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TITLE I—DEFINITIONS.

SEC. 101. DEFINITIONS.

(a) SERVICE-LEARNING.—Section 101(22) of the National and Community Service Act of 1990 (42 U.S.C. 12511(22)) is amended to read as follows:

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

“(A) under which students learn and develop through active participation in thoughtfully organized service experiences that meet actual community needs and that are coordinated in collaboration with the school, a community service program, and the community;

“(B) that is integrated into the students’ academic curriculum or educational program, or provides structured time for a student to think, talk, or write about what the student did and saw during the actual service activity;

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

“(D) that enhances what is taught in school, or in the educational components of a community service program, by extending stu-

1 dent learning beyond the classroom and into the
2 community and helps to foster the development
3 of a sense of caring for others.”.

4 (b) OTHER DEFINITIONS.—Section 101 of the Na-
5 tional and Community Service Act of 1990 is amended
6 by adding at the end the following:

7 “(____) SCHOOL-AGED YOUTH.—The term
8 ‘school-aged youth’ means an individual between the
9 ages of 5 and 17, inclusive.

10 “(____) SCHOOL YEAR.—The term ‘school year’
11 has the meaning given the term in section 322(5) of
12 the Higher Education Act of 1965 (20 U.S.C.
13 1061(5)).

14 “(____) SERVICE-LEARNING COORDINATOR.—
15 The term ‘service-learning coordinator’ means an in-
16 dividual who provides services, with respect to a
17 local educational agency or an elementary or second-
18 ary school, by—

19 “(A) working with community-based agen-
20 cies to develop service-learning opportunities for
21 students;

22 “(B) expanding the awareness of teachers
23 of the potential of service-learning as a method
24 for strengthening educational achievement.

1 [youth and leadership development,] and sub-
2 stantive learning;

3 “(C) providing technical assistance and in-
4 formation to teachers who want to use service-
5 learning in their classrooms;

6 “(D) assisting in the planning and execu-
7 tion of service-learning projects, including the
8 age-appropriate learning component described
9 in section 114(b)(5)(B);

10 “(E) providing [access to,] and super-
11 vising, volunteers or participants to assist in ex-
12 panding service-learning opportunities;

13 “(F) advocating the formation of a facilita-
14 tion or development committee comprised of
15 teachers, students, parents, [community
16 groups,] and administrators, who are interested
17 in, and supportive of, service-learning, [for
18 what purpose?]; and

19 “(G) facilitating teacher training in serv-
20 ice-learning.”. [Why would you want a ref-
21 erence to funding in a definition section?]

1 **TITLE II—SERVICE PROGRAMS**
2 **FOR SCHOOL-AGED YOUTH**
3 **AND STUDENTS**

4 **SEC. 201. SERVICE PROGRAMS.**

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

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

10 **“PART I—SERVE-AMERICA**

11 **“Subpart A—General Provisions**

12 **“SEC. 110. SHORT TITLE.**

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

16 **“SEC. 110A. PURPOSES.**

17 “The purpose of this part is to enable the Corpora-
18 tion, and the entities receiving financial assistance under
19 this part, to—

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

1 “(2) educate teachers, and faculty providing
2 teacher training and retraining, to educate the
3 teachers and faculty about service-learning, to
4 strengthen academic learning through the experien-
5 tial method of service-learning;

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

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

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

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

19 “(1) a sum equal to 15 percent of such amount
20 shall be available to carry out subpart D; and

21 “(2) a sum equal to 85 percent of such amount
22 shall be available to carry out subparts B and C, of
23 which—

24 “(A) funds equal to ____ percent of such
25 sum shall be available to carry out subpart C;

1 “(B) funds equal to not more than 1 per-
2 cent of such sum shall be available to make
3 payments under section 112(a); and

4 “(C) funds equal to the remainder of such
5 sum shall be available to make grants and allot-
6 ments under section 112(b).

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

8 **“SEC. 111. GENERAL AUTHORITY.**

9 “(a) IN GENERAL.—The [Chairperson,] in consulta-
10 tion with the Secretary of Education, may make grants
11 under section 112(b)(1) and allotments under section
12 112(b)(2) to States or, [in a case described in subsection
13 (b),] local applicants for—

14 “(1) planning and building State capacity
15 (which may be accomplished through grants and
16 contracts with qualified organizations) for imple-
17 menting statewide, school-aged service-learning pro-
18 grams, including—

19 “(A) providing preservice and in-service
20 training for teachers, supervisors, personnel
21 from community-based agencies (particularly
22 with regard to the utilization of young volun-
23 teers), and trainers, in which service opportuni-
24 ties will be provided that will be conducted by

1 qualified individuals or organizations that have
2 experience in service-learning programs;

3 “(B) developing service-learning curricula,
4 including age-appropriate learning components
5 for students to analyze and apply their service
6 experiences;

7 “(C) forming local partnerships to develop
8 school-based community service programs in
9 accordance with this subpart;

10 “(D) devising appropriate methods for re-
11 search and evaluation of the educational value
12 of youth service opportunities and the effect of
13 youth service programs on communities;

14 “(E) establishing effective outreach and
15 dissemination to ensure the broadest possible
16 involvement of nonprofit community-based
17 agencies and youth-service agencies with dem-
18 onstrated effectiveness in their communities;

19 “(F) integrating service-learning into aca-
20 demic curricula; and

21 “(G) establishing State resource centers to
22 assist elementary or secondary schools, or com-
23 munities, that desire to establish service-learn-
24 ing programs;

1 “(2) [language will be expanded to cover serv-
2 ice-learning] implementating, operating, or expand-
3 ing statewide, school-based service-learning pro-
4 grams, which may be operated during any part of a
5 school year, through State distribution of Federal
6 funds made available under this subpart to projects
7 and activities coordinated and operated by local
8 partnerships among—

9 “(A) local educational agencies; and

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

12 “(i) shall include a public or private
13 nonprofit organization that will make serv-
14 ice opportunities available for participants;
15 and

16 “(ii) may include a private for-profit
17 business organization or private elementary
18 and secondary school;

19 “(3) implementing, operating, or expanding
20 programs involving adult volunteers in schools, or
21 partnerships of schools and public or private organi-
22 zations, to utilize service-learning to improve the
23 education of at-risk students, school dropouts, and
24 out-of-school youth through State distribution of
25 Federal funds made available under this part to

1 projects and activities coordinated and operated by
2 local partnerships among—

3 “(A) local education agencies; and

4 “(B) one or more public or private non-
5 profit organization or private for-profit busi-
6 ness.

7 “(b) DIRECT GRANTS.—In any fiscal year in which
8 a State does not participate in programs under this [sub-
9 part,] the Chairperson may use the allotment of that
10 State [under subsection 112(b)(2)] to make direct grants
11 for the purposes described in subsection (a) to local appli-
12 cants in that State who submit an application in accord-
13 ance with section 114. The Chairperson shall consider the
14 criteria described in section 115(a) in evaluating such
15 local applications.

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

17 “(a) INDIAN TRIBES AND TERRITORIES.—For any
18 fiscal year, the Chairperson shall reserve the funds de-
19 scribed in section 110B(2)(B) for payments to Indian
20 tribes, the Virgin Islands, Guam, American Samoa, the
21 Commonwealth of the Northern Mariana Islands and
22 Palau, until such time as the Compact of Free Association
23 is ratified, to be allotted in accordance with their respec-
24 tive needs.

1 “(b) GRANTS AND ALLOTMENTS THROUGH
2 STATES.—For any fiscal year, the Chairperson shall use
3 the funds described in section 110B(2)(C) as follows:

4 “(1) GRANTS.—Except as provided in para-
5 graph (3), from **【25 percent】** of such funds, the
6 Chairperson may make grants to State educational
7 agencies.

8 “(2) ALLOTMENTS.—

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

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

1 “(3) MINIMUM AMOUNT.—No State shall re-
2 ceive, under paragraph (2), an allotment that is less
3 than the allotment such State received under this
4 subsection for fiscal year 1993. If the amount of
5 funds made available in a fiscal year to carry out
6 paragraph (2) is insufficient to make such allot-
7 ments, the Chairperson may make available sums
8 from the 25 percent described in paragraph (1) for
9 such fiscal year to make such allotments.

10 “(4) DEFINITION.—Notwithstanding section
11 101(26), for purposes of this [subsection], the term
12 “State” means the several States, the District of Co-
13 lumbia, and the Commonwealth of Puerto Rico.

14 “(c) LIMITATION.—For any period during which a
15 State is carrying out planning activities solely under sec-
16 tion 111(a) prior to implementation under paragraph (2)
17 or (3) of section 111(a), a State may be paid not more
18 than 25 percent of its allotment under this section.

19 “(d) REALLOTMENT.—The amount of any State’s al-
20 lotment for any fiscal year under this section that the
21 Chairperson determines will not be required for that fiscal
22 year shall be available for reallocation to other States as
23 the Chairperson may determine appropriate.

24 “(e) EXCEPTION.—Notwithstanding this section, if
25 less than \$20,000,000 is made available in any fiscal year

1 to carry out this subpart, the Chairperson shall award
2 grants to States **【and Indian tribes】** on a competitive
3 basis.

4 **“SEC. 113. STATE APPLICATION.**

5 To be eligible to receive a grant under section
6 112(b)(1) or an allocation under section 112(b)(2) under
7 this subpart a State, acting through the State educational
8 agency, **【Do Indian tribes apply?】** shall prepare and sub-
9 mit to the Chairperson, an application at such time, in
10 such manner, and containing such information as the
11 Chairperson shall reasonably require, including—

12 “(1) a State plan containing—

13 “(A) a description of the program goals of
14 the programs to be carried out using such grant
15 or allotment; and

16 “(B) a description of the manner in
17 which—

18 “(i) local applications relating to the
19 programs will be ranked by the State ac-
20 cording to the criteria described in section
21 115(a), and in a manner that ensures the
22 equitable treatment of local applications
23 submitted by both local educational agen-
24 cies and community-based agencies;

1 “(ii) [the programs will be coordi-
2 nated] with other service programs within
3 the State and with other federally assisted
4 education programs, training programs, so-
5 cial service programs, and other appro-
6 priate programs that serve youth;

7 “(iii) cooperative efforts will be en-
8 couraged among the local educational
9 agencies, local government agencies, com-
10 munity-based agencies, businesses, and
11 State agencies, [that will carry out such
12 programs] to develop and provide service
13 opportunities, including those that involve
14 the participation of urban, suburban, and
15 rural youth working together;

16 “(iv) economically and educationally
17 disadvantaged youths, including individuals
18 with disabilities, youth with limited basic
19 skills or learning disabilities, youth in fos-
20 ter care who are becoming too old for fos-
21 ter care, youth of limited English pro-
22 ficiency, homeless youth and youth with
23 disabilities, are assured of service opportu-
24 nities in such programs;

1 “(v) the State will evaluate the pro-
2 grams and measure the progress of the
3 programs toward the goals described in
4 subparagraph (A);

5 “(vi) the programs will target and
6 serve urban and rural areas and any tribal
7 areas that exist within such State;

8 “(vii) service-learning training and
9 technical assistance will be provided
10 through the programs to State education
11 agency employees, federally assisted edu-
12 cation specialists in the State, local edu-
13 cational agencies, and local grant recipi-
14 ents, by qualified and experienced individ-
15 uals employed by the State or through
16 grant or contract with experienced content
17 specialist and youth service resource orga-
18 nizations;

19 “(viii) non-Federal assistance will be
20 used to expand service opportunities for
21 students and out-of-school youth through
22 the programs; and

23 “(ix) information and outreach serv-
24 ices will be disseminated and utilized to en-
25 sure the involvement of a broad range of

1 organizations, particularly community-
2 based agencies, in the programs; and

3 “(C) a description of the relationship be-
4 tween the programs and the school reform ef-
5 forts of the State; and

6 “(2) assurances that—

7 “(A) the programs will target and serve
8 urban and rural areas and any tribal areas that
9 exist within such State;

10 “(B) the State will keep such records and
11 provide such information to the Chairperson
12 with respect to the programs as may be re-
13 quired for fiscal audits and program evaluation;

14 “(C) the State will comply with the specific
15 requirements of this subpart with respect to the
16 programs; and

17 “(D) the State (acting through the State
18 educational agency) will—

19 “(i) educate the personnel of such
20 agency about service-learning;

21 “(ii) establish a service-learning net-
22 work within the State, comprised of expert
23 teachers and administrators who have im-
24 plemented successful service-learning pro-
25 grams within the State;

1 “(iii) foster an exchange of informa-
2 tion among teachers and administrators in
3 federally assisted programs regarding
4 methods of integrating service-learning
5 into their programs; and

6 “(iv) educate personnel of local edu-
7 cational agencies about the availability of
8 Federal funds under this subtitle, and
9 raise the awareness of service-learning
10 among such personnel.

11 **“SEC. 114. LOCAL APPLICATIONS.**

12 “(a) IN GENERAL.—A partnership that desires to re-
13 ceive financial assistance for a program under this subpart
14 shall prepare and submit to the State Educational Agency
15 a proposal for the program that meets the requirements
16 of this section. Such proposal shall be submitted at such
17 time, in such manner, and containing such information as
18 the State Educational Agency may reasonably require.

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

22 “(1) information specifying the membership and
23 role of an established advisory committee, consisting
24 of representatives of community-based agencies in-
25 cluding community action agencies, service recipi-

1 ents, youth-serving agencies, youth, parents, teach-
2 ers, administrators, agencies that serve older adults,
3 school board members, labor, and business, that will
4 provide advice with respect to the program;

5 “(2) a description of—

6 “(A) the goals of the program which shall
7 include goals that are quantifiable, measurable,
8 and demonstrate any benefits that flow from
9 the program to the participants and the com-
10 munity;

11 “(B) service opportunities to be provided
12 under the program that shall include evidence
13 that participants will make a sustained commit-
14 ment to the service project;

15 “(C) the manner in which participants in
16 the program were or will be involved in the de-
17 sign and operation of the program;

18 “(D) the qualifications, and responsibilities
19 of the coordinator of the program assisted
20 under this subpart;

21 “(E) preservice and inservice training for
22 supervisors, teachers, and participants in the
23 program;

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

1 “(G) any potential resources that will per-
2 mit continuation of the program, if needed,
3 after the assistance received under this subpart
4 has ended;

5 “(3) information that shall include—

6 “(A) a disclosure of whether or not the
7 participants will receive academic credit for par-
8 ticipation in the program;

9 “(B) the target levels of participants in the
10 program and the target levels for the hours of
11 service that such participants will provide indi-
12 vidually and as a group;

13 “(C) the proportion of expected partici-
14 pants in the program who are educationally or
15 economically disadvantaged, including partici-
16 pants with disabilities;

17 “(D) the ages or grade levels of expected
18 participants in the program;

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

21 “(F) the role of adult volunteers and of the
22 **【members of the local partnership】** in imple-
23 menting the program, and the manner in which
24 such volunteers and members will be recruited;

1 “(4) a written agreement, between the members
2 of the local partnership, stating that the program
3 was jointly developed by the parties and that the
4 program will be jointly executed by the parties; and

5 “(5) assurances that—

6 “(A) prior to the placement of a partici-
7 pant, the program will consult with any local
8 labor organization representing employees in
9 the area who are engaged in the same or simi-
10 lar work as that proposed to be carried out by
11 such program;

12 “(B) the applicant will develop an age-ap-
13 propriate learning component for participants
14 in the program that shall include a chance for
15 participants to reflect on service experiences
16 and expected learning outcomes; and

17 “(C) participants in the program will be
18 provided with information concerning VISTA,
19 the Peace Corps (as established by the Peace
20 Corps Act (22 U.S.C. 2501 et seq.)), chapter
21 30 of title 38, United States Code, chapter 106
22 of title 10, United States Code, full-time pro-
23 grams receiving assistance under this title, and
24 other service options and their benefits (such as

1 student loan deferment and forgiveness) as ap-
2 propriate.

3 **“SEC. 115. PRIORITY; PRIVATE SCHOOL PARTICIPATION.**

4 “(a) IN GENERAL.—In providing assistance under
5 this subpart, the State educational agency, or the Chair-
6 person if section 111(b) applies, shall give priority to ap-
7 plications submitted under section 114 that describe pro-
8 grams that—

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

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

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

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

18 “(b) PARTICIPATION OF CHILDREN AND TEACHERS
19 FROM PRIVATE SCHOOLS.—

20 “(1) IN GENERAL.—To the extent consistent
21 with the number of children in the State or in the
22 school district of the local educational agency in-
23 volved who are enrolled in private nonprofit elemen-
24 tary and secondary schools, such State or agency

1 shall (after consultation with appropriate private
2 school representatives) make provision—

3 “(A) for the inclusion of services and ar-
4 rangements for the benefit of such children so
5 as to assure the equitable participation of such
6 children in the programs or projects imple-
7 mented to carry out the purposes and provide
8 the benefits described in this subpart; and

9 “(B) for the training of the teachers of
10 such children so as to assure the equitable par-
11 ticipation of such teachers in the programs or
12 projects implemented to carry out the purposes
13 and provide the benefits described in this sub-
14 part.

15 “(2) WAIVER.—If a State or local educational
16 agency or institution of higher education is prohib-
17 ited by law from providing for the participation of
18 children or teachers from private nonprofit schools
19 as required by paragraph (1), or if the Chairperson
20 determines that a State or local educational agency
21 substantially fails or is unwilling to provide for such
22 participation on an equitable basis, the Chairperson
23 shall waive such requirements and shall arrange for
24 the provision of services to such children and teach-
25 ers. Such waivers shall be subject to consultation,

1 withholding, notice, and judicial review requirements
2 in accordance with section 1017 of the Elementary
3 and Secondary Education Act of 1965.

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

5 “(a) FEDERAL SHARE.—

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

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

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

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

19 “(D) 50 percent of the total cost of the
20 project for the fourth year, and for any subse-
21 quent year, for which the project receives assist-
22 ance under this subpart.

23 “(2) CALCULATION.—In providing for the re-
24 maining share of the cost of carrying out such a
25 project, each recipient of assistance under this sub-

1 part shall provide for such share through a payment
2 in cash or in kind fairly evaluated, including facili-
3 ties, equipment, or services.

4 “(b) WAIVER.—The Chairperson may waive the re-
5 quirements of subsection (a) with respect to any project
6 in any fiscal year if the Chairperson determines that such
7 a waiver would be equitable due to a lack of available fi-
8 nancial resources at the local level.

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

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

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

15 “(2) not less than 20 percent and not more
16 than 25 percent of such funds to build capacity
17 through training, technical assistance, curriculum
18 development, and coordination activities, described
19 in section 111(a)(1).

20 “(b) AUTHORIZED ACTIVITIES FOR LOCAL
21 PROJECTS.—

22 “(1) IN GENERAL.—Local projects may use
23 funds made available under this subpart for the sal-
24 aries and benefits of service-learning coordinators,
25 the supervision of participating students, program

1 administration, training, reasonable transportation
2 costs, insurance, evaluations, and for other reason-
3 able expenses.

4 “(2) LIMITATION.—【Except as provided in
5 paragraph (1),】 funds made available under this
6 subpart may not be used to pay any stipend, allow-
7 ance, or other financial support to any participant,
8 except reimbursement for transportation, meals, and
9 other reasonable out-of-pocket expenses directly re-
10 lated to participation in a program assisted under
11 this subpart.

12 **“Subpart C—Corporation Grants**

13 **“SEC. 117A. GRANTS.**

14 “(a) IN GENERAL.—From the funds described in sec-
15 tion 110B(2)(A), the Chairperson may make grants to
16 【eligible entities】 to assist the entities in—

17 “(1) developing and establishing model or inno-
18 vative programs that engage school-aged youth in
19 service programs;

20 “(2) developing teacher training related to serv-
21 ice-learning, developing service-learning curricula,
22 and implementing and integrating service-learning
23 into educational programs;

24 “(3) disseminating and conducting outreach ef-
25 forts for community-based agencies, and agencies

1 that serve school-aged youth, that have effective pro-
2 grams; and

3 “(4) providing technical assistance and [infor-
4 mation] to—

5 “(A) persons receiving financial assistance
6 from the Corporation under [the national serv-
7 ice Acts]; and

8 “(B) where possible, to organizations
9 that—

10 “(i) are not receiving such assistance;
11 and

12 “(ii) conduct effective community
13 service programs.

14 “(b) APPLICATION.—To be eligible to receive a grant
15 under this subpart, an entity shall submit an application
16 to the Chairperson at such time, in such manner, and con-
17 taining such information as the Chairperson may require.

18 **“Subpart D—Community-Based Service Programs for**
19 **School-Aged Youth**

20 **“SEC. 117E. GENERAL AUTHORITY.**

21 “(a) IN GENERAL.—From the funds described in sec-
22 tion 110B(1), the Corporation may make grants to the
23 State National Service Commissions established under
24 section ____ for the implementation, operation, or expan-
25 sion of community-based service programs through State

1 distribution of such funds to projects and activities oper-
2 ated by eligible entities.

3 “(b) USE OF FUNDS.—An entity may use a grant
4 made under subsection (a) to implement, operate, or ex-
5 pand a program that provides for meaningful human, edu-
6 cational, environmental, or public safety service by school-
7 aged youth.

8 “(c) OPERATION.—Such a program may be operated
9 during any part of a school year.

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

11 “To be eligible to receive a grant under this subpart,
12 a State National Service Commission shall submit the plan
13 described in section ____ to the Corporation.

14 **“SEC. 117G. LOCAL APPLICATIONS.**

15 “(a) IN GENERAL.—An eligible entity that desires to
16 receive financial assistance under this subpart shall pre-
17 pare and submit to the State National Service Commission
18 a proposal that meets the requirements of this section.
19 Such proposal shall be submitted at such time, in such
20 manner, and containing such information as the State Na-
21 tional Service Commission may reasonably require.

22 “(b) REQUIREMENTS OF PROPOSAL.—A proposal
23 submitted under subsection (a) shall, at a minimum, con-
24 tain information describing the manner in which the entity
25 will—

1 “(1) provide preservice and in-service training
2 for supervisors and participants that will be con-
3 ducted by qualified individuals or organizations that
4 have experience in community-based service pro-
5 grams;

6 “(2) include economically disadvantaged indi-
7 viduals as participants in the program;

8 “(3) provide an age-appropriate learning com-
9 ponent for participants in the program that shall in-
10 clude a chance for participants to reflect on service
11 experiences and expected learning outcomes;

12 “(4) conduct an appropriate evaluation of the
13 program;

14 “(5) provide for appropriate community involve-
15 ment in the program; and

16 “(6) provide service experiences that promote
17 youth leadership abilities among participants in the
18 program. **【My instructions were to allow the State
19 National Service Commissions to submit the applica-
20 tions required under subtitle C. Does it matter that
21 the Corporation may not get this information about
22 local applicants?】**

23 “(c) PRIORITY.—In providing assistance under this
24 subtitle, the State National Service Commission shall give
25 priority to applications that describe programs that recruit

1 and select for participation in the program an ethnically
2 and economically diverse group of participants.

3 “(d) ELIGIBLE ENTITIES.—Entities that are public
4 or private nonprofit organizations with experience working
5 with school-aged youth shall be eligible to receive financial
6 assistance under this subpart.

7 **“PART II—HIGHER EDUCATION INNOVATIVE**
8 **PROJECTS FOR COMMUNITY SERVICE**

9 **“SEC. 118. HIGHER EDUCATION INNOVATIVE PROJECTS**
10 **FOR COMMUNITY SERVICE.**

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

14 “(b) GENERAL AUTHORITY.—The Chairperson, in
15 consultation with the Secretary of Education, is author-
16 ized to make grants to, and enter into contracts with, in-
17 stitutions of higher education (including a combination of
18 such institutions) and other public agencies and nonprofit
19 organizations working in partnership with institutions of
20 higher education—

21 “(1) to enable the institution to create or ex-
22 pand community service activities for students, fac-
23 ulty, administration, and staff of the institution, and
24 for residents of the community in which the institu-
25 tion is located;

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

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

6 “(4) to encourage students to participate in
7 community service activities that will engender a
8 sense of social responsibility and commitment to the
9 community, and supplement the work-study funds
10 available under section ____ of the Higher Edu-
11 cation Act of 1965 to support service-learning and
12 community service;

13 “(5) to establish a national infrastructure for
14 supporting national and community service activi-
15 ties; and

16 “(6) to provide for the training of teachers, pro-
17 spective teachers, related education personnel, and
18 community leaders in the skills necessary to develop,
19 supervise, and organize service-learning, taking into
20 consideration the particular needs of a community
21 and the ability of the grantee to actively involve a
22 major part of the community in, and substantially
23 benefit the community by, the proposed community
24 service activities.

25 “(c) FEDERAL SHARE.—

1 “(1) IN GENERAL.—The Federal share of each
2 grant **[or contract]** awarded under this section shall
3 not exceed 50 percent of the cost of the community
4 service activities carried out with each such grant
5 **[or contract]**.

6 “(2) NON-FEDERAL SOURCES.—That portion of
7 the costs of programs that receive assistance under
8 this part that are to be paid from sources other than
9 Federal funds may be paid in cash or in kind (fairly
10 evaluated).

11 “(d) APPLICATION FOR GRANT.—To receive a grant
12 **[or enter into a contract]** under this part, an applicant
13 shall prepare and submit to the Chairperson, an applica-
14 tion at such time, in such manner, and containing such
15 information as the Chairperson may reasonably require,
16 including—

17 “(1) a description of the proposed program to
18 be established with assistance provided under the
19 grant;

20 “(2) except in the case of training programs, a
21 description of the human, educational, environmental
22 or public safety service that participants will per-
23 form and the community need that will be addressed
24 under such program;

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

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

7 “(5) a description of the procedures to ensure
8 that the proposed program provides participants
9 with an opportunity to reflect on their service experi-
10 ences;

11 “(6) a description of the budget for the pro-
12 gram; and

13 “(7) assurances that, prior to the placement of
14 a participant, the applicant will consult with any
15 local labor organization representing employees in
16 the area who are engaged in the same or similar
17 work as that proposed to be carried out by such pro-
18 gram.

19 “(e) PRIORITY.—In making grants and entering into
20 contracts under subsection (b), the Chairperson shall give
21 priority to applicants that submit applications containing
22 proposals that—

23 “(1) demonstrate the commitment of the insti-
24 tution of higher education, other than by dem-
25 onstrating the commitment of the students, to par-

1 participating in a program of community service activi-
2 ties;

3 “(2) specify the manner in which the institution
4 will promote faculty and administration participation
5 in the community service activities;

6 “(3) specify the manner in which the institution
7 will provide service to the community through orga-
8 nized programs, including, where appropriate, clini-
9 cal programs for students in professional schools;

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

13 “(A) the institution;

14 “(B)(i) a community-based agency;

15 “(ii) a local government agency; or

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

17 and

18 “(C) a student organization;

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

21 “(6) specify that the institution will use assist-
22 ance made available through the grant or contract to
23 provide preservice or in-service training to teachers
24 with respect to service-learning programs; or

1 “(7) specify that the institution will use such
2 assistance to strengthen the service infrastructure in
3 institutions of higher education.”.

4 (b) TABLE OF CONTENTS.—Section 1(b) of the Na-
5 tional and Community Service Act of 1990 (42 U.S.C.
6 12401 note) is amended by striking the items relating to
7 subtitle B of title I of such Act and inserting the following:

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

 “PART I—SERVE-AMERICA

 “SUBPART A—GENERAL PROVISIONS

 “Sec. 110. Short title.

 “Sec. 110a. Purposes.

 “Sec. 110b. Availability of appropriations.

 “SUBPART B—GRANTS AND ALLOTMENTS THROUGH STATES

 “Sec. 111. General authority

 “Sec. 112. Grants and allotments.

 “Sec. 113. State application

 “Sec. 114. Local applications.

 “Sec. 115. Priority; private school participation

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

 “Sec. 117. Uses of funds; limitations.

 “SUBPART C—CORPORATION GRANTS

 “Sec. 117a. Grants.

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

 “Sec. 117c. General authority

 “Sec. 117f. State applications.

 “Sec. 117g. Local applications.

 “PART II—HIGHER EDUCATION INNOVATIVE PROJECTS FOR COMMUNITY
 SERVICE

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

8 (c) TECHNICAL AND CONFORMING AMENDMENTS.—

9 【To be supplied.】

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1 **SEC. 103. FEDERAL INVESTMENT IN SUPPORT OF NA-**
2 **TIONAL SERVICE.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(D) other programs
as designated by
the corporation.

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

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

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

but are not limited to

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

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

7 “(B) gives participants aged (16) to 25, in-17?
8 clusive, a mix of work experience, basic and life
9 skills, leadership training, education using serv-
10 ice-learning methods (including education to en-
11 able school dropouts to earn a high school di-
12 ploma or its equivalent), career guidance and
13 counseling, employment training, and support
14 services.

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

24 “(3) A specialized service program that—

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

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

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

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

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

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

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

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

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

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

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

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

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

Cut:
YB falls into
youth corps as
defined —
they are getting
big \$ from HUD +
we don't need to
brown-nose them.

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

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

10 "(b) NATIONAL SERVICE PRIORITIES.—

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

22 "(2) APPLICATION TO SECONDARY GRANTS.—

23 Any national service priorities established by the
24 Corporation under this subsection shall also apply to

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

3 "SEC. 124. APPLICATION FOR ASSISTANCE.

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

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

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

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

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

(3 1/2) A description of the applicant's past ^{experience} ~~record~~
in operating, expanding, and replicating his programs, or in conducting
grant programs

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

part II

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

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

what's this mean?

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

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

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

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

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

[In addition to
this stuff, right?]

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

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

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

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

Break out
as (a) —
separately
this is not
“support for
participants”

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¹²
measurably

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

4 “(2) provide national service opportunities for
5 participants for the terms of service required by sec-
6 tion 131;

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

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

[less specific
letter here]

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

[redundant with (1)]

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

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

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

[the nation]
shot

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

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

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

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

11 "(1) provide in the design, recruitment, and op-
12 eration of the program for broad-based input from
13 the community served and community-based [agen-
14 cies/organizations?] [community-based
15 agency is defined in section 101(3) of the
16 NCSA90] with a demonstrated record of experience
17 in providing services;

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

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

(C) Evaluation — An applicant will
(1) develop performance goals, ^{+ measures} for the program, in meeting community needs,
satisfying and educating for citizenship participants, and other areas of deemed appropriate

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

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

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

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

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

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

12 "(1) business organized for profit;

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

15 "(3) partisan political organization; or

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

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

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

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

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

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

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

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

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

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

meet unmet needs

What about
environmental
still?

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17

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

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

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

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

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

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

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

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

(2 1/2) The past
record of the
applicant, if one
exists, in meeting its
performance goals.

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

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

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

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

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

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

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

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

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1 tinue the programs after the expiration of the
2 period of assistance provided under section 121;
3 and
4 (7) ~~"(D)~~ such other factors that the Cor-
5 poration considers to be appropriate.

6 "(c) REJECTION OF APPLICATIONS.—

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

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

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

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

3 "SEC. 128. TYPES OF ASSISTANCE.

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

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

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

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

*allow cut-off
of applications*

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

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

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

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

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

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1 tion _____. However, the supplementation requirements
2 specified in section 173 shall apply with respect to the
3 Federal national service programs supported with such as-
4 sistance.

5 **"SEC. 190. ELIGIBILITY REQUIREMENTS FOR NATIONAL**
6 **SERVICE PARTICIPANTS.**

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

14 "(1) are 17 years of age or older or school
15 dropouts;

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

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

23 **"(b) SPECIAL RULES FOR SCHOOL DROPOUTS.—**

24 "(1) **REASON FOR DROPPING OUT.**—An individ-
25 ual who is an school dropout may not be accepted

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

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

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

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

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

9 “(b) **TERM OF SERVICE.**—

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

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

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

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1 duction in the required term of service shall include
2 a corresponding reduction in the amount of any
3 post-service educational benefit that may be avail-
4 able under subtitle D with regard to that service.

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 section 136 as a position
12 that includes a post-service educational benefit under sub-
13 title D, the participant shall not receive any portion of
14 the post-service educational benefit.

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15 "SEC. 182. LIVING ALLOWANCES FOR NATIONAL SERVICE
16 PARTICIPANTS.

17 "(a) PROVISION OF LIVING ALLOWANCE.

18 "(1) MAXIMUM LIVING ALLOWANCE.—If assist-
19 ance available under section 121 to a State or other
20 applicant to plan, establish, operate, expand, or rep-
21 licate a national service program will be used to pro-
22 vide a participant in the program with a living allow-
23 ance, the application submitted under section 121
24 shall include a guarantee by the applicant that the
25 total amount of the living allowance for each hour

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

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

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

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

20 "(2) the applicant may apply for such assist-
21 ance only *by special waiver of the Corporation.*
22 ~~on a competitive basis from the Cor-~~
23 ~~poration under section 122(c) for a national service~~
~~program operated directly by the applicant.~~

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3 **"SEC. 137. CRITERIA FOR DESIGNATING APPROVED NA-**
4 **TIONAL SERVICE POSITIONS.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7 “(b) NATIONAL RECRUITMENT AND PLACEMENT.—

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

21 “(c) INFORMATION REGARDING SELECTED INDIVID-

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

"Subtitle C National Service Program

"PART I—INVESTMENT IN NATIONAL SERVICE PROGRAMS

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

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

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

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 *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:

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.

*Independent
agency =
Federal employees
- large unit of #.*

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—

advancing?

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 ence in service programs, training and
11 technical assistance to entities carrying out
12 programs under the national service Acts;

*+ shall support the activities of
which build up capacity
expand opportunities.*

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

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-

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

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-

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-

1 derpayments) as are necessary or appro-
2 priate to carry out such provisions; and

3 “(xvi) generally perform such func-
4 tions and take such steps consistent with
5 the purposes and provisions of the national
6 service Acts, as the Chairperson deter-
7 mines to be necessary or appropriate to
8 carry out such provisions.

9 “(2) EXECUTIVE DIRECTOR.—

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

16 “(B) DUTIES.—The Executive Director
17 shall carry out operational responsibility for all
18 programs described in paragraph (3)(B)(i). The
19 Executive Director shall advise the Corporation
20 concerning developments in volunteer or na-
21 tional service that the Executive Director deter-
22 mines merit the attention of the Corporation,
23 identify promising service initiatives, and co-
24 ordinate the work of the Corporation with the
25 work of other Federal agencies involved in serv-

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

4 "(3) DEPUTY DIRECTORS.—

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

11 "(B) DUTIES.—

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

16 "(ii) GRANT PROGRAMS.—The other
17 Deputy Director shall be primarily respon-
18 sible for the grant programs carried out by
19 the Corporation.

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

1 rate provided for level IV of the Executive Schedule
2 under section 5315 of title 5, United States Code.

3 **【Functions】**

4 “(c) BOARD OF DIRECTORS.—

5 “(1) COMPOSITION.—

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

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

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

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

(1) particular experience.

*do we have to
do this?*

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“(C) INITIAL MEMBERS.—The members first appointed to the Board after the date of enactment of this section shall be appointed from among individuals who served on the Board of Directors of the Commission on National and Community Service.

“(D) EX OFFICIO MEMBERS.—The Secretary of Education, the Secretary of Health and Human Services, the Secretary of Labor, the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Housing and Urban Development, and the Secretary of Defense shall serve as ex officio members of the Board.

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

“(3) VACANCIES.—As vacancies occur on the Board, new members shall be appointed by the President, by and with the advice and consent of the Senate, and serve for the remainder of the term for 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

1 term. No such employee shall be appointed for
2 a total period of more than 7 years.

3 “(C) APPOINTMENT AND COMPENSA-
4 TION.—

5 “(i) IN GENERAL.—Except as pro-
6 vided in clauses (ii) and (iii), the Chair-
7 person may appoint and determine the
8 compensation of employees under this
9 paragraph without regard to the provisions
10 of title 5, United States Code, governing
11 appointments in the competitive service,
12 and without regard to the provisions of
13 chapter 51 and subchapter III of chapter
14 53 of such title relating to classification
15 and General Schedule pay rates.

16 “(ii) LIMIT ON COMPENSATION.—The
17 rate of compensation for each employee ap-
18 pointed under this paragraph shall not ex-
19 ceed the annual rate of basic pay payable
20 for level V of the Executive Schedule under
21 section 5316 of title 5, United States
22 Code.

23 “(iii) CIVIL SERVICE EMPLOYEES.—
24 The Chairperson may appoint and deter-
25 mine the compensation of not more than

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 “(e) 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.”.

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.

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.”.

15 (b) **COMMISSION.**—

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

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-

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 DIRECT-
23 TORS.—”; and

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

25 “(1) COMPOSITION.—

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

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.

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Sec. 405. Effective date.

SEC. 3. PURPOSES.

The purposes of this Act are--

(1) to renew the ethic of civic obligation in the United States and spread the responsibilities of citizenship more equitably;

(2) to expand opportunities for young people in the United States to--

(A) pursue educational, vocational, and professional objectives after secondary school; and

(B) purchase affordable housing;

(3) to mobilize young people and senior Americans to deal with pressing social problems in the United States, including health, education, literacy, child care, hunger, housing, and homelessness;

(4) to give senior Americans the opportunity to use their special skills and experience to--

(A) provide national service; and

(B) assist the Corporation for National Service and national service councils in administering national service programs;

(5) to strengthen national defense by--

(A) encouraging more young people to volunteer for service in the active and reserve components of the Armed Forces;

(B) making the composition of the Armed Forces more representative of the country at large; and

(C) assisting the Armed Forces in meeting their personnel goals; and

(6) to give young people the experience, self-discipline, and self-confidence they need to overcome barriers to opportunity.

SEC. 4. DEFINITIONS.

For purposes of this Act:

(1) The term "active duty" has the meaning given to such term in section 101(22) of title 10, United States Code.

(2) The term "area" means a volunteer service area.

(3) The term "Armed Forces" has the meaning given to such term in section 101(4) of title 10, United States Code.

(4) The term "Board" means the Board of Directors of the Corporation for National Service.

(5) The term "community service" means service of the type described in section 104(a) and such other services essential and necessary to the community as the Corporation, by rule, may prescribe.

(6) The term "Corporation" means the Corporation for National Service.

(7) The term "council" means a national service council.

(8) The term "educational institution" means a vocational school (including a technical school) or institution of higher learning.

(9) The term "Governor" means the chief executive officer of a State.

(10) The term "Individual Ready Reserve" means that portion of the Ready Reserve not in a Selected Reserve.

(11) The term "institution of higher learning" has the meaning given to such term in section 1652(f) of title 38, United States Code.

(12) The term "local government" means a general purpose political subdivision of a State which has the power to levy taxes and spend funds, as well as general corporate and police powers.

(A) described in section 501(c) of the Internal Revenue Code of 1986 (26 U.S.C. 501(c)); and

(B) exempt from taxation under section 501(a) of such Code (26 U.S.C. 501(a)).

(14) The term "program of education or training" means any curriculum or any combination of unit courses or subjects pursued at an educational institution or training establishment which is generally accepted as necessary to fulfill requirements for the attainment of a predetermined and identified educational, professional, or vocational objective. Such term also means any curriculum of unit courses or subject pursued at an educational institution or training establishment which fulfills requirements for the attainment of more than one predetermined and identified educational, professional, or vocational objective if the objectives pursued are generally recognized as being reasonably related to a single career field.

(15) The term "Ready Reserve" means the Ready Reserve described in section 268(a) of title 10, United States Code.

(16) The term "reserve component" has the meaning given to such term in 101(24) of title 37, United States Code.

(17) The term "Secretary concerned" has the meaning given to such term in section 101(8) of title 10, United States Code.

(18) The term "senior" means an individual who is age 65 or over and willing to work full- or part-time in national service.

(19) The term "Selected Reserve" means the Selected Reserve described in section 268(b) of title 10, United States Code.

(20) The term "State" means any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, the Federated States of Micronesia, the Republic of Marshall Islands, or any territory and possession of the United States.

(21) The term "training establishment" has the meaning given to such term in section 1652(e) of title 38, United States Code.

(22) The term "vocational school" has the meaning given to such term in section 435(c) of the Higher Education Act of 1965 (20 U.S.C. 1085(c)).

TITLE I--ESTABLISHMENT OF THE CITIZENS CORPS

SEC. 101. ESTABLISHMENT OF THE CITIZENS CORPS.

There is established the Citizens Corps which shall provide the following national service options:

- (1) Civilian Service.
- (2) Service in the Armed Forces.
- (3) Senior Service.

SEC. 102. ELIGIBILITY.

(a) Civilian Service.--An individual may serve in the Civilian Service of the Citizens Corps if such individual--

- (1) is age 17 or over;
- (2) has received a high school diploma or its equivalent; and
- (3) is a citizen of the United States or lawfully admitted for permanent residence.

(b) Service in the Armed Forces.--Subject to the then existing personnel requirements of the Armed Forces, an individual shall be eligible to enlist for service in the Armed Forces as a member of the Citizens Corps if such individual--

- (1) has received a high school diploma or its equivalent;
- (2) satisfies the applicable requirements for enlistment in the Armed Forces specified in chapter 31 of title 10, United States Code; and
- (3) satisfies such other eligibility criteria established by the Secretary of Defense by rule.

(c) Senior Service.--An individual may serve in the Senior Service of the Citizens Corps if such individual--

- (1) is a senior; and
- (2) meets the eligibility criteria for service in the Senior Service established by the Corporation for National Service.

SEC. 103. TERMS OF SERVICE.

(a) Civilian Service.--(1) An individual serving in the Civilian Service of the Citizens Corps shall agree to perform full-time national service in such service for a 1-year term.

(2) A member of the Civilian Service of the Citizens Corps serving a 1-year term of service may request the extension of such term for an additional year. The Corporation shall issue rules specifying the procedure for making, and considering, such a request.

(b) Service in the Armed Forces.--An individual enlisting for service in the Armed Forces as a member of the Citizens Corps shall select one of the following service obligations in the Armed Forces:

(1) Two years of active duty in the Armed Forces, 2 years in the Selected Reserve of a reserve component, and 4 years in the Individual Ready Reserve.

(2) Eight years in the Selected Reserve of a reserve component.

(c) Senior Service.--An Individual may serve in the Senior Service of the Citizens Corps--

(1) for such period of time as allowed by the Corporation for National Service; and

(2) for either full- or part-time service.

SEC. 104. TYPES OF NATIONAL SERVICE.

(a) Civilian Service and Senior Service.--An individual serving in the Civilian Service or Senior Service of the Citizens Corps may perform national service to meet the unmet service needs of a State, local government or other community. Such national service may include the following types of service:

(1) Educational service, such as literacy and numeracy programs, Head Start, tutorial assistance, and service in schools, libraries, and adult education centers.

(2) Human service, such as--

(A) service in hospitals, hospices, clinics, community health centers, homes for the elderly, and child-care centers; and

(B) service in programs to assist the elderly, poor, and homeless, including programs to build, restore, and maintain housing for the poor and homeless.

(3) Conservation service, such as service in programs to conserve, maintain, and restore natural resources in the urban and rural environment, provide recreational opportunities, and encourage community betterment or beautification.

(4) Public Safety service in support of the criminal justice system, including police, courts, prisons, and border patrol.

(5) Service in existing national programs, such as referral and placement in the Peace Corps and VISTA.

(b) Service in the Armed Forces.--The Secretary of Defense shall designate by rule appropriate national service positions for members of the Citizens Corps serving in the Armed Forces.

SEC. 105. APPLICATION FOR NATIONAL SERVICE.

(a) Civilian Service and Senior Service.--(1) To serve in the Civilian or Senior Service of the Citizens Corps, an individual shall submit an application (in such form and containing such information as the Corporation shall require by rule) to a national service council established under section 222 for a volunteer service area in the State in which the applicant is a resident.

(2) For purposes of paragraph (1), an individual shall be considered a resident of a State if such individual has resided in such State for the majority of the 1-year period immediately preceding the date of such application. The Corporation on an individual basis may waive this residency requirement.

(3) Upon the receipt of an application, the national service council may place the applicant in a national service position in the area taking into consideration the preference and skills of the applicant and the needs of the area.

(4) If the area does not have a national service position available for the applicant, or the council determines (after consultation with the applicant) that the applicant is better qualified for a position outside of the area, the council may refer the applicant for placement to another national service council or a Federal, State, or local government agency

(5) For purposes of Federal laws authorizing a Federal agency to accept the services of a volunteer, an applicant placed with an agency described in paragraph (4) shall be considered a volunteer.

(b) Service in the Armed Forces.--The Secretary of Defense shall establish a system to enlist individuals for service in the Armed Forces as members of the Citizens Corps.

TITLE II--ADMINISTRATION OF THE CITIZENS CORPS

Subtitle A--Administration of the Civilian Service and Senior Service

SEC. 201. ADMINISTRATION OF THE CIVILIAN SERVICE AND SENIOR SERVICE.

The Corporation for National Service shall be responsible for administering the Civilian Service and Senior Service of the Citizens Corps.

SEC. 202. ESTABLISHMENT OF CORPORATION; APPLICATION OF DISTRICT OF COLUMBIA NONPROFIT CORPORATION ACT.

(a) Establishment.--There is established a nonprofit corporation, to be known as the "Corporation for National Service", which shall not be considered an agency or establishment of the United States Government.

(b) Application of District of Columbia Nonprofit Corporation Act.--The Corporation shall be subject to this Act, and to the extent consistent with this Act, to the District of Columbia Nonprofit Corporation Act.

SEC. 203. BOARD OF DIRECTORS.

(a) Appointment.--(1) The Corporation shall have a Board of Directors, consisting of 11 members appointed by the President, by and with the advice and consent of the Senate.

(2) No more than 6 members of the Board appointed by the President may be members of the same political party.

(3) Three of the members shall be appointed from individuals nominated by the Speaker of the House of Representatives, and 3 of the members shall be appointed from individuals nominated by the majority leader of the Senate.

(b) Qualifications.--The members of the Board--

(1) shall be selected from among citizens of the United States who are eminent in such fields as community service, education, civic affairs, business, labor, or military service; and

(2) shall be selected so as to provide as nearly as practicable a broad representation of various regions of the United States, various professions and occupations, and a variety of talent and experience appropriate for the performance of the functions and responsibilities of the Corporation.

(c) Incorporation.--The members of the initial Board of Directors shall serve as incorporators and shall take whatever actions are necessary to

Corporation Act.

(d) Term of Office.--The term of office of each member of the Board shall be 7 years, except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which the predecessor of such member was appointed shall be appointed for the remainder of such term. No member of the Board shall be eligible to serve more than 2 consecutive terms of 7 years each.

(e) Vacancy.--A vacancy in the Board shall not affect its power and shall be filled in the same manner as the original appointment.

(f) Meetings.--A member of the Board shall attend not less than 50 percent of all duly convened meetings of the Board in any calendar year. A member who fails to meet the requirement of the preceding sentence shall forfeit membership, and the President shall appoint a new member to fill such vacancy (as provided in subsection (e)) not later than 30 days after such vacancy is determined by the Chairman of the Board.

(g) Election of Chairperson and Vice Chairperson.--Members of the Board shall annually elect one of their members to be Chairperson and elect one or more of their members as a Vice Chairperson.

(h) Compensation of Board Members.--(1) A member of the Board shall not, by reason of such membership, be considered to be an officer or employee of the United States.

(2) Except as provided in paragraphs (3) and (4), a member of the Board shall--

(A) while attending meetings of the Board or while engaged in duties related to such meetings or other activities of the Board, be entitled to receive compensation at the rate of \$150 per day, including travel time; and

(B) while away from their homes or regular places of business, be allowed travel and actual, reasonable, and necessary expenses.

(3) No member of the Board shall receive compensation under paragraph (2) of more than \$10,000 in any fiscal year.

(4) A member of the Board who is a full-time officer or employee of the United States shall receive no additional pay, allowances, or benefits by reason of membership.

SEC. 204. OFFICERS AND EMPLOYEES.

(a) In General.--(1) The Corporation shall have a President, and such other officers and employees as may be named and appointed by the Board for terms and at rates of compensation fixed by the Board, except that no officer or employee of the Corporation may receive compensation at an annual rate of pay that exceeds the rate of basic pay payable from time to time for level I of the Executive Schedule under section 5312 of title 5, United States Code.

(2) Only a citizen of the United States may serve as an officer of the Corporation.

(3) No officer or employee of the Corporation may receive any salary or other compensation from any source other than the Corporation for services performed for the Corporation.

(b) Employment of Senior Service Members.--In selecting employees, the Board is encouraged to include members of the Senior Service of the Citizens Corps.

SEC. 205. NONPROFIT AND NONPOLITICAL NATURE OF THE CORPORATION.

(a) Limitations on Powers.--(1) The Corporation shall have no power to issue any shares of stock or to declare or pay any dividends.

(2) No part of the income or assets of the Corporation shall inure to the benefit of any director, officer, employee, or any other individual except as salary or reasonable compensation for services.

(b) Nonpolitical Nature of Corporation.--The Corporation may not contribute to or otherwise support any political party or candidate for elective public office.

SEC. 206. DUTIES OF THE CORPORATION.

(a) Policy.--The Corporation shall by rule--

(1) establish the types and amounts of allowances and support authorized for members of the Civilian and Senior Services under section 301;

(2) specify the types of national service activities appropriate for members of the Civilian and Senior Services;

(3) establish a procedure to monitor the provision of financial assistance under title III to assure that--

(A) graduates of the Citizens Corps faithfully completed their terms of service before receiving such assistance; and

(B) members of the Citizens Corps receiving such assistance during their terms of service faithfully perform national service;

(4) establish a procedure for examining the effect that national service under this Act has on the availability and terms of employment of employees in the volunteer service area where such service is performed; and

(5) establish the rates of pay, eligibility criteria, and terms of service for members of the Senior Service.

(b) General Grants.--Pursuant to the allocation formulas specified in section 208, the Corporation shall make grants to States to assist such States--

(1) in paying stipends and wages under section 301;

(2) in providing and administering national service opportunities in each State for members of the Civilian and Senior Services; and

(3) in making grants to national service councils in each State to carry out their duties under this Act.

(c) Supplemental Grants.--(1) The Corporation may make grants during a fiscal year--

(A) to a State which the Corporation determines has an unusual increase in the number of members of the Civilian and Senior Services (excluding members serving with Federal agencies) in such State for such fiscal year; and

(B) to a Federal agency to assist such agency in accepting or placing members of the Civilian and Senior Services for such fiscal year.

(2) To be eligible for a grant under paragraph (1), a Federal agency or State shall submit to the Corporation an application--

(A) in such form and at such time as the Corporation may require by rule;

(B) containing, in the case of an application submitted by a State, the assurances specified in section 207(a)(4); and

(C) containing such information as the Corporation may require by rule.

(d) Other Duties.--The Corporation shall--

(1) serve as a clearinghouse for information on national service opportunities in the United States;

(2) assist a State in placing applicants outside of such State if the State is unable to place the applicant in a position in the State;

(3) assist Federal agencies in acquiring participants for national service positions in the Federal Government;

(4) receive and investigate claims of abuses in the placement of participants or the administration of national service opportunities by a State, national service council, or service provider; and

(5) issue rules for administering and monitoring the performance of national service, and the provision of national service opportunities, under this Act.

(e) Records.--The Corporation shall keep accurate and complete records of its activities and transactions. Such records shall be made available for audit and examination by the Comptroller General of the United States or duly authorized representatives of the Comptroller General.

(f) Application of the Administrative Procedure Act.--In carrying out its duties under this Act, the Corporation shall be subject to subchapter II of chapter 5 of title 5, United States Code, and chapter 7 of such title in the same manner as an agency under section 551(1) of such title.

SEC. 207. ELIGIBILITY FOR GENERAL GRANTS.

(a) Application Required.--To be eligible for a grant under section 206(b), a State shall submit to the Corporation an application--

(1) in such form and at such time as the Corporation may require by rule;

(2) describing--

(A) each volunteer service area in such State;

Services will be placed in national service positions in the State;

(C) the anticipated number of such members during such term as the Corporation may require;

(D) the training and support services that will be provided such members; and

(E) the method by which service sponsors will be selected and the requirements imposed on such sponsors;

(3) providing copies of all volunteer recruitment and placement plans prepared for the State or a portion thereof for the period covered by such application;

(4) containing assurances by such State that for the period covered by the application--

(A) the State will use non-Federal funds to pay not less than 25 percent of the cost (including the cost of stipends, wages, and allowances provided by the State under section 301) of providing and administering national service positions in the State for members of the Civilian and Senior Services (other than members placed with Federal agencies); and

(B) the State will maintain State expenditures for community service programs operated by the State on the effective date of this Act at a level equal to not less than the average level of such expenditures maintained by the State for the 2-fiscal year period immediately preceding the effective date of this Act; and

(5) containing such information as the Corporation may require by rule.

(b) Exception to Matching Funds Requirement.--A State may offset against the matching funds requirement specified in subsection (a)(4)(A) not more than 50 per cent of the administrative costs incurred by the State in administering community service programs for young people operated by the State on the effective date of this Act.

(c) Waiver of Requirement to Maintain Expenditures.--The Corporation may, upon the request of a State, waive the requirement specified in subsection (a)(4)(B) that the State maintain expenditures for community service programs if the Corporation determines that extraordinary economic conditions in the State justify the waiver.

SEC. 208. ALLOCATION OF FUNDS.

(a) Transitional Allocations.--For each fiscal year during the 5-year period beginning on the effective date of this Act, the Corporation shall make a grant to an eligible State in an amount that bears the same ratio to the sums appropriated for grants under section 206(b) for such fiscal year as the anticipated average number of members in the Civilian and Senior Services (as determined by the Corporation and excluding anticipated members serving with Federal agencies) in such State for such fiscal year bears to the anticipated average number of such members in all States for such fiscal year.

(b) Subsequent Allocations.--For each fiscal year beginning after the end of the 5-year period referred to in subsection (a), the Corporation shall make a grant to an eligible State in an amount that bears the same ratio to

the average number of members in the Civilian and Senior Services (excluding members serving with Federal agencies) in such State for the preceding fiscal year bears to the average number of such members in all States for the preceding fiscal year.

SEC. 209. REPORTS.

(a) Required.--On or before May 15 of each calendar year, the Corporation shall submit to the President a report on the operation of the Civilian Service and the Senior Service of the Citizens Corps and the activities of the Corporation during the fiscal year ending September 30 of the preceding calendar year, and the President shall transmit such report to the Congress.

(b) Content of Report.--(1) Each report shall include a comprehensive and detailed description of the operations, activities, financial condition, and accomplishments of the Corporation under this Act during the fiscal year covered by such report and such recommendations as the Corporation considers appropriate.

(2) In the first 5 reports submitted under subsection (a), the Corporation shall specify--

(A) the anticipated number of national service positions that will be available for members of the Civilian Service and Senior Service of the Citizens Corps in the fiscal year beginning in the calendar year in which such report is submitted; and

(B) the anticipated cost of operating the Civilian Service and Senior Service for such fiscal year.

Subtitle B--Provision of National Service Positions for Members of the Civilian Service and Senior Service

SEC. 221. ESTABLISHMENT OF VOLUNTEER SERVICE AREAS.

(a) Plan and Designation Required.--The Governor of each State shall--

(1) prepare a national service plan for the State, which shall specify priorities in the State for providing national service opportunities for members of the Civilian and Senior Services of the Citizens Corps; and

(2) pursuant to such plan, designate volunteer service areas for the State, each of which--

(A) is comprised of the State or one or more jurisdictions of units of general local government;

(B) will promote effective provision of national services; and

(C) is consistent with other designated areas in which related services are provided under other Federal or State programs.

(b) Consultation.--Before preparing the national service plan or designating (or redesignating) a volunteer service area under subsection (a), the Governor shall consult with--

(1) appropriate State and local government officials;

institutions, business organizations, and organized labor; and

(3) other affected persons or organizations in the area.

(c) Redesignation.--(1) Effective after the 2-year period beginning on the date the Governor first designates volunteer service areas under subsection (a), the Governor may redesignate such areas in accordance with such subsection.

(2) Notwithstanding paragraph (1), the Governor shall consider making such a redesignation at the request of the Corporation for National Service.

SEC. 222. ESTABLISHMENT OF NATIONAL SERVICE COUNCILS.

(a) Composition of Local Councils.--There shall be a national service council for each volunteer service area established under section 221. A council shall consist of--

(1) representatives of nonprofit community service organizations in the area who have substantial management or policy responsibility with such organizations;

(2) representatives of local governments;

(3) representatives of educational agencies and institutions, business concerns, rehabilitation agencies, community-based organizations, and economic development agencies in the area; and

(4) representatives of organized labor.

(b) Chairperson.--The members of a council shall select one of the members to serve as chairperson of the council.

(c) Selection of Members.--(1) Education representatives on a council shall be selected from among individuals recommended by local educational agencies, vocational education institutions, institutions of higher learning, or general organizations of such agencies or institutions, and by private and proprietary schools or general organizations of such schools, within the area.

(2) Labor representatives shall be recommended by recognized State and local labor organizations or appropriate building trades councils.

(3) The remaining members of a council shall be selected from individuals recommended by interested organizations.

(d) Method of Selection.--(1) In any case in which there is only one unit of local government in the volunteer service area, the chief executive officer of such unit shall appoint members to the council from the individuals recommended under subsection (c).

(2) In any case in which there are two or more such units of local government in the area, the chief executive officers of such units shall appoint members to the council from the individuals so recommended in accordance with an agreement entered into by such units of general local government. In the absence of such an agreement, the appointments shall be made by the Governor from the individuals so recommended.

(e) Number of Members.--(1) Except as provided in paragraph (2), the number of members of a council shall be determined by the council.

(A) by the chief executive officer in the case described in subsection (d)(1);

(B) by the chief executive officers in accordance with the agreement in the case described in subsection (d)(2); or

(C) by the Governor in the absence of such agreement.

(f) Terms.--Members shall be appointed for fixed and staggered terms and may serve until their successors are appointed. Any vacancy in the membership of the council shall be filled in the same manner as the original appointment. Any member of the council may be removed by the council for cause in accordance with procedures established by the council.

(g) Certification of Council.--(1) The Governor shall certify a council if the Governor determines that its composition and appointments are consistent with the provisions of this section. Such certification shall be made or denied within 30 days after the date on which the Governor receives a list of council members and any supporting documentation the Governor considers necessary.

(2) If the Governor denies certification, the Governor shall--

(A) inform the chief executive officer or officers submitting the list and documentation of the reasons for denial; and

(B) provide for the review of any revised list and documentation.

(3) Upon certification, a council--

(A) shall be convened within 30 days by the officer or officers who made the appointments to such council under subsection (d); and

(B) may receive funds, consistent with section 224, to carry out the duties of the council under this Act.

SEC. 223. DUTIES OF NATIONAL SERVICE COUNCILS.

(a) Recruitment and Placement of Volunteers.--A national service council shall--

(1) accept applications from individuals seeking to serve in the Civilian Service and Senior Service of the Citizens Corps; and

(2) place such individuals in national service positions consistent with the volunteer recruitment and placement plan of such council and section 104.

(b) Preparation and Implementation of Volunteer Recruitment and Placement Plan.--The council shall be responsible for preparing and implementing the volunteer recruitment and placement plan required under section 224.

(c) Oversight.--The council shall provide policy guidance for, and exercise oversight (including review, monitoring, auditing, and evaluation) with respect to activities under the volunteer recruitment and placement plan for the volunteer service area of such council.

(d) Other Duties.--(1) In order to carry out its duties under this Act, a council--

plan, prepare, and approve a budget for such council;

(B) may hire staff or contract for services from nonprofit organizations; and

(C) may solicit and accept contributions and grant funds (from public and private sources).

(2) In hiring staff under paragraph (1), a council is encouraged to include members of the Senior Service of the Citizens Corps.

SEC. 224. VOLUNTEER RECRUITMENT AND PLACEMENT PLAN.

(a) Condition for Receiving Funds.--No funds appropriated for any fiscal year may be provided under this Act to a national service council--

(1) unless such council is certified pursuant to section 222(g); and

(2) except pursuant to an approved volunteer recruitment and placement plan prepared by such council for a period of 2 fiscal years including the fiscal year for which such funds are provided.

(b) Preparation of Plan.--When preparing a volunteer recruitment and placement plan, a council shall consult the national service plan for the State prepared by the Governor under section 221.

(c) Contents of Plan.--Each volunteer recruitment and placement plan shall--

(1) identify the national service council that will administer the plan and is to be the grant recipient of funds from the State;

(2) describe the national services to be provided, including the extent such services reflect the priorities contained in the national service plan for the State;

(3) contain procedures for recruiting and placing members of the Citizens Corps;

(4) contain procedures, consistent with section 226, for selecting service sponsors, including procedures for council consideration of the past performance of each service sponsor in national services or related activities, fiscal accountability, and ability to meet performance standards;

(5) contain the budget for the council for the 2-fiscal year period covered by such plan;

(6) contain fiscal control, accounting, audit and debt collection procedures that assure the proper disbursement of, and accounting for, funds received under this Act; and

(7) provide for the council to submit to the Governor an annual report that includes a description of--

(A) activities conducted during the fiscal year covered by such report;

(B) service sponsors in the volunteer service area;

(C) members of the Citizens Corps placed by such council; and

(D) the extent to which the activities exceeded or failed to meet relevant performance standards established by the Corporation.

(d) Modification of Plan.--If changes in the national service needs of the volunteer service area, funding, or other factors require substantial deviation from an approved plan, the national service council may submit a modification of such plan, which shall be subject to review in accordance with section 225.

SEC. 225. REVIEW AND APPROVAL OF PLAN.

(a) Publication of Proposed Plan.--Not later than 120 days before the beginning of the 2-fiscal year period covered by a proposed volunteer recruitment and placement plan, the council shall--

- (1) publish the proposed plan or a summary thereof; and
- (2) make such plan available for public review and comment.

(b) Submission of Plan.--(1) Not later than 80 days before the beginning of the 2-fiscal year period covered by a proposed volunteer recruitment and placement plan, the council shall submit such plan to the Governor.

(2) Any modification of such plan shall be published and submitted to the Governor not later than 80 days before it is to be effective.

(c) Review.--(1) The Governor shall approve the volunteer recruitment and placement plan (or modification thereof) unless the Governor finds that--

(A) corrective measures for deficiencies found in audits or in meeting performance standards from previous years have not been taken or are not being acceptably implemented;

(B) the council does not have the capacity to administer the funds;

(C) there are inadequate safeguards for the protection of funds received; or

(D) the plan (or modification) does not comply with this Act or a rule of the Corporation.

(2) The Governor shall approve or disapprove a volunteer recruitment and placement plan (or modification) within 30 days after the date that the plan (or modification) is submitted.

(3) If the Governor disapproves a plan, the Governor shall--

(A) inform the council of the reasons for such disapproval;

(B) provide for the review of any revised plan; and

(C) take such steps as the Governor considers necessary to provide for the recruitment and placement of members of the Civilian and Senior Services in the volunteer service area affected by such disapproval.

SEC. 226. SERVICE SPONSORS.

(a) Selection of Service Sponsors.--Subject to subsection (b), in placing a member of the Civilian Service or Senior Service of the Citizens Corps with a public agency or public or nonprofit organization, the council shall give

delivering community services and shall give appropriate consideration to the extent to which the agency or organization is a community-based service sponsor. The council shall determine the effectiveness of an agency or organization on the basis of the agency's or organization's demonstrated performance with regard to attaining performance goals, reducing costs, and retaining members of the Citizen Corps placed with such agency or organization.

(b) Prevention of Worker Displacement.--In placing a member of the Civilian Service or Senior Service of the Citizens Corps with a public agency or public or nonprofit organization, the council shall take appropriate measures to assure that such placement shall not result in--

(1) the displacement of any currently employed worker or position (including partial displacement such as a reduction in the hours of nonovertime work, wages, or employment benefits), or result in the impairment of existing contracts for services or collective bargaining agreements;

(2) such member filling a position with such agency or organization when--

(A) any other individual is on layoff from the same or any equivalent position with such agency or organization; or

(B) the employer has terminated the employment of any regular employee or otherwise reduced the workforce of such employer with the effect of filling the vacancy so created with such member; or

(3) any infringement of the opportunities of any currently employed individual for promotion.

(c) Grievance Procedure.--(1) Each State shall establish and maintain a grievance procedure for resolving complaints by regular employees or their representatives that the placement of a member of the Civilian Corps or Senior Corps under this Act violates any of the prohibitions described in subsection (b).

(2) A decision of the State under such procedure may be appealed to the Corporation for investigation and such action as the Corporation may find necessary.

(d) Payments by Private Nonprofit Organization.--(1) The Corporation may require a private nonprofit organization to pay to the Corporation an amount not to exceed \$1000 per year for each member of the Civilian Service or Senior Service placed in a national service position with such organization.

(2) The Corporation may reduce the payment required under paragraph (1) to reflect national service provided--

(A) for a period of less than a full year; or

(B) in the case of a member of the Senior Service, as part-time service.

(3) The Corporation shall share any payment received under paragraph (1) or (2) with the State that provides the stipend or wage to the member of the Citizen Corps so placed with a private nonprofit organization. The share paid to the State shall correspond to the matching funds requirement for the State as specified in section 207(a) and adjusted to reflect any offset under section 207(b).

Subtitle C--Administration of the Citizens Corps with
regard to service in the Armed Forces

SEC. 241. ADMINISTRATION OF THE CITIZENS CORPS WITH REGARD TO SERVICE IN THE
ARMED FORCES.

(a) Responsibility of Secretary of Defense.--The Secretary of Defense shall be responsible for administering the Citizens Corps with regard to service by members of the Citizens Corps in the Armed Forces.

(b) Rulemaking.--Not later than 60 days after the date of the enactment of this Act, the Secretary shall issue rules to carry out this subtitle.

SEC. 242. REPORTS.

(a) Required.--On or before May 15 of each calendar year, the Secretary of Defense shall submit to the President a report describing the operation of the Citizen Corps with regard to service in the Armed Forces and the activities of the Secretary in administering such service during the fiscal year ending September 30 of the preceding calendar year, and the President shall transmit such report to the Congress.

(b) Content of Report.--(1) Each report shall include a comprehensive and detailed description of the operations, activities, financial condition, and accomplishments of the Citizens Corps with regard to service in the Armed Forces during the fiscal year covered by such report and such recommendations as the Secretary considers appropriate.

(2) In the first 5 reports submitted under subsection (a), the Secretary shall specify--

(A) the anticipated number of national service positions that will be available in the Armed Forces for members of the the Citizens Corps in the fiscal year beginning in the calendar year in which such report is submitted; and

(B) the anticipated cost of operating the Citizens Corps with regard to service in the Armed Forces for such fiscal year.

TITLE III--BENEFITS FOR PARTICIPATING IN THE CITIZENS CORPS

SEC. 301. STIPEND AND SUPPORT SERVICES FOR MEMBERS OF THE CIVILIAN SERVICE
AND SENIOR SERVICE.

(a) Civilian Service.--(1) The State shall provide a stipend of \$100 per week to each member of the Civilian Service of the Citizens Corps performing service in the State (except members placed with a Federal agency) while such member is in training and providing full-time service during the term of service of such member.

(2) If a member of the Civilian Service of the Citizens Corps is placed with a Federal agency, such agency shall provide a stipend of \$100 per week to such member while such member is in training and providing full-time service with such agency during the term of service of such member.

(3) The Corporation--

(A) shall provide each member of the Civilian Service with health

(B) may provide such other assistance as the Corporation considers necessary and appropriate for a member of the Civilian Service to carry out the service obligation of such member.

(b) Senior Service.--(1) The State or Federal agency, as the case may be, shall pay to each member of the Senior Service performing service in the State or with the agency an hourly wage as determined by rule by the Corporation.

(2) The Corporation may provide such other assistance as the Corporation considers necessary and appropriate for a member of the Senior Service to carry out the service obligation of such member.

SEC. 302. COMPENSATION FOR MEMBERS OF THE CITIZENS CORPS SERVING IN THE ARMED FORCES.

(a) Amount of Compensation.--Notwithstanding any other provision of law, a member of the Citizens Corps serving in the Armed Forces shall receive basic pay, basic allowance for subsistence, basic allowance for quarters at 66 percent of the rate applicable to other members of the Armed Forces with the same pay grade and years of service.

(b) Limitations.--A member of the Citizens Corps serving in the Armed Forces, or a graduate of such service, shall not be eligible to receive benefits under chapters 106, 107, and 109 of title 10, United States Code, or chapters 30, 32, 34, 36, or 37 of title 38, United States Code, as a result of such service.

SEC. 303. EDUCATIONAL AND HOUSING BENEFITS FOR MEMBERS OF THE CIVILIAN SERVICE OF THE CITIZENS CORPS.

(a) Amount of Financial Assistance.--An individual who successfully completes a term of service as a member of the Civilian Service of the Citizens Corps shall be eligible to receive financial assistance pursuant to section 305 or 306 in an amount not to exceed \$10,000 for each year of such term to assist such individual--

(1) pursue a program of education or training at an educational institution or training establishment; or

(2) purchase or construct a dwelling to be owned and occupied by such individual as the primary residence of such individual.

(b) Partial Completion of Term of Service.--If the Corporation releases an individual from completing a term of service in the Civilian Service for compelling personal circumstances for just cause shown by such member, the Corporation may provide such individual with a portion of the financial assistance specified in subsection (a) corresponding to the amount of the service obligation completed by such individual.

(c) Exclusion from Gross Income.--For purposes of section 61 of the Internal Revenue Code of 1986 (26 U.S.C. 61), in the case of an individual, gross income shall not include any amount received as assistance under this section.

SEC. 304. EDUCATIONAL AND HOUSING BENEFITS FOR MEMBERS OF THE CITIZENS CORPS SERVING IN THE ARMED FORCES.

serving in the Armed Forces pursuant to section 103(b)(1) who is released from active duty after 2 years of service (characterized by the Secretary concerned as honorable service) on active duty shall be eligible for the financial assistance specified in paragraph (2) on the condition that--

(A) the member agrees to complete the service obligation selected by such member; and

(B) such further service is characterized by the Secretary concerned as honorable service.

(2) The financial assistance referred to in paragraph (1) shall be provided pursuant to section 305 or 306 in an amount not to exceed \$24,000 to assist such member--

(A) pursue a program of education or training at an educational institution or training establishment; or

(B) purchase or construct a dwelling to be owned and occupied by such individual as the primary residence of such individual.

(b) Service in the Selected Reserve.--(1) A member of the Citizens Corps serving in a reserve component of the Armed Forces pursuant to section 103(b)(2) is eligible for the financial assistance specified in paragraph (2)--

(A) after the member serves 1 year in the Selected Reserve during which the member participates satisfactorily in training as prescribed by the Secretary concerned; and

(B) on the condition that the member agrees to complete the service obligation selected by such member and such service is characterized by the Secretary concerned as honorable service.

(2) The financial assistance referred to in paragraph (1) shall be provided pursuant to section 305 or 306 in an amount not to exceed \$12,000 to assist such member--

(A) pursue a program of education or training at an educational institution or training establishment; or

(B) purchase or construct a dwelling to be owned and occupied by such individual as the primary residence of such individual.

(c) Partial Completion of Term of Service.--If the Secretary of Defense releases a member of the Citizens Corps from completing a service obligation in the Armed Forces with an honorable discharge, the Secretary of Veterans Affairs may provide such member with a portion of the financial assistance such individual would have otherwise been entitled to corresponding to the amount of the service obligation completed by such individual.

(d) Exclusion from Gross Income.--For purposes of section 61 of the Internal Revenue Code of 1986 (26 U.S.C. 61), in the case of an individual, gross income shall not include any amount received as assistance under this section.

SEC. 305. PROVISION OF EDUCATIONAL BENEFITS.

(a) Civilian Service.--The Corporation (in consultation with the Secretary of Veterans Affairs) shall administer the provision of financial assistance under section 303 for individuals pursuing a program of education

(b) Service in the Armed Forces.--The Secretary of Veterans Affairs (in consultation with the Corporation) shall administer the provision of financial assistance under section 304 for individuals pursuing a program of education or training at an educational institution or training establishment.

(c) Method of Providing Assistance.--The Corporation and Secretary shall administer the provision of educational benefits to an individual who is eligible for financial assistance under section 303 or 304 in the manner provided in sections 1663, 1670, 1671, 1673, 1674, 1676, 1682(g), and 1683 of title 38, United States Code, and in subchapters I and II of chapter 36 of such title.

(d) Use of Assistance.--Assistance provided under section 303 or 304 as educational benefits may be used to pay tuition, fees, books, supplies, equipment, room and board, and other costs determined by the Corporation by rule to be necessary to accomplish a program of education or training at an educational institution or training establishment.

(e) Recoupment of Assistance.--The Secretary of Veterans Affairs shall establish by rule a system to recoup financial assistance provided under section 304 in cases in which an individual fails to honorably complete a service obligation after receiving such assistance. The amount of such recoupment shall be calculated and collected in the manner provided in section 338E(b)(1) of the Public Health Service Act (42 U.S.C. 254o(b)(1)).

SEC. 306. PROVISION OF HOUSING BENEFITS.

(a) Civilian Service.--The Corporation (in consultation with the Secretary of Veterans Affairs) shall--

(1) establish a program by which an individual eligible for financial assistance under section 303 may use all or part of such assistance to purchase or construct a dwelling to be owned and occupied by the individual as the primary residence of such individual; and

(2) monitor the implementation of such program.

(b) Service in the Armed Forces.--The Secretary of Veterans Affairs (in consultation with the Corporation) shall--

(1) establish a program by which an individual eligible for financial assistance under section 304 may use all or part of such assistance to purchase or construct a dwelling to be owned and occupied by the individual as the primary residence of such individual; and

(2) monitor the implementation of such program.

SEC. 307. TIME LIMITATION ON THE USE OF ASSISTANCE.

(a) In General.--No assistance under section 303 or 304 may be provided an individual after the end of the 10-year period beginning on the date the term of service of such individual is completed.

(b) Exception.--Subsection (a) shall not apply if the Secretary of Veterans Affairs or the Corporation, as the case may be, determines on an individual basis that an individual was unavoidably prevented from using such assistance during such time period.

SEC. 308. REPORTS.

(a) Required.--(1) The Secretary of Veterans Affairs and the Corporation shall submit to the Congress at least once every 2 years a joint report on the provision of financial assistance under sections 303 and 304.

(2) The first report required by paragraph (1) shall be submitted not later than January 1, 1992.

(b) Contents of Report.--Each report submitted under subsection (a) shall include--

(1) an assessment of the extent to which the financial assistance provided under sections 303 and 304 is adequate to induce individuals to serve in the Citizens Corps and complete their terms of service;

(2) the amount of such assistance utilized during the period covered by such report; and

(3) such recommendations for legislative changes regarding the provision of such assistance to members of the Citizens Corps and individuals who have successfully completed their terms of service in the Citizens Corps as the Secretary and Corporation consider appropriate.

TITLE IV--MISCELLANEOUS PROVISIONS

SEC. 401. EDUCATIONAL AND HOUSING BENEFITS FOR PARTICIPANTS IN THE PEACE CORPS AND VISTA.

(a) Benefits Allowed.--Subject to subsection (b), an individual who is not a member of the Civilian Service of the Citizens Corps but who successfully completes a term of service in the Peace Corps or VISTA after the effective date of this Act shall be entitled to financial assistance under section 303 in the same manner as a member of the Civilian Service.

(b) Reduction of Benefits.--The Corporation shall reduce the amount of financial assistance available to a former Peace Corps or VISTA volunteer under subsection (a) to reflect the amount of compensation received by such volunteer over and above the stipend provided to members of the Civilian Service.

SEC. 402. PARTICIPATION IN CERTAIN EXISTING EDUCATIONAL ASSISTANCE PROGRAMS.

(a) Loans and Loan Guarantees Limited to Members and Graduates of the Citizens Corps.--After the end of the 5-year period beginning on the effective date of this Act, no individual shall be eligible for postsecondary educational assistance from the United States under any program providing loans or loan guarantees unless such individual is a member of the Citizens Corps or has successfully completed a term of service in the Citizens Corps under section 103.

(b) Exception.--Notwithstanding subsection (a), the following individuals shall be eligible for postsecondary educational assistance from the United States under any program providing loans or loan guarantees if such individuals are otherwise eligible for such assistance:

(1) An individual enrolled in an educational institution before the end of the period specified in subsection (a).

(3) An individual who served in the Armed Forces (if such service is characterized by the Secretary concerned as honorable).

(4) An individual who is determined by the Corporation to be ineligible for national service under this Act because--

(A) of a physical or mental handicap which the Corporation determines makes the individual unable to perform such service;

(B) of compelling personal circumstances for just cause shown by such individual; or

(C) a national service position is unavailable for such individual after a reasonable period as determined by the Corporation.

(5) An individual receiving assistance provided by the Department of Defense (or the Department of Transportation with respect to the Coast Guard) to members of the Armed Forces if further military service is a condition of the assistance.

(6) An individual receiving assistance provided by the Director of the Peace Corps, the Director of the ACTION Agency, the head of a Federal agency, or a State to an individual if--

(A) service as a member of the Peace Corps or ACTION Agency is a condition of such assistance; or

(B) some other national or community service is a condition of such assistance and the Corporation determines that such service is comparable to service in the Citizens Corps.

(7) An individual who served as a member of the Peace Corps or ACTION Agency or in some other Federal or State program of national or community service determined by the Corporation to be comparable to service in the Citizens Corps.

(c) Parental Loan Program.--Except as provided in subsection (d), after the end of the 5-year period beginning on the effective date of this Act, the parents of a dependent undergraduate student shall not be eligible for loans under section 428B of the Higher Education Act of 1965 (20 U.S.C. 1078-2) unless such student is a member of the Citizens Corps or has successfully completed a term of service in the Citizens Corps under section 103.

(d) Exception.--Subsection (c) shall not apply with respect to the parents of a dependent undergraduate student if--

(1) such parents receive assistance under section 428B of the Higher Education Act of 1965 (20 U.S.C. 1078-2) with regard to such student before the end of such period; or

(2) such student is within an exception specified in subsection (b).

(e) Identification of Compelling Personal Circumstances.--For purposes of applying the exception specified in subsection (b)(4)(B) and section 403(b)(2)(B), the Corporation shall identify by rule the factors, such as age, family status or size, and income, that the Corporation may consider as compelling personal circumstances to render an individual ineligible for national service under this Act.

(a) Pell and SEOG Educational Grant Programs.--After the end of the 5-year period beginning on the effective date of this Act, no individual shall be eligible for a basic educational opportunity grant under subpart 1 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070a et seq.) or a supplemental educational opportunity grant under subpart 2 of such part (20 U.S.C. 1070b et seq.).

(b) Exception.--Notwithstanding subsection (a), basic educational opportunity grants under subpart 1 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070a et seq.) and supplemental educational opportunity grants under subpart 2 of such part (20 U.S.C. 1070b et seq.) shall remain available in amounts authorized by law for the following individuals:

(1) An individual enrolled in an educational institution before the end of period specified in subsection (a).

(2) An individual who is determined by the Corporation to be ineligible for national service under this Act because--

(A) of a physical or mental handicap which the Corporation determines makes the individual unable to perform such service;

(B) of compelling personal circumstances for just cause shown by such individual; or

(C) a national service position is unavailable for such individual after a reasonable period as determined by the Corporation;

(c) State Student Incentives Grants.--(1) After the end of the 5-year period beginning on the effective date of this Act, the Secretary of Education shall not make incentive grants available to the States under subpart 3 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070c et seq.)

(2) The Secretary of Education may treat a student who received assistance under such subpart during such period as a recipient of assistance under subpart 1 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070a et seq.) so long as such student continues in a program of education.

SEC. 404. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to the Corporation to carry out this Act:

(1) \$ for fiscal year 1991.

(2) \$ for fiscal year 1992.

(3) \$ for fiscal year 1993.

(4) Such sums as may be necessary for each fiscal year thereafter.

SEC. 405. EFFECTIVE DATE.

This Act shall take effect on October 1, 1990.

BILL TEXT Report for S.3
As introduced in the Senate, January 25, 1989

S.3 As introduced in the Senate, January 25, 1989

II

101st CONGRESS
1st Session

S. 3

To establish a corporation to administer a program of voluntary national
service, and for other purposes.

IN THE SENATE OF THE UNITED STATES
January 25 (legislative day, January 3), 1989
Mr. Nunn (for himself, Mr. Robb, Mr. Glenn, Mr. Breaux, and Mr. Sasser)
introduced the following bill; which was read twice and referred to the
Committee on Labor and Human Resources

A BILL
To establish a corporation to administer a program of voluntary national
service, and for other purposes.

=====
Be it enacted by the Senate and House of Representatives of the United
States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Citizenship and National Service Act of
1989".

SEC. 2. TABLE OF CONTENTS.

Sec. 1. Short title.

1 **SEC. ____.** **DEFINITIONS.**

2 (a) **SERVICE-LEARNING.**—Section 101(22) of the Na-
3 tional and Community Service Act of 1990 (42 U.S.C.
4 12511) is amended to read as follows:

5 “(22) **SERVICE-LEARNING.**—The term ‘service-
6 learning’ means a method—

7 “(A) under which students learn and de-
8 velop through active participation in thought-
9 fully organized service experiences that meet ac-
10 tual community needs and that are coordinated
11 in collaboration with the school, a community
12 service program, and the community;

13 “(B) that is integrated into the students’
14 academic curriculum or educational program, or
15 provides structured time for a student to think,
16 talk, or write about what the student did and
17 saw during the actual service activity;

18 “(C) that provides students with opportu-
19 nities to use newly acquired skills and knowl-
20 edge in real-life situations in their own commu-
21 nities; and

22 “(D) that enhances what is taught in
23 school, or in the educational components of a
24 community service program, by extending stu-
25 dent learning beyond the classroom and into the

1 community and helps to foster the development
2 of a sense of caring for others.'".

3 (b) OTHER DEFINITIONS.—Section 101 of the Na-
4 tional and Community Service Act of 1990 is amended
5 by adding at the end the following:

6 “(____) SCHOOL-AGED YOUTH.—The term
7 ‘school-aged youth’ means an individual within the
8 school-aged population described in section 112(f).

9 “(____) SCHOOL YEAR.—The term ‘school year’
10 has the meaning given the term in section 322(5) of
11 the Higher Education Act of 1965 (20 U.S.C.
12 1061(5)).

13 “(____) SERVICE-LEARNING COORDINATOR.—
14 The term ‘service-learning coordinator’ means an in-
15 dividual who provides services, with respect to a
16 local educational agency or an elementary or second-
17 ary school, by—

18 “(A) working with community-based agen-
19 cies to develop service-learning opportunities for
20 students;

21 “(B) expanding the awareness of teachers
22 of the potential of service-learning as a mecha-
23 nism for strengthening educational achieve-
24 ment, [youth and leadership development,] and
25 substantive learning;

1 “(C) assisting in the planning, execution,
2 or **【replication】** of service-learning projects;

3 “(D) providing access to volunteers or par-
4 ticipants to assist in expanding service-learning
5 opportunities;

6 “(E) advocating, and assisting in, the for-
7 mation of a facilitation or development commit-
8 tee comprised of teachers, students, parents,
9 community groups, and principals, who are in-
10 terested in, and supportive of, service-learning,
11 **【for what purpose?】**;

12 “(F) providing technical assistance and in-
13 formation to teachers who are interested in
14 service-learning; and

15 “(G) assisting in developing methods of
16 training teachers in service learning.”. **【Why**
17 would you want a reference to subtitle B fund-
18 ing in a definition section?】

19 **SEC. ____ . SCHOOL-AGED SERVICE.**

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

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

3 **“PART I—SERVE-AMERICA**

4 **“Subpart A—General Provisions**

5 **“SEC. 110. SHORT TITLE.**

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

9 **“SEC. 110A. PURPOSES.**

10 “The purpose of this part is to enable the Corpora-
11 tion, and the entities receiving financial assistance under
12 this part, to—

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

19 “(2) work with local teachers, and with faculty
20 providing teacher training and retraining, to educate
21 the teachers and faculty about service-learning so
22 that strong academic programs are incorporated into
23 the service activities of their students;

24 “(3) coordinate the work of students at institu-
25 tions of higher education and other volunteers who

1 work with elementary and secondary schools as part
2 of their community service activities; and

3 “(4) work with employers in the communities to
4 ensure that service opportunities for middle and high
5 school students introduce students to various careers
6 and expose the students to needed further education
7 and training.

8 **“SEC. 110B. AVAILABILITY OF APPROPRIATIONS.**

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

11 “(1) ____ shall be available to carry out sub-
12 part E; and

13 “(2) of the remainder of such amount—

14 “(A) a sum equal to 15 percent of such re-
15 mainder shall be available to carry out subpart
16 D; and

17 “(B) a sum equal to 85 percent of such re-
18 mainder shall be available to carry out subparts
19 B and C, of which—

20 “(i) funds equal to ____ percent of
21 such sum shall be available to carry out
22 subpart C;

23 “(ii) funds equal to not more than 1
24 percent of such sum shall be available to
25 make payments under section 112(a); and

1 “(iii) funds equal to the remainder of
2 such sum shall be available to make grants
3 and allotments under section 112(b).

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

5 **“SEC. 111. GENERAL AUTHORITY.**

6 “(a) IN GENERAL.—The [Chairperson,] in consulta-
7 tion with the Secretary of Education, may make grants
8 under section 102(b)(1) and allotments under section
9 102(b)(2) to States or, [in a case described in subsection
10 (b),] local applicants for—

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

16 “(A) preservice and in-service training for
17 teachers, supervisors, personnel from commu-
18 nity-based agencies (particularly with regard to
19 the utilization of young volunteers), and train-
20 ers, in which service opportunities will be pro-
21 vided that will be conducted by qualified indi-
22 viduals or organizations that have experience in
23 service-learning programs;

24 “(B) developing service-learning curricula,
25 including age-appropriate learning components

1 for students to analyze and apply their service
2 experiences;

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

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

10 “(E) establishing effective outreach and
11 dissemination to ensure the broadest possible
12 involvement of nonprofit community-based
13 agencies and youth-service agencies with dem-
14 onstrated effectiveness in their communities;

15 “(F) integration of service-learning into
16 academic curricula; and

17 “(G) establishment of State resource cen-
18 ters to assist elementary or secondary schools,
19 or communities, that desire to establish service-
20 learning programs;

21 “(2) the implementation, operation, or expan-
22 sion of statewide, school-based service-learning pro-
23 grams, which may be operated during any part of a
24 school year, through State distribution of Federal
25 funds made available under this subpart to projects

1 and activities coordinated and operated by local
2 partnerships among—

3 “(A) local educational agencies; and

4 “(B) one or more community partners
5 that—

6 “(i) shall include a public or private
7 nonprofit organization that will make serv-
8 ice opportunities available for participants;
9 and

10 “(ii) may include a private for-profit
11 business organization or private elementary
12 and secondary school;

13 “(3)(A) the recruitment, training, supervision,
14 or placement, of service-learning coordinators who
15 are participants in a program under subtitle C or re-
16 ceive a post-service benefit under subtitle D; and

17 “(B) the recruitment, training, supervision,
18 placement, or support, of service-learning coordina-
19 tors who are participants in a program under this
20 subtitle,

21 by a local partnership described in paragraph (1),
22 (2), or (4), as appropriate; and

23 “(4) the implementation, operation, or expan-
24 sion of programs involving adult volunteers in
25 schools, or partnerships of schools and public or pri-

1 vate organizations, to utilize service-learning to im-
2 prove the education of at-risk students, school drop-
3 outs, and out-of-school youth through State distribu-
4 tion of Federal funds made available under this part
5 to projects and activities coordinated and operated
6 by local partnerships among—

7 “(A) local education agencies; and

8 “(B) one or more public or private non-
9 profit organization or private for-profit busi-
10 ness.

11 “(b) DIRECT GRANTS.—In any fiscal year in which
12 a State does not participate in programs under this sub-
13 part, the Chairperson may use the allotment of that State
14 [under subsection 112(b)(2)] to make direct grants for
15 the purposes described in subsection (a) to local applicants
16 in that State who submit an application in accordance
17 with section 114. The Chairperson shall consider the cri-
18 teria described in section 115(a) in evaluating such local
19 applications.

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

21 “(a) INDIAN TRIBES AND TERRITORIES.—For any
22 fiscal year, the Chairperson shall reserve the funds de-
23 scribed in section 110B(2)(B)(ii) for payments to Indian
24 tribes, the Virgin Islands, Guam, American Samoa, the
25 Commonwealth of the Northern Mariana Islands and

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

4 “(b) GRANTS AND ALLOTMENTS THROUGH
5 STATES.—For any fiscal year, the Chairperson shall use
6 the funds described in section 110B(2)(B)(iii) as follows:

7 “(1) GRANTS.—Except as provided in para-
8 graph (3), from 25 percent of such funds, the Chair-
9 person may make grants to States.

10 “(2) ALLOTMENTS.—

11 “(A) SCHOOL-AGE POPULATION.—Except
12 as provided in paragraph (3), from 37.5 percent
13 of such funds, the Chairperson shall allot to
14 each State an amount that bears the same ratio
15 to 37.5 percent of such funds as the school-age
16 population of the State bears to the school-age
17 population of all States.

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

1 tary and Secondary Education Act of 1965
2 bears to such allocations to all States.

3 “(3) MINIMUM AMOUNT.—No State shall re-
4 ceive, under paragraph (2), an allotment that is less
5 than the allotment such State received under this
6 subsection for fiscal year 1993. If the amount of
7 funds made available in a fiscal year to carry out
8 paragraph (2) is insufficient to make such allot-
9 ments, the Chairperson may make available sums
10 from the 25 percent described in paragraph (1) for
11 such fiscal year to make such allotments.

12 “(c) LIMITATION.—For any period during which a
13 State is carrying out planning activities solely under sec-
14 tion 111(a) prior to implementation under paragraphs (2),
15 (3), or (4) of section 111(a), a State may be paid not more
16 than 25 percent of its allotment under this section.

17 “(d) REALLOTMENT.—The amount of any State’s al-
18 lotment for any fiscal year under this section that the
19 Chairperson determines will not be required for that fiscal
20 year shall be available for reallotment to other States as
21 the Chairperson may determine appropriate.

22 “(e) EXCEPTION.—Notwithstanding this section, if
23 less than \$20,000,000 is made available in any fiscal year
24 to carry out this subpart, the Chairperson shall award

1 grants to States [and Indian tribes] on a competitive
2 basis. [Not the territories?]

3 “(f) DEFINITIONS.—For purposes of this section:

4 “(1) SCHOOL-AGE POPULATION.—The term
5 “school-age population” means the population aged
6 5 through 17, inclusive.

7 “(2) STATE.—The term “State” includes the
8 50 States, the District of Columbia, and the Com-
9 monwealth of Puerto Rico.

10 **“SEC. 113. STATE APPLICATION.**

11 To be eligible to receive a grant under section
12 112(b)(1) or an allocation under section 112(b)(2) under
13 this subpart a State, acting through the State educational
14 agency, [Do Indian tribes apply?] shall prepare and sub-
15 mit to the Chairperson, an application at such time, in
16 such manner, and containing such information as the
17 Chairperson shall reasonably require, including—

18 “(1) a State plan containing—

19 “(A) a description of the program goals of
20 the programs to be carried out using such grant
21 or allotment; and

22 “(B) a description of the manner in
23 which—

24 “(i) local applications relating to the
25 programs will be ranked by the State ac-

1 for students to analyze and apply their service
2 experiences;

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

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

10 “(E) establishing effective outreach and
11 dissemination to ensure the broadest possible
12 involvement of nonprofit community-based
13 agencies and youth-service agencies with dem-
14 onstrated effectiveness in their communities;

15 “(F) integration of service-learning into
16 academic curricula; and

17 “(G) establishment of State resource cen-
18 ters to assist elementary or secondary schools,
19 or communities, that desire to establish service-
20 learning programs;

21 “(2) the implementation, operation, or expan-
22 sion of statewide, school-based service-learning pro-
23 grams, which may be operated during any part of a
24 school year, through State distribution of Federal
25 funds made available under this subpart to projects

1 and activities coordinated and operated by local
2 partnerships among—

3 “(A) local educational agencies; and

4 “(B) one or more community partners
5 that—

6 “(i) shall include a public or private
7 nonprofit organization that will make serv-
8 ice opportunities available for participants;
9 and

10 “(ii) may include a private for-profit
11 business organization or private elementary
12 and secondary school;

13 “(3)(A) the recruitment, training, supervision,
14 or placement, of service-learning coordinators who
15 are participants in a program under subtitle C or re-
16 ceive a post-service benefit under subtitle D; and

17 “(B) the recruitment, training, supervision,
18 placement, or support, of service-learning coordina-
19 tors who are participants in a program under this
20 subtitle,

21 by a local partnership described in paragraph (1),
22 (2), or (4), as appropriate; and

23 “(4) the implementation, operation, or expan-
24 sion of programs involving adult volunteers in
25 schools, or partnerships of schools and public or pri-

1 vate organizations, to utilize service-learning to im-
2 prove the education of at-risk students, school drop-
3 outs, and out-of-school youth through State distribu-
4 tion of Federal funds made available under this part
5 to projects and activities coordinated and operated
6 by local partnerships among—

7 “(A) local education agencies; and

8 “(B) one or more public or private non-
9 profit organization or private for-profit busi-
10 ness.

11 “(b) DIRECT GRANTS.—In any fiscal year in which
12 a State does not participate in programs under this sub-
13 part, the Chairperson may use the allotment of that State
14 [under subsection 112(b)(2)] to make direct grants for
15 the purposes described in subsection (a) to local applicants
16 in that State who submit an application in accordance
17 with section 114. The Chairperson shall consider the cri-
18 teria described in section 115(a) in evaluating such local
19 applications.

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

21 “(a) INDIAN TRIBES AND TERRITORIES.—For any
22 fiscal year, the Chairperson shall reserve the funds de-
23 scribed in section 110B(2)(B)(ii) for payments to Indian
24 tribes, the Virgin Islands, Guam, American Samoa, the
25 Commonwealth of the Northern Mariana Islands and

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

4 “(b) GRANTS AND ALLOTMENTS THROUGH
5 STATES.—For any fiscal year, the Chairperson shall use
6 the funds described in section 110B(2)(B)(iii) as follows:

7 “(1) GRANTS.—Except as provided in para-
8 graph (3), from 25 percent of such funds, the Chair-
9 person may make grants to States.

10 “(2) ALLOTMENTS.—

11 “(A) SCHOOL-AGE POPULATION.—Except
12 as provided in paragraph (3), from 37.5 percent
13 of such funds, the Chairperson shall allot to
14 each State an amount that bears the same ratio
15 to 37.5 percent of such funds as the school-age
16 population of the State bears to the school-age
17 population of all States.

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

1 tary and Secondary Education Act of 1965
2 bears to such allocations to all States.

3 “(3) MINIMUM AMOUNT.—No State shall re-
4 ceive, under paragraph (2), an allotment that is less
5 than the allotment such State received under this
6 subsection for fiscal year 1993. If the amount of
7 funds made available in a fiscal year to carry out
8 paragraph (2) is insufficient to make such allot-
9 ments, the Chairperson may make available sums
10 from the 25 percent described in paragraph (1) for
11 such fiscal year to make such allotments.

12 “(c) LIMITATION.—For any period during which a
13 State is carrying out planning activities solely under sec-
14 tion 111(a) prior to implementation under paragraphs (2),
15 (3), or (4) of section 111(a), a State may be paid not more
16 than 25 percent of its allotment under this section.

17 “(d) REALLOTMENT.—The amount of any State’s al-
18 lotment for any fiscal year under this section that the
19 Chairperson determines will not be required for that fiscal
20 year shall be available for realLOTment to other States as
21 the Chairperson may determine appropriate.

22 “(e) EXCEPTION.—Notwithstanding this section, if
23 less than \$20,000,000 is made available in any fiscal year
24 to carry out this subpart, the Chairperson shall award

1 grants to States [and Indian tribes] on a competitive
2 basis. [Not the territories?]

3 “(f) DEFINITIONS.—For purposes of this section:

4 “(1) SCHOOL-AGE POPULATION.—The term
5 “school-age population” means the population aged
6 5 through 17, inclusive.

7 “(2) STATE.—The term “State” includes the
8 50 States, the District of Columbia, and the Com-
9 monwealth of Puerto Rico.

10 **“SEC. 113. STATE APPLICATION.**

11 To be eligible to receive a grant under section
12 112(b)(1) or an allocation under section 112(b)(2) under
13 this subpart a State, acting through the State educational
14 agency, [Do Indian tribes apply?] shall prepare and sub-
15 mit to the Chairperson, an application at such time, in
16 such manner, and containing such information as the
17 Chairperson shall reasonably require, including—

18 “(1) a State plan containing—

19 “(A) a description of the program goals of
20 the programs to be carried out using such grant
21 or allotment; and

22 “(B) a description of the manner in
23 which—

24 “(i) local applications relating to the
25 programs will be ranked by the State ac-

1 cording to the criteria described in section
2 115(a), and in a manner that ensures the
3 equitable treatment of local applications
4 submitted by both local educational agen-
5 cies and community-based agencies;

6 “(ii) [the programs will be coordi-
7 nated] with other service programs within
8 the State and with other Federally assisted
9 education programs, training programs, so-
10 cial service programs, and other appro-
11 priate programs that serve youth;

12 “(iii) cooperative efforts will be en-
13 couraged among the local educational
14 agencies, local government agencies, com-
15 munity-based agencies, businesses, and
16 State agencies, [that will carry out such
17 programs] to develop and provide service
18 opportunities, including those that involve
19 the participation of urban, suburban, and
20 rural youth working together;

21 “(iv) economically and educationally
22 disadvantaged youths, including individuals
23 with disabilities, youth with limited basic
24 skills or learning disabilities, youth in fos-
25 ter care who are becoming too old for fos-

1 ter care, youth of limited English pro-
2 ficiency, homeless youth and youth with
3 disabilities, are assured of service opportu-
4 nities in such programs;

5 “(v) the State will evaluate the pro-
6 grams and measure the progress of the
7 programs toward the goals described in
8 subparagraph (A);

9 “(vi) the programs will target and
10 serve urban and rural areas and any tribal
11 areas that exist within such State;

12 “(vii) service-learning training and
13 technical assistance will be provided
14 through the programs to State education
15 agency employees, federally funded edu-
16 cation specialists in the State, local edu-
17 cational agencies, and local grant recipi-
18 ents, by qualified and experienced individ-
19 uals employed by the State or through
20 grant or contract with experienced content
21 specialist and youth service resource orga-
22 nizations;

23 “(viii) non-Federal assistance will be
24 used to expand service opportunities for

1 students and out-of-school youth through
2 the programs; and

3 “(ix) information and outreach serv-
4 ices will be disseminated and utilized to en-
5 sure the involvement of a broad range of
6 organizations, particularly community-
7 based agencies, in the programs; and

8 “(C) a description of the relationship be-
9 tween the programs and the school reform ef-
10 forts of the State; and

11 “(2) assurances that—

12 “(A) the programs will target and serve
13 urban and rural areas and any tribal areas that
14 exist within such State;

15 “(B) the State will keep such records and
16 provide such information to the Chairperson
17 with respect to the programs as may be re-
18 quired for fiscal audits and program evaluation;

19 “(C) the State will comply with the specific
20 requirements of this subpart with respect to the
21 programs; and

22 “(D) the State (acting through the State
23 educational agency) will—

24 “(i) educate the personnel of such
25 agency about service-learning;

1 “(ii) establish a service-learning net-
2 work within the State, comprised of expert
3 teachers and administrators who have im-
4 plemented successful service-learning pro-
5 grams within the State;

6 “(iii) foster an exchange of informa-
7 tion among teachers and administrators in
8 programs receiving Federal assistance re-
9 garding methods of integrating service-
10 learning into their programs; and

11 “(iv) educate personnel of local edu-
12 cational agencies about the availability of
13 Federal funds under this subtitle, and
14 raise the awareness of service-learning
15 among such personnel.

16 **“SEC. 114. LOCAL APPLICATIONS.**

17 “(a) IN GENERAL.—A partnership that desires to re-
18 ceive financial assistance for a program under this subpart
19 shall prepare and submit to the State Educational Agency
20 a proposal for the program that meets the requirements
21 of this section. Such proposal shall be submitted at such
22 time, in such manner, and containing such information as
23 the State Educational Agency may reasonably require.

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

4 “(1) information specifying the membership and
5 role of an established advisory committee, consisting
6 of representatives of community-based agencies in-
7 cluding community action agencies, service recipi-
8 ents, youth-serving agencies, youth, parents, teach-
9 ers, administrators, agencies that serve older adults,
10 school board members, labor, and business, that will
11 provide advice with respect to the program;

12 “(2) a description of—

13 “(A) the goals of the program which shall
14 include goals that are quantifiable, measurable,
15 and demonstrate any benefits that flow from
16 the program to the participants and the com-
17 munity;

18 “(B) service opportunities to be provided
19 under the program that shall include evidence
20 that participants will make a sustained commit-
21 ment to the service project;

22 “(C) the manner in which participants in
23 the program were or will be involved in the de-
24 sign and operation of the program;

1 “(D) the qualifications, and responsibilities
2 of the coordinator of the program assisted
3 under this subpart;

4 “(E) preservice and inservice training for
5 supervisors, teachers, and participants in the
6 program;

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

9 “(G) any potential resources that will per-
10 mit continuation of the program, if needed,
11 after the assistance received under this subpart
12 has ended;

13 “(3) containing information that shall include—

14 “(A) a disclosure of whether or not the
15 participants will receive academic credit for par-
16 ticipation in the program;

17 “(B) the target levels of participants in the
18 program and the target levels for the hours of
19 service that such participants will provide indi-
20 vidually and as a group;

21 “(C) the proportion of expected partici-
22 pants in the program who are educationally or
23 economically disadvantaged, including partici-
24 pants with disabilities;

1 “(D) the ages or grade levels of expected
2 participants in the program;

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

5 “(F) the role of adult volunteers and of the
6 **【members of the local partnership】** in imple-
7 menting the program, and the manner in which
8 such volunteers and members will be recruited;

9 “(4) a written agreement, between the members
10 of the local partnership, stating that the program
11 was jointly developed by the parties and that the
12 program will be jointly executed by the parties; and

13 “(5) assurances that—

14 “(A) prior to the placement of a partici-
15 pant, the program will consult with any local
16 labor organization representing employees in
17 the area who are engaged in the same or simi-
18 lar work as that proposed to be carried out by
19 such program;

20 “(B) the applicant will develop an age-ap-
21 propriate learning component for participants
22 in the program that shall include a chance for
23 participants to reflect on service experiences
24 and expected learning outcomes; and

1 “(C) participants in the program will be
2 provided with information concerning VISTA,
3 the Peace Corps (as established by the Peace
4 Corps Act (22 U.S.C. 2501 et seq.)), chapter
5 30 of title 38, United States Code, chapter 106
6 of title 10, United States Code, full-time pro-
7 grams receiving assistance under this title, and
8 other service options and their benefits (such as
9 student loan deferment and forgiveness) as ap-
10 propriate.

11 **“SEC. 115. PRIORITY; PRIVATE SCHOOL PARTICIPATION.**

12 “(a) IN GENERAL.—In providing assistance under
13 this subpart, the State educational agency, or the Chair-
14 person if section 111(b) applies, shall give priority to ap-
15 plications submitted under section 114 that describe pro-
16 grams that—

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

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

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

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

1 “(b) PARTICIPATION OF CHILDREN AND TEACHERS
2 FROM PRIVATE SCHOOLS.—

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

10 “(A) for the inclusion of services and ar-
11 rangements for the benefit of such children so
12 as to assure the equitable participation of such
13 children in the programs or projects imple-
14 mented to carry out the purposes and provide
15 the benefits described in this subpart; and

16 “(B) for the training of the teachers of
17 such children so as to assure the equitable par-
18 ticipation of such teachers in the programs or
19 projects implemented to carry out the purposes
20 and provide the benefits described in this sub-
21 part.

22 “(2) WAIVER.—If a State or local educational
23 agency or institution of higher education is prohib-
24 ited by law from providing for the participation of
25 children or teachers from private nonprofit schools

1 as required by paragraph (1), or if the Chairperson
2 determines that a State or local educational agency
3 substantially fails or is unwilling to provide for such
4 participation on an equitable basis, the Chairperson
5 shall waive such requirements and shall arrange for
6 the provision of services to such children and teach-
7 ers. Such waivers shall be subject to consultation,
8 withholding, notice, and judicial review requirements
9 in accordance with section 1017 of the Elementary
10 and Secondary Education Act of 1965.

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

12 “(a) FEDERAL SHARE.—

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

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

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

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

1 “(D) 50 percent of the total cost of the
2 project for the fourth year, and for any subse-
3 quent year, for which the project receives assist-
4 ance under this subpart.

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

11 “(b) WAIVER.—The Chairperson may waive the re-
12 quirements of subsection (a) with respect to any project
13 in any fiscal year if the Chairperson determines that such
14 a waiver would be equitable due to a lack of available fi-
15 nancial resources at the local level.

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

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

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

22 “(2) not less than 20 percent and not more
23 than 25 percent of such funds to build capacity
24 through training, technical assistance, curriculum

1 development, and coordination activities, described
2 in section 111(a)(1).

3 “(b) AUTHORIZED ACTIVITIES FOR LOCAL
4 PROJECTS.—

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

12 “(2) LIMITATION.—[Except as provided in
13 paragraph (1),] funds made available under this
14 subpart may not be used to pay any stipend, allow-
15 ance, or other financial support to any participant,
16 except reimbursement for transportation, meals, and
17 other reasonable out-of-pocket expenses directly re-
18 lated to participation in a program assisted under
19 this subpart.

20 **“Subpart C—Corporation Grants**

21 **“SEC. 117A. GRANTS.**

22 “(a) IN GENERAL.—From the funds described in sec-
23 tion 110B(2)(B)(i), the Chairperson may make grants to
24 [eligible entities] to assist the entities in—

1 “(1) developing and establishing model or inno-
2 vative programs that engage school-aged youth in
3 service programs;

4 “(2) developing teacher training related to serv-
5 ice-learning, developing service-learning curricula,
6 and implementing and integrating service-learning
7 into educational programs;

8 “(3) developing and building coalitions to sup-
9 port service-learning and programs of service-learn-
10 ing;

11 “(4) researching and evaluating the educational
12 value of service by school-aged youth and service-
13 learning curricula;

14 “(5) disseminating and conducting outreach ef-
15 forts for community-based agencies, and agencies
16 that serve school-aged youth, that have effective pro-
17 grams; and

18 “(6) providing technical assistance and **【infor-**
19 **mation】** to—

20 “(A) persons receiving financial assistance
21 from the Corporation under **【the national serv-**
22 **ice Acts】**; and

23 “(B) where possible, to organizations
24 that—

1 “(i) are not receiving such assistance;
2 and
3 “(ii) conduct effective community
4 service programs.

5 “(b) APPLICATION.—To be eligible to receive a grant
6 under this subpart, an entity shall submit an application
7 to the Chairperson at such time, in such manner, and con-
8 taining such information as the Chairperson may require.

9 **“Subpart D—Community-Based Service Programs for**
10 **School-Aged Youth**

11 **“SEC. 117E. GENERAL AUTHORITY.**

12 “(a) IN GENERAL.—From the funds described in sec-
13 tion 110B(2)(A), the Corporation may make grants to the
14 State National Service Commissions established under
15 section ____ for the implementation, operation, or expan-
16 sion of community-based service programs through State
17 distribution of such funds to projects and activities oper-
18 ated by eligible entities.

19 “(b) USE OF FUNDS.—An entity may use a grant
20 made under subsection (a) to implement, operate, or ex-
21 pand a program that provides for meaningful human, edu-
22 cational, environmental, or public safety service by school-
23 aged youth.

24 “(c) OPERATION.—Such a program may be operated
25 during any part of a school year.

1 **“SEC. 117F. STATE APPLICATIONS.**

2 “To be eligible to receive a grant under this subpart,
3 a State National Service Commission shall submit the plan
4 described in section ____ to the Corporation.

5 **“SEC. 117G. LOCAL APPLICATIONS.**

6 “(a) IN GENERAL.—An eligible entity that desires to
7 receive financial assistance under this subpart shall pre-
8 pare and submit to the State National Service Commission
9 a proposal that meets the requirements of this section.
10 Such proposal shall be submitted at such time, in such
11 manner, and containing such information as the State Na-
12 tional Service Commission may reasonably require.

13 “(b) REQUIREMENTS OF PROPOSAL.—A proposal
14 submitted under subsection (a) shall, at a minimum, con-
15 tain information describing the manner in which the entity
16 will—

17 “(1) provide preservice and in-service training
18 for supervisors and participants that will be con-
19 ducted by qualified individuals or organizations that
20 have experience in community-based service pro-
21 grams;

22 “(2) include economically disadvantaged indi-
23 viduals as participants in the program;

24 “(3) provide an age-appropriate learning com-
25 ponent for participants in the program that shall in-

1 clude a chance for participants to reflect on service
2 experiences and expected learning outcomes;

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

5 “(5) provide for appropriate community involve-
6 ment in the program; and

7 “(6) provide service experiences that promote
8 youth leadership abilities among participants in the
9 program. 【My instructions were to allow the State
10 National Service Commissions to submit the applica-
11 tions required under subtitle C. Does it matter that
12 the Corporation may not get this information about
13 local applicants?】

14 “(c) PRIORITY.—In providing assistance under this
15 subtitle, the State National Service Commission shall give
16 priority to applications that describe programs that recruit
17 and select for participation in the program an ethnically
18 and economically diverse group of participants.

19 “(d) ELIGIBLE ENTITIES.—Entities that are public
20 or private nonprofit organizations with experience working
21 with school-aged youth shall be eligible to receive financial
22 assistance under this subpart.

1 **“Subpart E—Regional Service Clearinghouses**

2 **“SEC. 117J. CLEARINGHOUSES.**

3 “(a) IN GENERAL.—From the funds described in sec-
4 tion 110B(1), the Corporation shall provide assistance to
5 not less than one and more than four regional service
6 clearinghouses.

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

12 “(c) FUNCTION OF CLEARINGHOUSES.—Clearing-
13 houses that receive assistance under subsection (a) shall—

14 “(1) assist State and local community service or
15 service-learning programs with needs assessments
16 and planning;

17 “(2) conduct research and evaluations concern-
18 ing community service or service-learning;

19 “(3)(A) provide leadership development and
20 training to State and local community service or
21 service-learning program administrators, supervisors,
22 and participants; and

23 “(B) provide training to persons who can pro-
24 vide the leadership development and training de-
25 scribed in subparagraph (A);

1 “(4) administer award and recognition pro-
2 grams for outstanding community service or service-
3 learning programs and participants;

4 “(5) facilitate communication among commu-
5 nity service or service-learning programs and partici-
6 pants;

7 “(6) provide information, curriculum materials,
8 technical assistance on program planning and oper-
9 ation, and training to States and local entities eligi-
10 ble to receive funds under this title;

11 “(7) gather and disseminate information on
12 successful programs, components of successful pro-
13 grams, innovative youth skills curriculum, and
14 projects being implemented nationwide;

15 “(8) make recommendations to State and local
16 entities on quality controls to improve program de-
17 livery and on changes in the programs under this
18 title; and

19 “(9) recruit, screen, and place service-learning
20 coordinators.

1 **“PART II—HIGHER EDUCATION INNOVATIVE**
2 **PROJECTS FOR COMMUNITY SERVICE**
3 **“SEC. 118. HIGHER EDUCATION INNOVATIVE PROJECTS**
4 **FOR COMMUNITY SERVICE.**

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

8 “(b) GENERAL AUTHORITY.—The Chairperson, in
9 consultation with the Secretary of Education, is author-
10 ized to make grants to, and enter into contracts with, in-
11 stitutions of higher education (including a combination of
12 such institutions) and other public agencies and nonprofit
13 organizations working in partnership with institutions of
14 higher education—

15 “(1) to enable the institution to create or ex-
16 pand community service activities for students, fac-
17 ulty, administration, and staff of the institution, and
18 for residents of the community in which the institu-
19 tion is located;

20 “(2) to support student-initiated and student-
21 designed community service projects;

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

25 “(4) to encourage students to participate in
26 community service activities that will engender a

1 sense of social responsibility and commitment to the
2 community, and supplement the work-study funds
3 available under section ____ of the Higher Edu-
4 cation Act of 1965 to support service-learning and
5 community service;

6 “(5) to establish a national infrastructure for
7 supporting national and community service activi-
8 ties; and

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

18 “(c) FEDERAL SHARE.—

19 “(1) IN GENERAL.—The Federal share of each
20 grant awarded under this section shall not exceed 50
21 percent of the cost of the community service activi-
22 ties carried out with each such grant.

23 “(2) NON-FEDERAL SOURCES.—That portion of
24 the costs of programs that receive assistance under
25 this part that are to be paid from sources other than

1 Federal funds may be paid in cash or in kind (fairly
2 evaluated).

3 “(d) APPLICATION FOR GRANT.—To receive a grant
4 under this part, an applicant shall prepare and submit to
5 the Chairperson, an application at such time, in such man-
6 ner, and containing such information as the Chairperson
7 may reasonably require, including—

8 “(1) a description of the proposed program to
9 be established with assistance provided under the
10 grant;

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

16 “(3) a description of whether or not students
17 will receive academic credit for community service
18 activities under the program;

19 “(4) a description of the procedure for training
20 supervisors and participants and for supervising and
21 organizing participants in such proposed program;

22 “(5) a description of the procedures to ensure
23 that the proposed program provides participants
24 with an opportunity to reflect on their service experi-
25 ences;

1 “(6) a description of the budget for the pro-
2 gram; and

“(7) assurances that, prior to the placement of a participant, the applicant will consult with any local labor organization representing employees in the area who are engaged in the same or similar work as that proposed to be carried out by such program.”.

9 (b) TABLE OF CONTENTS.—Section 1(b) of the Na-
10 tional and Community Service Act of 1990 (42 U.S.C.
11 12401 note) is amended by striking the items relating to
12 subtitle B of title I of such Act and inserting the following:

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

“PART I—SERVE-AMERICA

“SUBPART A—GENERAL PROVISIONS

“Sec. 110. Short title.

“Sec. 110a. Purposes.

"Sec. 110b. Availability of appropriations.

"SUBPART B—GRANTS AND ALLOTMENTS THROUGH STATES

“Sec. 111. General authority.

“Sec. 112. Grants and allotments.

“Sec. 113. State application.

"Sec. 114. Local applications.

“Sec. 115. Priority; private school participation.

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

“Sec. 117. Uses of funds; limitations.

"SUBPART C—CORPORATION GRANTS

“Sec. 117a. Grants.

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

"Sec. 117e. General authority.

"Sec. 117f. State applications.

"Sec. 117g. Local applications.

“SUBPART E—REGIONAL SERVICE CLEARINGHOUSES

“Sec. 117j. Clearinghouses.

“PART II—HIGHER EDUCATION INNOVATIVE PROJECTS FOR COMMUNITY
SERVICE

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

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

2 (1) Section 190 of the National and Community
3 Service Act of 1990 is amended—

4 (A) by striking subsection (f); and

5 (B) by redesignating subsection (g) as sub-
6 section (f).

7 (2) **【Other conforming amendments to be sup-**
8 plied.**】**

NEW

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

20 “(1) Service as a VISTA volunteer.

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

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

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

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

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

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

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

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

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

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

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

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

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

1 “(b) NATIONAL RECRUITMENT AND PLACEMENT.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

6 “PART II—NATIONAL SERVICE TRUST FUND

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

9 **“[TO BE ADDED]**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

12 **“[TO BE ADDED]**

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

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

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

 “Sec. 140. Designation and distribution of approved national service positions.

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

 “Sec. 142. Selection of individuals to fill an approved national service position.

 “Sec. 143. Application to receive approved national service positions.

 “Sec. 144. Consideration of applications.

 “PART II—NATIONAL SERVICE TRUST FUND

 “Sec. 147. Establishment of the National Service Trust Fund

 “Sec. 148. Individuals eligible to receive a post-service educational benefit from
 the Trust Fund.

 “Sec. 149. Amount and authorized uses of the post-service educational benefit.

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

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—

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

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.

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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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follow + be with
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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.

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—

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

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sec 27*

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.

*Insert B
cga*

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.

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.

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 (d) 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-

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,

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.

general school?

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-**

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]**