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S. 919-Durenberger Letters and Kassebaum Amendment

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Position:

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United States Senate

DAVE DURENBERGER

July 13, 1993

Dear ACTION program director:

Over the past several days, a number of ACTION program directors from Minnesota and other states have contacted my office expressing concerns about the impact on their programs of amendments being proposed to President Clinton's National and Community Service legislation.

In particular, concerns have been expressed about an alternative proposal offered by Sen. Nancy Kassebaum (R-Kansas) that would shift grantmaking authority and oversight of RSVP, Foster Grandparents, and other ACTION programs to new state commissions that are authorized by the President's proposed legislation. A copy of a letter from Senator Kassebaum and summary of her proposal are attached.

As you may know, I am the lead Republican co-sponsor of the President's proposal. So, although I do not intend to support Senator Kassebaum's alternative, I do feel a responsibility to try to respond to her concerns -- to help broaden Republican support for the President's bill and to increase its chances of passage.

As you read over Senator Kassebaum's arguments, it's clear that she has some fundamental philosophical differences with the President's proposal which may never be resolved. In some cases, there's also a clear lack of understanding of the variety of positive outcomes we're already seeing in many states from the types of youth service and other programs the President's proposal would help expand.

I agree with Senator Kassebaum, however, that -- to the maximum degree possible -- decisions about spending priorities should be made at the state level, based on strong input from the local communities that these programs serve. That's especially true for the new youth service programs that are created and funded by this legislation.

I also believe it makes sense to minimize duplication and maximize cooperation between existing state ACTION offices and the new state commissions authorized by the President's proposal. Areas in which this kind of cooperation may make sense include community needs assessment, volunteer recruitment and placement,

training, grant oversight, research and evaluation, and awards and recognition.

This need for state-level cooperation is most applicable for the VISTA program which has many of the same objectives as other national and community service programs authorized and funded by the President's proposal. I'm not sure the same arguments hold for the ACTION programs that primarily involve Seniors, however.

That's why I don't believe it's wise to make the kind of dramatic changes that Senator Kassebaum has recommended in the funding or administration of ACTION programs in the legislation that Congress adopts this year.

On the other hand, I would not oppose a longer-term look at how we can best maintain the commitment we now have to ACTION programs -- especially those that draw on the time and talents of Seniors -- as we adopt and implement the President's national service proposal.

My goal in such a review would be to ensure that ACTION's Senior programs do not get lost, overshadowed, or downgraded in what the President intends to be a much larger program that focuses primarily on children and youth.

That would be a real tragedy since ACTION's senior programs now make a significant contribution to their local communities, as well as offering an important outlet and resource for Seniors.

* * * * *

For all of these reasons, I believe it would be wise to ask the Corporation for National and Community Service -- created by the President's proposal -- to review and make recommendations to the Congress on several of the issues raised by Senator Kassebaum's proposal. They include:

** Whether some or all functions now provided by state ACTION offices could or should be added to the responsibilities of the state commissions on national and community service that are authorized by the President's proposal.

** The impact of various combinations of stipends and educational benefits -- and of full-, part-time, and non-stipended service learning -- on the recruitment of national service participants and various desired outcomes of participating in a service program.

** The impact of targeting service opportunities on lower income and at-risk young people; as compared to the values of including a more diverse group of young people in service programs.

** The value of maintaining nationally organized and funded service programs vs. bringing existing national service programs under the state commissions; and the value of having volunteer and service programs that serve both younger and older Americans under the same umbrella agencies -- either federal or state.

** The impact of bringing ACTION's Senior programs under the new Corporation for National and Community Service on their identity, priority and opportunity for future growth. The pros and cons of shifting oversight of Senior volunteer programs to a different federal oversight agency that focuses more on Senior programs.

* * * * *

Let me repeat again that my suggestion that these issues be explored is not intended to represent criticism or lack of support for existing ACTION programs.

In fact, they are intended to make sure that ACTION programs -- especially the Senior volunteer programs -- remain strong, viable and highly visible in the communities they serve as we launch a new national service initiative that is primarily focused on children and young people.

I hope this update on Senate consideration of the President's national and community service proposal is helpful. Should you have questions, comments or suggestions, please don't hesitate to contact me through Jon Schroeder in my Minnesota office. Jon can be reached at 612-370-3382/800-752-4226. The address for my Minnesota office is 1020 Plymouth Building, Minneapolis, Mn. 55402.

Sincerely,



DAVE DURENBERGER
U.S. Senator

DD/jo/att.

ACTION-MINNESOTA

TEL:612-334-4083

Jul 15,93 15:34 No.002 P.01

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(612) 370-3382

United States Senate

DAVE DURENBERGER

Post-It™ brand fax transmittal memo 7871		# of pages
To: <i>Dora Manning</i>	From: <i>Bob Jackson</i>	
Co:	Do:	
Dept:	Phone #	
Fax # <i>Rec'd</i>	7/15	

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COMMITTEE ASSIGNMENT:

FINANCE

MANAGEMENT AND PUBLIC WORKS

2

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3

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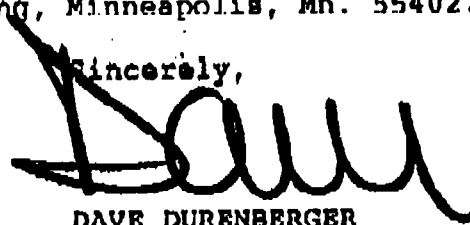
* * * * *

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Sincerely,



DAVE DURENBERGER
U.S. Senator

DD/jo/att.

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United States Senate

COMMITTEE ON FINANCE

WASHINGTON, DC 20510-6200

VANDA S. McMURTRY, STAFF DIRECTOR AND CHIEF COUNSEL
 PRIMEIRO J. MIALSKI, MINORITY CHIEF OF STAFF

June 30, 1993

Hon. Edward M. Kennedy, Chair
 Labor and Human Resources Committee
 U.S. Senate
 Washington, D.C. 20510

Dear Ted:

As the Senate approaches floor consideration of the National and Community Service Act, I believe the spirit of the President's initiative would be well-served by several additional changes that could broaden and deepen the level of bi-partisan support for the bill. Not incidentally, I believe these changes will also continue the refinement and improvement process that you have so graciously encouraged since the President's proposal was first introduced.

The additional changes are attached in the form of "suggested amendments." They are preceded by a set of principles that I believe help provide context for their consideration.

The changes that I'm recommending have been developed in consultation with youth and community service leaders in Minnesota. They are designed to respond to concerns that Senator Kassebaum, Senator Jeffords, and I have expressed previously, but also maintain the basic outlines and integrity of the President's proposal. Therefore it is my hope that these changes will be accepted prior to floor consideration, avoiding the need for time consuming and potentially divisive floor amendments.

As I have said before, I appreciate very much the changes and improvements you've previously accepted and look forward to continued close cooperation as this important initiative continues to move through the legislative process.

Sincerely,

DAVE DURENBERGER
 U.S. Senator

DD/js/att.

cc: Senator Nancy Kassebaum
 Senator James Jeffords
 Members, Senate Labor and Human Resources Committee

PRINCIPLES FOR NATIONAL SERVICE LEGISLATION

The following principles are intended to help guide positive contributions to President Clinton's national service proposal and respond to a number of concerns that have been raised during hearings and mark-up of this legislation. The principles reflect positive past experience in a number of states in linking relatively low-cost non-stipended community service and education reform. They are also heavily influenced by today's fiscal realities, and the need to ensure that more expensive stipended service programs are targeted and meet predetermined outcomes.

These principles would support the overall objectives that President Clinton is seeking, but would make sure that the "what for?" "how big?" and "how fast?" questions on any national service plan are answered in ways that are consistent with the highest priority needs facing young people and their communities, as well as today's fiscal realities.

These principles are as follows:

**** Consider the President's proposal in a context of fiscal realities:** Although all the various components of the President's proposal have merit, they must be considered in a context of growing concern about the deficit and a time when priorities must be set, efficiencies must be achieved, outcomes must be defined, and accountability for achieving outcomes must be established and maintained.

**** Keep grantmaking, priority setting and administration decentralized:** Within broad federal standards, states should have the primary responsibility for designing and implementing new national service initiatives. As existing federal stipended and other service initiatives are folded into a more coordinated system, they, too, should be decentralized and forced to compete with new and existing grassroots initiatives for funding. To ensure a smooth transition to more decentralized administration of existing federal programs, this should be done over time and following careful study of its implications for existing programs and those now being served.

**** Focus on communities and benefit to individuals:** National and community service should be valued primarily for its potential impact on communities, as well as impacts on individual learner outcomes, self-esteem, and individual preparation for life -- and not primarily to assure financial access to higher education.

**** Target stipended service opportunities on those who can benefit the most:** Although there are advantages to including young people with diverse backgrounds in stipended national service programs, fiscal realities require that at-risk students and students who have not succeeded in a traditional educational environment be given a clear priority in selecting participants.

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**** Maintain a strong commitment to the Pell Grant program to provide financial access to college to low income students:** The goal of assuring financial access to higher education for lower income students should be met primarily through adequate funding for the Pell Grant program, not through implementation of a large-scale stipended service program that offers significant educational benefits.

**** Use fundamental changes in student loan programs to improve access to college for middle income students, to make community service and public service employment financially feasible to more college graduates, and to capture significant budget savings:** Substantial savings can and should be achieved through fundamental reforms in existing federal student loan programs, both through greater efficiencies and fewer defaults. Those reforms should eliminate functions and participants that are unnecessary and inefficient; and should offer repayment options that are flexible enough to respond to changing economic circumstances and that respect family and career choices made by each student borrower. Until current commitments to the Pell Grant program have been met, savings from reforms in student loan programs should not be used to help finance a large new stipended national service program, but should be used to maintain a strong commitment to the Pell Grant program and for deficit reduction.

**** Begin life-long service commitment at a young age:** A commitment to community service should be viewed as a life-long objective that begins at a very young age, encouraged by community service learning opportunities that are integrated into the elementary, secondary, and post-secondary school curriculum.

**** Expand commitment to service learning:** Any new national service initiative should include a significant commitment to K-12 and post-secondary service learning programs, teacher training, and technical assistance and other clearinghouse activity. This could include additional emphasis on and support for service learning in programs authorized by the Elementary and Secondary Education Act, OERI, or other federal education legislation yet to be considered by the current Congress.

**** Define and monitor outcomes prior to significantly expanding funding for stipended national and community service:** The federal government should make a significant commitment to research on the impact of various community-based learning models -- including school-based service learning, stipended service corps, and other models -- on the contributions that young people can make to their communities; and on individual self-esteem, on learner outcomes, and on other factors which help determine individual behavior and preparation for work and for a productive and contributing life. Significant expansion in the number of stipended national service participants should be guided by this research and evaluation.

SUGGESTED AMENDMENTS TO NATIONAL AND COMMUNITY SERVICE BILL

The following are suggested amendments to the Clinton national service bill -- based on the above principles -- that are designed to address concerns raised by Senators Durenberger, Kassebaum, Jeffords and others during Labor Committee hearings and/or the Labor Committee mark-up. They are intended to respond to these concerns within the basic framework of the bill in a way that could be accepted by the Administration and other co-sponsors and that would ensure broader bi-partisan support for the legislation. In some cases, suggestions are also made for report language or colloquies that would clarify legislative intent. The suggestions for amendments, report language and colloquies are grouped under four general goals.

GOAL #1 -- Clarify the role of state commissions and relationships between the state commissions, the corporation, clearing-houses, and state corporation (ACTION) offices; maximizing coordination and efficiency, eliminating unnecessary duplication, and emphasizing the decentralized nature of priority setting and administration.

** Amend Section 195(b) to eliminate corporation representative.

** Amend Section 178 to designate the state ACTION director as an ex officio member of the state commission (at least until a decision is made about the long-term role of state ACTION offices, per below); drop reference to corporation representative.

** Amend Section 178 to more specifically require that functions performed by both the state ACTION offices and state commissions be coordinated to avoid duplication and save money. Those functions would include volunteer recruitment and placement, training, communication, recognition and awards, grant oversight, and other forms of technical assistance.

** Amend Section 198 to require the corporation to study and make recommendations to Congress within two years on whether functions now provided by the state ACTION offices could be added to the responsibilities of state commissions, followed by elimination of the state ACTION offices.

** Amend Section 178 to further clarify circumstances under which states could have alternative structures perform the functions of state commissions. Alternative structures should be required to 1) have a membership that reflects the comprehensive nature of the National and Community Service Act; 2) Effectively uphold the vision of the Act; 3) Wield sufficient authority and independence to carry out its broad mission; 4) Ensure direct and effective participation by young people, educators and practitioners. In

-2-

addition, it may be wise to offer more than one year of grace time to establish a state structure conforming to requirements of the Act if more time is needed for a state legislature to meet and take action.

** Ensure adequate funding for clearinghouses through a minimum specific funding authorization drawn from funds authorized for the corporation. Ensure that this funding authorization applies to the clearinghouses authorized under both Sections 118 and 198.

** Use report language or floor colloquies to establish clear legislative intent to create a decentralized support and technical assistance infrastructure mainly dependent on state commissions and clearinghouses, with limited corporation staffing; use report language or floor colloquies to establish legislative intent that maximum latitude be given the corporation in allowing states to designate alternative structures as state commissions.

GOAL #2 -- Place in limited perspective the role of stipended service as a way of assuring financial access to higher education; target or prioritize participation in stipended service programs.

** Determine adequacy of current priority given targeting of stipended service programs on low income and at risk young people, particularly if growth in future funding needs to be limited. Strengthen language as necessary, or relate targeting to overall appropriations levels.

** Use report language or floor colloquies to affirm the limited role of stipended service in financing higher education, the ongoing commitment to the Pell program, and the need to limit the growth of new programs like national service as long as Pell is so badly underfunded. Establish clear intent to give priority to stipended programs that are linked to non-stipended service, including service learning.

GOAL #3 -- Require greater testing, evaluation and consensus on outcomes of stipended service and limit the near-term growth of stipended service pending completion of that process; ensure greater equity in future growth in funding between stipended service and non-stipended service learning.

** Amend Section 198 to require the corporation to use a combination of studies and demonstrations in the first two years to test and evaluate various types of national service including research on educational and other behavior modification outcomes of both stipended and non-stipended service and service learning, targeting by income and degree of risk vs. mixing diverse groups

-3-

of participants, relative co-effectiveness and outcomes of stipended vs. non-stipended service, including or not including educational benefits, benefits to communities of stipended and non-stipended service, etc. This research and evaluation could be done either by the corporation or through contracts with clearinghouses, state commissions, and others.

** Amend Section 198 to require a report by the corporation to Congress on the outcome of this research prior to increasing authorized funding levels for stipended service programs; the report would include recommendations from the corporation on future funding levels, relative balance between stipended and non-stipended service, organizational issues (see Goal #4), and other recommended changes in the corporation's legislation.

** Hold authorized funding levels for stipended service constant plus inflation for the first two years; eliminate references to or assumptions about out-year authorized funding levels, or keep them level.

** Use colloquies or report language to establish legislative intent on the dependence of future growth on the outcome of demographics/studies, research and evaluation, and subsequent recommendations by the corporation to Congress.

GOAL #4 -- Limit the number and potential duplication of federal stipended service programs; explore the implication of shifting responsibility for funding existing federal stipended service programs to the state commissions.

** Amend Section 198 to require the corporation to study and make recommendations on the number, consolidation and future organization of existing federal stipended programs including VISTA, the various service corps, Public Health Service and DOD programs, work study and other higher education loan forgiveness or forbearance programs, etc. Study is to make recommendations on the potential for and implications of eliminating or reducing the number of national stipended programs and of requiring them to compete for funding through state commissions.

In addition this study is to determine what national purposes are served by national or multi-state stipended service programs and the role of the corporation in funding and overseeing those programs. And, the study is to determine the implications of decentralizing funding and oversight of ACTION programs other than VISTA (Senior programs), retaining oversight of those programs with the Commission, or shifting their oversight to some other agency that focuses more on Senior programs (such as the Older Americans Act).

6-30-93

United States Senate

DAVE DURENBERGER

FAX COVER SHEET

FROM THE MINNEAPOLIS OFFICE OF SENATOR DAVE DURENBERGER

If there are any problems with this FAX please call 612-370-3382
Our FAX number is 612-370-3395

SENT TO: Jack Lew

SENT BY: Jon Schroeder

DATE: 7-16-93

TIME: 1:25 pm

TOTAL PAGES: 7+
(including cover sheet)

ADDITIONAL COMMENTS:

Flood cost estimates coming
from Corps people meeting
at BWI Marriott

Possible Compromise Package

Status of ACTION programs and CCC

S. 919 preserves separate identity of VISTA, Older Americans Volunteer Programs and CCC permanently. Congress would review the issue when the programs are up for reauthorization in five years.

Kassebaum Substitute would repeal these separate programs after two years and delegate to the Corporation authority for the Corporation to make proposals for either continuing or discontinuing the programs at that time. This proposal would take effect unless Congress passed a joint resolution of disapproval within a limited time period.

Possible compromise:

- (1) Sunset all affected programs in three years.
- (2) Require Corporation to implement the new program with the objective of maximum integration.
- (3) After two years require the Corporation to report to Congress on whether the maintenance of separate programs is an obstacle to coordination or whether separate program promotes accessibility and program differentiation in a positive way.
- (4) Require Congress to address legislatively the issue of whether or not to repeal the pre-existing programs at the time of reauthorization rather than through a disapproval vote on a Corporation recommendation.

Structure of Divisions

S. 919 would establish two divisions, with former ACTION programs being maintained in one division and the new program being maintained in a separate division.

The Kassebaum substitute would establish divisions so that stipended activities would be in one division and non-stipended positions in another.

Possible compromise:

- (1) During transition period maintained divisions as outline in S. 919.
- (2) Require the Corporation to come up with a plan by the end of eighteen months to reorganize in a manner which would promote maximum integration and coordination of all program activities, to take effect at the start of the third fiscal year after the establishment of the Corporation.

Educational Awards

S. 919 establishes a basic educational award of \$5,000 for each term of service.

The Kassebaum Substitute would establish a basic award of \$1,500 for a full term of service or \$750 for part-time service.

Possible compromise:

- (1) Provide for a basic benefit as provided for in S. 919.
- (2) Provide authority for alternate benefit levels for up to 1,000 positions in the first year; 2,000 positions in the second year and 3,000 in the third year.
- (3) Require corporation in its two year report to Congress to evaluate the experience with alternate benefit structures, comparing specifically recruiting and program performance experience.

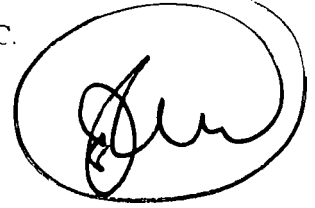
States Rights and State Structure

S. 919 establishes a system of state commission decision making within the context of federal priorities and corporation approval of state plans.

The Kassebaum Substitute would give states the ability to set priorities, subject to corporation approval, and would limit the applicablilty of federal priorities to direct federal grants, and possibly, competitive state grants.

Possible Compromise:

- (1) Provide for state priorities for the one-third formula share, subject to Corporation approval, requiring that state commissions explain proposals that are inconsistent with federal priorities.
- (2) Apply federal priorities to remaining direct and competitive funding.
- (3) Make corporation representative on state commissions ex officio.
- (4) State commission strategic plan for former ACTION programs would be required part of planning process.



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 and Com-
munity Volunteers, enhance opportunities for national
service, consolidate existing national service and volun-
teer programs to enhance effectiveness, to provide sup-
port for community volunteer opportunities, 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; TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the
5 “National Service and Community Volunteers Act of
6 1993”.

- 1 (b) TABLE OF CONTENTS.—The table of contents is
2 as follows:

- Sec. 1. Short title; table of contents.
Sec. 2. Findings and purpose.

TITLE I—NATIONAL SERVICE AND COMMUNITY VOLUNTEERS

Subtitle A—General Provisions

- Sec. 101. Definitions.
Sec. 102. Authority to make State grants.

Subtitle B—Service-Learning Programs

- Sec. 111. Programs.

Subtitle C—National Service Programs

- Sec. 121. Federal investment in support of national service.
Sec. 122. Transition.

Subtitle D—Quality and Innovation

- Sec. 131. Quality and innovation activities.

Subtitle E—Civilian Community Corps

- Sec. 141. Civilian Community Corps.

Subtitle F—Administration

- Sec. 151. Reports.
Sec. 152. Nondiscrimination.
Sec. 153. Notice, hearing, and grievance procedures.
Sec. 154. Nondisplacement.
Sec. 155. Evaluation.
Sec. 156. Contingent extension.
Sec. 157. Repeals.

Subtitle G—Organization

- Sec. 161. State Commissions for National Service and Community Volunteers.
Sec. 162. Interim authorities of the Corporation for National Service and Community Volunteers and ACTION Agency.
Sec. 163. Final authorities of the Corporation for National Service and Community Volunteers.

Subtitle H—Other Activities

- Sec. 171. Points of Light Foundation.

Subtitle I—Authorization of Appropriations

- Sec. 181. Authorization.

Subtitle J—General Provisions

- Sec. 191. Effective date.

TITLE II—OTHER SERVICE PROGRAMS

- Sec. 201. Repeals of service programs.
- Sec. 202. Transition.
- Sec. 203. Rules governing congressional consideration.
- Sec. 204. Authorization of appropriations.
- Sec. 205. Construction.

TITLE III—TECHNICAL AND CONFORMING AMENDMENTS

- Sec. 301. Definition of Director.
- Sec. 302. References to ACTION and the ACTION Agency.
- Sec. 303. Definitions.
- Sec. 304. References to the Commission on National and Community Service.
- Sec. 305. References to Directors of the Commission on National and Community Service.
- Sec. 306. Effective date.

1 **SEC. 2. FINDINGS AND PURPOSE.**

2 (a) IN GENERAL.—Section 2 of the National and
3 Community Service Act of 1990 (42 U.S.C. 12501) is
4 amended to read as follows:

5 **“SEC. 2. FINDINGS AND PURPOSE.**

6 “(a) FINDINGS.—The Congress finds the following:

7 “(1) Throughout the United States, there are
8 pressing unmet human, educational, environmental,
9 and public safety needs.

10 “(2) Americans desire to affirm common re-
11 sponsibilities and shared values that transcend race,
12 religion, or region.

13 “(3) Americans of all ages can improve their
14 communities and become better citizens through
15 service to the United States.

16 “(4) Nonprofit organizations, local govern-
17 ments, States, and the Federal Government are al-
18 ready supporting a wide variety of national service

1 programs that deliver needed services in a cost-effective
2 manner.

3 “(5) Federal appropriations in fiscal year 1993
4 for full-time national service programs totalled
5 \$102,700,000.

6 “(b) PURPOSES.—It is the purpose of this Act to—

7 “(1) assist in meeting the unmet human, edu-
8 cational, environmental, and public safety needs of
9 the United States, without displacing existing work-
10 ers;

11 “(2) renew the ethic of civic responsibility and
12 the spirit of community throughout the United
13 States:

14 “(3) determine, through demonstration and ex-
15 perimentation, the most efficient means for imple-
16 menting educational or other incentives that are nec-
17 essary for a successful national service program:

18 “(4) encourage citizens of the United States,
19 regardless of race, religion, gender, age, disability,
20 region, income or education, to engage in full-time
21 or part-time national service:

22 “(5) reinvent government to eliminate duplica-
23 tion in national service and volunteer programs by
24 merging existing national service and volunteer pro-
25 grams and carrying out the programs through the

1 same administrative body, thereby diminishing bu-
2 reaucratic infrastructure while maximizing program
3 flexibility and effectiveness;

4 “(6) support locally established initiatives, re-
5 quire measurable goals for performance, and offer
6 flexibility in meeting those goals;

7 “(7) build on the existing organizational service
8 infrastructure of Federal, State, and local programs
9 and agencies to expand full-time and part-time serv-
10 ice opportunities for all citizens;

11 “(8) provide tangible benefits to the commu-
12 nities in which national service is performed; and

13 “(9) promote the integration of community vol-
14 unteer activities by introducing service-learning into
15 curricula in elementary schools, secondary schools,
16 and institutions of higher education.”.

17 (b) TABLE OF CONTENTS.—Section 1(b) of the Na-
18 tional and Community Service Act of 1990 (Public Law
19 101-610; 104 Stat. 3127) is amended by striking the item
20 relating to section 2 and inserting the following new item:

“Sec. 2. Findings and purpose.”.

1 **TITLE I—NATIONAL SERVICE**
2 **AND COMMUNITY VOLUNTEERS**
3 **Subtitle A—General Provisions**

4 **SEC. 101. DEFINITIONS.**

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

8 **“SEC. 101. DEFINITIONS.**

9 “For purposes of this title:

10 “(1) ADULT VOLUNTEER.—The term ‘adult
11 volunteer’ means an individual, such as an older
12 adult, an individual with a disability, a parent, or an
13 employee of a business or public or private not-for-
14 profit agency, who—

15 “(A) works without financial remuneration
16 in an educational institution to assist students
17 or out-of-school youth; and

18 “(B) is beyond the age of compulsory
19 school attendance in the State in which the edu-
20 cational institution is located.

21 “(2) CARRY OUT.—The term ‘carry out’, when
22 used in connection with a national service program
23 described in section 122, means the planning, estab-
24 lishment, operation, expansion, or replication of the
25 program.

1 “(3) COMMUNITY-BASED AGENCY.—The term
2 ‘community-based agency’ means a private not-for-
3 profit organization that is representative of a com-
4 munity or a significant segment of a community and
5 that is engaged in meeting human, educational, envi-
6 ronmental, or public safety community needs.

7 “(4) CORPORATION.—The term ‘Corporation’,
8 means the Corporation for National Service and
9 Community Volunteers established under section
10 191.

11 “(5) DIRECTOR.—The term ‘Director’ means
12 the Director of the Corporation appointed under sec-
13 tion 193.

14 “(6) ECONOMICALLY DISADVANTAGED.—The
15 term ‘economically disadvantaged’ means, with re-
16 spect to an individual, an individual who is deter-
17 mined by the Director to be low-income according to
18 the latest available data from the Department of
19 Commerce.

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

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

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

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

18 “(11) INDIVIDUAL WITH A DISABILITY.—Ex-
19 cept as provided in section 175(a), the term ‘individ-
20 ual with a disability’ has the meaning given the term
21 in section 7(8) of the Rehabilitation Act of 1973 (29
22 U.S.C. 706(8)).

23 “(12) INSTITUTION OF HIGHER EDUCATION.—
24 The term ‘institution of higher education’ has the
25 same meaning given such term in section 1201(a) of

1 the Higher Education Act of 1965 (20 U.S.C.
2 1141(a)).

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

8 “(14) NATIONAL SERVICE LAWS.—The term
9 ‘national service laws’ means this Act and the Do-
10 mestic Volunteer Service Act of 1973 (42 U.S.C.
11 4950 et seq.).

12 “(15) NATIONAL SERVICE PROGRAM.—

13 “(A) IN GENERAL.—Except as provided in
14 subparagraph (B), the term ‘national service
15 program’ means a program or activity described
16 in—

17 “(i) subtitle C, D, or E;

18 “(ii) part A of title I of the Domestic
19 Volunteer Service Act of 1973;

20 “(iii) title XI of the Higher Education
21 Act of 1965, or

22 “(iv) Public Law 91-378 (16 U.S.C.
23 1701-1706; commonly known as the
24 ‘Youth Conservation Corps Act of 1970’).

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1 “(B) LIMITATION.—As used in subtitle C,
2 such term means a program described in sec-
3 tion 122(a).

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

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

7 “(B) has not completed college or the
8 equivalent thereof; and

9 “(C) is not enrolled in an elementary or
10 secondary school or institution of higher edu-
11 cation.

12 “(17) PARTICIPANT.—

13 “(A) IN GENERAL.—The term ‘participant’
14 means an individual enrolled in a program that
15 receives assistance under this title.

16 “(B) RULE.—A participant shall not be
17 considered to be an employee of the program in
18 which the participant is enrolled.

19 “(18) PARTNERSHIP PROGRAM.—The term
20 ‘partnership program’ means a program through
21 which an adult volunteer, public or private not-for-
22 profit agency, an institution of higher education, or
23 a business assists a local educational agency.

24 “(19) PROGRAM.—The term ‘program’, except
25 when used as part of the term ‘academic program’,

1 'national service program', or 'volunteer program'
2 means a program described in section 111(a),
3 119(b)(1), 122(a), or 145, in paragraph (1) or (2)
4 of section 152(b), or in title III.

5 "(20) PROJECT.—The term 'project' means an
6 activity, carried out through a program that receives
7 assistance under this title, that results in a specific
8 identifiable service or improvement that otherwise
9 would not be done with existing funds, and that does
10 not duplicate the routine services or functions of the
11 employer to whom participants are assigned.

12 "(21) SCHOOL-AGE YOUTH.—The term 'school-
13 age youth' means—

14 "(A) individuals between the ages of 5 and
15 17, inclusive; and

16 "(B) children with disabilities, as defined
17 in section 602(a)(1) of the Individuals with Dis-
18 abilities Education Act (20 U.S.C. 1401(a)(1)),
19 who receive services under part B of such Act.

20 "(22) SECONDARY SCHOOL.—The term 'second-
21 ary school' has the same meaning given such term
22 in section 1471(21) of the Elementary and Second-
23 ary Education Act of 1965 (20 U.S.C. 2891(21)).

24 "(23) SERVICE-LEARNING.—The term 'service-
25 learning' means a method—

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1 “(A) under which students or participants
2 learn and develop through active participation
3 in thoughtfully organized service that—

4 “(i) is conducted in and meets the
5 needs of a community;

6 “(ii) is coordinated with an elemen-
7 tary school, secondary school, institution of
8 higher education, or community service
9 program, and with the community; and

10 “(iii) helps foster civic responsibility;

11 “(B) that is integrated into the academic
12 curriculum of the students, or the educational
13 components of the community service program
14 in which the participants are enrolled;

15 “(C) that provides students with opportu-
16 nities to use newly acquired skills and knowl-
17 edge in situations in their communities; and

18 “(D) that enhances the curriculum or edu-
19 cational components described in subparagraph
20 (B) by extending student learning beyond the
21 classroom and into the community and helps to
22 foster the development of a sense of caring for
23 others.

24 “(24) SERVICE-LEARNING COORDINATOR.—The
25 term ‘service-learning coordinator’ means an individ-

1 ual who provides services as described in section
2 111(a)(2).

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

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

14 “(27) STATE COMMISSION.—The term ‘State
15 Commission’ means a State Commission for Na-
16 tional Service and Community Volunteers main-
17 tained by a State pursuant to section 178. Except
18 when used in section 178, the term includes an al-
19 ternative administrative entity for a State approved
20 by the Corporation under such section to act in lieu
of a State Commission.

22 “(28) STUDENT.—The term ‘student’ means an
23 individual who is enrolled in an elementary or sec-
24 ondary school or institution of higher education on
25 a full- or part-time basis.

1 “(29) SUMMER PROGRAM.—The term ‘summer
2 program’ means a full-time or part-time program
3 authorized under this title that is limited to a period
4 beginning after April 30 and ending before October
5 1.

6 “(30) VOLUNTEER PROGRAM.—The term ‘vol-
7 unteer program’ means a program or activity de-
8 scribed in—

9 “(A) part I or II of subtitle B. or title III:
10 service learning
11 or

12 “(B) part B or C of title I. or part A, B, DAVP
13 or C, of title II, of the Domestic Volunteer
14 Service Act of 1973.”.

15 (b) TECHNICAL AND CONFORMING AMENDMENTS.—

16 (1) Section 182(a)(2) of the National and Com-
17 munity Service Act of 1990 (42 U.S.C 12642(a)(2))
18 is amended by striking “adult volunteer and partner-
19 ship” each place the term appears and inserting
20 “partnership”.

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

25 (3) Section 441(c)(2) of the Higher Education
Act of 1965 (42 U.S.C. 2751(c)(2)) is amended by

1 striking "service opportunities or youth corps as de-
2 fined in section 101 of the National and Community
3 Service Act of 1990, and service in the agencies, in-
4 stitutions and activities designated in section 124(a)
5 of the National and Community Service Act of
6 1990" and inserting "a project, as defined in section
7 101(20) of the National and Community Service Act
8 of 1990 (42 U.S.C. 12511(18))".

7
same

9 (4) Section 1122(a)(2)(C) of the Higher Edu-
10 cation Act of 1965 (20 U.S.C. 1137a(a)(2)(C)) is
11 amended by striking "youth corps as defined in sec-
12 tion 101(30) of the National and Community Service
13 Act of 1990" and inserting "youth corps programs,
14 as described in section 122(a)(2) of the National
15 and Community Service Act of 1990".

7
same

16 (5) Section 1201(p) of the Higher Education
17 Act of 1965 (20 U.S.C. 1141(p)) is amended by
18 striking "section 101(22) of the National and Com-
19 munity Service Act of 1990" and inserting "section
20 101(23) of the National and Community Service Act
21 of 1990 (42 U.S.C. 12511(21))".

22 **SEC. 102. AUTHORITY TO MAKE STATE GRANTS.**

23 Section 102 of the National and Community Service
24 Act of 1990 (42 U.S.C. 12512) is repealed.

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1 **Subtitle B—Service-Learning**
2 **Programs**

3 **SEC. 111. PROGRAMS.**

4 (a) **AMENDMENTS TO SERVE-AMERICA PROGRAMS.—**

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

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

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

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

1 (D) work with employers in the commu-
 2 nities to ensure that projects introduce the stu-
 3 dents to various careers and expose the stu-
 4 dents to needed further education and training.

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

10 **“Subtitle B—Service-Learning**
 11 **Programs**

12 **“PART I—SERVE-AMERICA PROGRAMS**

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

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

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

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1 “(A) providing training for teachers, su-
2 pervisors, personnel from community-based
3 agencies (particularly with regard to the utiliza-
4 tion of participants), and trainers, to be con-
5 ducted by qualified individuals or organizations
6 that have experience with service-learning;

7 “(B) developing service-learning curricula
8 to be integrated into academic programs, in-
9 cluding an age-appropriate learning component
10 for participants in the program that shall in-
11 clude a chance for participants to analyze and
12 apply their service experiences;

13 “(C) forming local partnerships described
14 in subsection (b) to develop school-based or
15 community-based service-learning programs in
16 accordance with this part;

17 “(D) devising appropriate methods for re-
18 search and evaluation of the educational value
19 of service-learning and the effect of service-
20 learning activities on participants and commu-
21 nities; and

22 “(E) establishing effective outreach and
23 dissemination of information to ensure the
24 broadest possible involvement of community-
25 based agencies with demonstrated effectiveness

1 in working with school-age youth in their com-
2 munities;

3 “(2) implementing, operating, or expanding
4 school-based and community-based service-learning
5 programs, which may include paying for the cost of
6 the recruitment, training, supervision, placement,
7 salaries, and benefits of service-learning coordinators
8 who shall—

9 “(A) assist in the design and implementa-
10 tion of such a program; and

11 “(B) identify the community partners re-
12 ferred to in subsection (b); and

13 “(3) implementing, operating, or expanding
14 school-based and community-based service-learning
15 programs that involve adult volunteers in service-
16 learning activities to improve the education of stu-
17 dents and school-age youth.

18 “(b) PARTNERSHIPS.—To support activities de-
19 scribed in paragraph (2) or (3) of subsection (a), a State
20 or Indian tribe shall distribute Federal funds made avail-
21 able under this part to local partnerships, who—

22 “(1) shall use the funds to carry out projects—

23 “(A) through school-based service-learning
24 programs for participants selected from among
25 students; or

1 “(B) through community-based service-
2 learning programs for participants selected
3 from among school-age youth; and

4 “(2) shall include—

5 “(A) in the case of school-based
6 programs—

7 “(i) local educational agencies; and

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

10 “(I) shall include a public or pri-
11 vate not-for-profit organization; and

12 “(II) may include a private for-
13 profit business or private elementary
14 or secondary school; and

15 “(B) in the case of community-based
16 programs—

17 “(i) public or private not-for-profit or-
18 ganizations;

19 “(ii) local educational agencies; and

20 “(iii) one or more community part-
21 ners.

22 “(c) QUALIFIED ORGANIZATIONS.—To support ac-
23 tivities described in subsection (a)(1), a State or Indian
24 tribe shall distribute Federal funds made available under
25 this part to qualified organizations, who shall be—

- 1 “(1) local educational agencies;
- 2 “(2) community-based organizations that meet
- 3 the requirements of section 111B(a);
- 4 “(3) communities;
- 5 “(4) State agencies; or
- 6 “(5) partnerships described in subparagraph
- 7 (A) or (B) of subsection (b)(2).

8 “(d) RELATED EXPENSES.—A partnership or other

9 qualified organization that receives financial assistance

10 under this part may, in carrying out the activities de-

11 scribed in subsection (a), use such assistance to pay for

12 the Federal share of reasonable costs related to the super-

13 vision of participants, program administration, transpor-

14 tation, insurance, evaluations, and for other reasonable ex-

15 penses necessary to carry out the activities.

16 **“SEC. 111A. AUTHORITY TO ASSIST LOCAL APPLICANTS IN**

17 **NONPARTICIPATING STATES.**

18 “In any fiscal year in which a State does not submit

19 an application under section 113, for an allotment under

20 subsection (a) or (b)(2) of section 112, that meets the re-

21 quirements of section 113 and such other requirements

22 as the Director may determine to be appropriate, the Cor-

23 poration may use the allotment of that State to make a

24 direct grant—

1 “(1) to a qualified organization, to pay for the
2 Federal share of carrying out activities described in
3 section 111(a)(1) in that State; or

4 “(2) to a partnership described in section
5 111(b), to pay for the Federal share of carrying out
6 activities described in paragraph (2) or (3) of section
7 111(a) in that State.

8 **“SEC. 111B. AUTHORITY TO ASSIST PUBLIC OR PRIVATE**
9 **NOT-FOR-PROFIT ORGANIZATIONS.**

10 “(a) IN GENERAL.—The Corporation may make a
11 grant under section 112(b)(1) to a public or private not-
12 for-profit organization that—

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

14 “(2) was in existence 1 year before the date on
15 which the organization submitted an application
16 under section 114(a); and

17 “(3) meets such other criteria as the Director
18 may establish.

19 “(b) USE OF FUNDS.—Such an organization may use
20 a grant made under subsection (a) to make a grant—

21 “(1) to a qualified organization, to pay for the
22 Federal share of carrying out activities described in
23 section 111(a)(1); or

24 “(2) to a partnership described in section
25 111(b), to pay for the Federal share of carrying out

1 activities described in paragraph (2) or (3) of section
2 111(a).

3 **"SEC. 112. GRANTS AND ALLOTMENTS.**

4 "(a) INDIAN TRIBES AND TERRITORIES.—Of the
5 amounts appropriated to carry out this part for any fiscal
6 year, the Corporation shall reserve—

7 "(1) an amount of not more than 1 percent for
8 payments—

9 "(A) to Indian tribes, the Virgin Islands,
10 Guam, American Samoa, and the Common-
11 wealth of the Northern Mariana Islands, to be
12 allotted in accordance with their respective
13 needs; and

14 "(B) to Palau, in accordance with its
15 needs, until such time as the Compact of Free
16 Association with Palau is ratified; and

17 "(2) .2 percent of such amounts for payments | *
18 to Native Hawaiians.

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

23 "(1) GRANTS.—Except as provided in para- | 10% competitive
24 graph (3), from 10 percent of such funds, the Cor-

1 poration may make grants, on a competitive basis,
2 to—

3 “(A) States and Indian tribes; or

4 “(B) public or private not-for-profit orga-
5 nizations as described in section 111B.

6 “(2) ALLOTMENTS.—

7 “(A) SCHOOL-AGE YOUTH.—Except as pro-
8 vided in paragraph (3), from 45 percent of such
9 funds, the Corporation shall allot to each State
10 an amount that bears the same ratio to 45 per-
11 cent of such funds as the number of school-age
12 youth in the State bears to the total number of
13 school-age youth of all States.

14 “(B) ALLOCATION UNDER ELEMENTARY
15 AND SECONDARY EDUCATION ACT OF 1965.—
16 Except as provided in paragraph (3), from 45
17 percent of such funds, the Corporation shall
18 allot to each State an amount that bears the
19 same ratio to 45 percent of such funds as the
20 allocation to the State for the previous fiscal
21 year under chapter 1 of title I of the Elemen-
22 tary and Secondary Education Act of 1965 (20
23 U.S.C. 2711 et seq.) bears to such allocations
24 to all States.

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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 for fiscal year
4 1993 under section 112(b) of this Act, as in effect
5 on the day before the date of enactment of this part.
6 If the amount of funds made available in a fiscal
7 year to carry out paragraph (2) is insufficient to
8 make such allotments, the Corporation shall make
9 available sums from the 10 percent described in
10 paragraph (1) for such fiscal year to make such
11 allotments.

12 “(4) DEFINITION.—Notwithstanding section
13 101(26), for purposes of this subsection, the term
14 ‘State’ means each of the several States, the District
15 of Columbia, the Commonwealth of Puerto Rico, and
16 an Indian tribe.

17 “(c) REALLOTMENT.—If the Corporation determines
18 that the allotment of a State or Indian tribe under this
19 section will not be required for a fiscal year because the
20 State or Indian tribe does not submit an application for
21 the allotment under section 113 that meets the require-
22 ments of such section and such other requirements as the
23 Director may determine to be appropriate, the Corpora-
24 tion shall, after making any grants under section 111A,
25 make any remainder of such allotment available for real-

1 lotment to such other States, and Indian tribes, with ap-
2 proved applications submitted under section 113, as the
3 Corporation may determine to be appropriate.

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

10 “(e) PROGRAMS.—In awarding grants and making al-
11 lotments under subsections (a), (b), and (d), from the sum
12 appropriated to carry out this part for a fiscal year, the
13 Corporation shall make available—

14 “(1) 75 percent of such sum for school-based
15 programs; and
16 “(2) 25 percent of such sum for community-
17 based programs.

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

19 “(a) SUBMISSION.—To be eligible to receive a grant
20 under section 112(b)(1), an allotment under subsection
21 (a) or (b)(2) of section 1. . . . reallocation under section
22 112(c), or a grant under section 112(d), a State (acting
23 through the State Commission) or an Indian tribe, shall
24 prepare, submit to the Corporation, and obtain approval

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25 community-
based

1 of, an application at such time and in such manner as
2 the Director may reasonably require.

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

6 “(1) information demonstrating that the pro-
7 grams will be carried out in a manner consistent
8 with the strategic plan submitted for the State in-
9 volved under section 178;

10 “(2) assurances that—

11 “(A) the applicant will keep such records
12 and provide such information to the Corpora-
13 tion with respect to the programs as may be re-
14 quired for fiscal audits and program evaluation;
15 and

16 “(B) the applicant will comply with the
17 nonduplication and nondisplacement require-
18 ments of section 177; and

19 “(3) such additional information as the Direc-
20 tor may reasonably require.

21 **“SEC. 114. LOCAL APPLICATIONS.**

22 “(a) APPLICATION TO CORPORATION TO MAKE
23 GRANTS FOR SCHOOL-BASED OR COMMUNITY-BASED
24 SERVICE-LEARNING PROGRAMS.—

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1 “(1) IN GENERAL.—To be eligible to receive a
2 grant under section 112(b)(1) in accordance with
3 section 111B(a) to make grants relating to school-
4 based or community-based service-learning programs
5 described in section 111(a), a grantmaking entity
6 shall prepare, submit to the Corporation, and obtain
7 approval of, an application.

8 “(2) SUBMISSION.—Such application shall be
9 submitted at such time and in such manner, and
10 shall contain such information, as the Director may
11 reasonably require. Such an application shall include
12 a proposal to assist such programs in more than 1
13 State.

14 “(b) DIRECT APPLICATION TO CORPORATION TO
15 CARRY OUT SCHOOL-BASED OR COMMUNITY-BASED
16 SERVICE-LEARNING PROGRAMS IN NONPARTICIPATING
17 STATES.—To be eligible to receive a grant from the Cor-
18 poration in the circumstances described in section 111A
19 to carry out an activity described in such section, an orga-
20 nization or partnership referred to in such section shall
21 prepare, submit to the Corporation, and obtain approval
22 of, an application. Such application shall be submitted at
23 such time and in such manner, and shall contain such in-
24 formation, as the Director may reasonably require.

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1 “(c) APPLICATION TO STATE OR INDIAN TRIBE TO
2 RECEIVE ASSISTANCE TO CARRY OUT SCHOOL-BASED OR
3 COMMUNITY-BASED SERVICE-LEARNING PROGRAMS.—

4 “(1) IN GENERAL.—A qualified organization or
5 partnership that desires to receive financial assist-
6 ance under this part from a State Commission, In-
7 dian tribe, or grantmaking entity, for activities de-
8 scribed in section 111(a), shall prepare, submit to
9 the State Commission, tribe, or entity, and obtain
10 approval of, an application.

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

15 “(d) CONTENTS OF APPLICATION.—

16 “(1) REGULATIONS.—The Corporation shall by
17 regulation establish standards for the information
18 required to be contained in an application submitted
19 under subsection (a) or (b).

20 “(2) ASSURANCES.—At a minimum, an applica-
21 tion submitted under subsection (a) or (b) shall
22 contain—

23 “(A) an assurance that the applicant will
24 develop an age-appropriate learning component
25 for participants in the program that shall in-

1 clude a chance for participants to analyze and
2 apply their service experiences;

3 “(B) an assurance that the applicant will
4 comply with the nonduplication and
5 nondisplacement requirements of section 177
6 and grievance procedure requirements of section
7 176(f); and

8 “(C) such other assurances as the Director
9 may reasonably require.

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

11 “(a) CRITERIA FOR APPLICATIONS.—In approving
12 applications for financial assistance under subsection (a),
13 (b), (c), or (d) of section 112, the Corporation shall con-
14 sider such criteria with respect to sustainability,
15 replicability, innovation, and quality of programs under
16 this part as the Director may by regulation specify. In
17 providing assistance under this part, a State Commission,
18 Indian tribe, or grantmaking entity shall also consider
19 such criteria.

20 “(b) PRIORITY FOR APPLICATIONS.—

21 “(1) IN GENERAL.—In providing assistance
22 under this part, a State Commission or Indian tribe,
23 or the Corporation if section 111A or 111B applies,
24 shall give priority to entities that submit applica-

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1 tions under section 114 with respect to service-learn-
2 ing programs described in section 111 that—

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

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

8 “(C) involve—

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

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

16 “(c) REGULATIONS.—The Corporation shall by regu-
17 lation establish procedures and criteria (in addition to the
18 criteria described in subsections (a) and (b)) for awarding
19 grants in the circumstances described in sections 111A
20 and 111B.

21 “(d) REJECTION OF APPLICATIONS.—If the Corpora-
22 tion rejects an application submitted under section 113
23 for an allotment under subsection (b)(2) of section 112,
24 the Corporation shall promptly notify the applicant of the
25 reasons for the rejection of the application. The Corpora-

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1 tion shall provide the applicant with a reasonable oppor-
 2 tunity to revise and resubmit the application and shall pro-
 3 vide technical assistance, if needed, to the applicant as
 4 part of the resubmission process. The Corporation shall
 5 promptly reconsider such resubmitted application.

6 **"SEC. 115A. PARTICIPATION OF STUDENTS AND TEACHERS**
 7 **FROM PRIVATE SCHOOLS.**

8 "(a) IN GENERAL.—To the extent consistent with the
 9 number of students in the State or Indian tribe or in the
 10 school district of the local educational agency involved who
 11 are enrolled in private not-for-profit elementary and sec-
 12 ondary schools, such State, Indian tribe, or agency shall
 13 consult with appropriate private school representatives
 14 and make provision—

15 "(1) for the inclusion of services and arrange-
 16 ments for the benefit of such students so as to allow
 17 for the equitable participation of such students in
 18 the programs implemented to carry out the objec-
 19 tives and provide the benefits described in this part;
 20 and

21 "(2) for the training of the teachers of such
 22 students so as to allow for the equitable participa-
 23 tion of such teachers in the programs implemented
 24 to carry out the objectives and provide the benefits
 25 described in this part.

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1 “(b) WAIVER.—If a State, Indian tribe, or local edu-
2 cational agency is prohibited by law from providing for
3 the participation of students or teachers from private not-
4 for-profit schools as required by subsection (a), or if the
5 Corporation determines that a State, Indian tribe, or local
6 educational agency substantially fails or is unwilling to
7 provide for such participation on an equitable basis, the
8 Director shall waive such requirements and shall arrange
9 for the provision of services to such students and teachers.
10 Such waivers shall be subject to consultation, withholding
11 notice, and judicial review requirements in accordance
12 with paragraphs (3) and (4) of section 1017(b) of the Ele-
13 mentary and Secondary Education Act of 1965 (20 U.S.C.
14 2727(b)).

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

16 “(a) SHARE.—

17 “(1) IN GENERAL.—The Federal share attrib-
18 utable to this part of the cost of carrying out a pro-
19 gram for which a grant or allotment is made under
20 this part may not exceed—

21 “(A) 90 percent of the total cost of the
22 program for the first year for which the pro-
23 gram receives assistance under this part;

1 “(B) 80 percent of the total cost of the
2 program for the second year for which the pro-
3 gram receives assistance under this part:

4 “(C) 70 percent of the total cost of the
5 program for the third year for which the pro-
6 gram receives assistance under this part; and

7 “(D) 60 percent of the total cost of the
8 program for the fourth year, and for any subse-
9 quent year, for which the program receives as-
10 sistance under this part.

11 “(2) REMAINING SHARE.—In providing for the
12 remaining share of the cost of carrying out such a
13 program, each recipient of assistance under this
14 part—

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

18 “(B) may provide for such share through
19 State sources, local sources, or Federal sources
20 (other than funds made available under the na-
21 tional service . . .

22 “(3) CALCULATION.—In calculating the cost of
23 carrying out such a program, the recipient shall not
24 include the costs of salaries and benefits of individ-
25 uals who are participants or volunteers in any na-

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1 tional service program or any volunteer program,
2 other than a program under this part.

3 “(b) WAIVER.—The Director may waive the require-
4 ments of subsection (a) in whole or in part with respect
5 to any such program in any fiscal year if the Corporation
6 determines that such a waiver would be equitable due to
7 a demonstrated lack of available financial resources at the
8 local level.

9 “(c) DEFINITION.—Notwithstanding section 101, as
10 used in this section, the term ‘national service laws’ means
11 the provisions specified in section 201(a) of the National
12 Service and Community Volunteers Act of 1993.

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

14 “(a) ADMINISTRATIVE COSTS.—

15 “(1) LIMITATION.—Of the amount of assistance
16 provided to a State Commission, Indian tribe, or
17 grantmaking entity that is the original recipient of
18 a grant or allotment under subsection (a), (b), (c),
19 or (d) of section 112 for a fiscal year—

20 “(A) not more than 2.5 percent of such
21 amount may be used to pay for ad ministrative
22 costs incurred by the original recipient; and

23 “(B) not more than 2.5 percent of such
24 amount may be used to pay for administrative
25 costs incurred by the entity carrying out the

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1 service-learning programs receiving assistance
2 under this subtitle.

3 "(2) RULES ON USE.—The Corporation shall by
4 regulation establish acceptable categories of adminis-
5 trative costs.

6 "(b) CAPACITY-BUILDING ACTIVITIES.—Not less
7 than 10 percent and not more than 20 percent of the
8 amount of assistance provided to a State Commission, In-
9 dian tribe, or grantmaking entity that is the original recip-
10 ient of a grant or allotment under subsection (a), (b), (c),
11 or (d) of section 112 for a fiscal year shall be used to
12 build capacity through training, technical assistance, cur-
13 riculum development, and coordination activities, de-
14 scribed in section 111(a)(1).

15 "(c) FINANCIAL SUPPORT TO STUDENTS.—Funds
16 made available under this part may not be used to pay
17 any stipend, allowance, or other financial support to any
18 student who is a participant under this part, except reim-
19 bursement for transportation, meals, and other reasonable
20 out-of-pocket expenses directly related to participation in
21 a program assisted under this part.

22 "(d) PROHIBITION ON PAYMENTS FOR SALARIES
23 AND BENEFITS.—No partnership or qualified organiza-
24 tion may use funds made available under this subtitle to
25 pay for the costs of salaries and benefits of individuals

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1 who are participants or volunteers in any national service
2 program or any volunteer program, other than a program
3 under this part.

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4 **"SEC. 116B. DEFINITIONS.**

5 "As used in this part:

6 "(1) **COMMUNITY-BASED SERVICE-LEARNING**
7 **PROGRAM.**—The term 'community-based service-
8 learning program' means a service-learning program
9 sponsored by a partnership that includes the entities
10 described in section 111(b)(2)(B).

11 "(2) **GRANTMAKING ENTITY.**—The term
12 'grantmaking entity' means an organization de-
13 scribed in section 111B(a).

14 "(3) **QUALIFIED ORGANIZATION.**—The term
15 'qualified organization' means an entity described in
16 any of paragraphs (1) through (5) of section 111(c).

17 "(4) **SCHOOL-BASED SERVICE-LEARNING PRO-**
18 **GRAM.**—The term 'school-based service-learning pro-
19 gram' means a service-learning program sponsored
20 by a partnership that includes the entities described
21 in section 111(b)(2)(A).

22 "(5) **STUDENT.**—Notwithstanding section
23 101(28), the term 'student' means an individual who
24 is enrolled in an elementary or secondary school on
25 a full- or part-time basis."

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1 (b) HIGHER EDUCATION INNOVATIVE PROJECTS.—
2 Subtitle B of title I of the National and Community Serv-
3 ice Act of 1990 (42 U.S.C. 12531 et seq.) is amended
4 by striking part II and inserting the following:

5 **“PART II—HIGHER EDUCATION INNOVATIVE**
6 **PROGRAMS FOR COMMUNITY SERVICE**
7 **“SEC. 119. HIGHER EDUCATION INNOVATIVE PROGRAMS**
8 **FOR COMMUNITY SERVICE.**

9 “(a) PURPOSE.—It is the purpose of this part to ex-
10 pand participation in community service by supporting in-
11 novative community service programs that enable institu-
12 tions of higher education to act as civic institutions in
13 meeting the human, educational, environmental, or public
14 safety needs of neighboring communities.

15 “(b) GENERAL AUTHORITY.—The Corporation, in
16 consultation with the Secretary of Education, is author-
17 ized to make grants to, and enter into contracts with, in-
18 stitutions of higher education (including a combination of
19 such institutions), and partnerships comprised of such in-
20 stitutions and of other public agencies or not-for-profit
21 private organizations, to pay for the Federal share of the
22 cost of—

23 “(1) enabling such an institution or partnership
24 to create or expand an organized community service
25 program that—

1 “(A) engenders a sense of social respon-
2 sibility and commitment to the community in
3 which the institution is located; and

4 “(B) provides projects for participants.
5 who shall be students, faculty, administration.
6 or staff of the institution, or residents of the
7 community;

8 “(2) supporting student-initiated and student-
9 designed community service projects through the
10 program;

11 “(3) facilitating the integration of community
12 service carried out under the program into academic
13 curricula, including integration of clinical programs
14 into the curriculum for students in professional
15 schools, so that students can obtain credit for their
16 community service projects;

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

22 “(5) strengthening the service infrastructure
23 within institutions of higher education in the United
24 States through the program; and

1 “(6) providing for the training of teachers, pro-
2 spective teachers, related education personnel, and
3 community leaders in the skills necessary to develop,
4 supervise, and organize service-learning.

5 “(c) FEDERAL SHARE.—

6 “(1) SHARE.—

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

11 “(B) CALCULATION.—Each recipient of as-
12 sistance under this part shall comply with para-
13 graphs (2) and (3) of section 116(a).

14 “(2) WAIVER.—The Director may waive the re-
15 quirements of paragraph (1), in whole or in part, as
16 provided in section 116(b).

17 “(d) APPLICATION FOR GRANT.—

18 “(1) SUBMISSION.—To receive a grant or enter
19 into a contract under this part, an institution or
20 partnership described in subsection (b) shall pre-
21 pare, submit to the Corporation, and obtain approval
22 of, an application at such time and in such manner
23 as the Director may reasonably require.

24 “(2) CONTENTS.—

1 “(A) REGULATIONS.—The Corporation
2 shall by regulation establish standards for the
3 information required to be contained in an ap-
4 plication submitted under paragraph (1).

5 “(B) ASSURANCES.—At a minimum, such
6 an application shall contain—

7 “(i) an assurance that the entity car-
8 rying out the program will develop an age-
9 appropriate learning component for partici-
10 pants in the program that shall include a
11 chance for participants to analyze and
12 apply their service experiences;

13 “(ii) an assurance that students and
14 community members including service re-
15 cipients shall be involved in the design and
16 implementation of the program;

17 “(iii) an assurance that the program
18 is consistent with the approved strategic
19 plan submitted under section 178 by the
20 State in which the program will be imple-
21 mented;

22 “(iv) an assurance that the applicant
23 will comply with the nonduplication and
24 nondisplacement provisions of section 177

1 and grievance procedure requirements of
2 section 176(f); and

3 “(v) such other assurances as the Di-
4 rector may reasonably require.

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

9 “PART III—GENERAL PROVISIONS

10 “SEC. 120. AVAILABILITY OF APPROPRIATIONS.

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

13 “(1) a sum equal to 80 percent of such aggre-
14 gate amount shall be available to carry out part I:
15 and

16 “(2) a sum equal to 20 percent of such aggre-
17 gate amount shall be available to carry out part II.”

18 (c) TABLE OF CONTENTS.—Section 1(b) of the Na-
19 tional and Community Service Act of 1990 (Public Law
20 101-610; 104 Stat. 3127) is amended by striking the
21 items relating to sub B of title I of such Act and in-
22 serting the following:

“Subtitle B—Service-Learning Programs

“PART I—SERVE-AMERICA PROGRAMS

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

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

“Sec. 111B. Authority to assist public or private not-for-profit organizations

“Sec. 112. Grants and allotments

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"Sec. 113. State or tribal applications.

“Sec. 114. Local applications.

"Sec. 115. Consideration of applications.

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

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

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

"Sec. 116B. Definitions.

"PART II—HIGHER EDUCATION INNOVATIVE PROGRAMS FOR COMMUNITY SERVICE

"Sec. 119. Higher education innovative programs for community service.

"PART III—GENERAL PROVISIONS

"Sec. 120. Availability of appropriations."

1 **Subtitle C—National Service**
2 **Programs**

3 SEC. 121. FEDERAL INVESTMENT IN SUPPORT OF NA-
4 TIONAL SERVICE.

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

9 **“Subtitle C—National Service**
10 **Program**

11 **“PART I—INVESTMENT IN NATIONAL SERVICE**

12 "SEC. 121. AUTHORITY TO PROVIDE ASSISTANCE.

13 “(a) PROVISION OF ASSISTANCE.—The Corporation
14 for National Service and Community Volunteers shall
15 make grants to States, subdivisions of States, Indian
16 tribes, public and private not-for-profit organizations, and
17 institutions of higher education for the purpose of assist-
18 ing the recipients of the grants—

1 “(1) to carry out full- or part-time national
2 service programs, including summer programs, de-
3 scribed in section 122(a); and

4 “(2) to make grants in support of other na-
5 tional service programs described in section 122(a)
6 that are carried out by other entities.

7 “(b) AGREEMENTS WITH FEDERAL AGENCIES.—

8 “(1) IN GENERAL.—The Corporation may enter
9 into a contract or cooperative agreement with an-
10 other Federal agency to support a national service
11 program carried out by the agency. The support pro-
12 vided by the Corporation pursuant to the contract or
13 cooperative agreement may include the transfer to
14 the Federal agency of funds available to the Cor-
15 poration.

16 “(2) NONDUPLICATION.—A Federal agency
17 that enters into a contract or cooperative agreement
18 under paragraph (1) to support a national service
19 program within a State—

20 “(A) shall consult with the State Commis-
21 sion serving the State to avoid duplication
22 any service program that is in existence in the
23 State as of the date of the contract or coopera-
24 tive agreement; and

1 “(B) shall, in an appropriate case, enter
2 into a contract or cooperative agreement with
3 an entity that is carrying out a service program
4 described in subparagraph (A) that is of high
5 quality, in order to support the national service
6 program.

7 “(3) APPLICATION OF REQUIREMENTS.—A
8 Federal agency receiving assistance under this sub-
9 section shall comply with the Federal share require-
10 ments of section 129(c)(2)(B). The supplementation
11 requirements specified in section 173 shall apply
12 with respect to the Federal National Service pro-
13 grams supported with such assistance.

14 “(c) LIMITATION ON ADMINISTRATIVE COSTS.—

15 “(1) LIMITATION.—Of the amount of assistance
16 provided to the original recipient of a grant or trans-
17 fer of assistance under subsection (a) or (b) for a
18 fiscal year—

19 “(A) not more than 2.5 percent of such
20 amount may be used to pay for administrative
21 costs incurred by the original recipient; and

22 “(B) not more than 2.5 percent of such
23 amount may be used to pay for administrative
24 costs incurred by the entity carrying out the na-

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1 tional service programs receiving assistance
2 under this subtitle.

3 "(2) REGULATIONS.—For purposes of para-
4 graph (1), the Corporation shall by regulation, de-
5 termine acceptable categories of administrative costs.

6 "(d) MATCHING FUNDS REQUIREMENTS.—

7 "(1) REQUIREMENTS.—Except as provided in
8 section 129(c)(2)(B), the Federal share of the cost
9 of carrying out a national service program that re-

10 ceives the assistance under subsection (a), whether
11 the assistance is provided directly or as a subgrant
12 from the original recipient of the assistance, may not
13 exceed 75 percent of such cost.

14 "(2) CALCULATION.—In providing for the re-
15 maining share of the cost of carrying out a national
16 service program, a recipient of assistance under this
17 subtitle—

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

21 "(B) may provide for such share through
22 State sources, local sources, or other Federal
23 sources (other than the use of funds made
24 available under the national service laws. [in-
25 cluding subtitles B, E, and H of title I, and

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1 title III, of the National and Community Serv-
2 ice Act of 1990 (42 U.S.C. 12521 et seq.,
3 12591 et seq., 12653 et seq., and 12661 et
4 seq.), title XI of the Higher Education Act of
5 1965 (20 U.S.C. 1136 et seq.), parts A and B
6 of title I, section 124, and title II, of the Do-
7 mestic Volunteer Service Act of 1973. (42
8 U.S.C. 4951 et seq., 4971 et seq., 4994, and
9 5000 et seq.), and Public Law 91-378 (16
10 U.S.C. 1701-1706; commonly known as the
11 "Youth Conservation Corps Act of 1970").

12 "(3) WAIVER.—The Corporation may waive in
13 whole or in part the requirements of paragraph (1)
14 with respect to a national service program in any fis-
15 cal year if the Corporation determines that such a
16 waiver would be equitable due to a demonstrated
17 lack of available financial resources at the local level.

18 **"SEC. 122. TYPES OF NATIONAL SERVICE PROGRAMS ELIGI-**
19 **BLE FOR PROGRAM ASSISTANCE.**

20 **"(a) ELIGIBLE NATIONAL SERVICE PROGRAMS.—**
21 The recipient of a grant under section 121(a) and each
22 Federal agency receiving assistance under section 121(b)
23 shall use the assistance, directly or through subgrants to
24 other entities, to carry out full- or part-time national serv-
25 ice programs, including summer programs, that address

1 unmet human, educational, environmental, or public safe-
2 ty needs. Subject to subsection (b)(1), these national serv-
3 ice programs may include the following types of national
4 service programs:

5 “(1) A community corps program that promotes
6 greater community unity through the use of orga-
7 nized teams of participants of varied social and eco-
8 nomic backgrounds, skill levels, physical capabilities,
9 ages, ethnic backgrounds, or genders.

10 “(2) A full-time youth corps program carried
11 out during the summer months or throughout the
12 full calendar year, such as a conservation corps or
13 youth service corps (including a conservation corps
14 or youth service corps that performs service on Fed-
15 eral or other public lands or on Indian lands),
16 that—

17 “(A) undertakes meaningful full-time serv-
18 ice projects with visible benefits to a commu-
19 nity, including natural resource, urban renova-
20 tion, or human services projects:

21 “(B) includes as participants youth and
22 young adults between the ages of 16 and 25, in-
23 clusive, including out-of-school youth and other
24 economically disadvantaged youth, and individ-

1 uals with disabilities, who are between those
2 ages; and

3 “(C) provides those participants who are
4 youth and young adults with—

5 “(i) crew-based, highly structured,
6 and adult-supervised work experience, life
7 skills, education, career guidance and
8 counseling, employment training, and sup-
9 port services; and

10 “(ii) the opportunity to develop citi-
11 zenship values and skills through service to
12 their community and the United States.

13 “(3) A program that provides specialized train-
14 ing to individuals in service-learning and places the
15 individuals after such training in positions, including
16 positions as service-learning coordinators, to facili-
17 tate service-learning in programs eligible for funding
18 under part I subtitle B.

19 “(4) A service program that is targeted at spe-
20 cific unmet human, educational, environmental, or
21 public safety needs and that—

22 “(A) recruits individuals with special skills
23 or provides specialized preservice training to en-
24 able participants to be placed individually or in

1 teams in positions in which the participants can
2 meet such unmet needs; and

3 “(B) brings participants together for addi-
4 tional training and other activities designed to
5 foster civic responsibility, increase the skills of
6 participants, and improve the quality of the
7 service provided.

8 “(5) An individualized placement program that
9 includes regular group activities, such as leadership
10 training and special service projects.

11 “(6) A campus-based program that is designed
12 to provide substantial service in a community during
13 the school term and during summer or other vaca-
14 tion periods through the use of—

15 “(A) students who are attending an insti-
16 tution of higher education, including students
17 supported by work-study funds under part C of
18 title IV of the Higher Education Act of 1965
19 (42 U.S.C. 2751 et seq.);

20 “(B) teams composed of such students; or

21 “(C) teams composed of a combination of
22 such students and community residents.

23 “(7) A preprofessional training program in
24 which students enrolled in an institution of higher
25 education—

1 “(A) receive training in specified fields,
2 which may include classes containing service-
3 learning;

4 “(B) perform service related to such train-
5 ing outside the classroom during the school
6 term and during summer or other vacation peri-
7 ods; and

8 “(C) agree to provide at least 1 year of ✓
9 service upon graduation to meet unmet human.
10 educational, environmental, or public safety
11 needs related to such training.

12 “(8) A professional corps program that recruits
13 and places qualified participants in positions—

14 “(A) as police officers, early childhood de-
15 velopment staff, social workers, or other profes-
16 sionals providing service to meet educational,
17 human, environmental, or public safety needs in
18 communities with an inadequate number of
19 such professionals;

20 “(B) that may include a salary in excess of
21 the maximum living allowance authorized in
22 subsection (a)(3) of section 140, as provided in
23 subsection (c) of such section; and

24 “(C) that are sponsored by public or pri-
25 vate not-for-profit employers who agree to pay

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1 100 percent of the salaries and benefits (other
2 than any national service benefit under section
3 123 and the post-service benefits under section
4 146) of the participants.

5 “(9) A program in which economically dis-
6 advantaged individuals who are between the ages of
7 16 and 24 years of age, inclusive, are provided with
8 opportunities to perform service that, while enabling
9 such individuals to obtain the education and employ-
10 ment skills necessary to achieve economic self-suffi-
11 ciency, will help their communities meet—

12 “(A) the housing needs of low-income fam-
13 ilies and the homeless; and

14 “(B) the need for community facilities in
15 low-income areas.

16 “(10) A national service entrepreneur program
17 that identifies, recruits, and trains gifted young
18 adults of all backgrounds and assists them in de-
19 signing solutions to community problems.

20 “(11) An intergenerational program that com-
21 bines students, out-of-school youth, and older adults
22 as participants to provide needed community serv-
23 ices, including an intergenerational component of a
24 national service program described in paragraphs (1)
25 through (10), paragraph (12) or paragraph (13).

1 “(12) A program utilizing public school facili-
2 ties, after regular school hours and during weekends
3 and summers, to provide children in distressed com-
4 munities with curriculum-based, supervised edu-
5 cational, recreational and cultural activities in safe
6 and secure environments and to coordinate the deliv-
7 ery of social services to the children of the commu-
8 nity.

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9 “(13) Such other national service programs ad-
10 dressing unmet human, educational, environmental,
11 or public safety needs consistent with the strategic
12 plan of the State Commission, if funded through the
13 Commission, or consistent with the Corporation's
14 strategic plan, if funded directly by the Corporation.

*tie to
strategic
plan*

15 “(b) QUALIFICATION CRITERIA TO DETERMINE ELI-
16 GIBILITY.—

17 “(1) ESTABLISHMENT BY CORPORATION.—The
18 Corporation shall establish qualification criteria for
19 different types of national service programs for the
20 purpose of determining whether a particular national
21 service program should be considered to be a na-
22 tional service program eligible to receive assistance
23 under this subtitle.

24 “(2) CONSULTATION.—In establishing qualifica-
25 tion criteria under paragraph (1), the Corporation

1 shall consult with organizations and individuals that
2 have extensive experience in developing and admin-
3 istering effective national service programs.

4 “(3) APPLICATION TO SUBGRANTS.—The quali-
5 fication criteria established by the Corporation under
6 paragraph (1) shall also be used by each recipient of
7 assistance under section 121(a) that uses any por-
8 tion of the assistance to conduct a grant program to
9 support other national service programs.

10 “(4) WAIVER.—With respect to a proposed na-
11 tional service program that does not meet the quali-
12 fication criteria established under paragraph (1), the
13 Corporation may waive such criteria with respect to
14 such program if the Corporation determines that
15 such program is uniquely innovative in nature.

16 “(c) NATIONAL SERVICE PRIORITIES FOR THE COR-
17 PORATION.—

18 “(1) ESTABLISHMENT BY CORPORATION.—In
19 order to concentrate national efforts on meeting cer-
20 tain unmet human, educational, environmental, or
21 public safety needs and to achieve the other pur-
22 poses of this Act, the Corporation shall establish
23 and, through the 5-year strategic plan process de-
24 scribed in subtitle G, periodically alter priorities re-
25 garding the types of national service programs to be

*need
to
encourage
of integration
P. 3 ms.*

*new
section*

*changed from
3 yr.*

[scribbles]

*no state
comm in
consultation*

55

1 assisted under section 129(c) and the purposes for
2 which such assistance may be used.

3 “(2) NOTICE TO APPLICANTS.—The Corpora-
4 tion shall provide advance notice to potential appli-
5 cants under 129(c) of any national service priorities
6 to be in effect under this subsection for a fiscal year.
7 The notice shall specifically include—

8 “(A) a description of any alteration made
9 in the priorities since the previous notice; and

10 “(B) a description of the national service
11 programs that are designated by the Corpora-
12 tion under section 133(d)(2) as eligible for pri-
13 ority consideration in the next competitive dis-
14 tribution of assistance under section 129(c).

15 “(3) REGULATIONS.—The Corporation shall by
16 regulation establish procedures to ensure the equi-
17 table treatment of national service programs.

18 “(4) APPLICATION TO SUBGRANTS.—National
19 service priorities established by the Corporation
20 under this subsection shall be used by a recipient of
21 funds under section 129(c) if that recipient uses any
22 portion of such funds to conduct a grant program to
23 support other national service programs.

24 “(5) ENCOURAGEMENT OF
25 INTERGENERATIONAL COMPONENTS OF PRO-

*revised**more
restrictive*

1 GRAMS.—The Corporation shall encourage national
2 service programs eligible to receive assistance under
3 this subtitle to establish, if consistent with the pur-
4 poses of the program, an intergenerational compo-
5 nent of the program that combines students, out-of-
6 school youth, and older adults as participants.

7 **“SEC. 123. DEMONSTRATION EFFORTS CONCERNING EDU-**
8 **CATIONAL OR OTHER POST-SERVICE BENE-**
9 **FITS.**

10 “(a) ESTABLISHMENT.—The Corporation shall estab-
11 lish demonstration programs to determine the most effec-
12 tive and efficient means for implementing educational or
13 other incentives necessary for a successful national service
14 program.

15 “(b) TREATMENT OF PARTICIPANTS.—Participants
16 in demonstration programs under subsection (a) shall be
17 treated in the same manner as if they were participants
18 in national service programs funded under this subtitle.
19 except that such participants shall not be eligible for post-
20 service benefits under section 141.

21 “(c) REPORT.—Not later than 18 months after the
22 date of enactment of this subtitle, the Corporation shall
23 prepare and submit to the appropriate committees of Con-
24 gress a report concerning the results of the demonstration
25 programs established under subsection (a), and a descrip-

*test program
on
educ.
benefits*

meaning

*ref. to
Congress*

tion of the knowledge derived from existing national service-related programs conducted by Federal or State governments, including recommendations for legislative action.

“SEC. 124. TYPES OF PROGRAM ASSISTANCE.

“(a) **PLANNING ASSISTANCE.**—The Corporation may provide assistance under section 121 to a qualified applicant that submits an application under section 130 for the planning of a national service program. Assistance provided in accordance with this subsection may cover a period of not more than 9 months.

1215
then
1 yr.

“(b) **OPERATIONAL ASSISTANCE.**—

“(1) **IN GENERAL.**—The Corporation may provide assistance under section 121 to a qualified applicant that submits an application under section 130 for the establishment, operation, or expansion of a national service program. Assistance provided in accordance with this subsection may cover a period of not more than 3 years, but may be renewed by the Corporation upon consideration of a new application under section 130.

“(2) **LIMITATIONS.**—The amount of any assistance provided to an applicant under paragraph (1) shall be limited to an amount that does not exceed 60 percent of the costs incurred by the applicant in

*83 can only
get 60% of
costs paid for*

1 establishing, operating or expanding a national serv-
2 ice program. Amounts made available under para-
3 graph (1) may not be used for the operational costs
4 of the State Commission.

5 “(c) REPLICATION ASSISTANCE.—The Corporation
6 may provide assistance under section 121 to a qualified
7 applicant that submits an application under section 130
8 for the expansion of a proven national service program to
9 another geographical location. Assistance provided in ac-
10 cordance with this subsection may cover a period of not
11 more than 3 years, but may be renewed by the Corpora-
12 tion upon consideration of a new application under section
13 130.

*no law match
for replica*

14 “(d) APPLICATION TO SUBGRANTS.—The require-
15 ments of this section shall apply to any State or other
16 applicant receiving assistance under section 121 that pro-
17 poses to conduct a grant program using the assistance to
18 support other national service programs.

19 **“SEC. 125. OTHER SPECIAL ASSISTANCE.**

20 “(a) SUPPORT FOR STATE COMMISSIONS.—

21 “(1) ASSISTANCE AUTHORIZED.—The Corpora-
22 tion shall make assistance available to assist a State
23 to establish or operate the State Commission re-
24 quired to be established by the State under section
25 178.

1 “(2) AMOUNT OF ASSISTANCE.—The amount of
2 assistance that may be provided to a State Commis-
3 sion under this subsection, together with other Fed-
4 eral funds available to establish or operate the State
5 Commission, may not exceed—

6 “(A) ~~75~~ percent of the total cost to estab-
7 lish or operate the State Commission for the
8 first year for which the State Commission re-
9 ceives assistance under this subsection; and

10 “(B) such smaller percentage of such cost
11 as the Corporation may establish for the sec-
12 ond, third, and fourth years of such assistance
13 in order to ensure that the Federal share does
14 not exceed 50 percent of such costs for the fifth
15 year, and any subsequent year, for which the
16 State Commission receives assistance under this
17 subsection.

18 “(b) DISASTER SERVICE.—The Corporation may un-
19 dertake activities, including activities carried out under
20 part A of title I of the Domestic Volunteer Service Act
21 of 1973, to involve programs that receive assistance under
22 the national service laws in disaster relief efforts.

23 “(c) CHALLENGE GRANTS FOR NATIONAL SERVICE
24 PROGRAMS.—

*less than
85% is
an bill*

*not limited
to youth
work*

1 “(1) IN GENERAL.—The Corporation may
2 award challenge grants under this subsection to na-
3 tional service programs that receive assistance under
4 section 121.

5 “(2) CRITERIA.—The Corporation shall develop
6 criteria for the selection of recipients of challenge
7 grants under paragraph (1), so as to make the
8 grants widely available to a variety of programs
9 that—

10 “(A) are high-quality national service pro-
11 grams; and

12 “(B) are carried out by entities with dem-
13 onstrated experience in establishing and imple-
14 menting projects that provide benefits to par-
15 ticipants and communities.

16 “(3) AMOUNT OF ASSISTANCE.—A challenge
17 grant under this subsection may provide not more
18 than \$1 of assistance under this subsection for each
19 \$1 in cash raised by the national service program
20 from private sources in excess of amounts required
21 to be provided by the program to satisfy matching
22 funds requirements under section 121(e). The Cor-
23 poration shall establish a ceiling on the amount of
24 assistance that may be provided to a national service
25 program under this subsection.

1 **"PART II—APPLICATION AND APPROVAL**
2 **PROCESS**

3 **"SEC 129. PROVISION OF ASSISTANCE BY COMPETITIVE**
4 **AND OTHER MEANS.**

5 **"(a) ALLOTMENTS OF ASSISTANCE TO STATES AND**
6 **INDIAN TRIBES.—**

7 **"(1) 50 PERCENT ALLOTMENT OF ASSIST-**
8 **ANCE.—**Of the funds allocated by the Corporation
9 for the provision of assistance under subsections (a)
10 and (b) of section 121 for a fiscal year, the Corpora-
11 tion shall make a grant under section 121(a) to each
12 of the several States (through the State Commission
13 of the State), the District of Columbia, and the
14 Commonwealth of Puerto Rico that has an applica-
15 tion approved by the Corporation under section 133.
16 The amount allotted as a grant to each such State
17 under this paragraph for a fiscal year shall be equal
18 to the amount that bears the same ratio to 50 per-
19 cent of the allocated funds for that fiscal year as the
20 population of the State bears to the total population
21 of the several States, the District of Columbia, and
22 the Commonwealth of Puerto Rico.

23 **"(2) ONE PERCENT ALLOTMENT OF ASSIST-**
24 **ANCE.—**Of the funds allocated by the Corporation
25 for provision of assistance under subsections (a) and
26 (b) of section 121 for a fiscal year, the Corporation

50% by
formula
(vs. 33%)

1 shall reserve 1 percent of the allocated funds for
2 grants under section 121(a) to Indian tribes, the
3 Virgin Islands, Guam, American Samoa, and the
4 Commonwealth of the Northern Mariana Islands, to
5 be allotted by the Corporation on a competitive basis
6 in accordance with their respective needs. Palau
7 shall also be eligible for a grant under this para-
8 graph from the 1 percent allotment until such time
9 as the Compact of Free Association with Palau is
10 ratified.

11 “(3) ALLOTMENT OF ASSISTANCE FOR NATIVE
12 HAWAIIANS.—Of the funds allocated by the Corpora-
13 tion for provision of assistance under subsections (a)
14 and (b) of section 121 for a fiscal year, the Corpora-
15 tion shall reserve .2 percent of the allocated funds
16 for grants under section 121(a) to Native Hawaiian
17 entities, to be allotted by the Corporation on a com-
18 petitive basis in accordance with their respective
19 needs.

20 “(4) EFFECT OF FAILURE TO APPLY.—If a
21 State or Indian tribe fails to apply for, or fails to
22 give notice to the Corporation of its intent to apply
23 for, an allotment under this subsection, the Corpora-
24 tion shall use the amount that would have been al-

*2% for
Native
Hawaiians*

1 lotted under this subsection to the State or Indian
2 tribe—

3 “(A) to make grants to other eligible enti-
4 ties under section 121 that propose to carry out
5 national service programs in the State or on be-
6 half of the Indian tribe; and

7 “(B) after making grants under paragraph
8 (1), to make a reallocation to other States and
9 Indian tribes with approved applications under
10 section 130.

11 “(b) RESERVATION FOR SPECIAL ASSISTANCE.—

12 Subject to section 501(a)(2), of the funds allocated by the
13 Corporation for provision of assistance under subsections
14 (a) and (b) of section 121 for a fiscal year, the Corpora-
15 tion may not reserve more than \$10,000,000, or 1 percent
16 of such funds, whichever is less, for a fiscal year for chal-
17 lenge grants under section 125(c).

*new 1% cap
also
impact?*

18 “(c) COMPETITIVE DISTRIBUTION OF REMAINING
19 FUNDS.—

20 “(1) STATE COMPETITION.—Of the funds allo-
21 cated by the Corporation for the provision of assist-
22 ance under subsections (a) and (b) of section 121
23 for a fiscal year, the Corporation shall use not less
24 than 30 percent of the allocated funds to make

*30% min.
by
competition*

1 grants to States (through the State Commissions)
 2 on a competitive basis under section 121(a).

3 “(2) FEDERAL AGENCIES AND OTHER APPLI-
 4 CANTS.—

5 “(A) IN GENERAL.—The Corporation shall
 6 distribute on a competitive basis to subdivisions
 7 of States (through the State Commissions), In-
 8 dian tribes, public and private not-for-profit or-
 9 ganizations, institutions of higher education,
 10 and Federal agencies the remainder of the
 11 funds allocated by the Corporation for the pro-
 12 vision of assistance under section 121 for a fis-
 13 cal year, after the operation of paragraph (1)
 14 and subsections (a) and (b).

15 “(B) FEDERAL SHARE.—Notwithstanding
 16 section 121(e), if a Federal agency proposes to
 17 carry out a national service program using
 18 funds made available under subparagraph (A),
 19 and the Federal agency is authorized to use
 20 funds made available under Federal law (other
 21 than the national service laws, including sub-
 22 titles B, E, and H of title I, and title III, of
 23 the National and Community Service Act of
 24 1990 (42 U.S.C. 12521 et seq., 12591 et seq.,
 25 12653 et seq., and 12661 et seq.), title XI of

b = USA/ccc
 Δ(q)(c)
 reservation
 1-5-919

1 the Higher Education Act of 1965 (20 U.S.C.
2 1136 et seq.), parts A and B of title I, section
3 124, and title II, of the Domestic Volunteer
4 Service Act of 1973. (42 U.S.C. 4951 et seq.,
5 4971 et seq., 4994, and 5000 et seq.), and Pub-
6 lic Law 91-378 (16 U.S.C. 1701-1706; com-
7 monly known as the "Youth Conservation Corps
8 Act of 1970")) to carry out such a program.
9 the Federal share attributable to this paragraph
10 of the cost of carrying out the national service
11 program shall be 50 percent of such cost. The
12 Director may by regulation specify the sources
13 that may be used by the Federal agency to pro-
14 vide for the remaining share of such cost.

15 "(C) FEDERAL AGENCIES.—The Corpora-
16 tion may not distribute more than 30 percent of
17 such remainder to Federal agencies for a fiscal
18 year under subparagraph (A).

19 "(D) LIMITATIONS.—The Corporation
20 (shall) limit the categories of eligible applicants
21 for assistance under this paragraph consistent
22 with the priorities established by the Corpora-
23 tions under section 133(d)(2).

24 "(d) APPLICATION REQUIRED.—The allotment of as-
25 sistance to a State or an Indian tribe under subsection

*was
may*

*no
priority
for
non-profits*

*nothing
about
sponsorship
of
positions*

1 (a), and the competitive distribution of assistance under
2 subsection (c), shall be made by the Corporation only pur-
3 suant to an application submitted by a State or other ap-
4 plicant under section 130 and approved by the Corpora-
5 tion under section 133.

6 **"SEC. 130. APPLICATION FOR ASSISTANCE.**

7 “(a) TIME, MANNER, AND CONTENT OF APPLICA-
8 TION.—To be eligible to receive assistance under section
9 121 for participants who serve in the national service pro-
10 grams to be carried out using the assistance, a State, sub-
11 division of a State, Indian tribe, public or private not-for-
12 profit organization, institution of higher education, or
13 Federal agency shall prepare and submit to the Corpora-
14 tion an application at such time, in such manner, and con-
15 taining such information as the Corporation may reason-
16 ably require.

17 “(b) TYPES OF APPLICATION INFORMATION.—In
18 order to have adequate information upon which to consider
19 an application under section 133, the Corporation shall
20 by regulations establish requirements with respect to the
21 content of applications submitted under this section. Such
22 requirements shall specify that such an application shall
23 contain information demonstrating that the programs will
24 be carried out in a manner consistent with the strategic
25 plan submitted for the State involved under section 178.

*took out
community
action
agency*

*our bill
specifies*

1 “(c) SPECIAL RULE FOR STATE APPLICANTS.—

2 “(1) SUBMISSION BY STATE COMMISSION.—The
3 application of a State for a grant under section
4 121(a) shall be submitted by the State Commission.

5 “(2) COMPETITIVE SELECTION.—The applica-
6 tion of a State shall contain an assurance that all
7 assistance provided under section 121(a) to the
8 State will be used to support national service pro-
9 grams that were selected by the State on a competi-
10 tive basis.

11 “(3) ASSISTANCE TO NONSTATE ENTITIES.—

12 The application of a State shall also contain an as-
13 surance that not less than 70 percent of the assist-
14 ance will be used to make grants in support of na-
15 tional service programs other than national service
16 programs carried out by a State agency. The Cor-
17 poration may permit a State to deviate from the per-
18 centage specified by this subsection if the State has
19 not received a sufficient number of acceptable appli-
20 cations to comply with the percentage.

21 “(d) SPECIAL RULE FOR CERTAIN SERVICE SPON-
22 SORS.—In the case of an applicant that proposes to serve
23 as the service sponsor, the application shall include the
24 written concurrence of any local labor organization rep-
25 resenting employees of the applicant who are engaged in

*vs. 60% in
bill
higher % of
non state
run
P. 300.
in the
bill*

1 the same or substantially similar work as that proposed
2 to be carried out.

3 “(e) LIMITATION ON SAME PROJECT IN MULTIPLE
4 APPLICATIONS.—The Corporation shall reject an applica-
5 tion submitted under this section if a project proposed to
6 be conducted using assistance requested by the applicant
7 is already described in another application pending before
8 the Corporation.

9 “SEC. 131. NATIONAL SERVICE PROGRAM ASSISTANCE RE-
10 QUIREMENTS.

11 “(a) IMPACT ON COMMUNITIES.—An application sub-
12 mitted under section 130 shall include an assurance by
13 the applicant that any national service program carried
14 out by the applicant using assistance provided under sec-
15 tion 121 and any national service program supported by
16 a grant made by the applicant using such assistance will—

17 “(1) address unmet human, educational, envi-
18 ronmental, or public safety needs through services
19 that provide a direct benefit to the community in
20 which the service is performed;

21 “(2) comply with the nondupli- and
22 nondisplacement requirements of section 177; and

23 “(3) be consistent with the State or Corpora-
24 tion strategic plan (based on the funding source uti-
25 lized)).

*doesn't tell
p gm. not
to apply
twice*

*new
provision*

1 “(b) IMPACT ON PARTICIPANTS.—An application
2 submitted under section 130 shall also include an assur-
3 ance by the applicant that any national service program
4 carried out by the applicant using assistance provided
5 under section 121 and any national service program sup-
6 ported by a grant made by the applicant using such assist-
7 ance will—

8 “(1) provide participants in the national service
9 program with the training, skills, and knowledge
10 necessary for the projects that participants are
11 called upon to perform;

12 “(2) as appropriate, provide support services to *added*
13 participants, such as the provision of information
14 and support—

15 “(A) to those participants who are com-
16 pleting a term of service and making the transi-
17 tion to other educational and career opportuni-
18 ties; and

19 “(B) to those participants who are school
20 dropouts in order to assist those participants in
21 earning the equivalent of a high school diploma;
22 and

23 “(3) place participants in a national service *new*
24 program who are receiving benefits or assistance
25 under any Federal, State or local program financed

new

1 in whole or in part with Federal funds in positions
 2 which provide education, career training, and job
 3 specific skills necessary for gainful employment.

took out provision for participants to reflect on prev. experience

4 “(c) CONSULTATION—An application submitted
 5 under section 130 shall also include an assurance by the
 6 applicant that any national service program carried out
 7 by the applicant using assistance provided under section
 8 121 and any national service program supported by a
 9 grant made by the applicant using such assistance will—

took out community action agencies

10 “(1) provide in the design, recruitment, and op-
 11 eration of the program for broad-based input from
 12 the community served, individuals eligible to serve as
 13 participants in the program, community-based agen-
 14 cies with a demonstrated record of experience in pro-
 15 viding services, and local labor organizations rep-
 16 resenting employees of service sponsors; and

took out specific labor consultation + road placement assurance

17 “(2) in the case of a program that is not fund-
 18 ed through a State, consult with and coordinate ac-
 19 tivities with the State Commission for the State in
 20 which the program operates.

21 “(d) EVALUATION AND PERFORMANCE GOALS.—

22 “(1) IN GENERAL.—An application submitted
 23 under section 130 shall also include an assurance by
 24 the applicant that the applicant will—

1 “(A) arrange for an independent evalua-
2 tion of any national service program carried out
3 using assistance provided to the applicant under
4 section 121;

*took out
P3m's
own
evaluation*

5 “(B) develop measurable performance
6 goals and evaluation methods (such as the use
7 of surveys of participants and persons served).
8 which are to be used as part of such evaluation
9 to determine the impact of the program—

10 “(i) on communities and persons
11 served by the projects performed by the
12 program;

13 “(ii) on participants who take part in
14 the projects; and

15 “(iii) in such other areas as the Cor-
16 poration may require; and

17 “(C) cooperate with any evaluation activi-
18 ties undertaken by the Corporation.

19 “(2) ALTERNATIVE EVALUATION REQUIRE-
20 MENTS.—The Corporation may establish alternative
21 evaluation requirements for national service pro-
22 grams based upon the amount of assistance received
23 under section 121 or received by a grant made by
24 a recipient of assistance under such section. The de-
25 termination of whether a national service program is

1 covered by this paragraph shall be made in such
2 manner as the Corporation may prescribe.

3 “(e) LIVING ALLOWANCES AND OTHER INSERVICE
4 BENEFITS.—Except as provided in section 140(c), an ap-
5 plication submitted under section 130 shall also include
6 an assurance by the applicant that the applicant will—

7 “(1) provide a living allowance and other bene-
8 fits specified in section 140 to participants in any
9 national service program carried out by the appli-
10 cant using assistance provided under section 121;
11 and

12 “(2) require that each national service program
13 that receives a grant from the applicant using such
14 assistance will also provide a living allowance and
15 other benefits specified in section 140 to participants
16 in the program.

17 “(f) SELECTION OF PARTICIPANTS FROM INDIVID-
18 UALS RECRUITED BY CORPORATION OR STATE COMMIS-
19 SIONS.—The Corporation may also require an assurance
20 by the applicant that any national service program carried
21 out by the applicant using assistance provided under sec-
22 tion 129(c)(2) and any national service program supported
23 by a grant made by the applicant using such assistance
24 will select a portion of the participants for the program
25 from among prospective participants recruited by the Cor-

on bill
says
§121

applies
only
to federally
run programs
(from 107 pgs
20% direct
funding)

1 poration or State Commissions under section 138(d). Ap-
2 plicants awarded grants under subsection (a) or (c)(1) of
3 section 129 may select participants from a long prospec-
4 tive participants recruited by the Corporation under sec-
5 tion 138(d).

*makes it
optional
for
locally
run
programs*

6 **"SEC. 132. INELIGIBLE SERVICE CATEGORIES.**

7 "An application submitted to the Corporation under
8 section 130 shall include an assurance by the applicant
9 that any national service program carried out using assist-
10 ance provided under section 121 provided to an applicant
11 will not be used to perform service that provides a direct
12 benefit to any—

13 "(1) business organized for profit;

14 "(2) labor union;

15 "(3) partisan political organization;

16 "(4) organization engaged in religious activities.

17 unless such service does not involve the use of assist-
18 ance provided under section 121 or participants to
19 give religious instruction, conduct worship services,
20 or engage in any form of proselytization; or

21 "(5) organization whose primary purpose is to
22 influence public policies or engage in legislative ad-
23 vocacy activities.

*anti-
advocacy
provision*

1 **"SEC. 133. CONSIDERATION OF APPLICATIONS.**

2 “(a) CORPORATION CONSIDERATION OF CERTAIN
3 CRITERIA.—The Corporation shall apply the criteria de-
4 scribed in subsections (c) and (d) in determining whether
5 to approve an application submitted under section 130 and
6 provide assistance under section 121 to the applicant.

7 “(b) APPLICATION TO SUBGRANTS.—A State or
8 other entity that uses assistance provided under section
9 121(a) to support national service programs selected on
10 a competitive basis to receive a share of the assistance
11 shall use the criteria described in subsections (c) and (d)
12 when considering an application submitted by a national
13 service program to receive a portion of such assistance.
14 The application of the State or other entity under section
15 130 shall contain—

16 “(1) a certification that the State or other en-
17 tity complied with these criteria in the selection of
18 national service programs to receive assistance;

19 “(2) a description of the jobs or positions into
20 with participants will be placed using such assist-
21 ance including descriptions of specific tasks to be
22 performed by such participants; and

23 “(3) a description of the minimum qualifica-
24 tions which individuals must meet to become partici-
25 pants in such programs.

new
add

1 “(c) ASSISTANCE CRITERIA.—The criteria required
2 to be applied in evaluating applications submitted under
3 section 130 are as follows:

4 “(1) The quality of the national service pro-
5 gram proposed to be carried out directly by the ap-
6 plicant or supported by a grant from the applicant.

7 “(2) The innovative aspects of the national
8 service program, and the feasibility of replicating the
9 program.

10 “(3) The sustainability of the national service
11 program, based on evidence such as the existence—

12 “(A) of strong and broad-based community
13 support for the program; and

14 “(B) of multiple funding sources or private
15 funding for the program.

16 “(4) The quality of the leadership of the na-
17 tional service program, the past performance of the
18 program, and the extent to which the program
19 builds on existing programs.

20 “(5) The extent to which participants of the na-
21 tional service program are recruited from among
22 residents of the communities in which projects are to
23 be conducted, and the extent to which participants
24 and community residents are involved in the design,
25 leadership, and operation of the program.

1 “(6) The extent to which projects would be con-
2 ducted in areas where they are needed most, such
3 as—

4 “(A) communities designated as enterprise
5 zones or redevelopment areas, targeted for spe-
6 cial economic incentives, or otherwise identifi-
7 able as having high concentrations of low-
8 income people;

9 “(B) areas that are environmentally dis-
10 tressed; or

11 “(C) areas adversely affected by reductions
12 in defense spending or the closure or realign-
13 ment of military installations.

14 “(7) In the case of applicants other than
15 States, the extent to which the application is consist-
16 ent with the application under section 130 of the
17 State in which the projects would be conducted.

18 “(8) Such other criteria as the Corporation con-
19 siders to be appropriate.

20 “(d) OTHER CONSIDERATIONS.—

21 “(1) GEOGRAPHIC DIVERSITY.—” Corpora-
22 tion shall ensure that recipients of assistance pro-
23 vided under section 121 are geographically diverse
24 and include projects to be conducted in those urban

*took out
high percentages*

*took out declining
area
with
high %
of low-income
elderly*

1 and rural areas in a State with the highest rates of
2 poverty.

3 "(2) PRIORITIES.—The Corporation may des-
4 ignate, under such criteria as may be established by
5 the Corporation, certain national service programs
6 or types of national service programs described in
7 section 122(a) for priority consideration in the com-
8 petitive distribution of funds under section 129(c).

much simplified

*applies has
to the 50%
not by
to make
we applied
only to
last 1/3*

9 "(3) REVIEW PANEL.—The Director shall es-
10 tablish panels of experts and practitioners for the
11 purpose of securing recommendations on applica-
12 tions submitted under section 130 for more than
13 \$100,000 in assistance and consider the opinions of
14 such panels prior to making such determinations.

15 "(e) REJECTION OF STATE APPLICATIONS.—

16 "(1) NOTIFICATION OF STATE APPLICANTS.—If
17 the Corporation rejects an application submitted by
18 a State Commission under section 130 for funds de-
19 scribed in section 129(a)(1), the Corporation shall
20 promptly notify the State Commission of the reasons
21 for the rejection of the application.

22 "(2) RESUBMISSION AND RECONSIDERATION.—
23 The Corporation shall provide a State Commission
24 notified under paragraph (1) with a reasonable op-
25 portunity to revise and resubmit the application. At

*no 50%
use of funds
on distressed
communities*

1 the request of the State Commission, the Corpora-
 2 tion shall provide technical assistance to the State
 3 Commission as part of the resubmission process.
 4 The Corporation shall promptly reconsider an appli-
 5 cation resubmitted under this paragraph.

6 “(3) REALLOTMENT.—The amount of any
 7 State’s allotment under section 129(a) for a fiscal
 8 year that the Corporation determines will not be
 9 provided for that fiscal year shall be available for
 10 distribution by the Corporation as provided in para-
 11 graph (3) of such subsection.

12 “PART III—NATIONAL SERVICE PARTICIPANTS

13 “SEC. 137. DESCRIPTION OF PARTICIPANTS.

14 “(a) IN GENERAL.—For purposes of this subtitle, an
 15 individual shall be considered to be a participant in a na-
 16 tional service program carried out using assistance pro-
 17 vided under section 121 if the individual—

18 “(1) meets minimal eligibility requirements, di-
 19 rectly related to the tasks to be accomplished, estab-
 20 lished by the program;

21 “(2) is selected by the program to serve in a po-
 22 sition with the program;

23 “(3) will serve in the program for a term of
 24 service specified in section 139;

did?
new

doesn't say
you can
serve in
school
but implied
by 135(b)(2)

1 “(4) is 17 years of age or older at the time the
2 individual begins the term of service;

3 “(5)(A)(i) has received a high school diploma or
4 its equivalent; or

5 “(ii) agrees to obtain a high school diploma or
6 its equivalent and the individual did not drop out of
7 an elementary or secondary school to enroll in the
8 program; or

9 “(B)(i) is enrolled at an institution of higher
10 education on the basis of meeting the standard de-
11 scribed in paragraph (1) or (2) of section 484(d) of
12 the Higher Education Act of 1965 (20 U.S.C.
13 1091(d)); and

14 “(ii) meets the requirements of section 484(a)
15 of such Act; and

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

18 “(b) SPECIAL RULES FOR CERTAIN YOUTH PRO-
19 GRAMS.—An individual shall be considered to be a partici-
20 pant in a youth corps program described in section
21 122(a)(2) or a program described in section 122(a)(9)
22 that is carried out with assistance provided under section
23 121(a) if the individual—

1 “(1) satisfies the requirements specified in sub-
2 section (a), except paragraph (4) of such subsection;
3 and

4 “(2) is between the ages of 16 and 25, inclu-
5 sive, at the time the individual begins the term of
6 service.

7 “(c) WAIVER.—The Corporation may waive the re-
8 quirements of subsection (a)(5)(A) with respect to an indi-
9 vidual if the program in which the individual seeks to be-
10 come a participant conducts an independent evaluation
11 demonstrating that the individual is incapable of obtaining
12 a high school diploma or its equivalent.

13 **“SEC. 138. SELECTION OF NATIONAL SERVICE PARTICI-**
14 **PANTS.**

15 “(a) SELECTION PROCESS.—Subject to subsections
16 (b) and (c) and section 131(f), the actual recruitment and
17 selection of an individual to serve in a national service pro-
18 gram receiving assistance under section 121 shall be con-
19 ducted by the State, subdivision of a State, Indian tribe,
20 public or private not-for-profit organization, institution of
21 higher education, Federal agency, or other entity to which
22 the assistance is provided.

23 “(b) NONDISCRIMINATION AND NONPOLITICAL SE-
24 LECTION OF PARTICIPANTS.—The recruitment and selec-
25 tion of individuals to serve in national service programs

1 receiving assistance under section 121 shall be consistent
2 with the requirements of section 175.

3 (c) SECOND TERM.—Acceptance in a national
4 service program to serve a second term of service under
5 section 139 shall only be available to individuals who per-
6 form satisfactorily in their first term of service.

7 (d) RECRUITMENT AND PLACEMENT.—The Cor-
8 poration and each State Commission may establish a sys-
9 tem to recruit individuals who desire to perform national
10 service and to assist the placement of these individuals.
11 The Corporation and State Commissions shall widely dis-
12 seminate information regarding available national service
13 opportunities.

14 **"SEC. 139. TERMS OF SERVICE.**

15 (a) IN GENERAL.—A participant in a national serv-
16 ice program shall be required to perform full- or part-time
17 national service for at least one term of service specified
18 in subsection (b).

19 (b) TERM OF SERVICE.—

20 (1) FULL-TIME SERVICE.—An individual per-
21 forming full national service in a national serv-
22 ice program shall agree to participate in the pro-
23 gram for not less than 1,700 hours during a period
24 of not less than 9 months and not more than 1 year.

our bill
said they
doesn't talk
about
disadvantaged
or
VISTAs

• takes out
natl.
leadership
pool

1 “(2) PART-TIME SERVICE.—An individual per-
2 forming part-time national service in a national serv-
3 ice program shall agree to participate in the pro-
4 gram for not less than 1,700 hours during a period
5 of—

6 “(A) not less than 1 year nor more than
7 2 years; or

8 “(B) not less than 1 year nor more than
9 3 years if the individual is enrolled in an insti-
10 tution of higher education while performing all
11 or a majority of the hours of such service.

12 “(c) RELEASE FROM COMPLETING TERM OF SERV-
13 ICE.—

14 “(1) RELEASE AUTHORIZED.—A recipient of
15 assistance under section 121 may release a partici-
16 pant from completing a term of service in the
17 program—

18 “(A) for compelling personal circumstances
19 as demonstrated by the participant; or

20 “(B) for cause.

21 “(2) EFFECT OF RELEASE.—If the released
22 participant was serving in a national service pro-
23 gram which included post-service benefits, the par-
24 ticipant may receive that portion of those benefits
25 that corresponds to the quantity of the term of serv-

*does it permit
reduction in →
of
hours*

1 ice actually completed by the individual, except that
2 a participant released for cause may not receive any
3 portion of a post-service benefit.

4 **"SEC. 140. LIVING ALLOWANCES FOR NATIONAL SERVICE**
5 **PARTICIPANTS.**

6 **"(a) PROVISION OF LIVING ALLOWANCE.—**

7 **"(1) LIVING ALLOWANCE PERMITTED.—**Subject
8 to paragraph (3), a national service program carried
9 out using assistance provided under section 121
10 shall provide to each participant in the program a
11 living allowance in such an amount as may be estab-
12 lished by the program.

13 **"(2) LIMITATION ON FEDERAL SHARE.—**The
14 amount of the annual living allowance provided
15 under paragraph (1) that may be paid using assist-
16 ance provided under section 121 and using any other
17 Federal funds shall not exceed the lesser of—

18 **"(A) 85 percent of the prevailing minimum**
19 **wage** (which in no event may be less than the
20 applicable minimum wage under section 6 of
21 the Fair Labor Standards Act of 1938 (29
22 U.S.C. 206)) in the area in which the program
23 is being conducted; and

ties
to
min
wage

1 “(B) 85 percent of the annual living allow-
2 ance established by the national service pro-
3 gram involved.

4 “(3) MAXIMUM LIVING ALLOWANCE.—Except
5 as provided in subsection (c), the total amount of an
6 annual living allowance that may be provided to a
7 participant in a national service program shall not
8 exceed 150 percent of the prevailing minimum wage
9 (which in no event may be less than the applicable
10 minimum wage under section 6 of the Fair Labor
11 Standards Act of 1938 (29 U.S.C. 206)) in the area
12 in which the program is being conducted.

13 “(4) PRORATION OF LIVING ALLOWANCE.—The
14 amount provided as a living allowance under this
15 subsection shall be prorated in the case of a partici-
16 pant who is authorized to serve a reduced term of
17 service under section 139(b)(3).

18 “(5) CHOICE BETWEEN BENEFITS.—Individuals
19 receiving benefits or assistance under any Federal,
20 State, or local program financed in whole or in part
21 with Federal funds, at the time of enrollment in a
22 national service program, shall choose between re-
23 ceiving the living allowance under this subsection
24 (which shall be taken into account in determining
25 continued eligibility for such assistance) and other

our bill said
200%.

new
provision

1 benefits provided to national service participants (in
2 lieu of the Federal, State, or local governmental ben-
3 efits) or a cash allowance of \$250 per month for
4 full-time participation and \$125 per month for part-
5 time participation, which shall not be taken into ac-
6 count in determining the need or eligibility of any
7 person for benefits or assistance or the amount of
8 such benefits or assistance, under any Federal,
9 State, or local program financed in whole or in part
10 with Federal funds.

11 “(b) COVERAGE OF CERTAIN EMPLOYMENT-RELAT-
12 ED TAXES.—To the extent a national service program that
13 receives assistance under section 121 is subject, with re-
14 spect to the participants in the program, to the taxes im-
15 posed on an employer under sections 3111 and 3301 of
16 the Internal Revenue Code of 1986 (26 U.S.C. 3111,
17 3301) and taxes imposed on an employer under a work-
18 men’s compensation act, the assistance provided to the
19 program under section 121 shall include an amount suffi-
20 cient to cover 85 percent of such taxes based upon the
21 lesser of—

22 “(1) the prevailing minimum wage (which in no
23 event may be less than the applicable minimum wage
24 under section 6 of the Fair Labor Standards Act of

*can take
living
allowance
(which
affects
benefits)
or
\$3000/yr.
that
won't
affect
benefits
(interesting)*

1 1938 (29 U.S.C. 206)) in the area in which the pro-
2 gram is being conducted; and

3 “(2) the annual living allowance established by
4 the program.

5 “(c) PROFESSIONAL CORPS.—With respect to a State
6 or other recipient of assistance under section 121 that de-
7 sires to place a professional corps member, as described
8 in section 122(a)(8), in a position in a national service
9 program, the allocation of Federal funds described in sub-
10 section (a)(2)(A) for the position shall be made under reg-
11 ulations developed by the Corporation which are consistent
12 with those applicable to allocation procedures of profes-
13 sional corps programs determined by the Corporation to
14 be similar (such as the Teacher Corps, the Public Health
15 Service Corps or the Police Corps).

16 “(d) HEALTH INSURANCE.—A State or other recipi-
17 ent of assistance under section 121 shall provide a basic
18 health care policy for each full-time participant in a na-
19 tional service program carried out or supported using the
20 assistance if the participant is not otherwise covered by
21 a health care policy. Not more than 85 percent of the cost
22 of a premium shall be provided by the Corporation, with
23 the remaining cost paid by the entity receiving assistance
24 under section 121. The Corporation shall establish mini-
25 mum standards that all plans must meet in order to qual-

*professional
corps treated
like
Teacher
Corps, etc.
(doesn't this
cost more?)*

1 ify for payment under this part, any circumstances in
2 which an alternative health care policy may be substituted
3 for the basic health care policy, and mechanisms to pro-
4 hibit participants from dropping existing coverage.

5 “(e) CHILD CARE.—

6 “(1) AVAILABILITY.—A State or other recipient
7 of assistance under section 121 shall—

8 “(A) make child care available for children
9 of each full-time participant who needs child
10 care in order to participate in the national serv-
11 ice program carried out or supported by the re-
12 cipient using the assistance; or

13 “(B) provide a child care allowance to each
14 full-time participant in a national service pro-
15 gram who needs such assistance in order to
16 participate in the program.

17 “(2) GUIDELINES.—The Corporation shall es-
18 tablish guidelines regarding the circumstances under
19 which child care must be made available under this
20 subsection and the value of any allowance to be pro-
21 vided.

22 “(f) WAIVER OF LIMITATION ON FEDERAL SHARE.—

23 The Corporation may waive in whole or in part the limita-
24 tion on the Federal share specified in this section with
25 respect to a particular national service program in any fis-

1 cal year if the Corporation determines that such a waiver
 2 would be equitable due to a demonstrated lack of available
 3 financial resources at the local level as demonstrated
 4 through documented efforts submitted to the Corporation.

5 **"SEC. 141. POST-SERVICE STIPENDS.**

6 **"(a) PART-TIME.—**

7 **"(1) FEDERAL SHARE.—**The Corporation shall
 8 annually provide to each part-time participant a
 9 nontransferable post-service benefit that is equal in
 10 value to \$750 for each year of service that such par-
 11 ticipant provides to the program.

12 **"(2) WAIVER.—**A State may apply for a waiver
 13 to reduce the amount of the post-service benefit to
 14 an amount that is equal to not less than the average
 15 annual tuition and required fees at 4-year public in-
 16 stitutions of higher education within such State.

17 **"(3) CONSTRUCTION.—**Nothing in this sub-
 18 section shall be construed to prevent a State from
 19 using funds made available from non-Federal
 20 sources to increase the amount of post-service bene-
 21 fits provided under paragraph (1) to an amount in
 22 excess of that described in such paragraph.

23 **"(b) FULL-TIME.—**

24 **"(1) FEDERAL SHARE.—**The Corporation shall
 25 annually provide to each full-time participant a

*new
add?*

*\$750 educ.
award
(part-time)*

*Can be reduced?
when wid
avg. fees
be < \$750*

*Can be
supplemented
by state*

1 nontransferable post-service benefit for each year of
2 service that such participant provides to the pro-
3 gram, which benefit shall be equal in value to
4 \$1,500 for each such year.

\$1500
full-time
- and

5 “(2) STATE SHARE.—A State may apply for a
6 waiver to reduce the amount of the post-service ben-
7 efit to an amount that is equal to not less than the
8 average annual tuition, required fees, and room and
9 board costs at 4-year public institutions of higher
10 education within such State.

11 “(3) CONSTRUCTION.—Nothing in this sub-
12 section shall be construed to prevent a State from
13 using funds made available from non-Federal
14 sources to increase the amount of post-service bene-
15 fits provided under paragraph (1) to an amount in
16 excess of that described in such paragraph.

17 “(c) POST-SERVICE BENEFIT.—

18 “(1) PART-TIME.—A post-service benefit pro-
19 vided under subsection (a) shall only be used for—

20 “(A) payment of a student loan from Fed-
21 eral ~~and~~ Federal sources;

22 “(B) tuition at an institution of higher
23 education on a full-time basis, or to pay the ex-
24 penses incurred in the full-time participation in

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care
part-
time
educ

- only
tuition

an apprenticeship program approved by the appropriate State agency; or

“(C) any other educational purpose determined appropriate by the Corporation.

“(2) FULL-TIME.—A post-service benefit provided under subsection (b) shall only be used for—

“(A) payment of a student loan from Federal or non-Federal sources;

“(B) tuition, room and board, books and fees, and other costs associated with attendance (pursuant to section 472 of the Higher Education Act of 1965 (20 U.S.C. 1087ll)) at an institution of higher education on a full-time basis, or to pay the expenses incurred in the full-time participation in an apprenticeship program approved by the appropriate State agency; or

“(C) any other educational purpose determined appropriate by the Corporation.”.

(b) TABLE OF CONTENTS.—Section 1(b) of the National and Community Service Act of 1990 (Public Law 101-610; 104 Stat. 3127) is amended by striking the items relating to subtitle C of title I of such Act and inserting the following new items:

“Subtitle C—National Service Program

corp can determine

full-timers can also use for room + board + books

"PART I—INVESTMENT IN NATIONAL SERVICE

- "Sec. 121. Authority to provide assistance.
- "Sec. 122. Types of national service programs eligible for program assistance.
- "Sec. 123. Demonstration efforts concerning educational or other post-service benefits.
- "Sec. 124. Types of program assistance.
- "Sec. 125. Other special assistance.

"PART II—APPLICATION AND APPROVAL PROCESS

- "Sec. 129. Provision of assistance by competitive and other means.
- "Sec. 130. Application for assistance.
- "Sec. 131. National service program assistance requirements.
- "Sec. 132. Ineligible service categories.
- "Sec. 133. Consideration of applications.

"PART III—NATIONAL SERVICE PARTICIPANTS

- "Sec. 137. Description of participants.
- "Sec. 138. Selection of national service participants.
- "Sec. 139. Terms of service.
- "Sec. 140. Living allowances for national service participants.
- "Sec. 141. Post-service stipends."

1 SEC. 122. TRANSITION.

2 With respect to national service programs (as defined
3 in section 101(15) of the National and Community Service
4 Act of 1990) established under the provisions referred to
5 in section 201(a), individuals who become participants in
6 such programs after the date of enactment of this Act
7 shall be eligible to use the post-service benefits to which
8 such participants are eligible under such provisions only
9 for the uses described in section 141(c)(2) of the National
10 and Community Service Act of 1990 (as amended by this
11 Act).

impact?

1 **Subtitle D—Quality and Innovation**

2 **SEC. 131. QUALITY AND INNOVATION ACTIVITIES.**

3 (a) REPEAL.—Subtitle D of title I of the National
4 and Community Service Act of 1990 (42 U.S.C. 12571
5 et seq.) is repealed.

6 (b) INVESTMENT FOR QUALITY AND INNOVATION.—
7 Title I of the National and Community Service Act of
8 1990 is amended by inserting after subtitle C (42 U.S.C.
9 12541 et seq.) the following new subtitle:

10 **“Subtitle D—Investment for** 11 **Quality and Innovation**

12 **“SEC. 145. ADDITIONAL CORPORATION ACTIVITIES TO SUP-** 13 **PORT NATIONAL SERVICE AND VOLUNTEER** 14 **PROGRAMS.**

15 “(a) METHODS OF CONDUCTING ACTIVITIES.—The
16 Corporation may carry out this section directly or through
17 grants, contracts, and cooperative agreements with other
18 entities.

19 “(b) INNOVATION AND QUALITY IMPROVEMENT.—
20 The Corporation may undertake activities to improve the
21 quality of national service and volunteer programs and to
22 support innovative and model programs including the pro-
23 vision of training and technical assistance to—

24 “(1) service sponsors, including community-
25 based agencies, that provide placements of partici-

*new
add?*

add -

1 pants and other volunteers, in order to improve the
2 ability of such sponsors and agencies to use partici-
3 pants and other volunteers in a manner that results
4 in high quality service and a positive service experi-
5 ence for the participants and volunteers; and

6 “(2) individuals, programs, State agencies,
7 State Commissions, local governments, local edu-
8 cational agencies, community-based agencies, and
9 other entities to enable them to apply for funding
10 from the Corporation, to conduct high quality pro-
11 grams, to evaluate such programs, and for other
12 purposes.

13 **“SEC. 146. CLEARINGHOUSES.**

14 “(a) ASSISTANCE.—The Corporation shall provide as-
15 sistance to appropriate entities to establish one or more
16 clearinghouses.

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

22 “(c) FUNCTION OF CLEARINGHOUSES.—An entity
23 that receives assistance under subsection (a) may—

new add?

*tech.
assistance*

1 “(1) assist entities carrying out State or local
2 national service programs or volunteer programs (in-
3 cluding service-learning programs);

4 “(2) conduct research and evaluations;

5 “(3) provide leadership development and train-
6 ing to appropriate persons;

7 “(4) facilitate communication among appro-
8 priate persons;

9 “(5) provide information, curriculum materials,
10 and technical assistance to appropriate entities;

11 “(6) gather and disseminate information;

12 “(7) coordinate the activities of the clearing-
13 house with appropriate entities to avoid duplication
14 of effort;

15 “(8) make recommendations to appropriate en-
16 tities on quality controls to improve the delivery of
17 services; and

18 “(9) carry out such other activities as the Di-
19 rector determines to be appropriate.”.

20 (c) QUALITY AND INNOVATION.—Section 1(b) of the
21 National and Community Service Act of 1990 (Public Law
22 101-610; 104 Stat. 3127) is amended by striking the
23 items relating to subtitle D of title I of such Act and in-
24 serting the following:

“Subtitle D—Investment for Quality and Innovation

we had community svc. programs with needs assess mnts + planning
more genl.
more genl.
more genl.
very genl.
takes out military conversion
takes out Pres. awards
takes out fellowships, personal enrichment, intergenerational conferences, Natl. Youth Svc. Day, Natl. Prog. leadership, identity, ...

"Sec. 145. Additional corporation activities to support national service and volunteer programs.

"Sec. 146. Clearinghouses."

1 **Subtitle E—Civilian Community** 2 **Corps**

3 **SEC. 141. CIVILIAN COMMUNITY CORPS.**

4 (a) REPEAL AND TRANSFER.—

5 (1) REPEAL.—Subtitle E of title I of the Na-
6 tional and Community Service Act of 1990 (42
7 U.S.C. 12591 et seq.) is repealed.

8 (2) TRANSFER.—Title I of the National and
9 Community Service Act of 1990 is amended—

10 (A) by redesignating subtitle H (42 U.S.C.
11 12653 et seq.) as subtitle E;

12 (B) by inserting subtitle E (as redesign-
13 ated by subparagraph (A) of this paragraph)
14 after subtitle D; and

15 (C) by redesignating sections 195 through
16 195O as sections 151 through 166, respectively.

17 (b) TECHNICAL AND CONFORMING AMENDMENTS.—

18 (1) NATIONAL DEFENSE AUTHORIZATION ACT
19 FOR FISCAL YEAR 1993.—

20 (A) Section 1091(f)(2) of the National De-
21 fense Authorization Act for Fiscal Year 1993
22 (Public Law 102-484) is amended by striking
23 "195G" and inserting "158".

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

5 (C) Sections 1091(f)(2), 1092(b)(1), and
6 1094(a), and subsections (a) and (c) of section
7 1095 of such Act are amended by striking
8 "subtitle H" and inserting "subtitle E".

9 (D) Section 1094(b)(1) and subsections (b)
10 and (c)(1) of section 1095 of such Act are
11 amended by striking "subtitles B. C. D. E. F.
12 and G" and inserting "subtitles B. C. D. F.
13 and ~~G~~".

takes
out H

14 (2) NATIONAL AND COMMUNITY SERVICE ACT
15 OF 1990.—

16 (A) Section 153(a) of such Act (as redesign-
17 nated in subsection (a)(2)(C) of this section)
18 (42 U.S.C. 12653b(a)) is amended by striking
19 "195A(a)" and inserting "152(a)".

said
6(3)

20 (B) Section 154(a) of such Act (as redesign-
21 nated in subsection (a)(2)(C) of this section)
22 (42 U.S.C. 12653c(a)) is amended by striking
23 "195A(a)" and inserting "152(a)".

1 (C) Section 155 of such Act (as redesign-
2 nated in subsection ~~(a)(2)(C)~~ of this section)
3 (42 U.S.C. 12653d) is amended—

4 (i) in subsection (a), by striking
5 “195H(c)(1)” and inserting “159(c)(1)”;

6 (ii) in subsection (c)(2), by striking
7 “195H(c)(2)” and inserting “159(c)(2)”;

8 and

9 (iii) in subsection (d)(3), by striking
10 “195K(a)(3)” and inserting “162(a)(3)”.

11 (D) Section 156 of such Act (as redesign-
12 nated in subsection ~~(a)(2)(C)~~ of this section)
13 (42 U.S.C. 12653e) is amended—

14 (i) in subsection (c)(1), by striking
15 “195H(c)(2)” and inserting “159(c)(2)”;

16 and

17 (ii) in subsection (d), by striking
18 “195K(a)(3)” and inserting “162(a)(3)”.

19 (E) Section 159 of such Act (as redesign-
20 nated in subsection (a)(2)(C) of this section)
21 (42 U.S.C. 12653h) is amended—

22 (i) in subsection (a)—

23 (I) by striking “195A” and in-
24 serting “152”; and

1 (II) by striking "195" and in-
2 serting "151"; and

3 (ii) in subsection (c)(2)(C)(i), by
4 striking "195K(a)(2)" and inserting "sec-
5 tion 162(a)(2)".

6 (F) Section 161(b)(1)(B) of such Act (as
7 redesignated in subsection (a)(2)(C) of this sec-
8 tion) (42 U.S.C. 12653j(b)(1)(B)) is amended
9 by striking "195K(a)(3)" and inserting
10 "162(a)(3)".

11 (G) Section 162(a)(2)(A) of such Act (as
12 redesignated in subsection (a)(2)(C) of this sec-
13 tion) (42 U.S.C. 12653k(a)(2)(A)) is amended
14 by striking "195(3)" and inserting "151(3)".

15 (H) Section 166 of such Act (as redesign-
16 ated in subsection (a)(2)(C) of this section)
17 (42 U.S.C. 12653o) is amended—

18 (i) in paragraph (2), by striking
19 "195D" and inserting "155";

20 (ii) in paragraph (8), by striking
21 "195A" and inserting "152";

22 (iii) in paragraph (10), by striking
23 "195D(d)" and inserting "155(d)"; and

24 (iv) in paragraph (11), by striking
25 "195D(c)" and inserting "155(c)".

1 (I) Section 171 of such Act (42 U.S.C.
 2 12631) is amended in subsections (b) and (c)
 3 by striking "subtitles B through E" and insert-
 4 ing "subtitles B through D".

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

"Subtitle E—Civilian Community Corps

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

10 **Subtitle F—Administration**

11 **SEC. 151. REPORTS.**

12 Section 172 of the National and Com Service
 13 Act of 1990 (42 U.S.C. 12632) is amended—

14 (1) in subsection (a)(3)(A), by striking "sec-
 15 tions 177 and 113(9)" and inserting "section 177";
 16 and

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1 (2) in subsection (b)(1), by striking “this title”
2 and inserting “this Act”.

3 **SEC. 152. NONDISCRIMINATION.**

4 Section 175 of the National and Community Service
5 Act of 1990 (42 U.S.C. 12635) is amended to read as
6 follows:

7 **“SEC. 175. NONDISCRIMINATION.**

8 “(a) IN GENERAL.—

9 “(1) BASIS.—An individual with responsibility
10 for the operation of a project that receives assistance
11 under this title shall not discriminate against a par-
12 ticipant in, or member of the staff of, such project
13 on the basis of race, color, national origin, sex, age,
14 or political affiliation of such participant or member,
15 or on the basis of disability, if the participant or
16 member is a qualified individual with a disability.

17 “(2) DEFINITION.—As used in paragraph (1),
18 the term ‘qualified individual with a disability’ has
19 the meaning given the term in section 101(8) of the
20 Americans with Disabilities Act of 1990 (42 U.S.C.
21 12111(8)).

22 “(b) FEDERAL FINANCIAL ASSISTANCE.—Any assist-
23 ance provided under this title shall constitute Federal fi-
24 nancial assistance for purposes of title VI of the Civil
25 Rights Act of 1964 (42 U.S.C. 2000d et seq.), title IX

1 of the Education Amendments of 1972 (20 U.S.C. 1681
2 et seq.), section 504 of the Rehabilitation Act of 1973 (29
3 U.S.C. 794), and the Age Discrimination Act of 1975 (42
4 U.S.C. 6101 et seq.).

5 “(c) RELIGIOUS DISCRIMINATION.—

6 “(1) IN GENERAL.—Except as provided in para-
7 graph (2), an individual with responsibility for the
8 operation of a project that receives assistance under
9 this title shall not discriminate on the basis of reli-
10 gion against a participant in such project or a mem-
11 ber of the staff of such project who is paid with
12 funds received under this title.

13 “(2) EXCEPTION.—Paragraph (1) shall not
14 apply to the employment, with assistance provided
15 under this title, of any member of the staff, of a
16 project that receives assistance under this title, who
17 was employed with the organization operating the
18 project on the date the grant under this title was
19 awarded.

20 “(d) RULES AND REGULATIONS.—The Director shall
21 promulgate rules and regulations to provide for the en-
22 forcement of this section that shall include provisions for
23 summary suspension of assistance for not more than 30
24 days, on an emergency basis, until notice and an oppor-
25 tunity to be heard can be provided.”.

1 **SEC. 153. NOTICE, HEARING, AND GRIEVANCE PROCE-**
2 **DURES.**

3 (a) **CONSTRUCTION.**—Section 176(e) of such Act (42
4 U.S.C. 12636(e)) is amended by adding before the period
5 the following “, other than assistance provided pursuant
6 to this Act”.

7 (b) **GRIEVANCE PROCEDURE.**—Section 176(f) of
8 such Act is amended to read as follows:

9 “(f) **GRIEVANCE PROCEDURE.**—

10 “(1) **IN GENERAL.**—A State or local applicant
11 that receives assistance under this title shall estab-
12 lish and maintain a procedure for the filing and ad-
13 judication of grievances from participants, labor or-
14 ganizations, and other interested individuals con-
15 cerning projects that receive assistance under this
16 title, including grievances regarding proposed place-
17 ments of such participants in such projects.

18 “(2) **DEADLINE FOR GRIEVANCES.**—Except for
19 a grievance that alleges fraud or criminal activity, a
20 grievance shall be made not later than 1 year after
21 the date of the alleged occurrence of the event that
22 is the subject of the grievance.

23 “(3) **DEADLINE FOR HEARING AND DECI-**
24 **SION.**—

25 “(A) **HEARING.**—A hearing on any griev-
26 ance conducted under this subsection shall be

1 conducted not later than 30 days after the fil-
2 ing of such grievance.

3 “(B) DECISION.—A decision on any such
4 grievance shall be made not later than 60 days
5 after the filing of such grievance.

6 “(4) ARBITRATION.—

7 “(A) IN GENERAL.—In the event of a deci-
8 sion on a grievance that is adverse to the party
9 who filed such grievance, or 60 days after the
10 filing of such grievance if no decision has been
11 reached, such party shall be permitted to sub-
12 mit such grievance to binding arbitration before
13 a qualified arbitrator who is jointly selected and
14 independent of the interested parties.

15 “(B) DEADLINE FOR PROCEEDING.—An
16 arbitration proceeding shall be held not later
17 than 45 days after the request for such arbitra-
18 tion proceeding.

19 “(C) DEADLINE FOR DECISION.—A deci-
20 sion concerning a grievance shall be made not
21 later than 30 days after the date such arbitra-
22 tion proceeding begins.

23 “(D) COST.—The cost of an arbitration
24 proceeding shall be divided evenly between the
25 parties to the arbitration.

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1 “(5) PROPOSED PLACEMENT.—If a grievance is
2 filed regarding a proposed placement of a partici-
3 pant in a project that receives assistance under this
4 title, such placement shall not be made unless the
5 placement is consistent with the resolution of the
6 grievance pursuant to this subsection.

7 “(6) REMEDIES.—Remedies for a grievance
8 filed under this subsection include—

9 “(A) suspension of payments for assistance
10 under this title;

11 “(B) termination of such payments;

12 “(C) prohibition of the placement described
13 in paragraph (5); and

14 “(D) in a case in which the grievance in-
15 volves a violation of subsection (a) or (b) of sec-
16 tion 177 and the employer of the displaced em-
17 ployee is the recipient of assistance under this
18 title—

19 “(i) reinstatement of the displaced
20 employee to the position held by such em-
21 ployee prior to displacement;

22 “(ii) payment of lost wages and bene-
23 fits of the displaced employee; and

1 “(iii) reestablishment of other relevant
2 terms, conditions, and privileges of employ-
3 ment of the displaced employee.

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4 “(7) ENFORCEMENT.—Suits to enforce arbitra-
5 tion awards under this section may be brought in
6 any district court of the United States having juris-
7 diction of the parties, without regard to the amount
8 in controversy and without regard to the citizenship
9 of the parties. Such a court shall give due deference
10 to the decision of the arbitrator.”.

11 **SEC. 154. NONDISPLACEMENT.**

12 Section 177(b)(3) of the National and Community
13 Service Act of 1990 (42 U.S.C. 12637(b)(3)) is
14 amended—

15 (1) in subparagraph (B), to read as follows:

16 “(B) SUPPLANTATION OF HIRING.—A par-
17 ticipant in any program receiving assistance
18 under this title shall not perform any services
19 or duties, or engage in activities, that—

20 “(i) will supplant the hiring of em-
21 ployed workers; or

22 “(ii) are services, duties, or activities
23 with respect to which an individual has re-
24 call rights pursuant to a collective bargain-

1 ing agreement or applicable personnel pro-
 2 cedures.”; and

3 (2) in subparagraph (C)(iii), to read as follows:

4 “(iii) employee who—

5 “(I) is subject to a reduction in
 6 force; or

7 “(II) has recall rights pursuant
 8 to a collective bargaining agreement
 9 or applicable personnel procedures.”.

10 SEC. 155. EVALUATION.

11 Section 179 of the National and Community Service
 12 Act of 1990 (42 U.S.C 12639) is amended—

13 (1) in subsection (a)—

14 (A) in the matter preceding paragraph (1).

15 by striking “this title” and inserting “this Act”
 16 and

17 (B) in paragraph (2), to read as follows:

18 “(2) for purposes of the reports required by
 19 subsection (j), the impact of such programs, in each
 20 State in which such a program is conducted, on the
 21 activities carried out under, and the effectiveness of,
 22 the national service and volunteer programs; and”
 23 and

24 (2) in subsection (g)—

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1 (A) in the matter preceding paragraph (1),
 2 by striking "subtitle D" and inserting "this
 3 Act";

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4 (B) in paragraph (3), to read as follows:

5 "(3) encouraging each participant and volunteer
 6 to continue involvement in public and community
 7 service;" and

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8 (C) in paragraph (9), to read as follows:

9 "(9) attracting a greater number of citizens to
 10 public service."

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11 **SEC. 156. CONTINGENT EXTENSION.**

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12 (a) IN GENERAL.—Section 181 of the National and
 13 Community Service Act of 1990 (42 U.S.C. 12641) is
 14 amended to read as follows:

15 **"SEC. 181. CONTINGENT EXTENSION.**

16 "Section 414 of the General Education Provisions
 17 Act (20 U.S.C. 1226a) shall apply to this Act."

18 (b) TABLE OF CONTENTS.—Section 1(b) of the Na-
 19 tional and Community Service Act of 1990 (Public Law
 20 101-610; 104 Stat. 3127) is amended by striking the item
 21 relating to section 181 of such Act and inserting the fol-
 22 lowing:

"Sec. 181. Contingent extension."

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1 **SEC. 157. REPEALS.**

2 (a) IN GENERAL.—Subtitle F of title I of the Na-
3 tional and Community Service Act of 1990 (42 U.S.C.
4 12631 et seq.) is amended—

5 (1) by repealing sections 183, 185, and 186;

6 (2) by redesignating section 182 as section 171;

7 (3) by inserting section 171 (as redesignated in
8 paragraph (2) of this subsection) before section 172;
9 and

10 (4) by redesignating section 184 as section 182.

11 (b) TABLE OF CONTENTS.—Section 1(b) of the Na-
12 tional and Community Service Act of 1990 (Public Law
13 101-610; 104 Stat. 3127) is amended—

14 (1) by striking the item relating to section 171
15 and inserting the following:

"Sec. 171. Partnerships with schools.";

16 and

17 (2) by striking the items relating to sections
18 182 through 186 of such Act and inserting the fol-
19 lowing:

"Sec. 182. Drug-free workplace requirements.".

20 **Subtitle G—Organization**

21 **SEC. 161. STATE COMMISSIONS FOR NATIONAL SERVICE**
22 **AND COMMUNITY VOLUNTEERS.**

23 (a) COMPOSITION AND DUTIES OF STATE COMMIS-
24 SIONS.—Subtitle F of title I of the National and Commu-

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1 nity Service Act of 1990 is amended by striking section
2 178 (42 U.S.C. 12638) and inserting the following new
3 section:

4 **"SEC. 178. STATE COMMISSIONS FOR NATIONAL SERVICE**
5 **AND COMMUNITY VOLUNTEERS.**

6 **"(a) EXISTENCE REQUIRED.—**

7 **"(1) STATE COMMISSION.—**Except as provided
8 in paragraph (2), to be eligible to receive a grant or
9 allotment under subtitle B or C, a State shall main-
10 tain a State Commission for National Service and
11 Community Volunteers that satisfies the require-
12 ments of this section.

13 **"(2) ALTERNATIVE ADMINISTRATIVE ENTITY.—**

14 The chief executive officer of a State may apply to
15 the Corporation for approval to use an alternative
16 administrative entity (including an entity in exist-
17 ence on the date of enactment of this section) to
18 carry out the duties otherwise entrusted to a State
19 Commission under this Act. The chief executive offi-
20 cer shall ensure that any alternative administrative
21 entity used in lieu of a State Commission still pro-
22 vides for representatives described in subsection
23 (c)(1) to play a significant policy-making role in car-
24 rying out the duties otherwise entrusted to a State
25 Commission, including the submission of applica-

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1 tions on behalf of the State under sections 113 and
2 130.

3 “(b) APPOINTMENT AND SIZE.—The members of a
4 State Commission for a State shall be appointed by the
5 chief executive officer of the State. A State Commission
6 shall consist of not less than 7 voting members and not
7 more than (21) voting members.

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8 “(c) COMPOSITION AND MEMBERSHIP.—

9 “(1) RECOMMENDED MEMBERS.—The State
10 Commission for a State may include as voting mem-
11 bers representative from the following categories:

12 “(A) National service programs, such as a
13 youth corps program described in section
14 122(a)(2), and a program in which older adults
15 are participants.

16 “(B) Volunteer programs, such as a Re-
17 tired Senior Volunteer Program under part A of
18 title II of the Domestic Volunteer Service Act
19 of 1973 (42 U.S.C. 5001 et seq.), senior com-
20 panion program under part C of title II of such
21 Act (42 U.S.C. 5013 et seq.), or service-learn-
22 ing program under subtitle B.

23 “(C) Local governments in the State.

24 “(D) Community-based organizations.

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1 “(E) Participants in service programs who
2 are youth.

3 “(F) Participants in volunteer service pro-
4 grams who are older adults.

5 “(G) Educators.

6 “(H) Experts in the delivery of human,
7 educational, environmental, or public safety
8 services to communities and persons.

9 “(I) Businesses and business groups.

10 “(J) Local labor organizations.

11 “(2) COMPOSITION.—The chief executive officer
12 of a State shall ensure that the membership of the
13 State Commission for the State is diverse with re-
14 spect to race, ethnicity, age, gender, and geographic
15 residence.

16 “(3) EX OFFICIO STATE REPRESENTATIVES.—
17 The chief executive officer of a State may appoint ex
18 officio nonvoting members of the State Commission.

19 “(4) LIMITATION ON NUMBER OF STATE EM-
20 PLOYEES AS MEMBERS.—The number of voting
21 members of a State Commission selected under
22 paragraph (1) who are officers or employees of the
23 State may not exceed 25 percent (reduced to the
24 nearest whole number) of the total membership of
25 the State Commission.

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1 “(d) MISCELLANEOUS MATTERS.—

2 “(1) MEMBERSHIP BALANCE.—The chief execu-
3 tive officer of a State shall ensure that not more
4 than 50 percent of the voting members of a State
5 Commission, plus one additional member, are from
6 the same political party.

7 “(2) TERMS.—Each member of the State Com-
8 mission for a State shall serve for a term of 3 years.
9 except that the chief executive officer of a State
10 shall initially appoint a portion of the members to
11 terms of 1 year and 2 years.

12 “(3) VACANCIES.—As vacancies occur on a
13 State Commission, new members shall be appointed
14 by the chief executive of the State and serve for the
15 remainder of the term for which the predecessor of
16 such member was appointed. The vacancy shall not
17 affect the power of the remaining members to exe-
18 cute the duties of the State Commission.

19 “(4) COMPENSATION.—A member of a State
20 Commission shall not receive any additional com-
21 pensation by reason of service on the State Commis-
22 sion, except that the State may authorize the reim-
23 bursement of travel expenses, including a per diem
24 in lieu of subsistence, in the same manner as other

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1 employees serving intermittently in the service of the
2 State.

3 “(5) CHAIRPERSON.—The voting members of a
4 State Commission shall elect one of the voting mem-
5 bers to serve as chairperson of the State Commis-
6 sion.

7 “(e) DUTIES OF A STATE COMMISSION.—The State
8 Commission or alternative administrative entity for a
9 State shall be responsible for the following duties:

10 “(1) Preparing, submitting to the Corporation,
11 and obtaining approval of, a national service and
12 volunteer strategic plan for the national service pro-
13 grams and volunteer programs to be carried out in
14 the State that—

15 “(A) covers a 3-year period;

16 “(B) is updated annually; and

17 “(C) contains such information as the
18 State Commission considers to be appropriate
19 and as the Corporation may require.

20 “(2) Preparing, submitting to the Corporation,
21 obtaining approval of, the applications of the
22 State under sections 113 and 130 for financial as-
23 sistance.

24 “(3) Assisting in the provision of health care
25 and child care benefits under section 140 to partici-

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1 pate in national service programs that receive assist-
2 ance under subtitle C in the State.

3 “(4) Developing a State system for the—

4 “(A) recruitment of participants and vol-
5 unteers for, and placement of participants and
6 volunteers in—

7 “(i) national service programs under
8 this Act in the State, other than activities
9 that receive assistance under section 123;
10 or

11 “(ii) volunteer programs under this
12 Act in the State; and

13 “(B) dissemination of information concern-
14 ing programs that receive assistance under this
15 Act.

16 “(5) Administering the grant programs in sup-
17 port of—

18 “(A) national service programs that are
19 conducted by the State using assistance pro-
20 vided to the State under subtitle C; and

21 “(B) volunteer programs that are con-
22 ducted by the State using assistance provided
23 to the State under subtitle B,
24 including selection, oversight, and evaluation of
25 grant recipients.

1 “(6) Developing projects, training methods, cur-
2 riculum materials, and other materials and activities
3 related to—

4 “(A) national service programs in the
5 State that receive assistance directly from the
6 Corporation or from the State using assistance
7 provided under this Act; and

8 “(B) volunteer programs in the State that
9 receive assistance directly from the Corporation
10 or from the State using assistance provided
11 under this Act.

12 “(f) ACTIVITY INELIGIBLE FOR ASSISTANCE.—A
13 State Commission or alternative administrative entity may
14 not directly carry out any national service program that
15 receives assistance under subtitle C.

16 “(g) DELEGATION.—Subject to such requirements as
17 the Corporation may prescribe, a State Commission may
18 delegate nonpolicymaking duties to a State agency or pub-
19 lic or private not-for-profit organization.

20 “(h) APPROVAL OF STATE COMMISSION OR ALTER-
21 NATIVE.—

22 “(1) SUBMISSION TO CORPORATION.—The chief
23 executive officer for a State shall notify the Corpora-
24 tion of the establishment or designation of the State
25 Commission or use of an alternative administrative

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1 entity for the State. The notification shall include a
2 description of—

3 “(A) the composition and membership of
4 the State Commission or alternative administra-
5 tive entity; and

6 “(B) the authority of the State Commis-
7 sion or alternative administrative entity regard-
8 ing national service and volunteer activities car-
9 ried out by the State.

10 “(2) APPROVAL OF ALTERNATIVE ADMINISTRA-
11 TIVE ENTITY.—Any designation of a State Commis-
12 sion or use of an alternative administrative entity to
13 carry out the duties of a State Commission shall be
14 subject to the approval of the Corporation.

15 “(3) REJECTION.—The Corporation may reject
16 a State Commission if the Corporation determines
17 that the composition, membership, or duties of the
18 State Commission do not comply with the require-
19 ments of this section. The Corporation may reject a
20 request to use an alternative administrative entity in
21 lieu of a State Commission if the Corporation deter-
22 mines that the duties of the entity do not comply
23 with the requirements of this section or that the use
24 of the alternative administrative entity does not
25 allow individuals described in subsection (c)(1) to

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1 play a significant policymaking role in carrying out
2 the duties otherwise entrusted to a State Commis-
3 sion. The Corporation shall reject a State Commis-
4 sion or alternative administrative entity if the Com-
5 mission or entity fails to demonstrate that the Com-
6 mission or entity has sufficient authority to carry
7 out the duties described in subsection (d). If the
8 Corporation rejects a State Commission or alter-
9 native administrative entity under this paragraph,
10 the Corporation shall promptly notify the State of
11 the reasons for the rejection.

12 “(4) RESUBMISSION AND RECONSIDERATION.—
13 The Corporation shall provide a State notified under
14 paragraph (3) with a reasonable opportunity to re-
15 vise the rejected State Commission or alternative ad-
16 ministrative entity. At the request of the State, the
17 Corporation shall provide technical assistance to the
18 State as part of the revision process. The Corpora-
19 tion shall promptly reconsider any resubmission of a
20 notification under paragraph (1) or application to
21 use an alternative administrative entity under para-
22 graph (2).

23 “(5) SUBSEQUENT CHANGES.—This subsection
24 shall also apply to any change in the composition or
25 duties of a State Commission or an alternative ad-

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1 ministrative entity made after approval of the State
2 Commission or the alternative administrative entity.

3 “(i) REVIEW AND APPROVAL OF STRATEGIC
4 PLANS.—

5 “(1) REVIEW.—The Corporation shall review
6 and approve strategic plans submitted by State
7 Commissions and alternative administrative entities
8 under this section.

9 “(2) REJECTION.—The Corporation may reject
10 such a strategic plan if the Corporation determines
11 that the plan does not meet the requirements of this
12 Act, the Domestic Volunteer Service Act of 1973,
13 title XI of the Higher Education Act of 1965, and
14 Public Law 91-378 (16 U.S.C. 1701-1706; com-
15 monly known as the “Youth Conservation Corps Act
16 of 1970”). If the Corporation rejects such a strate-
17 gic plan, the Corporation shall promptly notify the
18 State of the reasons for the rejection.

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

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1 poration shall promptly reconsider any resubmission
2 of such a plan.

3 “(4) SUBSEQUENT CHANGES.—This subsection
4 shall also apply to any update of such a strategic
5 plan made after approval of the plan.”.

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

 “Sec. 178. State Commissions for National Service and Community Volun-
 teers.”.

11 (c) EFFECTIVE DATE.—The amendments made by
12 this section shall take effect on October 1, 1993.

13 **SEC. 162. INTERIM AUTHORITIES OF THE CORPORATION**
14 **FOR NATIONAL AND COMMUNITY SERVICE**
15 **AND ACTION AGENCY.**

16 (a) NATIONAL AND COMMUNITY SERVICE ACT OF
17 1990.—Subtitle G of title I of the National and Commu-
18 nity Service Act of 1990 (42 U.S.C. 12651) is amended
19 to read as follows:

20 **“SEC. 191. CORPORATION FOR NATIONAL SERVICE AND**
21 **COMMUNITY VOLUNTEERS.**

22 “There is established a Corporation for National
23 Service and Community Volunteers that shall administer
24 the programs established under this Act. The Corporation

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1 shall be a Government corporation, as defined in section
2 103 of title 5, United States Code.

3 **"SEC. 192. BOARD OF DIRECTORS.**

4 "(a) BOARD OF DIRECTORS.—

5 "(1) COMPOSITION.—

6 "(A) APPOINTMENT.—There shall be in
7 the Corporation a Board of Directors (hereafter
8 referred to in this subtitle as the 'Board') that
9 shall be composed of 9 members, including the
10 Director of the Corporation, appointed by the
11 President with the advice and consent of the
12 Senate.

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

16 "(i) who have extensive experience in
17 volunteer and service programs and who
18 represent a broad range of viewpoints; and
19 "(ii) so that the Board shall be di-
20 verse with respect to race, ethnicity, age,
21 gender, and geographic residence.

22 "(2) POLITICAL PARTIES.—Not more than 5
23 members of the Board shall be from the same politi-
24 cal party.

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1 “(3) **NOMINATIONS.**—Two members of the
 2 Board shall be appointed from among individuals
 3 nominated jointly by the Speaker and the Minority
 4 Leader of the House of Representatives, and 2 of
 5 such members shall be appointed from among indi-
 6 viduals nominated jointly by the Majority Leader
 7 and Minority Leader of the Senate.

8 “(b) **TERMS.**—Each appointed member of the Board
 9 shall serve for a term of 3 years, except that 3 of the mem-
 10 bers first appointed to the Board after the date of enact-
 11 ment of this section shall serve for a term of 1 year and
 12 3 shall serve for a term of 2 years, as designated by the
 13 President.

14 “(c) **VACANCIES.**—As vacancies occur on the Board,
 15 new members shall be appointed by the President, by and
 16 with the advice and consent of the Senate, and serve for
 17 the remainder of the term for which the predecessor of
 18 such member was appointed. The vacancy shall not affect
 19 the power of the remaining members to execute the duties
 20 of the Board.

21 “**SEC. 192A. AUTHORITIES AND DUTIES OF THE BOARD OF**
 22 **DIRECTORS.**

23 “(a) **CHAIRPERSON AND VICE CHAIRPERSON.**—The
 24 Board shall elect a chairperson and vice chairperson from

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1 among its membership. The Director shall not be eligible
2 to serve as the chairperson or vice chairperson.

3 “(b) OTHER OFFICERS.—The Board may elect from
4 among its membership such additional officers for the
5 Board as the Board determines to be appropriate.

6 “(c) MEETINGS.—The Board shall meet not less than
7 3 times each year. The Board shall hold additional meet-
8 ings if 6 members of the Board request such meetings in
9 writing. A majority of the appointed members of the
10 Board shall constitute a quorum.

11 “(d) EXPENSES.—While away from their homes or
12 regular places of business on the business of the Board,
13 members of such Board may be allowed travel expenses,
14 including per diem in lieu of subsistence, at rates author-
15 ized for employees of agencies under subchapter I of chap-
16 ter 57 of title 5, United States Code, for persons employed
17 intermittently in the Government service.

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

24 “(f) STATUS OF MEMBERS.—

we don't
specify?
add

nothing
authorities
of officers

1 “(1) TORT CLAIMS.—For the purposes of the
2 tort claims provisions of chapter 171 of title 28,
3 United States Code, a member of the Board shall be
4 considered to be a Federal employee.

5 “(2) OTHER CLAIMS.—A member of the Board
6 has no personal liability under Federal law with re-
7 spect to any claim arising out of or resulting from
8 any act or omission by such person, within the scope
9 of the service of the member on the Board, in con-
10 nection with any transaction involving the provision
11 of financial assistance by the Corporation. This
12 paragraph shall not be construed to limit personal li-
13 ability for criminal acts or omissions, willful or mali-
14 cious misconduct, acts or omissions for private gain,
15 or any other act or omission outside the scope of the
16 service of such member on the Board.

17 “(3) EFFECT ON OTHER LAW.—This subsection
18 shall not be construed—

19 “(A) to affect any other immunities and
20 protections that may be available to such mem-
21 ber under applicable law; with respect to such
22 transactions:

23 “(B) to affect any other right or remedy
24 against the Corporation, against the United
25 States under applicable law, or against any per-

1 son other than a member of the Board partici-
2 pating in such transactions; or

3 “(C) to limit or alter in any way the im-
4 munities that are available under applicable law
5 for Federal officials and employees not de-
6 scribed in this subsection.

7 “(g) DUTIES.—The Board shall—

8 “(1) review and approve the strategic plan de-
9 scribed in section 193A(b)(1), and annual updates of
10 the plan;

11 “(2) review and approve the proposal described
12 in section 193A(b)(2)(A), with respect to the grants,
13 allotments, contracts, financial assistance, and pay-
14 ments referred to in such section;

15 “(3) review and approve the proposal described
16 in section 193A(b)(3)(A), regarding the regulations,
17 standards, policies, procedures, programs, and initia-
18 tives referred to in such section;

19 “(4) review and approve the evaluation plan de-
20 scribed in section 193A(b)(4)(A);

21 “(5)(A) review, and advise the Director regard-
22 ing, the actions of the Director with respect to the
23 personnel of the Corporation, and with respect to
24 such standards, policies, procedures, programs, and

1 initiatives as are necessary or appropriate to carry
2 out this Act; and

3 “(B) inform the Director of any aspects of the
4 actions of the Director that are not in compliance
5 with the annual strategic plan referred to in para-
6 graph (1), the proposals referred to in paragraphs
7 (2) and (3), or the plan referred to in paragraph
8 (4), or are not consistent with the objectives of this
9 Act;

10 “(6) receive, and act on, the reports issued by
11 the Inspector General of the Corporation;

12 “(7) make recommendations relating to a pro-
13 gram of research for the Corporation with respect to
14 national service and volunteer programs, including *new*
15 service-learning programs;

16 “(8) advise the President and the Congress con-
17 cerning developments in national service and volun-
18 teer programs that merit the attention of the Presi-
19 dent and the Congress;

20 “(9) ensure effective dissemination of informa-
21 tion regarding the programs and initiatives of the
22 Corporation; and

23 “(10) carry out any other activities determined
24 to be appropriate by the Director.

*we took
on it*

1 “(h) ADMINISTRATION.—Section 14 of the Federal
2 Advisory Committee Act (5 U.S.C. App.) shall not apply
3 with respect to the Board.

4 **“SEC. 193. DIRECTOR.**

5 “(a) APPOINTMENT.—There shall be in the Corpora-
6 tion a Director of the Corporation, and who shall be ap-
7 pointed by the President, by and with the advice and con-
8 sent of the Senate.

9 “(b) COMPENSATION.—The Director shall be com-
10 pensated at the rate provided for level III of the Executive
11 Schedule under section 5314 of title 5, United States
12 Code.

13 “(c) REGULATIONS.—The Director shall prescribe
14 such rules and regulations as are necessary or appropriate
15 to carry out this Act.

16 **“SEC. 193A. AUTHORITIES AND DUTIES OF THE DIRECTOR.**

17 “(a) GENERAL POWERS AND DUTIES.—The Director
18 shall be responsible for the exercise of the powers and the
19 discharge of the duties of the Corporation that are not
20 reserved to the Board, and shall have authority and con-
21 trol over all personnel of the Corporation.

22 “(b) DUTIES.—In addition to the duties conferred on
23 the Director under any other provision of this Act, the
24 Director shall—

*does not
exempt
i.e. personnel*

1 “(1) prepare and submit to the Board a strate-
2 gic plan every 5 years, and annual updates of the
3 plan, for the Corporation with respect to the major
4 functions and operations of the Corporation;

5 “(2)(A) prepare and submit to the Board a pro-
6 posal with respect to such grants and allotments,
7 contracts, and other financial assistance, as are nec-
8 essary or appropriate to carry out this Act; and

9 “(B) after receiving and reviewing an approved
10 proposal under section 192A(g)(2), make such
11 grants and allotments, enter into such contracts,
12 award such other financial assistance, and make
13 such payments (in lump sum or installments, and in
14 advance or by way of reimbursement, and in the
15 case of financial assistance otherwise authorized
16 under this Act, with necessary adjustments on ac-
17 count of overpayments and underpayments) as are
18 necessary or appropriate to carry out this Act;

19 “(3)(A) prepare and submit to the Board a pro-
20 posal regarding the regulations established under
21 section 195(a)(3)(B)(i), and such other standards,
22 policies, procedures, programs, and initiatives as are
23 necessary or appropriate to carry out this Act; and

24 “(B) after receiving and reviewing an approved
25 proposal under section 192A(g)(3)—

we had 3 + 15.

1 “(i) establish such standards, policies, and
2 procedures as are necessary or appropriate to
3 carry out this Act; and

4 “(ii) establish and administer such pro-
5 grams and initiatives as are necessary or appro-
6 priate to carry out this Act;

7 “(4)(A) prepare and submit to the Board a
8 plan for the evaluation of programs established
9 under this Act, in accordance with section 179; and

10 “(B) after receiving an approved proposal
11 under section 192A(g)(4)—

12 “(i) establish measurable performance
13 goals and objectives for such programs, in ac-
14 cordance with section 179; and

15 “(ii) provide for periodic evaluation of such
16 programs to assess the manner and extent to
17 which the programs achieve the goals and objec-
18 tives, in accordance with such section;

19 “(5) consult with appropriate Federal agencies
20 in administering the programs and initiatives;

21 “(6) suspend or terminate payments described
22 in paragraph (2)(B), in accordance with section 176;

23 “(7) prepare and submit to the Board an an-
24 nual report, and such interim reports as may be nec-
25 essary, describing the major actions of the Director

1 with respect to the personnel of the Corporation,
2 and with respect to such standards, policies, proce-
3 dures, programs, and initiatives;

4 “(8) inform the Board of, and provide an expla-
5 nation to the Board regarding, any substantial dif-
6 ferences between—

7 “(A) the actions of the Director; and

8 “(B)(i) the strategic plan approved by the
9 Board under section 192A(g)(1);

10 “(ii) the proposals approved by the Board
11 under paragraph (2) or (3) of section 192A(g);
12 or

13 “(iii) the plan approved by the Board
14 under section 192A(g)(4); and

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

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

22 “(B) the manner in which the Corporation
23 used or disposed of such services, money, and
24 property; and

1 “(C) information on the results achieved
2 by the programs funded under this Act during
3 the year preceding the year in which the report
4 is prepared.

5 “(c) POWERS.—In addition to the authority conferred
6 on the Director under any other provision of this Act, the
7 Director may—

8 “(1) establish, alter, consolidate, or discontinue
9 such organizational units or components within the
10 Corporation as the Director considers necessary or
11 appropriate;

12 “(2) with the approval of the President, ar-
13 range with and reimburse the heads of other Federal
14 agencies for the performance of any of the provisions
15 of this Act;

16 “(3) with their consent, utilize the services and
17 facilities of Federal agencies with or without reim-
18 bursement, and, with the consent of any State, or
19 political subdivision of a State, accept and utilize the
20 services and facilities of the agencies of such State
21 or subdivisions with or without reimbursement;

22 “(4) allocate and expend, or transfer to other
23 Federal agencies for expenditure, funds made avail-
24 able under this Act, including expenditure for con-
25 struction, repairs, and capital improvements;

*doesn't say
consistent w/
existing law*

1 “(5) disseminate, without regard to the provi-
2 sions of section 3204 of title 39, United States
3 Code, data and information, in such form as the Di-
4 rector, upon the recommendation of the Board, shall
5 determine to be appropriate to public agencies, pri-
6 vate organizations, and the general public;

7 “(6) collect or compromise all obligations to or
8 held by the Director and all legal or equitable rights
9 accruing to the Director in connection with the pay-
10 ment of obligations in accordance with chapter 37 of
11 title 31, United States Code (commonly known as
12 the ‘Federal Claims Collection Act of 1966’);

13 “(7) expend funds made available for purposes
14 of this Act, without regard to any other law or regu-
15 lation, for rent of buildings and space in buildings
16 and for repair, alteration, and improvement of build-
17 ings and space in buildings rented by the Director;

18 “(8) file a civil action in any court of record of
19 a State having general jurisdiction or in any district
20 court of the United States, with respect to a claim
21 arising under this Act;

22 “(9) exercise the authorities of the Corporation
23 under section 196; and

*doesn't
have
consolidation
provision*

1 “(10) generally perform functions and take
2 steps consistent with the objectives and provisions of
3 this Act.

4 “(d) DELEGATION.—

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

9 “(2) IN GENERAL.—Except as otherwise pro-
10 hibited by law or provided in this Act, the Director
11 may delegate any function of the Director under this
12 Act, and authorize such successive redelegations of
13 such function as may be necessary or appropriate.
14 No delegation of a function by the Director under
15 this subsection or under any other provision of this
16 Act shall relieve such Director of responsibility for
17 the administration of such function.

18 “(e) ACTIONS.—In an action described in subsection

19 (c)(8)—

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

23 “(2) such an action brought by the Director
24 shall survive notwithstanding any change in the per-

*took out
provision saying
President did not
delegate function
of Bd. w/o
their approval*

1 son occupying the office of Director or any vacancy
2 in that office;

3 “(3) no attachment, injunction, garnishment, or
4 other similar process, mesne or final, shall be issued
5 against the Director or the Board or property under
6 the control of the Director or the Board; and

7 “(4) nothing in this section shall be construed
8 to except litigation arising out of activities under
9 this Act from the application of sections 509, 517,
10 547, and 2679 of title 28, United States Code.

11 **“SEC. 194. MANAGEMENT.**

12 “(a) MANAGEMENT.—

13 “(1) IN GENERAL.—After receiving and review-
14 ing the recommendations of the Board, the Director
15 shall devise a management structure for the Cor-
16 poration, and shall appoint, in accordance with sec-
17 tion 195, such fiscal, legal, administrative, and pro-
18 gram personnel as are needed to carry out the re-
19 sponsibilities of the Corporation.

*Complete
discretion*

20 “(2) DIVISIONS.—In establishing the manage-
21 ment structure of the Corporation, the Director shall
22 appoint individuals who shall be primarily respon-
23 sible for—

24 “(A) the national service programs; and

organ 12.
 A) natl. service
 B) volunteer
 - service-learning
 - senior
 - fed. volunteer programs.

“(B) (i) volunteer programs that are service-learning programs;

“(ii) volunteer programs that are senior programs; and

“(iii) volunteer programs that are Federal volunteer programs.

“(b) INSPECTOR GENERAL.—

“(1) OFFICE.—There shall be in the Corporation an Office of the Inspector General.

“(2) APPOINTMENT.—The Office shall be headed by an Inspector General, appointed by the Director.

“(3) COMPENSATION.—The Inspector General shall be compensated at the rate determined by the Director, which shall not exceed the rate provided for level IV of the Executive Schedule under section 5315 of title 5, United States Code.

“(4) DUTIES.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), for purposes of the Inspector General Act of 1978 (5 U.S.C. App.)—

“(i) the Corporation shall be considered to be a designated Federal entity, as defined in section 8E(a)(2) of such Act; and

we changed this

1 “(ii) the Director shall be considered
2 to be the head of the designated Federal
3 entity, as defined in section 8E(a)(4) of
4 such Act.

5 “(B) PROGRAM FRAUD.—For purposes of
6 chapter 38 of title 31, United States Code
7 (commonly known as the ‘Program Fraud Civil
8 Remedies Act of 1986’)—

9 “(i) the Corporation shall be consid-
10 ered to be an authority, as defined in sec-
11 tion 3801(a)(1) of such Act;

12 “(ii) the Director shall be considered
13 to be an authority head, as defined in sec-
14 tion 3801(a)(2) of such Act; and

15 “(iii) the Inspector General shall be
16 considered to be an investigating official,
17 as defined in section 3801(a)(4) of such
18 Act.

19 **“SEC. 195. EMPLOYEES, CONSULTANTS, AND OTHER PER-**

20 **SONNEL.**

21 “(a) EMPLOYEES.—

22 “(1) IN GENERAL.—The Director may appoint
23 and determine the compensation of such employees
24 necessary to carry out the duties of the Corporation.

25 “(2) TERMS.—

problem:
I.G. reports
to same
person
who
appoints
I.G.

new

— no CFO
provision

1 “(A) INITIAL TERM.—

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

5 “(ii) PROBATION PERIOD.—The Di-
6 rector shall take such action, including the
7 issuance of rules, regulations, and direc-
8 tives, as shall provide, as nearly as condi-
9 tions of good administration warrant, for a
10 1-year period of probation before such an
11 appointment becomes final.

12 “(B) APPOINTMENT EXTENSIONS.—The
13 appointment of an employee may be extended
14 by the Director, after receiving and reviewing
15 the recommendations of the Board.

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

19 “(i) EMPLOYEES WITH NOT LESS
20 THAN 3 YEARS OF EMPLOYMENT.—If an
21 employee is separated from the Corpora-
22 tion (other than by removal for cause), and
23 has been continuously employed by the
24 Corporation for a period of not less than 3
25 years, such period shall be treated as a pe-

Preserve
5-year
term

Bd. has to
recommen
extensions

1 riod of service in the competitive service
2 for purposes of chapter 33 of title 5, United
3 States Code.

4 "(ii) DEFINITION.—As used in this
5 subparagraph, the term 'competitive service'
6 has the meaning given the term in section
7 2102 of title 5, United States Code.

8 "(3) APPOINTMENT AND COMPENSATION.—

9 "(A) IN GENERAL.—Except as provided in
10 subparagraph (B)(iv), the Director may appoint
11 and determine the compensation of employees
12 under this subsection without regard to the provisions
13 of title 5, United States Code, governing
14 appointments in the competitive service, and
15 without regard to the provisions of chapter 51
16 and subchapter III of chapter 53 of such title
17 relating to classification and General Schedule
18 pay rates.

19 "(B) CORPORATION SELECTION AND COMPENSATION SYSTEMS.—
20

21 "(i) ESTABLISHMENT OF SYSTEM.—
22 The Director, in consultation with the Director
23 of the Office of Personnel Management and after reviewing the recommendations
24 of the Board under section
25

takes out
for EE's w/
1-3 yrs.
employment

~~evaluation~~

GAH

our requires approval

1 192A(g)(3), shall issue regulations estab-
2 lishing selection and compensation systems
3 for the Corporation. In issuing such regu-
4 lations, the Director shall take into consid-
5 eration the need for flexibility in such a
6 system.

7 “(ii) APPLICATION.—The Director
8 shall appoint and determine the compensa-
9 tion of employees referred to in paragraph
10 (1) in accordance with the selection and
11 compensation systems referred to in clause
12 (i).

13 “(iii) SELECTION SYSTEM.—The se-
14 lection system shall provide for the selec-
15 tion of such an employee for such a
16 position—

17 “(I) through a competitive proc-
18 ess; and

19 “(II) on the basis of the quali-
20 fications of applicants and the re-
21 quirements of such position.

22 “(iv) COMPENSATION SYSTEM.—The
23 compensation system shall include a
24 scheme for the classification of positions in
25 the Corporation. The system shall require

doesn't
specify it
must comply
w/ merit
principles
of § 2301(b)
title 5 U.S.C.

9A

1 that the compensation of such an employee
2 be determined based in part on the job
3 performance of the employee, and in a
4 manner consistent with the principles de-
5 scribed in section 5301 of title 5, United
6 States Code. The rate of compensation for
7 each employee compensated through the
8 system shall not exceed the annual rate of
9 basic pay payable for level IV of the Exec-
10 utive Schedule under section 5315 of title
11 5, United States Code.

12 “(b) CONSULTANTS.—The Director may procure the
13 temporary and intermittent services of experts and con-
14 sultants and compensate the experts and consultants in
15 accordance with section 3109(b) of title 5, United States
16 Code.

17 “(c) DETAILS OF PERSONNEL.—The head of any
18 Federal department or agency may detail on a reimburs-
19 able basis, or on a nonreimbursable basis for not to exceed
20 180 calendar days during any fiscal year, as agreed upon
21 by the Director and the head of the Federal agency, a
22 of the personnel of that department or agency to the Cor-
23 poration to assist the Corporation in carrying out the du-
24 ties of the Corporation under this Act. Any detail shall

nothing on
Advisory
Committee

1 not interrupt or otherwise affect the civil service status
2 or privileges of the Federal employee.

3 **"SEC. 196. ADMINISTRATION.**

4 **"(a) DONATIONS.—**

5 **"(1) SERVICES.—**

6 **"(A) VOLUNTEERS.—**Notwithstanding sec-
7 tion 1342 of title 31, United States Code, the
8 Corporation may accept the voluntary services
9 of individuals to assist the Corporation in carry-
10 ing out the duties of the Corporation under this
11 Act, and may provide to such individuals the
12 travel expenses described in section 192A(d).

13 **"(B) LIMITATION.—**Such a volunteer shall
14 not be considered to be a Federal employee and
15 shall not be subject to the provisions of law re-
16 lating to Federal employment, including those
17 relating to hours of work, rates of compensa-
18 tion, leave, unemployment compensation, and
19 Federal employee benefits, except that—

20 **"(i)** for the purposes of the tort
21 claims provisions of chapter 171 of title
22 28, United States Code, a volunteer under
23 this subtitle shall be considered to be a
24 Federal employee; and

can't solicit!

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

10 “(2) PROPERTY.—The Corporation may accept,
11 use, and dispose of, in furtherance of the purposes
12 of this Act, donations of any money or property,
13 real, personal, or mixed, tangible or intangible, re-
14 ceived by gift, devise, bequest, or otherwise.

15 “(3) RULES.—The Director shall establish writ-
16 ten rules setting forth the criteria to ensure that the
17 acceptance of contributions of money or property,
18 real, personal, or mixed, tangible or intangible, re-
19 ceived by gift, devise, bequest, or otherwise (pursu-
20 ant to paragraph (2)) will not reflect unfavorably
21 upon the ability of the Corporation or any employee
22 of the Corporation to carry out the responsibilities
23 or official duties of the Corporation in a fair and ob-
24 jective manner, or compromise the integrity of the

*- nothing on
inherently
Govt.
Functions*

*Carit
solicit*

gifts
not tax
deductible

1

programs of the Corporation or any official involved

2

in such programs.

3

"(4) DISPOSITION.—Upon completion of the

4

use by the Corporation of any property described in

5

paragraph (2), such completion shall be reported to

6

the General Services Administration and such prop-

7

erty shall be disposed of in accordance with title II

8

of the Federal Property and Administrative Services

9

Act of 1949 (40 U.S.C. 481 et seq.).

10

"(5) VOLUNTEER.—As used in this subsection,

11

the term 'volunteer' does not include a participant.

12

"(b) CONTRACTS.—Subject to the Federal Property

13

and Administrative Services Act of 1949, the Corporation

14

may enter into contracts, and cooperative and interagency

15

agreements, with Federal and State agencies, private

16

firms, institutions, and individuals to conduct activities

17

necessary to carry out the duties of the Corporation under

18

this Act."

19

(b) RELATIONSHIP TO OTHER NATIONAL SERVICE

20

AND DOMESTIC VOLUNTEER PROGRAMS.—

21

(1) DOMESTIC VOLUNTEER SERVICE ACT OF

22

1973.—

23

(A) AUTHORITY.—Section 401 of the Do-

24

mestic Volunteer Service Act of 1973 (42

25

U.S.C. 5041) is amended by inserting after the

(nothing excluding
money or
monetary
proceeds)

nothing
on
OMB
circulars

No specific language 'does not mean' not deductible.

1 second sentence the following: "The Director
2 shall report directly to the Director of the Cor-
3 poration for National Service and Community
4 Volunteers."

5 (B) RELATIONSHIP WITH STATE PLANS
6 AND OTHER REQUIREMENTS.—Title IV of the
7 Domestic Volunteer Service Act of 1973 (42
8 U.S.C. 5041 et seq.) is amended by inserting
9 after section 404 the following:

10 **"SEC. 405. RELATIONSHIP WITH STATE PLANS AND OTHER**
11 **REQUIREMENTS.**

12 "In carrying out programs, and in providing assist-
13 ance to recipients to carry out programs, in a State under
14 this title, the Director shall ensure that such programs
15 will be carried out in accordance with—

16 "(1) the State plan approved for the State by
17 the Corporation for National Service and Commu-
18 nity Volunteers under section 178(i) of the National
19 and Community Service Act of 1990;

20 "(2) the priorities established under section
21 122(c) of such Act; and

22 "(3) such other requirements as the Director of
23 such Corporation may by regulation specify."

24 (2) YOUTH CONSERVATION CORPS ACT OF
25 1970.—Section 3(a) of Public Law 91-378 (16

*new
provision*

*Need to
add
youth
states.*

new

1 U.S.C. 1701-1706; commonly known as the "Youth
2 Conservation Corps Act of 1970") is amended—

3 (A) in paragraph (5), by striking "and" at
4 the end;

5 (B) in paragraph (6), by striking the pe-
6 riod and inserting "; and"; and

7 (C) by inserting after paragraph (6) the
8 following:

9 "(7) in providing assistance to recipients to
10 carry out programs under this Act in a State, ensure
11 that such programs will be carried out in accordance
12 with—

13 "(A) the State plan approved for the State
14 by the Corporation for National Service and
15 Community Volunteers under section 178(i) of
16 the National and Community Service Act of
17 1990;

18 "(B) the priorities established under sec-
19 tion 122(c) of such Act; and

20 "(C) such other requirements as the Direc-
21 tor of such Corporation may by regulation
22 specify."

23 (3) HIGHER EDUCATION ACT OF 1965.—Title
24 XI of the Higher Education Act of 1965 (20 U.S.C.

1 1136 et seq.) is amended by adding at the end the
2 following:

3 **"PART C—COORDINATION**

4 **"SEC. 1161. RELATIONSHIP WITH STATE PLANS.**

5 "In providing assistance to recipients to carry out
6 programs in a State under this title, the Secretary shall
7 ensure that such programs will be carried out in accord-
8 ance with—

9 "(1) the State plan approved for the State by
10 the Corporation for National Service and Commu-
11 nity Volunteers under section 178(i) of the National
12 and Community Service Act of 1990:

13 "(2) the priorities established under section
14 122(c) of such Act; and

15 "(3) such other requirements as the Director of
16 such Corporation may by regulation specify."

17 (c) TRANSFER OF FUNCTIONS OF COMMISSION ON
18 NATIONAL AND COMMUNITY SERVICE.—

19 (1) DEFINITIONS.—For purposes of this sub-
20 section, unless otherwise provided or indicated by
21 the context, each term specified in section 163(c)(1)
22 shall have the meaning given the term in such sec-
23 tion.

24 (2) TRANSFER OF FUNCTIONS.—There are
25 transferred to the Corporation the functions that the

1 Board of Directors or Executive Director of the
2 Commission on National and Community Service ex-
3 exercised before the effective date of this subsection
4 (including all related functions of any officer or em-
5 ployee of the Commission).

6 (3) APPLICATION.—The provisions of para-
7 graphs (3) through (10) of section 163(c) shall
8 apply with respect to the transfer described in para-
9 graph (2), except that—

10 (A) for purposes of such application, ref-
11 erences to the term “ACTION Agency” shall be
12 deemed to be references to the Commission on
13 National and Community Service; and

14 (B) paragraph (10) of such section shall
15 not preclude the transfer of the members of the
16 Board of Directors of the Commission to the
17 Corporation if, on the effective date of this sub-
18 section, the Board of Directors of the Corpora-
19 tion has not been confirmed.

20 (d) CONTINUING PERFORMANCE OF CERTAIN FUNC-
21 TIONS.—The individuals who, the day before the date
22 of enactment of this Act, are performing any of the func-
23 tions required by section 190 of the National and Commu-
24 nity Service Act of 1990 (42 U.S.C. 12651), as in effect
25 on such date, to be performed by the members of the

1 Board of Directors of the Commission on National and
2 Community Service may, subject to section 193A of the
3 National and Community Service Act of 1990, as added
4 by subsection (a) of this section, continue to perform such
5 functions until the date on which the Board of Directors
6 of the Corporation for National Service and Community
7 Volunteers conducts the first meeting of the Board. The
8 service of such individuals as members of the Board of
9 Directors of such Commission, and the employment of
10 such individuals as special government employees, shall
11 terminate on such date.

12 (e) JOB SEARCH ASSISTANCE.—The Director shall
13 establish a program to provide, or shall seek to enter into
14 a memorandum of understanding with the Director of the
15 Office of Personnel Management to provide, job search
16 and related assistance to—

17 (1) employees of the ACTION agency who are
18 not transferred to the Corporation for National
19 Service and Community Volunteers under section
20 163(c); and

21 (2) employees of the Department of ~~the~~
22 culture, Department of the Interior, or Department
23 of Education who are separated from such Depart-
24 ments because of the requirements of title II.

25 (f) GOVERNMENT CORPORATION CONTROL.—

*people
outplaced*



1 (1) WHOLLY OWNED GOVERNMENT CORPORA-
2 TION.—Section 9101(3) of title 31, United States
3 Code, is amended by inserting after subparagraph
4 (D) the following:

5 “(E) the Corporation for National Service
6 and Community Volunteers.”.

7 (2) AUDITS.—Section 9105(a)(1) of title 31,
8 United States Code, is amended by inserting “, or
9 under other Federal law,” before “or by an inde-
10 pendent”.

11 (g) DISPOSAL OF PROPERTY.—Section 203(k) of the
12 Federal Property and Administrative Services Act of 1949
13 (40 U.S.C. 484(k)) is amended by adding at the end the
14 following:

15 “(5)(A) Under such regulations as the Administrator
16 may prescribe, the Administrator is authorized, in the dis-
17 cretion of the Administrator, to assign to the Director of
18 the Corporation for National Service and Community Vol-
19 unteers for disposal such surplus property as is rec-
20 ommended by the Director as being needed for national
21 service activities.

22 “(B) Subject to the disapproval of the Administrator,
23 within 30 days after notice to the Administrator by the
24 Director of a proposed transfer of property for such activi-
25 ties, the Director, through such officers or employees of

1 the Corporation as the Director may designate, may sell,
2 lease, or donate such property to any entity that receives
3 financial assistance under the National and Community
4 Service Act of 1990 for such activities.

5 “(C) In fixing the sale or lease value of such property,
6 the Director shall comply with the requirements of para-
7 graph (1)(C).”.

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

“Subtitle G—Corporation for National Service and Community Volunteers

“Sec. 191. Corporation for National Service and Community Volunteers

“Sec. 192. Board of Directors.

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

“Sec. 193. Director.

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

“Sec. 194. Management.

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

“Sec. 196. Administration.”.

13 (i) EFFECTIVE DATES.—

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

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

1 **SEC. 163. FINAL AUTHORITIES OF THE CORPORATION FOR**
2 **NATIONAL SERVICE AND COMMUNITY VOL-**
3 **UNTEERS.**

4 (a) NATIONAL AND COMMUNITY SERVICE ACT OF
5 1990.—

6 (1) APPLICATION.—Section 178(e) of the Na-
7 tional and Community Service Act of 1990 (as
8 amended by section 161 of this Act) is amended,
9 and subtitle G of such Act (as amended by section
10 162 of this Act) is amended in section 191, section
11 192A(g)(5), section 193(c), subsections (b), (c)
12 (other than paragraph (8)), and (d) of section 193A,
13 section 195(c), and subsections (a) and (b) of sec-
14 tion 196, by striking “this Act” each place the term
15 appears and inserting “the national service laws”.

16 (2) GRANTS.—Section 192A(g) of the National
17 and Community Service Act of 1990 (as added by
18 section 162 of this Act) is amended—

19 (A) by striking “and” at the end of para-
20 graph (9);

21 (B) by redesignating paragraph (10) as
22 paragraph (11); and

23 (C) by inserting after paragraph (9) the
24 following:

25 “(10) notwithstanding any other provision of
26 law, make grants to or contracts with Federal or

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

no Asst Dir. ACTION

9 (b) AUTHORITIES OF ACTION AGENCY.—Sections
10 401 and 402 of the Domestic Volunteer Service Act of
11 1973 (42 U.S.C. 5041 and 5042) are repealed.

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

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

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

22 (B) the term “Director” means the Direc-
23 tor of the Corporation;

1 (C) the term "Federal agency" has the
2 meaning given to the term "agency" by section
3 551(1) of title 5, United States Code;

4 (D) the term "function" means any duty,
5 obligation, power, authority, responsibility,
6 right, privilege, activity, or program; and

7 (E) the term "office" includes any office,
8 administration, agency, institute, unit, organi-
9 zational entity, or component thereof.

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

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

22 (4) REORGANIZATION.—The Director is author-
23 ized to allocate or reallocate any function transferred
24 under paragraph (2) among the officers of the Cor-
25 poration.

1 (5) TRANSFER AND ALLOCATIONS OF APPRO-
2 PRIATIONS AND PERSONNEL.—Except as otherwise
3 provided in this subsection, the personnel employed
4 in connection with, and the assets, liabilities, con-
5 tracts, property, records, and unexpended balances
6 of appropriations, authorizations, allocations, and
7 other funds employed, used, held, arising from,
8 available to, or to be made available in connection
9 with the functions transferred by this subsection,
10 subject to section 1531 of title 31, United States
11 Code, shall be transferred to the Corporation. Unex-
12 pended funds transferred pursuant to this paragraph
13 shall be used only for the purposes for which the
14 funds were originally authorized and appropriated.

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

1 tions, as may be necessary to carry out the provi-
2 sions of this subsection. The Director of the Office
3 of Management and Budget shall provide for the ter-
4 mination of the affairs of all entities terminated by
5 this subsection and for such further measures and
6 dispositions as may be necessary to effectuate the
7 purposes of this subsection.

8 (7) EFFECT ON PERSONNEL.—

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

19 (B) EXECUTIVE SCHEDULE POSITIONS.—

20 Except as otherwise provided in this subsection,
21 any person who, on the day preceding the effec-
22 tive date of this subsection, held a position com-
23 pensated in accordance with the Executive
24 Schedule prescribed in chapter 53 of title 5,
25 United States Code, and who, without a break

1 in service, is appointed in the Corporation to a
2 position having duties comparable to the duties
3 performed immediately preceding such appoint-
4 ment shall continue to be compensated in such
5 new position at not less than the rate provided
6 for such previous position, for the duration of
7 the service of such person in such new position.

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

15 (8) SAVINGS PROVISIONS.—

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

21 (i) that have been issued, ade-
22 granted, or allowed to become effective by
23 the President, any Federal agency or offi-
24 cial thereof, or by a court of competent ju-
25 risdiction, in the performance of functions

1 that are transferred under this subsection;
2 and

3 (ii) that are in effect at the time this
4 subsection takes effect, or were final before
5 the effective date of this subsection and
6 are to become effective on or after the ef-
7 fective date of this subsection,

8 shall continue in effect according to their terms
9 until modified, terminated, superseded, set
10 aside, or revoked in accordance with law by the
11 President, the Director, or other authorized of-
12 ficial, a court of competent jurisdiction, or by
13 operation of law.

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

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

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

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

1 Agency, shall abate by reason of the enactment
2 of this subsection.

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

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

16 (10) TRANSITION.—Prior to, or after, any
17 transfer of a function under this subsection, the Di-
18 rector is authorized to utilize—

19 (A) the services of such officers, employ-
20 ees, and other personnel of the ACTION Agen-
21 cy with respect to functions that will be or have
22 been transferred to the Corporation by this sub-
23 section; and

24 (B) funds appropriated to such functions
25 for such period of time as may reasonably be

1 needed to facilitate the orderly implementation
2 of this subsection.

3 (d) EFFECTIVE DATE.—

4 (1) IN GENERAL.—Except as provided in para-
5 graph (2), this section, and the amendments made
6 by this section, shall take effect—

7 (A) 18 months after the date of enactment
8 of this Act; or

9 (B) on such earlier date as the President
10 shall determine to be appropriate and announce
11 by proclamation published in the Federal Reg-
12 ister.

13 (2) TRANSITION.—Subsection (c)(10) shall take
14 effect on the date of enactment of this Act.

15 **Subtitle H—Other Activities**

16 **SEC. 171. POINTS OF LIGHT FOUNDATION.**

17 Section 301(b)(3) (42 U.S.C. 12661(b)(3)) is amend-
18 ed by inserting “and make awards to” after “develop”.

19 **Subtitle I—Authorization of** 20 **Appropriations**

21 **SEC. 181. AUTHORIZATION.**

22 (a) NATIONAL AND COMMUNITY SERVICE ACT OF
23 1990.—Section 501 of the National and Community Serv-
24 ice Act of 1990 (42 U.S.C. 12681) is amended to read
25 as follows:

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— no guarantee that
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equitable
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2 yrs.

impact?

1 "SEC. 501. AUTHORIZATION OF APPROPRIATIONS.

2 "(a) NATIONAL AND COMMUNITY SERVICE.—

3 "(1) SERVICE-LEARNING.—There are author-
4 ized to be appropriated to carry out subtitle B of
5 title I, \$30,600,000 for each of fiscal years 1994
6 and 1995, and such sums as may be necessary for
7 each subsequent fiscal year.

8 "(2) NATIONAL SERVICE.—

9 "(A) IN GENERAL.—There are authorized
10 to be appropriated to carry out subtitle C of
11 title I (other than sections 123 and 125).
12 \$67,900,000 for fiscal year 1994, \$136,000,000
13 for fiscal year 1995, and such sums as may be
14 necessary for each subsequent fiscal year.

15 "(B) DEMONSTRATION EFFORTS.—There
16 are authorized to be appropriated to carry out
17 section 123, \$10,000,000 for fiscal year 1994,
18 and \$20,000,000 for fiscal year 1995.

19 "(C) OTHER SPECIAL EFFORTS.—There
20 are authorized to be appropriated to carry out
21 section 125, \$10,000,000 for fiscal year 1994,
22 \$12,000,000 for fiscal year 1995, and such
23 sums as may be necessary for each subsequent
24 fiscal year.

25 "(3) QUALITY AND INNOVATION ACTIVITIES.—
26 There are authorized to be appropriated to carry out

*Need
to do
chart*

*vs.
\$45M
in our bill*

*is about \$330M
in FY 94
in our bill*

*post-service
award \$*

*challenge grants,
disaster relief,
& for state
commissions*

*Subtitle
D -
Innovation
vs.
\$45-50M
in our
bill*

1 subtitle D, \$10,000,000 for fiscal year 1994, and
2 \$15,000,000 for fiscal year 1995.

3 “(4) ADMINISTRATION AND ORGANIZATION.—

4 There are authorized to be appropriated to carry out
5 subtitles F and G, \$5,000,000 for fiscal year 1994,
6 \$9,000,000 for fiscal year 1995, and such sums as
7 may be necessary for each subsequent fiscal year.

8 “(b) POINTS OF LIGHT FOUNDATION.—There are
9 authorized to be appropriated to carry out title III.
10 \$5,000,000 for each of fiscal years 1994 and 1995.”

same

11 (b) EXTENSION OF AUTHORITY TO CONDUCT CIVIL-
12 IAN COMMUNITY CORPS.—Section 1092(c) of the National
13 Defense Authorization Act for Fiscal Year 1993 (Public
14 Law 102-484; 106 Stat. 2534) is further amended by
15 adding at the end the following new sentence: “The
16 amount made available for the Civilian Community Corps
17 Demonstration Program pursuant to this subsection shall
18 remain available for expenditure during fiscal years 1993,
19 1994, and 1995.”

*— don't make
funds
available until
expended*

20 **Subtitle J—General Provisions**

21 **SEC. 191. EFFECTIVE DATE.**

22 This title, and the amendments made by this title,
23 shall take effect on October 1, 1993.

1 **TITLE II—OTHER SERVICE**
2 **PROGRAMS**

3 **SEC. 201. REPEALS OF SERVICE PROGRAMS.**

4 (a) **IN GENERAL.**—The following provisions are re-
5 pealed:

6 (1) Subtitles D and E of title I (as amended by
7 sections 131 and 141 of this Act), and title III, of
8 the National and Community Service Act of 1990.

9 (2) Parts A, B, and C of title I, and title II,
10 of the Domestic Volunteer Service Act of 1973. (42
11 U.S.C. 4951 et seq., 4971 et seq., 4991 et seq., and
12 5000 et seq.).

13 (3) Title XI of the Higher Education Act of
14 1965 (20 U.S.C. 1136 et seq.).

15 (4) Public Law 91-378 (16 U.S.C. 1701-1706;
16 commonly known as the "Youth Conservation Corps
17 Act of 1970").

18 (b) **EFFECTIVE DATE.**—The repeals made by sub-
19 section (a) shall take effect 24 months after the amend-
20 ments made by section 121 take effect.

21 **SEC. 202. TRANSITION.** (1)

22 (a) **STUDY AND REPORT.**—

23 (1) **STUDY.**—The Director of the Corporation
24 for National Service and Community Volunteers (re-
25 ferred to in this title as the "Director") shall, in

*repeal after
24 B.*

1 consultation with the Secretary of Education, the
2 Director of ACTION, the Secretary of the Interior,
3 the Secretary of Agriculture, the Secretary of De-
4 fense, and the Director of the Office of Personnel
5 Management, conduct a study to examine—

6 (A) strategies for carrying out, under sub-
7 title C of title I of the National and Community
8 Service Act of 1990, through the division of the
9 Corporation that carries out national service
10 programs, the programs and activities that are
11 being carried out under—

12 (i) subtitles D and E of title I of the
13 National and Community Service Act of
14 1990 (as amended by sections 131 and
15 141 of this Act):

16 (ii) part A of title I, and, in particu-
17 lar, section 109, of the Domestic Volunteer
18 Service Act of 1973:

19 (iii) title XI of the Higher Education
20 Act of 1965; and

21 (iv) Public Law 91-378 U.S.C.
22 1701-1706; commonly known as the
23 "Youth Conservation Corps Act of 1970";
24 and

1 (B) strategies for carrying out, under sub-
2 title B of title I of the National and Community
3 Service Act of 1990, through the division of the
4 Corporation that carries out volunteer pro-
5 grams, the programs and activities that are
6 being carried out under—

7 (i) title III of the National and Com-
8 munity Service Act of 1990; and

9 (ii) parts B and C of title I, and parts
10 A, B, and C, of title II, of the Domestic
11 Volunteer Service Act of 1973.

12 (2) REPORT.—Not later than 21 months after
13 the amendments made by section 121 take effect,
14 the Director of the Corporation for National Service
15 and Community Volunteers shall submit to the ap-
16 propriate committees of Congress a report
17 containing—

18 (A) the findings and conclusions of the Di-
19 rector, based on the study described in para-
20 graph (1); and

21 (B) recommendations for legislative reform
22 to carry out—

23 (i) the programs and activities speci-
24 fied in paragraph (1)(A) under subtitle C

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down and

1 of title I of the National and Community
2 Service Act of 1990; and

3 (ii) the programs and activities speci-
4 fied in paragraph (1)(B) under subtitle B
5 of such title.

6 (3) MODIFICATION.—Notwithstanding any
7 other provision of this Act and to the extent the
8 Corporation for National Service and Community
9 Volunteers determines it is appropriate and fiscally
10 responsible, the Corporation may include in the re-
11 port recommendations to reduce the period between
12 the date of the enactment of this Act and the effec-
13 tive date provided in section 201(b).

14 (4) EFFECT OF RECOMMENDATIONS.—Unless
15 the Congress enacts a disapproval resolution under
16 the procedures described in section 203 not later
17 than the date that is 90 days after the submission
18 of the report described in paragraph (2), on such
19 date, the recommendations contained within the re-
20 port shall have the force of law.

21 (b) REGULATIONS.—

22 (1) IN GENERAL.—The Director shall issue
23 such regulations as are necessary to provide for a
24 transition to the implementation of the programs
25 and activities specified in subsection (a)(1).

*Congress
can
disapprove -
but must be
within
90
days*

1 (2) CONSIDERATIONS.—In promulgating the
2 regulations described in paragraph (1) the Director
3 shall take into consideration the findings and conclu-
4 sions of the study described in subsection (a)(1).

5 **SEC. 203. RULES GOVERNING CONGRESSIONAL CONSIDER-**
6 **ATION.**

7 (a) RULES OF HOUSE OF REPRESENTATIVES AND
8 SENATE.—This section is enacted by the Congress—

9 (1) as an exercise of the rulemaking power of
10 the House of Representatives and the Senate, re-
11 spectively, and as such is deemed a part of the rules
12 of each House, respectively, but applicable only with
13 respect to the procedure to be followed in that
14 House in the case of disapproval resolutions de-
15 scribed in subsection (b), and supersedes other rules
16 only to the extent that such rules are inconsistent
17 therewith; and

18 (2) with full recognition of the constitutional
19 right of either House to change the rules (so far as
20 relating to the procedure of that House) at any time,
21 in the same manner and to the same extent as in
22 the case of any other rule of that House.

23 (b) TERMS OF THE RESOLUTION.—For purposes of
24 this Act, the term “disapproval resolution” means only a

1 joint resolution of the two Houses of the Congress, provid-
2 ing in—

3 (1) the matter after the resolving clause of
4 which is as follows: "That the Congress disapproves
5 the action of the Director of the Corporation for Na-
6 tional Service and Community Volunteers as submit-
7 ted by the Director on
8 _____ ", the blank space
9 being filled in with the appropriate date; and

10 (2) the title of which is as follows: "Joint Reso-
11 lution disapproving the action of the Director of the
12 Corporation for National Service and Community
13 Volunteers".

14 (c) INTRODUCTION AND REFERRAL.—On the day on
15 which the report describing the action of the Director of
16 the Corporation for National Service and Community Vol-
17 unteers is transmitted to the House of Representatives
18 and the Senate, a disapproval resolution with respect to
19 such action shall be introduced (by request) in the House
20 of Representatives by the Majority Leader of the House,
21 for himself and the Minority Leader of the House, or by
22 Members of the House designated by the Majority Leader
23 of the House, for himself and the Minority Leader of the
24 House, or by Members of the House designated by the
25 Majority Leader and Minority Leader of the House; and

1 shall be introduced (by request) in the Senate by the Ma-
2 jority Leader of the Senate, for himself and the Minority
3 Leader of the Senate, or by Members of the Senate des-
4 igned by the Majority Leader and Minority Leader of
5 the Senate. If either House is not in session on the day
6 on which such an action is transmitted, the disapproval
7 resolution with respect to such action shall be introduced
8 in the House, as provided in the preceding sentence, on
9 the first day thereafter on which the House is in session.
10 The disapproval resolution introduced in the House of
11 Representatives and the Senate shall be referred to the
12 appropriate committees of each House.

13 (d) AMENDMENTS PROHIBITED.—No amendment to
14 a disapproval resolution shall be in order in either the
15 House of Representatives or the Senate, and no motion
16 to suspend the application of this subsection shall be in
17 order in either House, nor shall it be in order in either
18 House for the Presiding Officer to entertain a request to
19 suspend the application of this subsection by unanimous
20 consent.

21 (e) PERIOD FOR COMMITTEE AND FLOOR CONSIDER-
22 ATION.—

23 (1) IN GENERAL.—Except as provided in para-
24 graph (2), if the committee or committees of either
25 House to which a disapproval resolution has been re-

1 ferred have not reported it at the close of the 45th
2 day after its introduction, such committee or com-
3 mittees shall be automatically discharged from fur-
4 ther consideration of the disapproval resolution and
5 it shall be placed on the appropriation calendar. A
6 vote on final passage of the disapproval resolution
7 shall be taken in each House on or before the close
8 of the 45th day after the disapproval resolution is
9 reported by the committees or committee of that
10 House to which it was referred, or after such com-
11 mittee or committees have been discharged from fur-
12 ther consideration of the disapproval resolution. If
13 prior to the passage by one House of a disapproval
14 resolution of that House, that House receives the
15 same disapproval resolution from the other House
16 then—

17 (A) the procedure in that House shall be
18 the same as if no disapproval resolution had
19 been received from the other House; but

20 - (B) the vote on final passage shall be on
21 the disapproval resolution of the other House.

22 (2) COMPUTATION OF DAYS.—For purposes of
23 paragraph (1), in computing a number of days in ei-
24 ther House, there shall be excluded any day on
25 which the House is not in session.

1 (f) FLOOR CONSIDERATION IN THE HOUSE OF REP.
2 REPRESENTATIVES.—

3 (1) MOTION TO PROCEED.—A motion in the
4 House of Representatives to proceed to the consider-
5 ation of a disapproval resolution shall be highly priv-
6 ileged and not debatable. An amendment to the mo-
7 tion shall not be in order, nor shall it be in order
8 to move to reconsider the vote by which the motion
9 is agreed to or disagreed to.

10 (2) DEBATE.—Debate in the House of Rep-
11 resentatives on a disapproval resolution shall be lim-
12 ited to not more than 20 hours, which shall be di-
13 vided equally between those favoring and those op-
14 posing the disapproval resolution. A motion further
15 to limit debate shall not be debatable. It shall not
16 be in order to move to recommit a disapproval reso-
17 lution or to move to reconsider the vote by which a
18 disapproval resolution is agreed to or disagreed to.

19 (3) MOTION TO POSTPONE.—Motions to post-
20 pone, made in the House of Representatives with re-
21 spect to the con- sideration of a disapproval resolu-
22 tion, and motions to proceed to the consideration of
23 other business, shall be decided without debate.

24 (4) APPEALS.—All appeals from the decisions
25 of the Chair relating to the application of the Rules

1 of the House of Representatives to the procedure re-
2 lating to a disapproval resolution shall be decided
3 without debate.

4 (5) GENERAL RULES APPLY.—Except to the ex-
5 tent specifically provided in the preceding provisions
6 of this subsection, consideration of a disapproval res-
7 olution shall be governed by the Rules of the House
8 of Representatives applicable to other bills and reso-
9 lutions in similar circumstances.

10 (g) FLOOR CONSIDERATION IN THE SENATE.—

11 (1) MOTION TO PROCEED.—A motion in the
12 Senate to proceed to the consideration of a dis-
13 approval resolution shall be privileged and not debat-
14 able. An amendment to the motion shall not be in
15 order, nor shall it be in order to move to reconsider
16 the vote by which the motion is agreed to or dis-
17 agreed to.

18 (2) GENERAL DEBATE.—Debate in the Senate
19 on a disapproval resolution, and all debatable mo-
20 tions and appeals in connection therewith, shall be
21 limited to not more than 20 hours. time shall
22 be equally divided between, and controlled by, the
23 Majority Leader and the Minority Leader or their
24 designees.

1 (3) DEBATE OF MOTIONS AND APPEALS.—De-
2 bate in the Senate on any debatable motion or ap-
3 peal in connection with a disapproval resolution shall
4 be limited to not more than 1 hour, to be equally di-
5 vided between, and controlled by, the mover and the
6 manager of the disapproval resolution, except that in
7 the event the manager of the disapproval resolution
8 is in favor of any such motion or appeal, the time
9 in opposition thereto, shall be controlled by the Mi-
10 nority Leader or his designee. Such leaders, or ei-
11 ther of them, may from time under their control on
12 the passage of a disapproval resolution, allot addi-
13 tional time to any Senator during the consideration
14 of any debatable motion or appeal.

15 (4) OTHER MOTIONS.—A motion in the Senate
16 to further limit debate is not debatable. A motion to
17 recommit a disapproval resolution is not in order.

18 (h) POINT OF ORDER REQUIRING SUPREMAJORITY
19 FOR MODIFICATIONS TO ACTIONS ONCE APPROVED.—

20 (1) IN GENERAL.—It shall not be in order in
21 the House of Representatives or the Senate to
22 sider any amendment to the actions of the Director
23 of the Corporation for National Service and Commu-
24 nity Volunteers except as provided in paragraph (2).

1 (2) WAIVER.—The point of order described in
2 paragraph (1) may be waived or suspended in the
3 House of Representatives or the Senate only, by the
4 affirmative vote of three-fifths of the Members duly
5 chosen and sworn.

6 **SEC. 204. AUTHORIZATION OF APPROPRIATIONS.**

7 (a) NATIONAL VOLUNTEER ANTIPOVERTY PRO-
8 GRAMS.—Section 501 of the Domestic Volunteer Service
9 Act of 1973 (42 U.S.C. 5081) is amended to read as fol-
10 lows:

11 **“SEC. 501. NATIONAL VOLUNTEER ANTIPOVERTY PRO-**
12 **GRAMS AUTHORIZATION.**

13 “(a) VOLUNTEERS IN SERVICE TO AMERICA PRO-
14 GRAM.—

15 “(1) IN GENERAL.—There are authorized to be
16 appropriated to carry out part A of title I (except
17 section 109) \$45,800,000 for each of fiscal years
18 1994 and 1995.

*same in
FY 94*

19 “(2) LITERACY ACTIVITIES.—There are author-
20 ized to be appropriated to carry out subsections (c)
21 and (d) of section 109 and to expand the number of
22 VISTA Literacy Corps volunteers in literacy pro-
23 grams and projects under part A of title I of this
24 Act \$5,000,000 for each of fiscal years 1994 and
25 1995.

*\$ 600,000
less
in FY 94*

we repealed this

1 “(b) STUDENT COMMUNITY SERVICE PROGRAMS.—

2 There are authorized to be appropriated to carry out part
3 B of title I of this Act \$2,200,000 for each of fiscal years
4 1994 and 1995.

5 “(c) SPECIAL VOLUNTEER PROGRAMS.—

6 “(1) PROGRAM ACTIVITIES AND DRUG ABUSE
7 PREVENTION ACTIVITIES.—

8 “(A) PROGRAM ACTIVITIES.—There are
9 authorized to be appropriated to carry out part
10 C of title I of this Act (other than section
11 124(b)) such sums as may be necessary for
12 each of the fiscal years 1994 and 1995.

13 “(B) DRUG ABUSE PREVENTION ACTIVI-
14 TIES.—In addition to the amounts authorized
15 to be appropriated by subparagraph (A), there
16 are authorized to be appropriated for support of
17 drug abuse prevention such sums for each of
18 the fiscal years 1994 and 1995.

19 “(C) USE OF FUNDS.—With respect to
20 amounts appropriated for any fiscal year pursu-
21 ant to subparagraph (B), the Director—

22 “(i) shall use not more than 25 per-
23 cent of such amounts for purposes of car-
24 rying out section 124(b); and

*takes out
summer 1995.*

1 “(ii) shall ensure that not more than
2 \$500,000 is used for administrative costs
3 of programs carried out under such part.

4 “(2) LITERACY CHALLENGE GRANTS.—Except
5 as provided in paragraph (3) and in addition to the
6 amounts authorized to be appropriated pursuant to
7 paragraph (1) there are authorized to be appro-
8 priated for Literacy Challenge Grants under section
9 125 such sums as may be necessary for each of the
10 fiscal years 1994 and 1995.

11 “(3) LIMITATION.—No funds shall be appro-
12 priated pursuant to paragraph (2) in any fiscal year
13 unless—

14 “(A) the funds available in such fiscal year
15 for the VISTA Program under part A of title
16 I are sufficient to provide the years of volunteer
17 service specified for such fiscal year under sub-
18 section (d)(1) for the VISTA Program; and

19 “(B) the funds available in such fiscal year
20 for the VISTA Literacy Corps under part A of
21 title I are sufficient to provide at least the same
22 years of volunteer service as were provided in
23 the fiscal year preceding such fiscal year.

24 “(d) VOLUNTEER SERVICE REQUIREMENT.—

17720
Commitment
the (not)
of (not)
lower sec.
floor
(3700 in 1994)
now 4111

17720
Commitment
the (not)
of (not)
lower sec.
floor
(3700 in 1994)
now 4111

“(1) VOLUNTEER SERVICE YEARS.—Of the amounts appropriated under this section for parts A, B, and C of title I (other than section 124(b)) and for sections 109(c) and 109(d), there shall first be available for part A of title I (other than section 109), an amount not less than the amount necessary to provide 3,400 years of volunteer service in each of fiscal years 1994 and 1995.

“(2) DEFINITION.—For purposes of paragraph (1), the term ‘volunteer service’ shall include training and other support required under this Act for purposes of part A of title I.

“(3) CALCULATION.—

“(A) COSTS OF COMPLIANCE.—In applying criteria with respect to meeting the number of years of volunteer service under paragraph (1) for a fiscal year, the Director may not exclude the costs of complying with section 105(b)(2) for each volunteer under this part.

“(B) ALLOWANCES FOR SUBSISTENCE.—The minimum level of allowances for subsistence required under section 105(b)(2) to be provided to each volunteer under this part may not be reduced or limited in order to provide for the increase in the number of years of volunteer

1 service specified in paragraph (1) for each of
2 the fiscal years 1994 and 1995.

3 “(C) REALLOCATION.—If the Director de-
4 termines that funds appropriated to carry out
5 part A of title I are insufficient to provide for
6 the years of volunteer service as required in
7 paragraph (1), the Director shall, within a rea-
8 sonable period of time in advance of the date on
9 which such additional funds must be reallocated
10 to satisfy the requirements of such subsection,
11 notify the relevant authorizing and appropriat-
12 ing Committees of Congress. Funds shall be re-
13 allocated to part A of title I from amounts ap-
14 propriated for part C of such title prior to the
15 reallocation of funds appropriated for other
16 parts.

17 “(e) LIMITATION.—No part of the funds authorized
18 under subsection (a) may be used to provide volunteers
19 or assistance to any program or project authorized under
20 part B or C of title I, or under title II, unless the program
21 or project meets the antipoverty criteria of part A of
22 title I.”

23 (b) OLDER AMERICANS VOLUNTEER PROGRAMS.—
24 Section 502 of the Domestic Volunteer Service Act of
25 1973 (42 U.S.C. 5082) is amended to read as follows:

*re
omitted*

1 **"SEC. 502. OLDER AMERICANS VOLUNTEER PROGRAMS.**

2 "(a) RETIRED SENIOR VOLUNTEER PROGRAM.—

3 There are authorized to be appropriated to carry out pro-
 4 grams under part A of title II of this Act \$37,054,000
 5 for each of the fiscal years 1994 and 1995.

*same
in
FY 94*

6 "(b) FOSTER GRANDPARENT PROGRAM.—There are
 7 authorized to be appropriated to carry out programs under
 8 part B of title II of this Act \$71,284,000 for each of the
 9 fiscal years 1994 and 1995.

*same
in FY 94*

10 "(c) SENIOR COMPANION PROGRAM.—There are au-
 11 thorized to be appropriated to carry out part C of title
 12 II of this Act \$32,509,000 for each of the fiscal years
 13 1994 and 1995."

*same in
FY 94*

14 (c) ADMINISTRATION AND COORDINATION.—Section
 15 504 of the Domestic Volunteer Service Act of 1973 (42
 16 U.S.C. 5084) is amended to read as follows:

17 **"SEC. 504. ADMINISTRATION.**

18 "For each of the fiscal years 1994 and 1995, there
 19 is authorized to be appropriated for the administration of
 20 this Act, as authorized in title IV, 10 percent of the total
 21 amount appropriated under sections 501 and 502 for such
 22 year."

*we had
20*

23 **SEC. 205. CONSTRUCTION.**

24 Nothing in this Act, or any amendment made by this
 25 Act, shall be construed to modify the amount of the finan-
 26 cial assistance or benefits received by a participant or vol-

*we don't
have
this*

(7)

1 unteer for participation or volunteer service in a program
2 or activity carried out under a provision described in sec-
3 tion 201(a), as in effect on the day before the date of en-
4 actment of this Act.

*What
is 201(a)
?*

5 **TITLE III—TECHNICAL AND** 6 **CONFORMING AMENDMENTS**

7 **SEC. 301. DEFINITION OF DIRECTOR.**

8 Section 421 of the Domestic Volunteer Service Act
9 of 1973 (42 U.S.C. 5061) is amended by striking para-
10 graph (1) and inserting the following new paragraph:

11 “(1) the term ‘Director’ means the Director of
12 the Corporation for National Service and Commu-
13 nity Volunteers appointed under section 193 of the
14 National and Community Service Act of 1990.”

15 **SEC. 302. REFERENCES TO ACTION AND THE ACTION** 16 **AGENCY.**

17 (a) DOMESTIC VOLUNTEER SERVICE ACT OF
18 1973.—

19 (1) The table of contents of the Act is amended
20 by striking the item relating to section 112 and in-
21 serting the following:

“Sec. 112. Authority to operate University Year for VISTA program.

22 (2) Section 2(b) of the Domestic Volunteer
23 Service Act of 1973 (42 U.S.C. 4950(b)) is
24 amended—

1 (A) by striking “ACTION, the Federal do-
2 mestic volunteer agency,” and inserting “this
3 Act”; and

4 (B) by striking “ACTION” and inserting
5 “the Corporation for National Service and
6 Community Volunteers”.

7 (3) Section 103 (42 U.S.C. 4953) is amended—

8 (A) in subsection (b)—

9 (i) in paragraphs (2), (5), and (6), by
10 striking “ACTION Agency” each place the
11 term appears and inserting “Corporation”;
12 and

13 (ii) in paragraph (6), by striking “re-
14 gional ACTION office” and inserting “re-
15 gional office of the Corporation”; and

16 (B) in subsection (c)(1)(D), by striking
17 “ACTION Agency” and inserting “Corpora-
18 tion”.

19 (4) Section 105(b) (42 U.S.C. 4955(b)) is
20 amended in paragraphs (3)(A) and (4) by striking
21 “ACTION Agency” and inserting “Corporat-

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

24 (A) in the part heading, to read as follows:

1 “PART B—UNIVERSITY YEAR FOR VISTA”;

2 (B) by striking “University Year for AC-
3 TION” each place that such term appears in
4 such part and inserting “University Year for
5 VISTA”;

6 (C) by striking “UYA” each place that
7 such term appears in such part and inserting
8 “UYV”; and

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

12 “AUTHORITY TO OPERATE UNIVERSITY YEAR FOR VISTA
13 PROGRAM”.

14 (6) Section 125(b) of such Act (42 U.S.C.
15 4995(b)) is amended by striking “the ACTION
16 Agency” and inserting “the Corporation”.

17 (7) Section 225(e) of such Act (42 U.S.C.
18 5025(e)) is amended by striking “the ACTION
19 Agency” and inserting “the Corporation”.

20 (8) -Section 403(a) of such Act (42 U.S.C.
21 5043(a) is amended—

22 (A) by striking “the ACTION Agency” the
23 first place such term appears and inserting “the
24 Corporation under this Act”; and

1 (B) by striking "the ACTION Agency" the
2 second place such term appears and inserting
3 "the Corporation".

4 (9) Section 407(5) (42 U.S.C. 5047(5)) is
5 amended by striking "ACTION Agency" and insert-
6 ing "Corporation".

7 (10) Section 408 of such Act (42 U.S.C. 5048)
8 is amended by striking "the ACTION Agency" and
9 inserting "the Corporation".

10 (11) Section 416(f)(1) (42 U.S.C. 5056(f)(1))
11 is amended by striking "ACTION Agency" and in-
12 serting "Corporation".

13 (12) Section 420(b) (42 U.S.C. 5060(b)) is
14 amended by striking "ACTION Agency" and insert-
15 ing "Corporation".

16 (13) Section 421(9) of such Act (as added by
17 section 163 of this Act) is further amended by strik-
18 ing "ACTION" and inserting "the Corporation".

19 (14) Section 702(a) (42 U.S.C. 5091a(a)) is
20 amended by striking "of the ACTION Agency".

21 (15) Section 713(2) (42 U.S.C. 5091l(2)) is
22 amended by striking "ACTION agency" and insert-
23 ing "Corporation".

24 (b) INSPECTOR GENERAL.—

1 (1) TERMINATION OF STATUS AS DESIGNATED
2 FEDERAL ENTITY.—Section 8E(a)(2) of the Inspec-
3 tor General Act of 1978 (5 U.S.C. App.) is amended
4 by striking “ACTION,”.

5 (2) TRANSFER.—Section 9(a)(1) of the Inspec-
6 tor General Act of 1978 (5 U.S.C. App.) is
7 amended—

8 (A) in subparagraph (T), by striking
9 “and” at the end; and

10 (B) by adding at the end the following:

11 “(V) of the Corporation for National Service
12 ice and Community Volunteers, the Office of
13 Inspector General of ACTION; and”.

14 (c) PUBLIC HOUSING SECURITY.—Section 207(c) of
15 the Public Housing Security Demonstration Act of 1978
16 (Public Law 95-557; 92 Stat. 2093; 12 U.S.C. 1701z-
17 6 note) is amended—

18 (1) in paragraph (3)(ii), by striking “ACTION”
19 and inserting “the Corporation for National Service
20 and Community Volunteers”; and

21 (2) in paragraph (4), by striking “ACTIC
22 and inserting “the Corporation for National Service
23 and Community Volunteers”.

24 (d) NATIONAL FOREST VOLUNTEERS.—Section 1 of
25 the Volunteers in the National Forests Act of 1972 (16

1 U.S.C. 558a) is amended by striking "ACTION" and in-
2 serting "the Corporation for National Service and Com-
3 munity Volunteers".

4 (e) PEACE CORPS.—Section 2A of the Peace Corps
5 Act (22 U.S.C. 2501–1) is amended by inserting after
6 "the ACTION Agency" the following: ", the successor to
7 the ACTION Agency,".

8 (f) INDIAN ECONOMIC DEVELOPMENT.—Section 502
9 of the Indian Financing Act of 1974 (25 U.S.C. 1542)
10 is amended by striking "ACTION Agency" and inserting
11 "the Corporation for National Service and Community
12 Volunteers".

13 (g) OLDER AMERICANS.—The Older Americans Act
14 of 1965 is amended—

15 (1) in section 202(c)(1) (42 U.S.C. 3012(c)(1)),
16 by striking "the Director of the ACTION Agency"
17 and inserting "the Corporation for National Service
18 and Community Volunteers";

19 (2) in section 203(a)(1) (42 U.S.C.
20 3013(a)(1)), by striking "the ACTION Agency" and
21 inserting "the Corporation for National Service and
22 Community Volunteers"; and

23 (3) in section 422(b)(12)(C) (42 U.S.C.
24 3035a(b)(12)(C)), by striking "the ACTION Agen-

1 cy” and inserting “the Corporation for National
2 Service and Community Volunteers”.

3 (h) VISTA SERVICE EXTENSION.—Section 101(c)(1)
4 of the Domestic Volunteer Service Act Amendments of
5 1989 (Public Law 101-204; 103 Stat. 1810; 42 U.S.C.
6 4954 note) is amended by striking “Director of the AC-
7 TION Agency” and inserting “Director of the Corporation
8 for National Service and Community Volunteers”.

9 (i) AGING RESOURCE SPECIALISTS.—Section 205(c)
10 of the Older Americans Amendments of 1975 (Public Law
11 94-135; 89 Stat. 727; 42 U.S.C. 5001 note) is amended—

12 (1) in paragraph (1)—

13 (A) by striking “the ACTION Agency,”
14 and inserting “the Corporation for National
15 Service and Community Volunteers.”; and

16 (B) by striking “the Director of the AC-
17 TION Agency” and inserting “the Director of
18 the Corporation”;

19 (2) in paragraph (2)(A), by striking “ACTION
20 Agency” and inserting “Corporation”; and

21 (3) in paragraph (3), by striking subparagraph
22 (A) and inserting the following new subparagraph:

23 “(A) the term ‘Corporation’ means the Cor-
24 poration for National Service and Community Vol-

1 unteers established by section 191 of the National
2 and Community Service Act of 1990.”.

3 (j) PROMOTION OF PHOTOVOLTAIC ENERGY.—Sec-
4 tion 11(a) of the Solar Photovoltaic Energy Research, De-
5 velopment, and Demonstration Act of 1978 (42 U.S.C.
6 5590) is amended by striking “the Director of ACTION.”.

7 (k) COORDINATING COUNCIL ON JUVENILE JUSTICE.—
8 Section 206(a)(1) of the Juvenile Justice and Delin-
9 quency Prevention Act of 1974 (42 U.S.C. 5616(a)(1))
10 is amended by striking “the Director of the ACTION
11 Agency” and inserting “the Director of the Corporation
12 for National Service and Community Volunteers”.

13 (l) ENERGY CONSERVATION.—Section 413(b)(1) of
14 the Energy Conservation and Production Act (42 U.S.C.
15 6863(b)(1)) is amended by striking “the Director of the
16 ACTION Agency.”.

17 (m) INTERAGENCY COUNCIL ON THE HOMELESS.—
18 Section 202(a) of the Stewart B. McKinney Homeless As-
19 sistance Act (42 U.S.C. 11312(a)) is amended by striking
20 paragraph (12) and inserting the following new para-
21 graph:

22 “(12) The Director of the Corporation for Na-
23 tional Service and Community Volunteers, or the
24 designee of the Director.”.

1 (n) ANTI-DRUG ABUSE.—Section 3601 of the Anti-
2 Drug Abuse Act of 1988 (42 U.S.C. 11851) is amended
3 by striking paragraph (5) and inserting the following new
4 paragraph:

5 “(5) the term ‘Director’ means the Director of
6 the Corporation for National Service and Commu-
7 nity Volunteers.”.

8 (o) ADMINISTRATION ON CHILDREN, YOUTH, AND
9 FAMILIES.—Section 916(b) of the Claude Pepper Young
10 Americans Act of 1990 (42 U.S.C. 12312(b)) is amended
11 by striking “the Director of the ACTION Agency” and
12 inserting “the Director of the Corporation for National
13 Service and Community Volunteers”.

14 **SEC. 303. DEFINITIONS.**

15 Section 421 of the Domestic Volunteer Service Act
16 of 1973 (42 U.S.C. 5061) is amended—

17 (1) by striking “and” at the end of paragraph
18 (6);

19 (2) by striking the period at the end of para-
20 graph (7) and inserting a semicolon; and

21 (3) by adding at the end the following new
22 paragraphs:

23 “(8) the term ‘Corporation’ means the Corpora-
24 tion for National Service and Community Volunteers

1 established under section 191 of the National and
2 Community Service Act of 1990; and

3 “(9) the term ‘Inspector General’ means the In-
4 spector General of ACTION.”.

5 **SEC. 304. REFERENCES TO THE COMMISSION ON NATIONAL**
6 **AND COMMUNITY SERVICE.**

7 (a) NATIONAL DEFENSE AUTHORIZATION ACT FOR
8 FISCAL YEAR 1993.—

9 (1) Section 1092(b) of the National Defense
10 Authorization Act for Fiscal Year 1993 (42 U.S.C.
11 12653a note) is amended—

12 (A) in paragraph (1)—

13 (i) by striking “Commission on Na-
14 tional Community Service” and inserting
15 “Corporation for National Service and
16 Community Volunteers”; and

17 (ii) by striking “Commission shall pre-
18 pare” and inserting “Board of Directors of
19 the Corporation shall prepare”; and

20 (B) in paragraph (2), by striking “Board
21 of Directors of the Commission on National and
22 Community Service” and inserting “Board of
23 Directors of the Corporation for National Serv-
24 ice and Community Volunteers”.

1 (2) Section 1093(a) of such Act (42 U.S.C.
2 12653a note) is amended by striking “the Board of
3 Directors and Executive Director of the Commission
4 on National and Community Service” and inserting
5 “the Board of Directors and Director of the Cor-
6 poration for National Service and Community Vol-
7 unteers”.

8 (3) Section 1094 of such Act (Public Law 102-
9 484; 106 Stat. 2535) is amended—

10 (A) in the title, by striking “**COMMISSION**
11 **ON NATIONAL AND COMMUNITY SERVICE**”
12 and inserting “**CORPORATION FOR NA-**
13 **TIONAL SERVICE AND COMMUNITY VOLUN-**
14 **TEERS**”;

15 (B) in subsection (a)—

16 (i) in the heading, by striking “COM-
17 MISSION” and inserting “CORPORATION”;

18 (ii) in the first sentence, by striking
19 “Commission on National and Community
20 Service” and inserting “Corporation for
21 National Service and Community Volun-
22 teers”; and

23 (iii) in the second sentence, by strik-
24 ing “The Commission” and inserting “The
25 Director of the Corporation”; and

1 (C) in subsection (b)—

2 (i) in paragraph (1), by striking
3 “Board of Directors of the Commission on
4 National and Community Service” and in-
5 serting “Director of the Corporation for
6 National Service and Community Volun-
7 teers”; and

8 (ii) in paragraph (2), by striking “the
9 Commission” and inserting “the Director
10 of the Corporation for National Service
11 and Community Volunteers”.

12 (4) Section 1095 of such Act (Public Law 102-
13 484: 106 Stat. 2535) is amended in the heading for
14 subsection (b) by striking “COMMISSION ON NA-
15 TIONAL AND COMMUNITY SERVICE” and inserting
16 “CORPORATION FOR NATIONAL SERVICE AND COM-
17 MUNITY VOLUNTEERS”.

18 (5) Section 2(b) of such Act (Public Law 102-
19 484: 106 Stat. 2315) is amended by striking the
20 item relating to section 1094 of such Act and insert-
21 ing the following:

“Sec. 1094. Other programs of the Corporation for National Service and Com-
munity Volunteers”.

22 (b) NATIONAL AND COMMUNITY SERVICE ACT OF
23 1990.—

1 (1) Sections 159(b)(2) (as redesignated in sec-
2 tion 141(a)(2)(C) of this Act), 165 (as redesignated
3 in section 141(a)(2)(C) of this Act), and 171(a).
4 subsections (a) and (b) of section 172, sections
5 176(a) and 177(c), and subsections (a), (b), and (d)
6 through (j) of section 179, of the National and Com-
7 munity Service Act of 1990 (42 U.S.C.
8 12653h(b)(2), 12653n, 12631(a), 12632 (a) and (b),
9 12636(a), 12637(c), and 12639 (a), (b), and (d)
10 through (j)) are each amended by striking the term
11 "Commission" each place the term appears and in-
12 serting "Corporation".

13 (2) Sections 152, 157(b)(2), 159(b),
14 162(a)(2)(C), 164, and 166(1) of such Act (in each
15 case, as redesignated in section 141(a)(2)(C) of this
16 Act) (42 U.S.C. 12653a, 12653f(b)(2), 12653h(b),
17 12653k(a)(2)(C), 12653m, and 12653o(1)) are each
18 amended by striking "Commission on National and
19 Community Service" and inserting "Corporation".

20 (3)- Section 163(b)(9) of such Act (as redesign-
21 ated in section 141(a)(2)(C) of this Act) (42
22 U.S.C. 12635l(b)(9)) is amended by striking "Chair
23 of the Commission on National and Community
24 Service" and inserting "Director".

1 (4) Section 303(a) of such Act (42 U.S.C.
2 12662(a)) is amended—

3 (A) by striking “The President” and in-
4 serting “The President of the United States,
5 acting through the Corporation.”;

6 (B) by inserting “in furtherance of activi-
7 ties under section 302” after “section 501(b)”;
8 and

9 (C) by striking “the President” both places
10 it appears and inserting “the Corporation”.

11 **SEC. 305. REFERENCES TO DIRECTORS OF THE COMMIS-**
12 **SION ON NATIONAL AND COMMUNITY SERV-**
13 **ICE.**

14 (a) DIRECTOR OF THE CORPORATION.—

15 (1) Section 159(a) of such Act (as redesignated
16 in section 141(a)(2)(C) of this Act) (42 U.S.C.
17 12653h(a)) is amended—

18 (A) by striking “BOARD.—The Board”
19 and inserting “SUPERVISION.—The Director of
20 the Corporation”;

21 (B) by striking “the Board” the matter
22 preceding the paragraphs and in paragraph (1)
23 and inserting “the Director of the Corpora-
24 tion”; and

1 (C) by striking "the Director" in para-
2 graph (1) and inserting "the Board".

3 (2) Section 159(b) of such Act (as redesignated
4 in section 141(a)(2)(C) of this Act) (42 U.S.C.
5 12653h(b)) is amended by striking "(b)" and all
6 that follows through "Commission on National and
7 Community Service" and inserting "(b) MONITOR-
8 ING AND COORDINATION.—The Director of the Cor-
9 poration".

10 (3) Section 159(c)(1) (as redesignated in sec-
11 tion 141(a)(2)(C) of this Act) (12653h(c)(1)) is
12 amended—

13 (A) in subparagraph (A), by striking "the
14 Board, in consultation with the Executive Di-
15 rector," and inserting "Director of the Corpora-
16 tion"; and

17 (B) in subparagraph (B)(iii), by striking
18 "the Board through the Executive Director"
19 and inserting "the Director of the Corpora-
20 tion".

21 (4) Section 166 (as redesignated in section
22 141(a)(2)(C) of this Act) (42 U.S.C. 12653o) is
23 amended—

1 (A) in paragraph (5), by inserting “except
2 when used as part of the term ‘Director of the
3 Corporation’,” before “means”;

4 (B) by striking paragraph (6); and

5 (C) by redesignating paragraphs (7)
6 through (11) as paragraphs (6) through (10),
7 respectively.

8 (b) **DIRECTOR OF CIVILIAN COMMUNITY CORPS.**—
9 Sections 155(a), 157(b)(1)(A), 158(a), 159(c)(1)(A), and
10 163(a) (in each case, as redesignated in section
11 141(a)(2)(C) of this Act) of the National and Community
12 Service Act of 1990 (42 U.S.C. 12653d(a),
13 12653f(b)(1)(A), 12653g(a), 12653h(c)(1)(A), and
14 12653l(a)) are amended by striking “Director of Civilian
15 Community Corps” each place the term appears and in-
16 serting “Director”.

17 **SEC. 306. EFFECTIVE DATE.**

18 (a) **ACTION.**—The amendments made by sections
19 301 and 302 shall take effect on the effective date of sec-
20 tion 163(c)(2).

21 (b) **COMMISSION.**—The amendments made by sec-
22 tions 303 through 305 will take effect on October 1, 1993.