, administer, and dis-
2 seminate information regarding, the pro-
3 grams and initiatives of the Corporation;

4 “(ii) shall consult with appropriate
5 Federal agencies in administering such
6 programs;

7 “(iii) shall provide, directly or through
8 contract with public or private nonprofit
9 organizations that have extensive experi-
10 why ? ence in (service) programs, training and
11 technical assistance to entities carrying out
12 programs under the national service Acts;

13 “(iv) shall arrange for the evaluation
14 of programs established under this [title],
15 in accordance with section 179;

16 “(v) may establish, alter, consolidate,
17 or discontinue such organizational units or
18 components within the Corporation as the
19 Chairperson considers necessary or appro-
20 priate;

21 “(vi) may, with the approval of the
22 President, arrange with and reimburse the
23 heads of other Federal agencies for the
24 performance of any of the provisions of the
25 national service Acts, and, as necessary or

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1 appropriate, delegate any of the functions
2 of the Chairperson under the national serv-
3 ice Acts and authorize the redelegation of
4 such functions subject to provisions to as-
5 sure the maximum possible liaison between
6 the Corporation and such other agencies at
7 all operating levels, [which shall include the
8 furnishing of complete operational informa-
9 tion by such other agencies to the Corpora-
10 tion and the furnishing of such information
11 by the Corporation to such other agencies;]

12 "(vii) with their consent, may utilize
13 the services and facilities of Federal agen-
14 cies without reimbursement, and, with the
15 consent of any State or a political subdivi-
16 sion of a State, may accept and utilize the
17 services and facilities of the agencies of
18 such State or subdivisions without reim-
19 bursement;

20 "(viii) may allocate and expend, or
21 transfer to other Federal agencies for ex-
22 penditure, such funds made available
23 under the national service Acts as the
24 Chairperson determines to be necessary to
25 carry out the provisions of such Acts, in-

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cluding expenditure for construction, repairs, and capital improvements;

“(ix) may disseminate, without regard to the provisions of section 3204 of title 39, United States Code, data and information, in such form as the Chairperson shall determine to be appropriate to public agencies, private organizations, and the general public;

~~“(x) may adopt an official seal, which shall be judicially noticed;~~

~~“(xi) may collect or compromise all obligations to or held by the Chairperson and all legal or equitable rights accruing to the Chairperson in connection with the payment of obligations in accordance with the Federal Claims Collection Act of 1966;~~

~~“(xii) may expend funds made available for purposes of the national service Acts, for printing and binding, in accordance with applicable law and regulations; and~~

“(xiii) may expend funds made available for such purposes, without regard to any other law or regulation, for rent of

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1 buildings and space in buildings and for
2 repair, alteration, and improvement of
3 buildings and space in buildings rented by
4 the Chairperson, [except that the Chair-
5 person shall not utilize the authority con-
6 tained in this clause—

7 “(I) except when necessary to ob-
8 tain an item, service, or facility, that
9 is required in the proper administra-
10 tion of the national service Acts, and
11 that otherwise could not be obtained,
12 or could not be obtained in the quan-
13 tity or quality needed, or at the time,
14 in the form, or under the conditions
15 in which, the item, service, or facility
16 is needed; or

17 “(II) prior to having given writ-
18 ten notification to the Administrator
19 of General Services (if the exercise of
20 such authority would affect an activity
21 that otherwise would be under the ju-
22 risdiction of the General Services Ad-
23 ministration) of intention to exercise
24 such authority, the item, service, or
25 facility with respect to which such au-

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1 thority is proposed to be exercised,
2 and the reasons and justifications for
3 the exercise of such authority;

4 “(xiv) notwithstanding any other pro-
5 vision of law, may make grants to or con-
6 tracts with Federal or other public depart-
7 ments or agencies and private nonprofit or-
8 ganizations for the assignment or referral
9 of volunteers under the provisions of the
10 national service Acts (except as provided in
11 section 108), which may provide that the
12 agency or organization shall pay all or a
13 part of the costs of the program;

14 “(xv) may establish such policies,
15 standards, criteria, and procedures, pre-
16 scribe such rules and regulations, enter
17 into such contracts and agreements with
18 public agencies and private organizations
19 and persons, and make such payments (in
20 lump sum or installments, and in advance
21 or by way of reimbursement, and in the
22 case of grants otherwise authorized under
23 such provisions, with necessary adjust-
24 ments on account of overpayments and un-

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derpayments) as are necessary or appropriate to carry out such provisions; and

“(xvi) generally perform such functions and take such steps consistent with the purposes and provisions of the national service Acts, as the Chairperson determines to be necessary or appropriate to carry out such provisions.

“(2) EXECUTIVE DIRECTOR.—

“(A) IN GENERAL.—There shall be in the Administration an Executive Director. The Executive Director shall be compensated at the rate provided for level IV of the Executive Schedule under section 5315 of title 5, United States Code.

“(B) DUTIES.—The Executive Director shall carry out operational responsibility for all programs described in paragraph (3)(B)(i). The Executive Director shall advise the Corporation concerning developments in volunteer or national service that the Executive Director determines merit the attention of the Corporation, identify promising service initiatives, and coordinate the work of the Corporation with the work of other Federal agencies involved in serv-

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ice activities and in the design of a competitive
~~investment program~~
~~grant to provide assistance as~~ authorized under
 the programs described in paragraph (3)(B)(ii).

“(3) DEPUTY DIRECTORS.—

“(A) IN GENERAL.—There shall be in the
 Administration two Deputy Directors. The Dep-
 uty Directors shall be compensated at the rate
 provided for level ~~IV~~ of the Executive Schedule
 under section 5315 of title 5, United States
 Code.

“(B) DUTIES.—

“(i) FEDERAL PROGRAMS.—One of
 the Deputy Directors shall be primarily re-
 sponsible for the Federal programs carried
 out by the Corporation.

“(ii) ~~GRANT~~ ^{Investment} PROGRAMS.—The other
 Deputy Director shall be primarily respon-
 sible for the ^{investment and} grant programs carried out by
 the Corporation.

“(4) INSPECTOR GENERAL.—There shall be in
 the Corporation an Office of the Inspector General.
 Such Office shall be headed by an Inspector General
 appointed in accordance with the Inspector General
 Act of 1978, who shall report directly to the Board.
 The Inspector General shall be compensated at the

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under section 5315 of title 5, United States Code.

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“(c) BOARD OF DIRECTORS.—

“(1) COMPOSITION.—

“(A) IN GENERAL.—There shall be in the
Corporation a Board of Directors (referred to
in this section as the ‘Board’) that shall be
composed of 11 members, including the Chair-
person, to be appointed by the President by and
with the advice and consent of the Senate, and
the ex officio members described in subpara-
graph (D).

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“(B) QUALIFICATIONS.—To the maximum
extent practicable, the President shall appoint
members—

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“(i) who have extensive experience in
volunteer and service opportunity programs
and who represent a broad range of view-
points; and

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

1 “(C) INITIAL MEMBERS.—The members
2 first appointed to the Board after the date of
3 enactment of this section shall be appointed
4 from among individuals who served on the
5 Board of Directors of the Commission on Na-
6 tional and Community Service.

7 “(D) EX OFFICIO MEMBERS.—The Sec-
8 retary of Education, the Secretary of Health
9 and Human Services, the Secretary of Labor,
10 the Secretary of the Interior, the Secretary of
11 Agriculture, the Secretary of Housing and
12 Urban Development, and the Secretary of De-
13 fense shall serve as ex officio members of the
14 Board.

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defined

15 “(2) TERMS.—Each member of the Board shall
16 serve for a term of 3 years, except that four of the
17 members first appointed to the Board after the date
18 of enactment of this section shall serve for a term
19 of 1 year and four shall serve for a term of 2 years,
20 as designated by the President.

21 “(3) VACANCIES.—As vacancies occur on the
22 Board, new members shall be appointed by the
23 President, by and with the advice and consent of the
24 Senate, and serve for the remainder of the term for
25 which the predecessor of such member was ap-

1 pointed. The vacancy shall not affect the power of
2 the remaining members to execute the duties of the
3 Board.

4 “(4) VICE CHAIRPERSON.—The Board shall
5 elect a Vice Chairperson from among its member-
6 ship. The Vice Chairperson may conduct meetings of
7 the Board in the absence of the Chairperson.

8 “(5) MEETINGS.—The Board shall meet not
9 less than three times each year. The Board shall
10 hold additional meetings if six members of the
11 Board request such meetings in writing. A majority
12 of the appointed members of the Board shall con-
13 stitute a quorum.

14 “(6) EXPENSES.—While away from their homes
15 or regular places of business on the business of the
16 Board, members of such Board may be allowed trav-
17 el expenses, including per diem in lieu of subsist-
18 ence, as is authorized under section 5703 of title 5,
19 United States Code, for persons employed intermit-
20 tently in the Government service.

21 “(7) SPECIAL GOVERNMENT EMPLOYEES.—
22 [Members of the Board shall be considered to be
23 special Government employees, as defined in section
24 202(a) of title 18, United States Code.]

25 “(8) DUTIES.—The Board shall—

1 “(A) advise the Chairperson with respect
2 to policies, programs, and procedures for carry-
3 ing out the functions, duties, or responsibilities
4 of the Chairperson under the national service
5 Acts;

6 “(B) advise the Chairperson and the Con-
7 gress concerning developments in national and
8 community service that merit the attention of
9 the Chairperson and the Congress;

10 “(C) supervise the Inspector General of the
11 Corporation; and

12 “(D) carry out any other activities deter-
13 mined to be appropriate by the Chairperson.

14 “(d) EMPLOYEES, CONSULTANTS, AND OTHER PER-
15 SONNEL.—

16 “(1) EMPLOYEES.—

17 “(A) IN GENERAL.—The Chairperson may
18 appoint and determine the compensation of
19 such employees as the Chairperson determines
20 to be necessary to carry out the duties of the
21 Corporation.

22 “(B) TERMS.—Such an employee shall be
23 appointed for a term that shall not exceed 5
24 years, and may be appointed for an additional

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term. ~~[No such employee shall be appointed for a total period of more than 7 years.]~~

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“(C) APPOINTMENT AND COMPENSATION.—

“(i) IN GENERAL.—Except as provided in clauses (ii) and (iii), the Chairperson may appoint and determine the compensation of employees under this paragraph without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates.

“(ii) LIMIT ON COMPENSATION.—The rate of compensation for each employee appointed under this paragraph shall not exceed the annual rate of basic pay payable for level V of the Executive Schedule under section 5316 of title 5, United States Code.

“(iii) CIVIL SERVICE EMPLOYEES.—The Chairperson may appoint and determine the compensation of not more than

This does not work

1 ___ positions in the Corporation in ac-
2 cordance with the provisions described in
3 clause (i).

4 “(2) CONSULTANTS.—The Chairperson may
5 procure the temporary and intermittent services of
6 experts and consultants and compensate the experts
7 and consultants in accordance with section 3109(b)
8 of title 5, United States Code.

9 “(3) DETAILS OF PERSONNEL.—The head of
10 any Federal department or agency may detail on a
11 reimbursable basis, or on a nonreimbursable basis
12 for not to exceed 180 calendar days during any fis-
13 cal year, as agreed upon by the Chairperson and the
14 head of the Federal agency, any of the personnel of
15 that department or agency to the Corporation to as-
16 sist the Corporation in carrying out the duties of the
17 Corporation under this Act. Any detail shall not in-
18 terrupt or otherwise affect the civil service status or
19 privileges of the Federal employee.

20 “(c) ADMINISTRATION.—

21 “(1) DONATIONS.—

22 “(A) SERVICES.—

23 “(i) VOLUNTEERS.—Notwithstanding
24 any other provision of Federal law, the
25 Corporation may solicit and accept the vol-

1 untary services of individuals, and provide
2 to such individuals the travel expenses de-
3 scribed in subsection (c)(6).

4 “(ii) LIMITATION.—Such a volunteer
5 shall not be considered to be a Federal em-
6 ployee and shall not be subject to the pro-
7 visions of law relating to Federal employ-
8 ment including those relating to hours of
9 work, rates of compensation, leave, unem-
10 ployment compensation, and Federal em-
11 ployee benefits, except as follows:

12 “(I) TORT CLAIMS.—For the
13 purposes of the tort claims provisions
14 of chapter 171 of title 28, United
15 States Code, a volunteer under this
16 subtitle shall be considered to be a
17 Federal employee.

18 “(II) CIVIL EMPLOYEE.—For the
19 purposes of subchapter I of chapter
20 81 of title 5, United States Code, re-
21 lating to compensation to Federal em-
22 ployees for work injuries, volunteers
23 under this subtitle shall be considered
24 to be employees, as defined in section
25 8101(1)(B) of title 5, United States

1 Code, and the provisions of such sub-
2 chapter shall apply.

3 “(B) PROPERTY.—The Corporation may
4 solicit, accept, use, and dispose of, in further-
5 ance of the purposes of this Act, donations of
6 any money or property, real, personal, or mixed,
7 tangible or intangible, received by gift, devise,
8 bequest, or otherwise.

9 “(C) RULES.—The Chairperson shall es-
10 tablish written rules setting forth the criteria to
11 be used in determining whether the acceptance
12 of contributions of money or property, real, per-
13 sonal, or mixed, tangible or intangible, received
14 by gift, devise, bequest, or otherwise (pursuant
15 to subparagraph (B)) would reflect unfavorably
16 upon the ability of the Corporation or any em-
17 ployee of the Corporation to carry out the re-
18 sponsibilities or official duties of the Corpora-
19 tion in a fair and objective manner, or would
20 compromise the integrity of the programs of the
21 Corporation or any official involved in such pro-
22 grams.

23 “(D) DISPOSITION.—Upon completion of
24 the use by the Corporation of any affected
25 property, such completion shall be reported to

1 the General Services Administration and such
2 property shall be disposed in accordance with
3 title II of the Federal Property and Administra-
4 tive Services Act of 1949 (40 U.S.C. 471 et
5 seq.).

6 "(2) TECHNICAL ASSISTANCE.—On the request
7 of the Chairperson, the heads of other pertinent
8 Federal agencies shall provide, without reimburse-
9 ment, such technical assistance and administrative
10 support services to the Corporation as the Chair-
11 person determines to be necessary to carry out the
12 duties of the Corporation.

13 "(3) OBTAINING INFORMATION.—The Corpora-
14 tion may secure directly from an officer, department,
15 agency, establishment, or instrumentality of the
16 Federal Government such information and statistics
17 as the Corporation may require to carry out the du-
18 ties of the Corporation under this Act, if the infor-
19 mation may be disclosed under section 552 of title
20 5, United States Code. Subject to the previous sen-
21 tence, on the request of the Chairperson, each such
22 officer, department, agency, establishment, or instru-
23 mentality may furnish, to the extent permitted by
24 law, such information and statistics directly to the
25 Corporation.

1 “(4) CONTRACTS.—Subject to the Federal
2 Property and Administrative Services Act of 1949,
3 the Corporation may enter into contracts, and coop-
4 erative and interagency agreements, with Federal
5 and State agencies, private firms, institutions, and
6 individuals to conduct activities necessary to carry
7 out the duties of the Corporation under this Act.”.

Do
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modifications?

8 (b) CONFORMING AMENDMENTS.—

9 (1) AUTHORITIES OF COMMISSION.—Section
10 190 of the National and Community Service Act of
11 1990 (42 U.S.C. 12651) is amended by striking sub-
12 sections (h) through (j).

13 (2) AUTHORITIES OF ACTION.—Sections 401
14 and 402 of the Domestic Volunteer Service Act of
15 1972 (42 U.S.C. 5041 and 5042) are repealed.

16 (3) COMMISSION.—[To be supplied.]

17 (4) ACTION.—[To be supplied.]

18 (5) DIRECTOR.—[To be supplied.]

19 (6) ACT.—[To be supplied.]

20 (7) TITLE.—[To be supplied.]

21 (c) EFFECTIVE DATE.—[The amendments made by
22 this section shall take effect 1 year after the date of enact-
23 ment of this Act.]

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1 SEC. ____ TRANSITION.

2 (a) ACTION.—Section 401 of the Domestic Volunteer
3 Service Act of 1973 (42 U.S.C. 5041) is amended by strik-
4 ing the first and second sentences and inserting the follow-
5 ing: "There is established in the Corporation for National
6 Service an office to be known as the ACTION Agency in
7 order to provide a focal point for volunteerism at the na-
8 tional, State, and local level. Such Agency shall be headed
9 by a Director, who shall be appointed by the President,
10 by and with the advice and consent of the Senate, and
11 shall be compensated at the rate provided for level III of
12 the Executive Schedule under section 5314 of title 5, Unit-
13 ed States Code. Such Director shall report directly to the
14 Chairperson of the Corporation for National Service."

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15 (b) COMMISSION.—

16 (1) AUTHORITY OF CORPORATION AND DIRECTOR.—Section 190 of the National and Community
17 Service Act of 1990 (42 U.S.C. 12651) is amended
18 by striking subsection (a) and inserting the follow-
19 ing:
20

21 "(a) ESTABLISHMENT.—

22 "(1) IN GENERAL.—There is established a Cor-
23 poration for National Service that shall administer
24 the programs established under the national service
25 Acts. The Corporation shall be an independent es-

*MAY
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CHAIR FOR
FIRST
YEAR*

1 tablishment, as defined in section 104 of title 5,
2 United States Code.

3 “(2) DIRECTOR.—

4 “(A) IN GENERAL.—The Corporation shall
5 be headed by a Chairperson (referred to in this
6 section as the “Chairperson”), who shall be ap-
7 pointed by the President by and with the advice
8 and consent of the Senate. The Chairperson
9 shall be compensated at the rate provided for
10 level III of the Executive Schedule under sec-
11 tion 5314 of title 5, United States Code.

12 “(B) GENERAL POWERS AND DUTIES.—
13 The Chairperson shall be responsible for the ex-
14 ercise of all powers and the discharge of all du-
15 ties of the Corporation, and shall have authority
16 and control over all personnel and activities of
17 the Corporation.”.

18 “(2) AUTHORITY OF COMMISSION.—Section
19 190(b) of the National and Community Service Act
20 of 1990 (42 U.S.C. 12651(b)) is amended—

21 (A) by striking the subsection heading and
22 inserting “COMMISSION; BOARD OF DIREC-
23 TORS.—”; and

24 (B) in paragraph (1), to read as follows:

25 “(1) COMPOSITION.—

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1 “(A) COMMISSION.—There is established
2 in the Corporation for National Service a Com-
3 mission on National and Community Service
4 that shall administer the programs established
5 under this title.

6 “(B) BOARD OF DIRECTORS.—The Com-
7 mission shall be administered by a Board of Di-
8 rectors (hereinafter referred to in this section
9 as the “Board”) that shall be composed of 21
10 members, to be appointed by the President by
11 and with the advice and consent of the Senate.
12 To the maximum extent practicable, an effort
13 should be made to appoint members—

14 “(i) who have extensive experience in
15 volunteer and service opportunity programs
16 and who represent a broad range of view-
17 points; and

18 “(ii) so that the Board shall be di-
19 verse according to race, ethnicity, age, gen-
20 der, and political party membership.

21 “(C) EX OFFICIO MEMBERS.—The Sec-
22 retary of Education, Secretary of Health and
23 Human Services, Secretary of Labor, Secretary
24 of Interior, Secretary of Agriculture, Director of
25 the Office of National Drug Control Policy, and

Δ to reflect new list

1 the Director of the ACTION agency shall serve
2 as ex officio members of the Board.”.

3 (c) DEFINITIONS.—Section 101 of the National and
4 Community Service Act of 1990 (42 U.S.C. 12511) is
5 amended by adding at the end the following:

6 “(31) CORPORATION.—The term ‘Corporation’
7 means the Corporation for National Service estab-
8 lished in section 190.

9 “(32) NATIONAL SERVICE ACTS.—The term
10 ‘national service acts’ means this Act and the Do-
11 mestic Volunteer Service Act of 1973.

12 “(33) VOLUNTEER.—As used in this subpara-
13 graph, the term ‘volunteer’ shall not include a par-
14 ticipant.”.

15 (d) EFFECTIVE DATE.—The amendments made by
16 this section shall take effect on the date of enactment of
17 this Act.

Participant

1 Subtitle F of title I of the National and Community
2 Service Act of 1990 is amended by striking section 178
3 (42 U.S.C. 12638) and inserting the following new sec-
4 tions:

5 "SEC. 178. ESTABLISHMENT OF STATE COMMISSIONS ON
6 NATIONAL SERVICE.

7 "(a) ESTABLISHMENT REQUIRED.—To be eligible to
8 receive a grant or allotment under subtitles B, C, or E,
9 or to receive a distribution of approved national service
10 positions under subtitle D, a State shall establish a State
11 Commission on National Service that satisfies the require-
12 ments of this section.

13 "(b) APPOINTMENT AND SIZE.—Except as provided
14 in subsection (c)(2), the members of a State Commission
15 shall be appointed by the chief executive officer of the
16 State. A State Commission shall consist of 11 [number]
17 of members.

18 "(c) COMPOSITION AND MEMBERSHIP.—

19 "(1) IN GENERAL. (7) [number] of the mem-
20 bers of a State Commission shall be appointed from
21 among the following: [what follows are the require-
22 ments for the existing advisory boards]

23 "(A) Representatives of State agencies
24 [administering] community service, youth serv-
25 ice, education, social service, senior service, and

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1 job training programs. [Note: Should 'ad-
 2 ministering' be changed to something
 3 else since the Commission is now
 4 going to be the State agency admin-
 5 istering a program receiving assist-
 6 ance under at least subtitle C?]

(Direct
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7 "(B) Representatives of labor, business,
 8 agencies working with youth, community-based
 9 organizations (such as community action agen-
 10 cies), students, teachers, Older American Vol-
 11 unteer Programs established under title II of
 12 the Domestic Volunteer Act of 1973 (42 U.S.C.
 13 5001 et seq.), full-time youth corps programs,
 14 school-based community service programs, high-
 15 er education institutions, local educational
 16 agencies, volunteer public safety organizations,
 17 educational partnership programs, and other or-
 18 ganizations working with volunteers.

majority?

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19 "(2) CORPORATION REPRESENTATIVE.—The
 20 representative of the Corporation designated under
 21 section 134 for the State shall be a full voting mem-
 22 ber of the State Commission.

23 "(3) MEMBERSHIP BALANCE.—To the extent
 24 practicable, the chief executive officer of a State
 25 shall ensure that the membership of the State Com-

1 mission is balanced according to race, ethnic back-
2 ground, age, and gender.

3 “(4) CHAIRPERSON.—The members of a State
4 Commission shall select one of the members to serve
5 as chairperson of the State Commission.

6 “(d) DUTIES OF A STATE COMMISSION.—The State
7 Commission shall be responsible for the following duties:

8 “(1) Preparation of the national service plan
9 for the State.

10 “(2) Preparation of the applications of the
11 State for assistance under subtitles C and E.

12 “(3) Assisting in the preparation of the applica-
13 tion of the State educational agency for assistance
14 under part I of subtitle B.

15 “(4) Preparation of the applications of the
16 State for the designation or allotment of national
17 service positions which include the post-service edu-
18 cational benefit under subtitle D as one the benefits
19 to be provided for service in the positions and dis-
20 tribution of any allotment of such positions received.

21 “(5) Administration of any national service pro-
22 grams proposed to be planned, established, operated,
23 expanded, or replicated directly by the State using
24 assistance provided under subtitles C or E.

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Grantmaking & oversight
State grants → state agencies

1 “(6) Selection and placement of participants in
2 approved national service positions associated with
3 the programs described in paragraph (5).

4 “(7) Administration of any grant program pro-
5 posed to be conducted by the State using assistance
6 provided under subtitles C and E, including over-
7 sight and evaluation of grant recipients.

8 “(8) Coordination of the activities described in
9 paragraphs (5) and (7) with similar national service
10 programs within the State.

11 “(8) Dissemination of information concerning
12 national service programs that receive assistance and
13 available approved national service positions.

14 “(9) Development of programs, training meth-
15 ods, curriculum materials, and other materials and
16 activities related to national service programs that
17 receive assistance.

18 “(e) APPROVAL OF STATE COMMISSION.—

19 “(1) SUBMISSION TO CORPORATION.—The ap-
20 plication of a State for a grant under section 121,
21 whether submitted to obtain the allotment of the
22 State under section 122(a) or a competitive grant,
23 shall include a description of—

1 “(A) the composition and membership of
2 the State Commission submitting the applica-
3 tion; and

4 “(B) the authority of the State Commis-
5 sion to administer any national service program
6 proposed to be planned, established, operated,
7 expanded, or replicated directly by the State or
8 any grant program proposed to be conducted by
9 the State using assistance provided under sec-
10 tion 121.

11 “(2) REJECTION.—The Corporation may reject
12 a State Commission and the application describing
13 the State Commission if the Corporation determines
14 that the composition and membership of the State
15 Commission does not comply with the requirements
16 of subsection (c) or that the State Commission is
17 not given sufficient authority to adequately admin-
18 ister the assistance provided under [✓]section 121. If
19 the Corporation rejects a State Commission (or) appli-
20 cation under this paragraph, the Corporation shall
21 promptly notify the State of the reasons for the re-
22 jection.

23 “(3) SUBSEQUENT CHANGES.—This subsection
24 shall also apply to any change in the composition or

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1 duties of a State Commission made after approval of
2 the Commission.

3 **"SEC. 178A. NATIONAL SERVICE PLAN FOR A STATE.**

4 "(a) PLAN REQUIRED.—In order for a State to be
5 eligible to receive a grant or allotment under subtitles B,
6 C, or E, or to receive a distribution of approved national
7 service positions under subtitle D, the State Commission
8 on National Service for that State shall prepare and sub-
9 mit to the Corporation a national service plan that satis-
10 fies the requirements of this section.

11 "(b) PURPOSE OF PLAN.—The purpose of the na-
12 tional service plan of a State is to describe—

13 "(1) the manner in which the National Service
14 Commission of the State will use assistance provided
15 to the State under subtitles C or E or to the State
16 Commission under subtitle B; and

17 "(2) the manner in which the National Service
18 Commission of the State will distribute those na-
19 tional service positions including the post-service
20 educational benefit under subtitle D that are award-
21 ed or allotted to the State under subtitle D.

22 "(c) SPECIFIC CONTENTS OF PLAN.—**[These con-**
23 **tents are derived from subsections (c) and (d)**
24 **of section 123 and section 142(f), except the**
25 **first four paragraphs are derived from Shir-**

1 **ley's early draft.]**The national service plan shall in-
2 clude the following:

3 “(1) A description of the number and type of
4 national service positions that the State Commission
5 proposes for designation as national service positions
6 which include the post-service educational benefit
7 under subtitle D,

8 “(2) A description of the manner in which the
9 State Commission proposes to distribute national
10 service positions which include the post-service edu-
11 cational benefit under subtitle D, including the per-
12 centage of such positions that will be retained by the
13 State and the percentage of such positions that will
14 be awarded to other entities.

① Limitation
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15 “(3) A description of the system for ensuring
16 that recipients of grants from the State Commission
17 under subtitles B, C, D, or E comply with the provi-
18 sions of the applicable subtitle.

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19 “(4) A description of the extent to which the
20 State proposes to make child care available for chil-
21 dren of individuals participating in national service
22 programs supported by the State using assistance
23 provided under subtitles C or E.

24 “(5) A description of the objectives and per-
25 formance goals for the national service programs

1 proposed to be planned, established, operated, ex-
2 panded, or replicated directly by the State.

3 “(6) A proposal for the certification of the
4 training skills acquired by participants, the awarding
5 of academic credit to participants for competency
6 developed through training programs or work experi-
7 ence obtained under the programs, and the inclusion
8 of an age-appropriate learning component for par-
9 ticipants that includes procedures that permit par-
10 ticipants to reflect on service experiences.

11 “(7) A description of the geographical areas
12 within such State in which service will be performed
13 to provide the optimum match between the need for
14 services and the anticipated supply of participants.

15 “(8) A description of the facilities, quarters and
16 board (in the case of residential facilities), limited
17 and emergency medical care, transportation from ad-
18 ministrative facilities to work sites, accommodations
19 for individuals with disabilities, and other appro-
20 priate services, supplies, and equipment that will be
21 provided by the State.

22 “(9) A description of the basic standards of
23 work requirements, health, nutrition, sanitation, and
24 safety, and the manner that such standards shall be
25 enforced.

1 “(10) An assurance that, prior to the placement
2 of a participant with a national service program
3 planned, established, operated, expanded, or rep-
4 licated using assistance provided to the State under
5 subtitles C or E or to the State Commission under
6 subtitle B, the State Commission will consult with
7 any local labor organization representing employees
8 in the area who are engaged in the same or similar
9 work as that proposed to be carried out by the pro-
10 gram.

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11 “(11) A description of formal social counseling
12 arrangements to be made available to participants.

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13 “(12) A plan for ensuring that individuals do
14 not drop out of school for the purpose of participat-
15 ing in a national service program planned, estab-
16 lished, operated, expanded, or replicated using as-
17 sistance provided to the State under subtitles C or
18 E or to the State Commission under subtitle B.

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19 “(13) A description of the procedures to be
20 used to assure that entities that do not receive as-
21 sistance or approved national service positions are
22 provided with information concerning the VISTA
23 program, the Civilian Community Corps, and the
24 programs established under title II of the Domestic

1 Volunteer Service Act of 1973 (42 U.S.C. 5001 et
2 seq.).

3 “(14) A description of the amount of State
4 funds to be expended in support of national service.

5 “(15) A plan for evaluating the success and ef-
6 ficiency of those national service programs proposed
7 to be planned, established, operated, expanded, or
8 replicated directly by the State or supported by
9 grants from the State using funds provided under
10 subtitles B, C, and E.

11 “(d) SPECIAL REQUIREMENTS FOR STATE PRO-
12 GRAMS.—With respect to each national service program
13 proposed to be planned, established, operated, expanded,
14 or replicated directly by the State, the national service
15 plan shall include the following:

16 “(1) A description of the management and
17 funding the program, the types of projects to be car-
18 ried out, and the types and duration of training and
19 work experience to be provided.

20 “(2) An estimate of the number of participants
21 and supervisory staff necessary for the program, the
22 length of time that the services of such participants
23 and supervisory staff will be required, and the sup-
24 port services that will be required for such partici-
25 pants and supervisory staff.

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1 “(3) A plan for the appointment and training
2 of the supervisory staff (including participants who
3 have displayed exceptional leadership qualities) and
4 to ensure the on-site presence of supervisory staff at
5 projects.

6 “(4) A plan for recruiting such participants, in-
7 cluding educationally and economically dis-
8 advantaged youth, youth with limited basic skills or
9 learning disabilities, homeless youth, youth with dis-
10 abilities, youth who are in foster care who are be-
11 coming too old for foster care, and youth of limited
12 English proficiency.

13 “(5) A plan to assign participants to projects as
14 near to the homes of such participants as is reason-
15 able and practicable.

16 “(e) SPECIAL REQUIREMENTS FOR GRANT PRO-
17 GRAMS.—With respect to any program to make grants to
18 applicants within the State under subtitles B, C, and E,
19 or to distribute approved national service positions to ap-
20 plicants within the State under subtitle D, the national
21 service plan shall include the following:

22 “(1) A description of the manner in which local
23 applicants will be selected, coordinated, and evalu-
24 ated.

1 “(2) A plan for recruiting participants by such
2 local applicants, including participants who are edu-
3 cationally and economically disadvantaged youth,
4 youth with limited basic skills or learning disabil-
5 ities, homeless youth, youth with disabilities, youth
6 who are in foster care who are becoming too old for
7 foster care, and youth of limited English proficiency.

8 “(3) A plan under which the State will encour-
9 age cooperation among local applicants that are
10 awarded assistance or approved national service po-
11 sitions and the appropriate State job training coordi-
12 nating council established under the Job Training
13 and Partnership Act (29 U.S.C. 1501 et seq.).

14 “(4) An assurance that, prior to the placement
15 of a participant by a local applicant assisted by a
16 grant, the State will ensure that the local applicant
17 consults with each local labor organization rep-
18 resenting employees in the area who are engaged in
19 the same or similar work as the work that is pro-
20 posed to be carried out by participants.

21 “(f) REVIEW AND APPROVAL OF PLAN.—The Cor-
22 poration shall review each national service plan submitted
23 under this section as part of its review of the grant or
24 allotment applications accompanying the plan. The Cor-
25 poration may reject a plan, and the applications accom-

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1 panying the plan, if the Corporation determines that the
2 plan is insufficient in any of the descriptions or proposals
3 required to be included in the plan under subsections (c),
4 (d), and (e). The Corporation shall promptly notify the
5 applicant of the reasons for the rejection of the plan.”.

1 (____) FEDERAL SHARE.—

2 (1) IN GENERAL.—

3 (A) FEDERAL SHARE; PROGRAM FUNDS.—

4 The Federal share attributable to this subtitle
5 of the cost of activities for which a grant is
6 made to a grant recipient under this subtitle
7 shall be not more than 50 percent of the cost
8 of such activities.

9 (B) FEDERAL SHARE; OTHER FUNDS.—

10 Except as provided in paragraph (2), in provid-
11 ing for the remaining share of the cost of such
12 activities—

13 (i) for the first year for which such
14 activities are funded under this subtitle,
15 each grant recipient may provide not more
16 than 40 percent of the cost—

17 (I) from Federal sources, other
18 than funds received pursuant to this
19 subtitle;

20 (II) from State sources; or

21 (III) through payments in kind,
22 fairly evaluated, including plant,
23 equipment, or services (other than the
24 services of volunteers); and

1 (ii) for each year subsequent to such
2 first year, each grant recipient may provide
3 such percentage of the cost as the Director
4 shall determine to be appropriate from the
5 Federal and State sources, and through
6 the payments in kind.

7 (2) WAIVER.—

8 (A) IN GENERAL.—The Director may
9 grant a waiver from the requirements of para-
10 graph (1)(B) to a grant recipient [that is lo-
11 cated in a poverty area].

12 (B) FEDERAL SHARE; OTHER FUNDS.—A
13 grant recipient that receives such a waiver may,
14 in providing for the remaining share described
15 in paragraph (1)(B), provide not more than the
16 percentage described in clause (i) or (ii) of such
17 paragraph, as appropriate, from the Federal
18 and State sources described in such paragraph
19 and through payments in kind, fairly evaluated,
20 including plant, equipment, or services (includ-
21 ing the services of volunteers).

22 (3) MAINTENANCE OF EFFORT.—Funds appro-
23 priated to carry out activities under this subtitle
24 shall be used to supplement, and not supplant, any
25 Federal, State, or local public funds that would oth-

1 erwise have been made available to carry out such
2 activities.

1 (____) FEDERAL SHARE.—[OPTION 2]

2 (1) IN GENERAL.—

3 (A) FEDERAL SHARE; PROGRAM FUNDS.—

4 The Federal share attributable to this subtitle
5 of the cost of activities for which a grant is
6 made to a grant recipient under this subtitle
7 shall be not more than 50 percent of the cost
8 of such activities.

9 (B) FEDERAL SHARE; OTHER FUNDS.—

10 Except as provided in paragraph (2), in provid-
11 ing for the remaining share of the cost of such
12 activities, each grant recipient carrying out a
13 program under this subtitle shall provide not
14 less than 15 percent of the cost of any stipends,
15 salaries, or living allowances provided to partici-
16 pants in such program, at the levels provided
17 for under this subtitle, through payments in
18 cash from [local] [private] sources.

19 (C) LEVELS OF STIPENDS, SALARIES, AND
20 LIVING ALLOWANCES.—Nothing in this section
21 shall be construed to limit the sums that the
22 grant recipient may provide to participants in
23 such program for stipends, salaries, or living al-
24 lowances, if the grant recipient provides for the
25 amount of any such stipends, salaries, or living

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1 allowances that is in excess of the levels pro-
2 vided for in this subtitle through payments in
3 cash from [local] [private] sources.

4 (2) MAINTENANCE OF EFFORT.—Funds appro-
5 priated to carry out activities under this subtitle
6 shall be used to supplement, and not supplant, any
7 Federal, State, or local public funds that would oth-
8 erwise have been made available to carry out such
9 activities.

Balance of 50% via cash or in-kind
incl state/local gov't. \$

Need to
review
Next Draft

- 1 Subtitle C of title I of the National and Commu
- 2 Service Act of 1990 (42 U.S.C. 12541 et seq.) is amended
- 3 to read as follows:

"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.
- "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.

Check Interior
MATCH FOR
FED PARTICIPANTS

Revis 5/13 of F to
apply to
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- 4 **"Subtitle C—Assistance for**
- 5 **National Service Programs**

- 6 **"SEC. 121. AUTHORITY TO PROVIDE ASSISTANCE.**

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

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- 12 **"(b) TRANSFERS.**—The Corporation may also trans-
- 13 fer funds to the heads of Federal agencies to expand na-
- 14 tional service programs conducted by these agencies.

- 15 **"SEC. 122. PROVISION OF ASSISTANCE BY COMPETITIVE**
- 16 **AND OTHER MEANS.**

- 17 **"(a) ALLOTMENT FOR CERTAIN STATES.**—Of the
- 18 funds appropriated to carry out this subtitle for a fiscal

1 year, the Corporation shall allot to each of the several
2 States, the District of Columbia, and the Commonwealth
3 of Puerto Rico **[this group taken from K/12 pro-**
4 **gram]** an amount which bears the same ratio to ~~33~~ per-
5 cent of such appropriated funds as the population of such
6 State bears to the total population of the several States,
7 the District of Columbia, and the Commonwealth of Puer-
8 to Rico. The amount allotted to a State under this sub-
9 section shall be awarded to the State under section 121
10 only pursuant to an application submitted by the State
11 under section 124 and accepted by the Corporation under
12 section 127.

13 “(b) RESERVATION FOR INDIAN TRIBES AND CER-
14 TAIN TERRITORIES.—Of the funds appropriated to carry
15 out this subtitle for a fiscal year, the Corporation shall
16 reserve not more than one percent of such amount for
17 grants under section 121 to Indian tribes, the Virgin Is-
18 lands, Guam, American Samoa, the Commonwealth of the
19 Northern Mariana Islands and Palau, until such time as
20 the Compact of Free Association is ratified, to be allotted
21 in accordance with their respective needs.

22 “(c) COMPETITIVE DISTRIBUTION OF REMAINING
23 FUNDS.—The Corporation shall distribute the remainder
24 of the funds appropriated to carry out this subtitle for
25 a fiscal year under section 121 on a competitive basis pur-

1 suant to applications submitted under section 124. In
2 making assistance available under this subsection, the
3 Corporation shall ensure that eligible entities receiving as-
4 sistance are geographically diverse and provide national
5 service opportunities in both urban and rural areas.

6 **"SEC. 123. TYPES OF NATIONAL SERVICE PROGRAMS.**

7 "The types of national service programs intended to
8 be supported with assistance provided under section 121
9 are as follows:

10 "[TO BE ADDED]

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

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

19 "(b) CONTENT OF APPLICATION.—The application
20 required by this section shall—

21 "(1) describe all national service programs pro-
22 posed to be planned, established, operated, ex-
23 panded, or replicated directly by the applicant using
24 assistance provided under section 121;

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1 “(2) describe any grant program proposed to be
2 conducted by the applicant with assistance provided
3 under section 121 to support other national service
4 programs;

5 “(3) specify the number of national service po-
6 sitions approved by the Corporation for post-service
7 educational benefits that are sought by the applicant
8 as part of the national service proposal; and

9 “(4) contain the guarantees and information re-
10 quired by sections 125, 126, and 130 and such other
11 information as the Commission may reasonably re-
12 quire. .

13 “(c) SPECIAL RULE FOR STATE APPLICANTS.—The
14 application of a State for a grant under section 121,
15 whether submitted to obtain the allotment of the State
16 under section 122(a) or a competitive grant, shall be sub-
17 mitted by the State Commission on National Service re-
18 quired to be established under section ____ and shall con-
19 tain the national service plan for the State.

20 **“SEC. 125. NATIONAL SERVICE PROGRAM REQUIREMENTS.**

21 “(a) SUPPORT FOR PARTICIPANTS.—An application
22 submitted to the Corporation under section 124 shall in-
23 clude a guarantee by the applicant that any national serv-
24 ice program planned, established, operated, expanded, or

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1 replicated using assistance provided to the applicant under
2 section 121 will—

3 “(1) involve participants in meaningful national
4 service that addresses unmet human, educational,
5 environmental or public safety needs, especially
6 those needs relating to poverty;

7 “(2) provide national service opportunities for
8 participants for the terms of service required by sec-
9 tion 131;

10 “(3) provide training to participants that—

11 “(A) builds an ethic of civic responsibility
12 through training in citizenship and the ethic of
13 national and community service;

14 “(B) orients each participant in the na-
15 ture, philosophy, and purpose of the program;
16 and

17 “(C) provides the skills and knowledge nec-
18 essary for the type of national service that par-
19 ticipants will be called upon to perform;

20 “(4) contain a service-learning component that
21 provides participants with an opportunity to reflect
22 on their service experiences;

23 “(5) involve participants in the design of the
24 program and provide leadership positions to partici-

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1 pants in implementing and evaluating the program;
2 and

3 “(6) provide living allowances pursuant to sec-
4 tion 132.

5 “(b) CONSULTATION AND EVALUATION.—The appli-
6 cant shall also guarantee that any national service pro-
7 gram planned, established, operated, expanded, or rep-
8 licated using assistance provided to the applicant under
9 section 121 will—

10 “(1) provide for broad-based input from the
11 community served in the design, recruitment, and
12 operation of the program;

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

18 “(3) arrange for an independent evaluation of
19 the program.

20 “(c) SELECTION OF PARTICIPANTS FROM NATIONAL
21 REGISTRY.—The applicant shall also guarantee that any
22 national service program planned, established, operated,
23 expanded, or replicated using assistance provided to the
24 applicant under section 121 will select not less than ____
25 percent of all participants for the program from among

or
state?

1 prospective participants registered with the Corporation
2 under section ____.

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;

12 "(3) partisan political organization; or

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

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

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

*What about
Apprenticeship
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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 ability of the programs—

11 “(A) to offer valuable services in those
12 communities—

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

18 “(ii) where national service programs
19 do not currently exist or are currently too
20 limited to meet community needs;

21 “(B) to provide productive, meaningful,
22 educational experiences for participants which
23 incorporate service-learning methods;

24 “(C) to involve the participants in the de-
25 sign and operation of the program;

1 “(D) to involve individuals from diverse
2 backgrounds (including economically dis-
3 advantaged youth); and

4 “(E) to develop the leadership skills of
5 participants.

6 “(3) The quality of leadership and management
7 of the national service programs to be conducted di-
8 rectly or supported by the applicant, as measured
9 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 na-
17 tional 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 national
2 service programs, based on the ability and willing-
3 ness of the programs to assist other persons in
4 learning from the experience and replicating the ap-
5 proach of the programs.

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

8 “(A) the inclusion of the programs in the
9 National Service Plan of a State;

10 “(B) the existence of strong and broad-
11 based community support for and involvement
12 in the programs; and

13 “(C) evidence that financial resources will
14 be available to continue the programs after the
15 expiration of the period of assistance provided
16 under section 121.

17 “(c) REJECTION OF APPLICATIONS.—If the Cor-
18 poration rejects an application as insufficient after consid-
19 ering the criteria described in subsection (b), the Cor-
20 poration shall promptly notify the applicant of the reasons
21 for the rejection of the application.

22 “(d) APPLICATION TO SECONDARY GRANTS.—The
23 requirements of this section shall apply to any State or
24 other applicant receiving assistance under section 121 that

1 proposes to conduct a grant program using such assist-
2 ance to support other national service programs.

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

14 “(c) **REPLICATION ASSISTANCE.**—The Corporation
15 may provide assistance under section 121 to qualified ap-
16 plicants for the replication [**What does replication**
17 **mean?**] of national service programs. Assistance pro-
18 vided under this subsection may cover a period of not more
19 than three years.

20 “(d) **LIMITATION ON ADMINISTRATIVE COSTS.**—Ex-
21 cept in the case of assistance described in subsection (a),
22 a State or other applicant receiving assistance under sec-
23 tion 121 may not use more than five percent of the
24 amount of such assistance to cover administrative costs,
25 including indirect costs.

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

6 **“SEC. 129. MATCHING REQUIREMENTS BY RECIPIENTS.**

7 **“[TO BE ADDED]**

8 **“SEC. 130. ELIGIBILITY REQUIREMENTS FOR NATIONAL**
9 **SERVICE PARTICIPANTS.**

10 “An application submitted to the Corporation under
11 section 124 shall include a guarantee by the applicant that
12 any national service program planned, established, oper-
13 ated, expanded, or replicated using assistance provided to
14 the applicant under section 121 will accept as participants
15 in the program individuals who—

16 “(1) are 16 years of age or older;

17 “(2) have received a high school diploma, or the
18 equivalent of such diploma, or agree to achieve a
19 high school diploma or the equivalent of such di-
20 ploma while participating in the program; and

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

1 "SEC. 131. 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) PART-TIME.—An individual performing
11 part-time national service in a national service pro-
12 gram assisted under section 121 shall agree to per-
13 form not less than ____ hours of approved national
14 service over a period of not more than two years.

15 "(2) FULL-TIME.—An individual performing
16 full-time national service in a national service pro-
17 gram assisted under section 121 shall agree to per-
18 form not less than ____ hours of approved national
19 service over a period of nine months.

20 "(c) PARTIAL COMPLETION OF SERVICE.—

21 "(1) RELEASE AUTHORIZED.—A State or other
22 recipient of assistance under section 121 may release
23 a participant from completing a term of service in
24 a national service program for compelling personal
25 circumstances as demonstrated by the participant.

1 “(2) EFFECT OF RELEASE.—If a participant in
 2 a national service program conducted or supported
 3 with assistance provided under section 121 is re-
 4 leased from completing the term of service agreed to
 5 by the participant, the Corporation may provide the
 6 participant with that portion of the post-service edu-
 7 cational benefit approved for the participant that
 8 corresponds to the quantity of the term of service
 9 actually completed by the participant. **[Should be**
 10 **moved to Trust Fund provisions to cover**
 11 **all approved national service positions?]**

No

12 “SEC. 132. LIVING ALLOWANCES FOR FULL-TIME NATIONAL
 13 SERVICE PARTICIPANTS.

14 “(a) LIVING ALLOWANCE REQUIRED.—From assist-
 15 ance provided under section 121 to a State or other recipi-
 16 ent to plan, establish, operate, expand, or replicate a na-
 17 tional service program, the recipient shall provide to each
 18 full-time participant in the program a living allowance
 19 equal to the Federal minimum wage.

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20 “(b) ADDITIONAL ALLOWANCE AUTHORIZED.—Not-
 21 withstanding subsection (a), the recipient of assistance
 22 under section 121 may provide to, or authorize the other
 23 persons to provide to, national service participants such
 24 additional amounts as the recipient considers to be appro-

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1 priate. Any additional amounts provided under this sub-
2 section shall be derived from non-Federal sources.

3 “(c) HEALTH INSURANCE.—In addition to the living
4 allowance provided under subsection (a), the recipients of
5 assistance under section 121 are encouraged to provide
6 health insurance to each full-time participant in a national
7 service program who does not otherwise have access to
8 health insurance.

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 section ___, in an amount based upon the time and
15 length of service of the participant, if the participant
16 served in a national service position approved by the Cor-
17 poration for such benefit.”.

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- 1 Subtitle D of title I of the National and Community
- 2 Service Act of 1990 (42 U.S.C. 12571 et seq.) is amended
- 3 to read as follows:

"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 posi-
tions.

"Sec. 141. Criteria for designating approved national service positions.

"Sec. 142. Selection of individuals to fill an approved national service posi-
tion.

"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.

4 **"Subtitle D—Provision of Post-**
5 **Service Educational Benefits**
6 **From the National Service Trust**
7 **Fund**

8 **"Part I—Designation of National Service Positions**
9 **Eligible for Post-Service Educational Benefits**

10 **"SEC. 140. DESIGNATION AND DISTRIBUTION OF APPROVED**
11 **NATIONAL SERVICE POSITIONS.**

12 **"(a) DESIGNATION AND DISTRIBUTION BY COR-**
13 **PORATION.—Except as provided in subsections (b) and**
14 **(c), the Corporation shall—**

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

5 “(2) distribute such approved national service posi-
6 tions to States, Indian tribes, public and private nonprofit
7 organizations, institutions of higher education, and Fed-
8 eral agencies on a competitive basis pursuant to applica-
9 tions submitted to the Corporation under section 143.

[**Note:**A definition will be added to section 101 of
the NCSA90 to define the term ‘approved national serv-
ice position’, which means a national service position des-
ignated 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.]

10 “(b) ALLOTMENT TO STATES AND INDIAN TRIBES.—

11 “(1) ALLOTMENT FOR CERTAIN STATES.—The
12 Corporation shall allot to each of the several States,
13 the District of Columbia, and the Commonwealth of
14 Puerto Rico a number of national service positions
15 to be designated by the State as including the post-
16 service educational benefit under part II and to be
17 distributed by the State. The number of such na-
18 tional service positions allotted to each such State

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1 for a fiscal year shall be equal to the number which
2 bears the same ratio to 33 percent of total number
3 of such positions to be designated for that fiscal year
4 as the population of such State bears to the total
5 population of the several States, the District of Co-
6 lumbia, and the Commonwealth of Puerto Rico. The
7 State shall receive the allotment under this para-
8 graph only pursuant to an application submitted by
9 the State under section 143 and accepted by the
10 Corporation under section 144.

11 “(2) ALLOTMENT FOR CERTAIN OTHER STATES
12 AND INDIAN TRIBES.—Of the total number of na-
13 tional service positions to be designated for a fiscal
14 year as including the post-service educational benefit
15 under part II, the Corporation shall reserve not
16 more than one percent of such number for dis-
17 tribution to Indian tribes, the Virgin Islands, Guam,
18 American Samoa, the Commonwealth of the North-
19 ern Mariana Islands and Palau, until such time as
20 the Compact of Free Association is ratified, in ac-
21 cordance with their respective needs on the basis of
22 applications submitted under section 143.

23 “(c) ALLOTMENT FOR CERTAIN CORPORATION PRO-
24 GRAMS.—[Should VISTA and the CCC program

1 **be guaranteed a certain number of approved**
2 **national service positions?]**

3 “(d) DESIGNATION AND DISTRIBUTION SUBJECT TO
4 APPROPRIATIONS.—The Corporation may not designate
5 national service positions as including the post-service
6 educational benefit under part II, or allot the authority
7 to make such designations under subsection (b), for a fis-
8 cal year in excess of the number of such positions for
9 which the Corporation has received sufficient appropria-
10 tions for that fiscal year to satisfy the obligations to be
11 incurred by the United States to provide the post-service
12 benefits.

13 **“SEC. 141. CRITERIA FOR DESIGNATING APPROVED NA-**
14 **TIONAL SERVICE POSITIONS.**

15 “(a) IN GENERAL.—In designating a national service
16 position as including the post-service educational benefit
17 under part II as one the benefits to be provided for service
18 in the position, the Corporation or State shall limit such
19 designations to service positions meeting educational,
20 human service, environmental, or public safety needs in
21 the United States. A State shall use criteria established
22 by the Corporation in designating approved national serv-
23 ice positions.

24 “(b) TYPES OF NATIONAL SERVICE ELIGIBLE FOR
25 DESIGNATION.—The Corporation, or a State authorized

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1 to designate approved national service positions under sec-
2 tion 140, may designate any of the following as a national
3 service position which includes the post-service educational
4 benefit:

5 “(1) Service as a VISTA volunteer.

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

7 “(3) Service in a national service program
8 which receives assistance under subtitle C or under
9 sections ____ of subtitles E.

10 “(4) Service in programs conducted by States,
11 Indian tribes, public and private nonprofit organiza-
12 tions, institutions of higher education, and Federal
13 agencies which are comparable to programs which
14 receives assistance under subtitle C or under sec-
15 tions ____ of subtitles E.

16 “(5) Service on the staff of a national service
17 program receiving approved national service posi-
18 tions under this part, in the case of an individual
19 who has successfully completed one required term of
20 service in an approved national service position.

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

23 “(7) Service as an employee in certain employ-
24 ment positions meeting human, educational, environ-
25 mental, or public safety needs if the position—

1 “(A) has been vacant for not less than
2 twelve months and is unlikely to be filled in the
3 next six months due to a shortage of qualified
4 applicants; or

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

8 “(8) Such other service as the Corporation considers
9 to be appropriate.

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

22 **“SEC. 142. SELECTION OF INDIVIDUALS TO FILL AN AP-**
23 **PROVED NATIONAL SERVICE POSITION.**

24 “(a) SELECTION OF PARTICIPANTS.—The actual re-
25 cruitment and selection of an individual to fill a national

1 service position designated under section 140 as including
2 the post-service educational benefit shall be reserved to the
3 State, Indian tribe, public or private nonprofit organiza-
4 tion, institution of higher education, Federal agency, or
5 other entity to which the approved national service posi-
6 tion is distributed under 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 140,
14 or as a condition of receipt of assistance under subtitle
15 C, that the recipient of approved national service positions
16 fill a certain percentage of such positions with individuals
17 recruited under this subsection.

18 **“SEC. 143. APPLICATION TO RECEIVE APPROVED NATIONAL**
19 **SERVICE POSITIONS.**

20 “(a) SUBMISSION REQUIRED.—To be eligible to re-
21 ceive approved national service positions which are distrib-
22 uted for a fiscal year, a State, Indian tribe, public or pri-
23 vate nonprofit organization, institution of higher edu-
24 cation, or Federal agency shall prepare and submit to the
25 Corporation an application at such time and in such man-

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ner as the Commission may reasonably require. In the case of a State or other applicant also applying for assistance under subtitle C, the application required by this subsection shall be included in the application required under section 124.

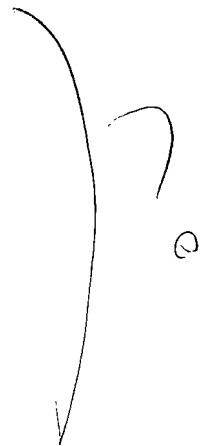
“(b) CONTENT OF APPLICATION.—An application required by this section shall—

“(1) describe all national service programs proposed to be conducted or supported by the applicant;

“(2) describe the type and number of national service positions that the applicant requests to be designated as a national service position which includes the post-service educational benefit under part II as one of the benefits to be provided for successful service in the position; and

“(3) contain such additional guarantees and information as the Commission may reasonably require.

“(c) SPECIAL RULE FOR STATE APPLICANTS.—The application of a State under this section, whether submitted to obtain the allotment of the State under section 140(b) or a competitive distribution, shall be submitted by the State Commission on National Service required to be established under section ____ and shall contain the national service plan for the State.



1 "SEC. 144. CONSIDERATION OF APPLICATIONS.

2 "(a) APPLICATION OF CRITERIA.—The Corporation
3 shall apply the criteria described in subsection (b) in de-
4 termining whether—

5 "(1) to accept an application submitted under
6 section 143; and

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

12 "(b) CRITERIA.—The Corporation shall consider the
13 following criteria in evaluating applications submitted
14 under section 124:

15 "(1) In the case of an application submitted by
16 a State National Service Commission, the quality of
17 the National Service Plan for the State required
18 under section ____.

19 "(2) The quality of the national service pro-
20 grams for which approved national service positions
21 are requested, based on the ability of the
22 programs—

23 "(A) to offer valuable services in those
24 communities—

25 "(i) where such services are needed
26 most, such as communities designated as

1 enterprise zones or redevelopment areas or
2 otherwise targeted for special economic in-
3 centives; and

4 “(ii) where national service programs
5 do not currently exist or are currently too
6 limited to meet community needs;

7 “(B) to provide productive, meaningful,
8 educational experiences for participants which
9 incorporate service-learning methods;

10 “(C) to involve the participants in the de-
11 sign and operation of the program;

12 “(D) to involve individuals from diverse
13 backgrounds (including economically dis-
14 advantaged youth); and

15 “(E) to develop the leadership skills of
16 participants.

17 “(3) The quality of the leadership and manage-
18 ment of the national service programs for which ap-
19 proved national service positions are requested, as
20 measured by—

21 “(A) the qualifications of the principal
22 leaders of the programs; and

23 “(B) the plans and processes for recruit-
24 ment, training, supervision, participant support,

1 evaluation, administration and other key activi-
2 ties.

3 “(4) Any innovative aspects of the proposed na-
4 tional service programs for which approved national
5 service positions are requested, such as—

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

10 “(B) the approach to evaluation and other
11 means of learning from the experience of the
12 programs.

13 “(5) The replicability of the national service
14 programs for which approved national service posi-
15 tions are requested, based on the ability and willing-
16 ness of the programs to assist other persons in
17 learning from the experience and replicating the ap-
18 proach of the programs.

19 “(6) The sustainability of the national service
20 programs for which approved national service posi-
21 tions are requested, based on—

22 “(A) the inclusion of the programs in the
23 National Service Plan of a State;

1 “(B) the existence of strong and broad-
2 based community support for and involvement
3 in the programs; and

4 “(C) evidence that financial resources will
5 be available to continue the programs after the
6 expiration of the period of assistance provided
7 by the Federal Government.

8 “(e) REJECTION OF APPLICATIONS.—If the Cor-
9 poration rejects an application as insufficient after consid-
10 ering the criteria described in subsection (b), the Cor-
11 poration shall promptly notify the applicant of the reasons
12 for the rejection of the application.

13 **“Part II—National Service Trust Fund**
14 **“SEC. 147. ESTABLISHMENT OF THE NATIONAL SERVICE**

15 **TRUST FUND**

16 **“[TO BE ADDED]**

17 **“SEC. 148. INDIVIDUALS ELIGIBLE TO RECEIVE A POST-**
18 **SERVICE EDUCATIONAL BENEFIT FROM THE**
19 **TRUST FUND.**

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

23 “(1) successfully completes the required term of
24 service described in subsection (b) in a national serv-
25 ice position designated under part I as including the

1 post-service educational benefit as a part of the ben-
2 efits to be provided for service in the position;

3 “(2) was 16 years of age or older at the time
4 the individual began serving in the approved na-
5 tional service position;

6 “(3) had a high school diploma, or the equiva-
7 lent of such diploma, at the time the individual
8 began serving in the approved national service posi-
9 tion or received such a diploma or its equivalent
10 within ____ years after completing the required term
11 of service in the position; and

12 “(4) is a citizen of the United States or lawfully
13 admitted for permanent residence;

14 “(b) TERM OF SERVICE.—The term of service for an
15 approved national service position shall not be less than—

16 “(1) ____ hours of service over a period of not
17 less than nine months, in the case of a full-time na-
18 tional service position; and

19 “(2) ____ hours of service over a period of not
20 more than three years, in the case of a part-time na-
21 tional service position.

22 “(c) LIMITATION ON NUMBER OF TERMS OF SERV-
23 ICE FOR BENEFITS.—Although an individual may serve
24 more than two terms of service described in subsection (b)
25 in an approved national service position, the individual

1 shall receive a post-service educational benefit from the
2 National Service Trust Fund only on the basis of the first
3 two of such terms of service successfully completed.

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

5 “(1) FIVE YEAR REQUIREMENT.—An individual
6 eligible to receive a post-service educational benefit
7 under this section shall not receive or use the benefit
8 after the end of the five-year period beginning on
9 the date the individual completed the final required
10 term of service in an approved national service posi-
11 tion that is the basis for receiving the benefit.

12 “(2) EXCEPTION.—Subsection (a) shall not
13 apply if the Corporation determines, on case by case
14 basis, that an individual was unavoidably prevented
15 from using the post-service educational benefit dur-
16 ing such time period.

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

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

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

9 “(1) \$5,000 for each of not more than two suc-
10 cessfully completed terms of service in an approved
11 national service position.

12 “(2) For each of not more than two successfully
13 completed terms of service in an approved national
14 service position, the lesser of—

15 “(A) \$10,000; and

16 “(B) the amount equal to the balance of
17 all qualified Federal student loans on behalf of
18 the individual which were outstanding on the
19 date the individual first began serving in an ap-
20 proved national service position after receiving
21 a baccalaureate degree.

22 “(c) USE OF EDUCATIONAL BENEFIT.—An individ-
23 ual receiving a post-service educational benefit from the
24 National Service Trust Fund may use the educational ben-

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1 efit only for the following expenses actually incurred by
2 the individual:

3 “(1) Repayment of a qualified Federal student
4 loan issued or insured by the Federal Government
5 under title IV of the Higher Education Act (20
6 U.S.C. 1070 et seq.) or title VII of the Public
7 Health Service Act (42 U.S.C. ____ et seq.).

8 “(2) Payment of tuition, fees, room and board
9 at an institution of higher education;

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

14 “(4) Payment of expenses incurred in partici-
15 pating in an apprenticeship program approved by
16 the appropriate State agency.

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

23 “(e) BENEFIT EXCLUSION FROM MEANS-TESTED
24 PROGRAMS.—Any amount received by an individual as a
25 post-service educational benefit from the National Service

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1 Trust Fund shall not be included as income for purposes
2 of determining eligibility for means-tested Federal pro-
3 grams. **[Is 'means-tested Federal programs de-**
4 **fin ed somewhere?]**

5 "SEC. 150. METHOD FOR USE OF POST-SERVICE EDU-
6 CATIONAL BENEFITS PROVIDED FROM THE
7 TRUST FUND.

8 "[TO BE ADDED]

- 1 Subtitle C of title I of the National and Community
 2 Service Act of 1990 (42 U.S.C. 12541 et seq.) is amended
 3 to read as follows:

"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.

4 **"Subtitle C—Assistance for**
 5 **National Service Programs**

6 **"SEC. 121. AUTHORITY TO PROVIDE ASSISTANCE.**

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

12 "(b) TRANSFERS.—The Corporation may also trans-
 13 fer funds to the heads of Federal agencies [Existing
 14 subtitle C limits transfers to the Departments
 15 of Agriculture and Interior and the ACTION
 16 Agency] to support national service programs conducted
 17 by these agencies. In the case of a transfer of funds under

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1 this subsection, the supplementation requirements speci-
2 fied in section 173 shall apply with respect to the Federal
3 national service programs supported by such funds.

4 **"SEC. 122. PROVISION OF ASSISTANCE BY COMPETITIVE**
5 **AND OTHER MEANS.**

6 “(a) 30 PERCENT ALLOTMENT FOR CERTAIN
7 STATES.—Of the funds appropriated to carry out this sub-
8 title for a fiscal year, the Corporation shall make a grant
9 under section 121 to each of the several States, the Dis-
10 trict of Columbia, and the Commonwealth of Puerto Rico
11 **[this group is taken from K/12 program]**. The
12 amount of the grant to a State under this subsection for
13 a fiscal year shall be equal to the amount which bears the
14 same ratio to 30 percent of the funds appropriated to
15 carry out this subtitle for that fiscal year as the population
16 of the State bears to the total population of the several
17 States, the District of Columbia, and the Commonwealth
18 of Puerto Rico.

19 “(b) ONE PERCENT ALLOTMENT FOR CERTAIN
20 OTHER STATES AND INDIAN TRIBES.—Of the funds ap-
21 propriated to carry out this subtitle for a fiscal year, the
22 Corporation shall reserve **[not more than]** one percent
23 of such appropriated funds for grants under section 121
24 to Indian tribes, the Virgin Islands, Guam, American
25 Samoa, the Commonwealth of the Northern Mariana Is-

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1 lands and Palau, until such time as the Compact of Free
 2 Association is ratified, to be allotted in accordance with
 3 their respective needs.

4 “(c) COMPETITIVE DISTRIBUTION OF REMAINING
 5 FUNDS.—

6 “(1) STATE COMPETITION.—Of the funds ap-
 7 propriated to carry out this subtitle for a fiscal year,
 8 the Corporation shall use not less than 20 of such
 9 appropriated funds to make grants to States on a
 10 competitive basis under section 121.

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11 “(2) OTHER APPLICANTS.—The Corporation
 12 shall distribute the remainder of the funds appro-
 13 priated to carry out this subtitle for a fiscal year on
 14 a competitive basis under section 121 to Indian
 15 tribes, public and private nonprofit organizations, in-
 16 stitutions of higher education, and Federal agencies
 17 that submit applications under section 124. In mak-
 18 ing assistance available under this paragraph, the
 19 Corporation shall—

20 “(A) give priority to innovative national
 21 service programs, private programs with the po-
 22 tential of expanding to more than one State,
 23 and federally-targeted programs operating in
 24 more than one State;

existing

(cross ref to 12-3(b))

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

“(B) ensure that national service opportunities are provided in both urban and rural areas.

“(d) BASIS FOR PROVIDING ASSISTANCE.—The actual allotment of assistance to a State under subsection

(a) or (b), and the competitive distribution of assistance

under subsection (c), shall be made by the Corporation

only pursuant to an application submitted by a State or

other applicant under section 124 and approved by the

Corporation under section 127.

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

“(a) ELIGIBLE NATIONAL SERVICE PROGRAMS.—

The types of national service programs eligible to receive

assistance pursuant to section 121 are those full- and

part-time programs that address unmet human, edu-

cational, environmental, and public safety needs, especially

those needs relating to poverty. Such programs shall in-

clude:

“(1) Youth corps programs, such as con-

servation corps and youth service corps programs,

that—

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

4 “(B) give participants aged 16 through 25
5 a mix of work experience, basic and life skills,
6 leadership training, education using service-
7 learning methods (including education enabling
8 all participants who have not yet earned a high
9 school diploma to earn such a diploma or its
10 equivalent), career guidance and counseling,
11 employment training, and support services.

12 “(2) Youthbuild programs.

13 “(3) Programs that train and place service-
14 learning coordinators who, after receiving specialized
15 training in service-learning, are placed in programs
16 eligible for funding under subtitle B and are respon-
17 sible for coordinating service-learning activities, re-
18 cruiting and assisting community organizations
19 where services take place, providing training and
20 technical assistance to teachers in using service-
21 learning methods, and other similar activities.

22 “(4) Specialized service programs that recruit
23 individuals with special skills or provide specialized
24 preservice training.

25 “(5) Community corps programs.

Define

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1 “(6) Individualized placement programs that in-
2 clude group activities.

3 “(7) Campus-based programs.

4 “(8) Preprofessional training programs.

5 “(9) Professional corps programs. **[How will**
6 **this one qualify given the limitation on**
7 **amount of stipend?]**

*Needs
to
reflect
limitations*

8 “(10) Public interest entrepreneur programs.

*service not
public
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9 “(b) NATIONAL SERVICE PRIORITIES.—In order to
10 concentrate national efforts on resolving certain unmet
11 human, educational, environmental, or public safety needs
12 during a particular fiscal year, the Corporation may estab-
13 lish priorities regarding the types of national service pro-
14 grams to be assisted under section 121 in that fiscal year
15 and the purposes for which such assistance may be used
16 in that fiscal year. The Corporation shall provide advance
17 notice to potential applicants of any priorities to be im-
18 posed on the types of national service programs to be eligi-
19 ble to receive assistance in a fiscal year and the uses of
20 such assistance.]

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21 “SEC. 124. APPLICATION FOR ASSISTANCE.

22 “(a) SUBMISSION REQUIRED.—To be eligible to re-
23 ceive assistance under section 121, a State, Indian tribe,
24 public or private nonprofit organization, institution of
25 higher education, or Federal agency shall prepare and sub-

1 mit to the Corporation an application at such time and
2 in such manner as the Commission may reasonably re-
3 quire.

4 “(b) CONTENT OF APPLICATION.—An application re-
5 quired by this section shall—

6 “(1) describe all national service programs pro-
7 posed to be planned, established, operated, ex-
8 panded, or replicated directly by the applicant using
9 assistance provided under section 121;

10 “(2) describe any grant program proposed to be
11 conducted by the applicant with assistance provided
12 under section 121 to support other national service
13 programs;

14 “(3) describe the manner and extent to which
15 the proposed national service programs and proposed
16 grant program conform to any national service prior-
17 ities established by the Corporation under section
18 123(b);

19 “(4) specify the number of national service po-
20 sitions designated by the Corporation for post-serv-
21 ice educational benefits that are sought by the appli-
22 cant as part of the national service proposal;

23 “(5) describe the uses to be made of any ap-
24 proved national service positions provided to the ap-

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1 plicant in relation to the purposes for which any as-
2 sistance provided under section 121 will be used;

3 “(6) contain the guarantees and information re-
4 quired by sections 125, 126, and 130; and

5 “(7) contain such other information as the
6 Commission 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 ____ and shall con-
23 tain the national service plan for the State.

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;

*community
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separate

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) involve participants in the design of the
8 program and provide leadership positions to partici-
9 pants in implementing and evaluating the program;
10 and

11 “(7) provide living allowances pursuant to sec-
12 tion 132.

13 “(b) CONSULTATION AND EVALUATION.—The appli-
14 cation shall also include a guarantee by the applicant that
15 any national service program planned, established, oper-
16 ated, expanded, or replicated using assistance provided to
17 the applicant under section 121 will—

18 “(1) provide in the design, recruitment, and op-
19 eration of the program for broad-based input from
20 the community served and community-based [**agen-**
21 **cies/organizations?**] with a demonstrated
22 record of experience in providing services;

23 “(2) prior to the placement of participants, con-
24 sult with any local labor organization representing
25 employees in the area who are engaged in the same

1 or similar work as that proposed to be carried out
2 by such program; and

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

5 “(c) SELECTION OF PARTICIPANTS FROM NATIONAL
6 REGISTRY.—The Corporation may also require a guaran-
7 tee by the applicant that any national service program
8 planned, established, operated, expanded, or replicated
9 using assistance provided to the applicant under section
10 121 will select a portion of the participants for the pro-
11 gram from among prospective participants registered with
12 the Corporation under section _____. The Corporation may
13 specify a minimum percentage of registered participants
14 required to be selected and may vary the percentage for
15 different types of national service programs.

16 **“SEC. 126. INELIGIBLE SERVICE CATEGORIES.**

17 “An application submitted to the Corporation under
18 section 124 shall include a guarantee by the applicant that
19 any national service program planned, established, oper-
20 ated, expanded, or replicated using assistance provided to
21 the applicant under section 121 will not be conducted by
22 any—

23 “(1) business organized for profit;

24 “(2) labor union;

25 “(3) partisan political organization; or

Appointing

1 “(4) organization engaged in religious activities,
2 unless such activities do not involve the use of as-
3 sistance provided under section 121 by program par-
4 ticipants and program staff to give religious instruc-
5 tion, conduct worship services, or engage in any
6 form of proselytization.

7 **“SEC. 127. CONSIDERATION OF APPLICATIONS.**

8 “(a) APPLICATION OF CRITERIA.—The Corporation
9 shall apply the criteria described in subsection (b) in de-
10 termining whether to approve an application submitted
11 under section 124 and to provide assistance under section
12 121 to the applicant on the basis of the application.

13 “(b) ASSISTANCE CRITERIA.—The Corporation shall
14 consider the following criteria in evaluating applications
15 submitted under section 124:

16 “(1) In the case of an application submitted by
17 a State National Service Commission, the quality of
18 the national service plan for the State required
19 under section ____.

20 “(2) The quality of the national service pro-
21 grams to be conducted directly or supported by the
22 applicant, based on the extent to which the
23 programs—

1 “(A) conform to any national service prior-
2 ities established by the Corporation under sec-
3 tion 123(b);

4 “(B) offer valuable services in those
5 communities—

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6 “(i) where such services are needed
7 most, such as communities designated as
8 enterprise zones or redevelopment areas or
9 otherwise targeted for special economic in-
10 centives; and

11 “(ii) where national service programs
12 do not currently exist or are currently too
13 limited to meet community needs;

14 “(C) provide participants with productive,
15 meaningful, and educational experiences that
16 incorporate service-learning methods;

17 “(D) involve the participants in the design
18 and operation of the program;

19 “(E) involve individuals from diverse back-
20 grounds (including economically disadvantaged
21 youth) to the maximum extent practicable; and

22 “(F) develop the leadership skills of par-
23 ticipants.

24 “(3) The quality of the leadership and manage-
25 ment of the national service programs to be con-

1 ducted directly or supported by the applicant, as
2 measured by—

3 “(A) the qualifications of the principal
4 leaders of the programs; and

5 “(B) the plans and processes for recruit-
6 ment, training, supervision, participant support,
7 evaluation, administration and other key activi-
8 ties.

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

11 “(A) the ability of the programs to ad-
12 vance knowledge about effective community
13 service in ways that will be broadly applicable
14 beyond the program location; and

15 “(B) the approach to evaluation and other
16 means of learning from the experience of the
17 programs.

18 “(5) The replicability of the proposed national
19 service programs, based on the ability and willing-
20 ness of the programs to assist other persons in
21 learning from the experience and replicating the ap-
22 proach of the programs.

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

1 “(A) the inclusion of the programs in the
2 National Service Plan of a State;

3 “(B) the existence of strong and broad-
4 based community support for and involvement
5 in the programs; and

6 “(C) evidence that financial resources will
7 be available to continue the programs after the
8 expiration of the period of assistance provided
9 under section 121.

10 “(c) REJECTION OF APPLICATIONS.—

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

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

*Recognition
of
nationality*

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

7 **“SEC. 128. TYPES OF ASSISTANCE.**

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

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

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

24 “(d) REPLICATION ASSISTANCE.—The Corporation
25 may provide assistance under section 121 to qualified ap-

1 plicants for the expansion of a proven national service pro-
2 gram to another geographical location. Assistance pro-
3 vided under this subsection may cover a period of not more
4 than three years.

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

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

16 **“SEC. 129. MATCHING FUNDS REQUIREMENTS BY RECIPI-**
17 **ENTS.**

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

*Fed
grants*

1 cant using assistance obtained under section 121 shall also
 2 satisfy such matching funds requirements.

3 “(b) EXCEPTION.—A Federal agency receiving assist-
 4 ance under section 121(b) shall not be required to satisfy
 5 the matching funds requirements established under sec-
 6 tion ____.

Federal
 7

7 “SEC. 130. ELIGIBILITY REQUIREMENTS FOR NATIONAL
 8 SERVICE PARTICIPANTS.

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

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16 “(1) are 17 years of age or older or ~~[out-of-~~
 17 ~~school youths/school dropouts?];~~

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18 “(2) have received a high school diploma or the
 19 equivalent of such diploma, or, in the case of **[out-**
 20 **of-school youths/school dropouts]**, agree to
 21 achieve a high school diploma or the equivalent of
 22 such diploma while participating in the program;
 23 and

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 16 year
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24 “(3) are citizens of the United States or law-
 25 fully admitted for permanent residence.

1 “(b) SPECIAL RULE FOR OUT-OF-SCHOOL YOUTH.—

2 An individual who is an **[out-of-school youth/school**
 3 **dropout]** may not be accepted to participate in a na-
 4 tional service program planned, established, operated, ex-
 5 panded, or replicated using assistance provided under sec-
 6 tion 121 if the person operating the program determines
 7 that the individual dropped out of an elementary or sec-
 8 ondary school in order to participate in the program.

9 “SEC. 131. REQUIRED TERMS OF SERVICE OF NATIONAL
 10 SERVICE PARTICIPANTS.

11 “(a) IN GENERAL.—A participant in a national serv-
 12 ice program planned, established, operated, expanded, or
 13 replicated using assistance provided to an applicant under
 14 section 121 shall perform full- or part-time national serv-
 15 ice for the applicable term of service specified in sub-
 16 section (b).

17 “(b) TERM OF SERVICE.—

18 “(1) PART-TIME.—An individual performing
 19 part-time national service in a national service pro-
 20 gram assisted under section 121 shall agree to per-
 21 form not less than ____ hours of approved national
 22 service over a period of not less than one year and
 23 not more than two years.

24 “(2) FULL-TIME.—An individual performing
 25 full-time national service in a national service pro-

*Proposed
allocation
of board &
benefit*

*Need
more std*

?

1 gram assisted under section 121 shall agree to per-
2 form not less than ____ hours of approved national
3 service over a period of not less than nine months
4 and not more than one year.

5 “(c) RELEASE FROM COMPLETING TERM OF SERV-
6 ICE.—A State or other recipient of assistance under sec-
7 tion 121 may release a participant from completing a term
8 of service in a national service program for compelling per-
9 sonal circumstances as demonstrated by the participant.
10 If the released participant was serving in a national serv-
11 ice position designated under subtitle D as including a
12 post-service educational benefit under part II of such sub-
13 title, the participant shall not receive any portion of the
14 post-service educational benefit.

15 **“SEC. 132. LIVING ALLOWANCES FOR FULL-TIME NATIONAL**
16 **SERVICE PARTICIPANTS.**

17 “(a) LIVING ALLOWANCE REQUIRED.—From assist-
18 ance provided under section 121 to a State or other recipi-
19 ent to plan, establish, operate, expand, or replicate a na-
20 tional service program, the recipient shall provide to each
21 full-time participant in the program a living allowance
22 equal to the Federal minimum wage.

23 “(b) ADDITIONAL ALLOWANCE AUTHORIZED.—

24 “(1) AUTHORITY.—Subject to paragraph (2), a recip-
25 ient of assistance under section 121 may provide to, or

act
for
lower
option

1 authorize other persons to provide to, a national service
 2 participant an additional amount as a living allowance in
 3 excess of the living allowance required by subsection (a).
 4 Any additional amounts provided under this subsection
 5 shall be derived from non-Federal sources.

6 “(2) MAXIMUM LIVING ALLOWANCE.—The total
 7 amount of a living allowance provided under subsection
 8 (a) and this subsection to a national service participant
 9 may not exceed 200 percent of the Federal minimum
 10 wage.

11 “(c) HEALTH INSURANCE AND CHILD CARE.—In ad-
 12 dition to the living allowance provided under subsection
 13 (a), a recipient of assistance under section 121 shall—
 14 “(1) provide health insurance to each full-time par-
 15 ticipant in a national service program who does not other-
 16 wise have access to health insurance; and

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

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

20 “A participant in a national service program planned,
 21 established, operated, expanded, or replicated using assist-
 22 ance provided to an applicant under section 121 shall be
 23 eligible for the post-service educational benefit authorized
 24 by section ___, in an amount based upon the time and
 25 length of service of the participant, if the participant

*Need
to
pick up
exceptions
for federal
etc*

*national
opportunity
savings
need*

*Minimum
60-100%
lower
benefit
if
explain
why
necessary*

1 served in a national service position approved by the Cor-
2 poration for such benefit.”.

3 **“SEC. 134. CORPORATION REPRESENTATIVE IN EACH**
4 **STATE.**

[Note: This section is new]

5 “(a) DESIGNATION OF REPRESENTATIVE.—The Cor-
6 poration shall designate one employee of the Corporation
7 for each State receiving assistance under section 121
8 whose primary responsibilities shall be to serve as the rep-
9 resentative of the Corporation in the State and to assist
10 the Corporation in carrying out the activities described in
11 this subtitle in that State.

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

14 “(1) the Corporation and the State Commission
15 on National Service required to be established under
16 section 178 as a condition for receiving assistance
17 under this subtitle; and

18 “(2) the Corporation and Indian tribes, public
19 and private nonprofit organizations, and institutions
20 of higher education in the State awarded a grant
21 under section 121 directly from the Corporation.

22 “(c) MEMBER OF STATE COMMISSION.—The rep-
23 resentative designated under this section for a State shall

maybe
will
from
I still
and
and

- 1 also serve as a member of the State Commission on Na-
- 2 tional Service established in that State.

1 Subtitle D of title I of the National and Community
2 Service Act of 1990 (42 U.S.C. 12571 et seq.) is amended
3 to read as follows:

“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.

4 **“Subtitle D—Provision of Post-**
5 **Service Educational Benefits**
6 **From the National Service Trust**
7 **Fund**

8 “PART I—DESIGNATION OF NATIONAL SERVICE POSI-
9 TIONS ELIGIBLE FOR POST-SERVICE EDUCATIONAL
10 BENEFITS

11 **“SEC. 140. DESIGNATION AND DISTRIBUTION OF APPROVED**
12 **NATIONAL SERVICE POSITIONS.**

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

Separate appropriate

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

5 “(2) distribute such approved national service posi-
6 tions to States, Indian tribes, public and private nonprofit
7 organizations, institutions of higher education, and Fed-
8 eral agencies on a competitive basis pursuant to applica-
9 tions submitted to the Corporation under section 143.

[Note:A definition will be added to section 101 of
the NCSA90 to define the term ‘approved national serv-
ice position’, which means a national service position des-
ignated 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.]

10 “(b) ALLOTMENT TO STATES AND INDIAN TRIBES.—
11 “(1) ALLOTMENT FOR CERTAIN STATES.—The
12 Corporation shall allot to each of the several States,
13 the District of Columbia, and the Commonwealth of
14 Puerto Rico a number of national service positions
15 to be designated by the State as including the post-
16 service educational benefit under part II and to be
17 distributed by the State. The number of such na-
18 tional service positions allotted to each such State

7

1 for a fiscal year shall be equal to the number which
2 bears the same ratio to 33 percent of total number
3 of such positions to be designated for that fiscal year
4 as the population of such State bears to the total
5 population of the several States, the District of Co-
6 lumbia, and the Commonwealth of Puerto Rico. The
7 State shall receive the allotment under this para-
8 graph only pursuant to an application submitted by
9 the State under section 143 and accepted by the
10 Corporation under section 144.

11 “(2) ALLOTMENT FOR CERTAIN OTHER STATES
12 AND INDIAN TRIBES.—Of the total number of na-
13 tional service positions to be designated for a fiscal
14 year as including the post-service educational benefit
15 under part II, the Corporation shall reserve not
16 more than one percent of such number for dis-
17 tribution to Indian tribes, the Virgin Islands, Guam,
18 American Samoa, the Commonwealth of the North-
19 ern Mariana Islands and Palau, until such time as
20 the Compact of Free Association is ratified, in ac-
21 cordance with their respective needs on the basis of
22 applications submitted under section 143.

23 “(c) ALLOTMENT FOR CERTAIN CORPORATION PRO-
24 GRAMS.—[Should VISTA and the CCC program

1 **be guaranteed a certain number of approved**
2 **national service positions?]**

3 “(d) DESIGNATION AND DISTRIBUTION SUBJECT TO
4 APPROPRIATIONS.—The Corporation may not designate
5 national service positions as including the post-service
6 educational benefit under part II, or allot the authority
7 to make such designations under subsection (b), for a fis-
8 cal year in excess of the number of such positions for
9 which the Corporation has received sufficient appropria-
10 tions for that fiscal year to satisfy the obligations to be
11 incurred by the United States to provide the post-service
12 benefits.

13 **“SEC. 141. CRITERIA FOR DESIGNATING APPROVED NA-**
14 **TIONAL SERVICE POSITIONS.**

15 “(a) IN GENERAL.—In designating a national service
16 position as including the post-service educational benefit
17 under part II as one the benefits to be provided for service
18 in the position, the Corporation or State shall limit such
19 designations to service positions meeting educational,
20 human service, environmental, or public safety needs in
21 the United States. A State shall use criteria established
22 by the Corporation in designating approved national serv-
23 ice positions.

24 “(b) TYPES OF NATIONAL SERVICE ELIGIBLE FOR
25 DESIGNATION.—The Corporation, or a State authorized

1 to designate approved national service positions under sec-
2 tion 140, may designate any of the following as a national
3 service position which includes the post-service educational
4 benefit:

5 “(1) Service as a VISTA volunteer.

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

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

9 “(4) Service in programs conducted by States,
10 Indian tribes, public and private nonprofit organiza-
11 tions, institutions of higher education, and Federal
12 agencies which are comparable to programs which
13 receives assistance under subtitle C.

14 “(5) Service on the staff of a national service
15 program receiving approved national service posi-
16 tions under this part, in the case of an individual
17 who has successfully completed one required term of
18 service in an approved national service position.

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

21 “(7) Service as an employee in certain employ-
22 ment positions that **[are created by a govern-**
23 **mental entity or a public or private non-**
24 **profit organization and]** meet human, edu-



1 cational, environmental, or public safety needs if the
2 position—

3 “(A) has been vacant for not less than
4 twelve months and is unlikely to be filled in the
5 next six months due to a shortage of qualified
6 applicants; or

7 “(B) is located in an enterprise zone or re-
8 development area or is otherwise targeted for
9 special economic incentives.

10 “(8) Such other service as the Corporation considers
11 to be appropriate.

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

1 **"SEC. 142. SELECTION OF INDIVIDUALS TO FILL AN AP-**
2 **PROVED NATIONAL SERVICE POSITION.**

3 “(a) **SELECTION PROCESS.**—The actual recruitment
4 and selection of an individual to fill a national service posi-
5 tion designated under section 140 as including the post-
6 service educational benefit under part II shall be reserved
7 to the State, Indian tribe, public or private nonprofit orga-
8 nization, institution of higher education, Federal agency,
9 or other entity to which the approved national service posi-
10 tion is distributed under such section.

11 “(b) **NATIONAL RECRUITMENT AND PLACEMENT.**—
12 The Corporation shall establish a national system to re-
13 cruit individuals who desire to perform national service
14 and to assist the placement of these individuals in ap-
15 proved national service positions. The Corporation may re-
16 quire as a condition on the designation and distribution
17 of approved national service positions under section 140,
18 or as a condition on the receipt of assistance under sub-
19 title C, that the recipient of approved national service posi-
20 tions fill a certain percentage of such positions with indi-
21 viduals recruited under this subsection. The percentage es-
22 tablished by the Corporation may not exceed ____ percent
23 of the approved national service positions provided to a
24 recipient under section 140 for a fiscal year.

25 “(c) **[New provision]** **INFORMATION REGARDING**
26 **SELECTED INDIVIDUALS.**—The recipient of an approved

1 national service position shall promptly provide to the Cor-
2 poration, and update as necessary, the following informa-
3 tion about the individual selected to serve in the position:

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

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

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

9 “(4) The term of service to be performed by the
10 individual.

11 **“SEC. 143. APPLICATION TO RECEIVE APPROVED NATIONAL**
12 **SERVICE POSITIONS.**

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

24 “(b) CONTENT OF APPLICATION.—An application re-
25 quired by this section shall—

*Does
not
work*

*Why
applicant
from
private*

1 “(1) describe all national service programs pro-
2 posed to be conducted or supported by the applicant;

3 “(2) describe the type and number of national
4 service positions that the applicant requests to be
5 designated as a national service position which in-
6 cludes the post-service educational benefit under
7 part II as one of the benefits to be provided for suc-
8 cessful service in the position; and

9 “(3) contain such additional guarantees and in-
10 formation as the Commission may reasonably re-
11 quire.

12 “(c) SPECIAL RULE FOR STATE APPLICANTS.—The
13 application of a State under this section, whether submit-
14 ted to obtain the allotment of the State under section
15 140(b) or a competitive distribution, shall be submitted
16 by the State Commission on National Service required to
17 be established under section ____ and shall contain the na-
18 tional service plan for the State.

19 **“SEC. 144. CONSIDERATION OF APPLICATIONS.**

20 “(a) APPLICATION OF CRITERIA.—The Corporation
21 shall apply the criteria described in subsection (b) in de-
22 termining whether—

23 “(1) to accept an application submitted under
24 section 143; and

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

6 “(b) CRITERIA.—The Corporation shall consider the
7 following criteria in evaluating applications submitted
8 under section 143:

9 “(1) In the case of an application submitted by
10 a State National Service Commission, the quality of
11 the National Service Plan for the State required
12 under section ____.

13 “(2) The quality of the national service pro-
14 grams for which approved national service positions
15 are requested, based on the ability of the
16 programs—

17 “(A) to 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

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

4 “(B) to provide productive, meaningful,
5 educational experiences for participants which
6 incorporate service-learning methods;

7 “(C) to involve the participants in the de-
8 sign and operation of the program;

9 “(D) to involve individuals from diverse
10 backgrounds (including economically dis-
11 advantaged youth); and

12 “(E) to develop the leadership skills of
13 participants.

14 “(3) The quality of the leadership and manage-
15 ment of the national service programs for which ap-
16 proved national service positions are requested, as
17 measured by—

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

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

1 “(4) Any innovative aspects of the proposed na-
2 tional service programs for which approved national
3 service positions are requested, such as—

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

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

11 “(5) The replicability of the national service
12 programs for which approved national service posi-
13 tions are requested, based on the ability and willing-
14 ness of the programs to assist other persons in
15 learning from the experience and replicating the ap-
16 proach of the programs.

17 “(6) The sustainability of the national service
18 programs for which approved national service posi-
19 tions are requested, based on—

20 “(A) the inclusion of the programs in the
21 National Service Plan of a State;

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

1 “(C) evidence that financial resources will
2 be available to continue the programs after the
3 expiration of the period of assistance provided
4 by the Federal Government.

5 “(c) REJECTION OF APPLICATIONS.—

6 “(1) NOTIFICATION OF STATE APPLICANTS.—If
7 the Corporation rejects an application submitted by
8 a State Commission on National Service under sec-
9 tion 143, the Corporation shall promptly notify the
10 Commission of the reasons for the rejection of the
11 application. The Corporation shall provide the Com-
12 mission with a reasonable opportunity to revise and
13 resubmit the application and may provide technical
14 assistance to the Commission as part of the resub-
15 mission process.

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

21 “PART II—NATIONAL SERVICE TRUST FUND

22 “SEC. 147. ESTABLISHMENT OF THE NATIONAL SERVICE
23 TRUST FUND

24 “[TO BE ADDED]

1 "SEC. 148. INDIVIDUALS ELIGIBLE TO RECEIVE A POST-
2 SERVICE EDUCATIONAL BENEFIT FROM THE
3 TRUST FUND.

4 "(a) ELIGIBLE INDIVIDUALS.—An individual shall
5 receive a post-service educational benefit from the Na-
6 tional Service Trust Fund if the individual—

7 "(1) successfully completes the required term of
8 service described in subsection (b) in a national serv-
9 ice position designated under part I as including the
10 post-service educational benefit as a part of the ben-
11 efits to be provided for service in the position;

12 "(2) was 17 years of age or older at the time
13 the individual began serving in the approved na-
14 tional service position or was an **[out-of-school**
15 **youth/school dropout?]**;

16 "(3) had a high school diploma, or the equiva-
17 lent of such diploma, at the time the individual
18 began serving in the approved national service posi-
19 tion or, in the case of an **[out-of-school youth/**
20 **school dropout]**, received such a diploma or its
21 equivalent within ____ years after completing the re-
22 quired term of service in the position; and

23 "(4) is a citizen of the United States or lawfully
24 admitted for permanent residence;

25 "(b) TERM OF SERVICE.—The term of service for an
26 approved national service position shall not be less than—

1 “(1) ____ hours of service over a period of not
2 less than nine months and not more than one year,
3 in the case of a full-time national service position;
4 and

5 “(2) ____ hours of service over a period of not
6 less than one year and not more than two years, in
7 the case of a part-time national service position.

*shorter
period
for
smaller
benefit*

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

*Need to
rule
allow for
full serv
for full
service
part serv
for
part serv*

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

16 “(1) FIVE YEAR REQUIREMENT.—An individual
17 eligible to receive a post-service educational benefit
18 under this section shall not receive or use the benefit
19 after the end of the five-year period beginning on
20 the date the individual completed the final required
21 term of service in an approved national service posi-
22 tion that is the basis for receiving the benefit.

23 “(2) EXCEPTION.—Subsection (a) shall not
24 apply if the Corporation determines, on case by case
25 basis, that an individual was unavoidably prevented

1 from using the post-service educational benefit dur-
2 ing such time period.

3 **"SEC. 149. AMOUNT AND AUTHORIZED USES OF THE POST-**
4 **SERVICE EDUCATIONAL BENEFIT.**

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

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

19 "(1) \$5,000 for each of not more than two suc-
20 cessfully completed terms of service in an approved
21 national service position.

22 "(2) **[Note rewritten]** The amount equal to
23 the balance of all qualified Federal student loans on
24 behalf of the individual which were outstanding on
25 the date the individual first began serving in an ap-

*Graduate
School*

1 proved national service position after receiving a
2 baccalaureate degree, except that such amount shall
3 not exceed \$10,000 for each of not more than two
4 successfully completed terms of service in an ap-
5 proved national service position.

6 “(c) NO BENEFIT FOR PARTIAL COMPLETION OF
7 SERVICE.—If an individual serving in an approved na-
8 tional service position is released from completing the term
9 of service agreed to by the individual, the individual shall
10 not receive any portion of the post-service educational ben-
11 efit approved for the individual.

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

17 “(1) Repayment of a qualified Federal student
18 loan issued or insured by the Federal Government
19 under title IV of the Higher Education Act (20
20 U.S.C. 1070 et seq.) or title VII of the Public
21 Health Service Act (42 U.S.C. ____ et seq.).

22 “(2) Payment of tuition, fees, room and board
23 at an institution of higher education;

24 “(3) Payment of expenses incurred to receive
25 vocational education provided at a vocational school,

?
Apprenticeship
DoL sponsored
Union sponsored

cost of
attendance

1 as defined in section 435(c) of the Higher Education
2 Act of 1965 (20 U.S.C. 1085(c)).

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

6 “(e) LIMITATION ON USE OF CERTAIN BENEFIT OP-
7 TION.—In the case of an individual described in subsection
8 (b) who selects the post-service educational benefit option
9 specified in paragraph (2) of such subsection, the individ-
10 ual may use the educational benefit only for the repayment
11 of the qualified Federal student loans that were the basis
12 for calculating the amount of the educational benefit.

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

19 “(g) BENEFIT EXCLUSION FROM MEANS-TESTED
20 PROGRAMS.—Any amount received by an individual as a
21 post-service educational benefit from the National Service
22 Trust Fund shall not be included as income for purposes
23 of determining eligibility for means-tested Federal pro-
24 grams. **[Is ‘means-tested Federal programs’ de-**

*Deferment & repayment while in
program*

1 **fined somewhere? Are you referring to just**
2 **Higher Ed programs?]**

3 **"SEC. 150. METHOD FOR USE OF POST-SERVICE EDU-**
4 **CATIONAL BENEFITS PROVIDED FROM THE**
5 **TRUST FUND.**

6 **"[TO BE ADDED]**