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[National and Community Service Act of 1993] [1] [loose]

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**TITLE I—PROGRAMS AND
RELATED PROVISIONS**
Subtitle A—Programs

**SEC. 101. FEDERAL INVESTMENT IN SUPPORT OF NA-
TIONAL SERVICE.**

(a) TRANSFER OF EXISTING SUBTITLE.—Title I of
the National and Community Service Act of 1990 (42
U.S.C. 12501 et seq.) is amended—

(1) by redesignating subtitle C (42 U.S.C.
12653 et seq.) as subtitle I;

(2) by inserting subtitle I (as redesignated by
paragraph (1) of this subsection) after subtitle H;
and

(3) by redesignating sections 120 through 136
as sections 199 through 199O, respectively.

(b) ASSISTANCE PROGRAM AUTHORIZED.—Title I of
the National and Community Service Act of 1990 (42
U.S.C. 12501 et seq.) is amended by inserting after sub-
title B the following new subtitle:

1 **“Subtitle C—National Service Trust**
2 **Program**

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

4 **“SEC. 121. AUTHORITY TO PROVIDE ASSISTANCE AND AP-**
5 **PROVED NATIONAL SERVICE POSITIONS.**

6 “(a) PROVISION OF ASSISTANCE.—The Corporation
7 for National Service may make grants to States, sub-
8 divisions of States, Indian tribes, public or private non-
9 profit organizations, and institutions of higher education
10 for the purpose of assisting the recipients of the grants—

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

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

17 “(b) AGREEMENTS WITH FEDERAL AGENCIES.—The
18 Corporation may enter into a contract or cooperative
19 agreement with another Federal agency to support a na-
20 tional service program carried out by the agency. The sup-
21 port provided by the Corporation pursuant to the contract
22 or cooperative agreement may include the transfer to the
23 Federal agency of funds available to the Corporation
24 under this subtitle. A Federal agency receiving assistance
25 under this subsection shall not be required to satisfy the

1 matching funds requirements specified in subsection (e).
2 However, the supplementation requirements specified in
3 section 173 shall apply with respect to the Federal na
4 tional service programs supported with such assistance. A
5 Federal agency receiving assistance under this subsection
6 shall consult with the State Commissions for those States
7 in which projects will be conducted in order to ensure that
8 the projects do not duplicate existing State or local pro-
9 grams.

10 “(c) PROVISION OF APPROVED NATIONAL SERVICE
11 POSITIONS.—As part of the provision of assistance under
12 subsections (a) and (b), the Corporation shall—

13 “(1) approve the provision of national service
14 educational awards described in subtitle D for the
15 participants who serve in national service programs
16 carried out using such assistance; and

17 “(2) deposit in the National Service Trust es-
18 tablished in section 145(a) an amount equal to the
19 product of—

20 “(A) the value of a national service edu-
21 cational award under section 147; and

22 “(B) the total number of approved national
23 service positions to be provided.

24 “(d) FIVE PERCENT LIMITATION ON ADMINISTRA-
25 TIVE COSTS.—

1 “(1) LIMITATION.—Not more than 5 percent of
2 the amount of assistance provided to the original re-
3 cipient of a grant or transfer of assistance under
4 subsection (a) or (b) for a fiscal year may be used
5 to pay for administrative costs incurred by—

6 “(A) the recipient of the assistance; and

7 “(B) national service programs carried out
8 or supported with the assistance.

9 “(2) RULES ON USE.—The Corporation may by
10 rule prescribe the manner and extent to which—

11 “(A) assistance provided under subsection
12 (a) or (b) may be used to cover administrative
13 costs; and

14 “(B) that portion of the assistance avail-
15 able to cover administrative costs should be dis-
16 tributed between—

17 “(i) the original recipient of the grant
18 or transfer of assistance under such sub-
19 section; and

20 “(ii) national service programs carried
21 out or supported with the assistance.

22 “(e) MATCHING FUNDS REQUIREMENTS.—

23 “(1) REQUIREMENTS.—Except as provided in
24 section 140, the Federal share of the cost of carry-
25 ing out a national service program that receives the

1 assistance under subsection (a), whether the assist-
2 ance is provided directly or as a subgrant from the
3 original recipient of the assistance, may not exceed
4 75 percent of such cost.

5 “(2) CALCULATION.—In providing for the re-
6 maining share of the cost of carrying out a national
7 service program, the program—

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

11 “(B) may provide for such share through
12 State sources, local sources, or other Federal
13 sources (other than the use of funds made
14 available under the national service laws).

15 “(3) COST OF HEALTH CARE.—In providing a
16 payment in cash under paragraph (2)(A) as part of
17 providing for the remaining share of the cost of car-
18 rying out a national service program, the program
19 may count not more than 85 percent of the cost of
20 providing a health care policy described in section
21 140(d)(2) toward such share.

22 “(4) WAIVER.—The Corporation may waive in
23 whole or in part the requirements of paragraph (1)
24 with respect to a national service program in any fis-
25 cal year if the Corporation determines that such a

1 waiver would be equitable due to a lack of available
2 financial resources at the local level.

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

5 **"(a) ELIGIBLE NATIONAL SERVICE PROGRAMS.—**
6 The recipient of a grant under section 121(a) and each
7 Federal agency receiving assistance under section 121(b)
8 shall use the assistance, directly or through subgrants to
9 other entities, to carry out full- or part-time national serv-
10 ice programs, including summer programs, that address
11 unmet human, educational, environmental, or public safe-
12 ty needs. Subject to subsection (b)(1), these national serv-
13 ice programs may include the following types of national
14 service programs:

15 **"(1)** A community corps program that meets
16 unmet human, educational, environmental, or public
17 safety needs and promotes greater community unity
18 through the use of organized teams of participants
19 of varied social and economic backgrounds, skill lev-
20 els, physical and developmental capabilities, ages,
21 ethnic backgrounds, or genders.

22 **"(2)** A full-time, year-round youth corps pro-
23 gram or full-time summer youth corps program,
24 such as a conservation corps or youth service corps
25 (including the Public Lands Corps established under

1 the Public Lands Corps Act of 1993, the Urban
2 Youth Corps established under section 106 of the
3 National Service Trust Act of 1993, and other con-
4 servations corps or youth service corps that performs
5 service on Federal or other public lands or on Indian
6 lands or Hawaiian home lands), that—

7 “(A) undertakes meaningful service
8 projects with visible public benefits, including
9 natural resource, urban renovation, or human
10 services projects;

11 “(B) includes as participants youths and
12 young adults between the ages of 16 and 25, in-
13 clusive, including out-of-school youths and other
14 disadvantaged youths (such as youths with lim-
15 ited basic skills, youths in foster care who are
16 becoming too old for foster care, youths of lim-
17 ited English proficiency, and homeless youths,
18 and youths with disabilities) who are between
19 those ages; and

20 “(C) provides those participants who are
21 youths and young adults with—

22 “(i) crew-based, highly structured,
23 and adult-supervised work experience, life
24 skills, education, career guidance and

1 counseling, employment training, and sup-
2 port services; and

3 “(ii) the opportunity to develop citi-
4 zenship values and skills through service to
5 their community and the United States.

6 “(3) A program that provides specialized train-
7 ing to individuals in service-learning and places the
8 individuals after such training in positions, including
9 positions as service-learning coordinators, to facili-
10 tate service-learning in programs eligible for funding
11 under part I subtitle B.

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

15 “(A) recruits individuals with special skills
16 or provides specialized preservice training to en-
17 able participants to be placed individually or in
18 teams in positions in which the participants can
19 meet such unmet needs; and

20 “(B) brings participants together for addi-
21 tional training and other activities designed to
22 foster civic responsibility, increase the skills of
23 participants, and improve the quality of the
24 service provided.

1 “(5) An individualized placement program that
2 includes regular group activities, such as leadership
3 training and special service projects.

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

8 “(A) students who are attending an insti-
9 tution of higher education, including students
10 participating in a work-study program assisted
11 under part C of title IV of the Higher Edu-
12 cation Act of 1965 (42 U.S.C. 2751 et seq.);

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

14 “(C) teams composed of a combination of
15 such students and community residents.

16 “(7) A preprofessional training program in
17 which students enrolled in an institution of higher
18 education—

19 “(A) receive training in specified fields,
20 which may include classes containing service-
21 learning;

22 “(B) perform service related to such train-
23 ing outside the classroom during the school
24 term and during summer or other vacation peri-
25 ods; and

1 “(C) agree to provide service upon gradua-
2 tion to meet unmet human, educational, envi-
3 ronmental, or public safety needs related to
4 such training.

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

7 “(A) as teachers, nurses and other health
8 care providers, police officers, early childhood
9 development staff, engineers, or other profes-
10 sionals providing service to meet educational,
11 human, environmental, or public safety needs in
12 communities with an inadequate number of
13 such professionals;

14 “(B) that may include a salary in excess of
15 the maximum living allowance authorized in
16 subsection (a)(3) of section 140, as provided in
17 subsection (c) of such section; and

18 “(C) that are sponsored by public or pri-
19 vate nonprofit employers who agree to pay 100
20 percent of the salaries and benefits (other than
21 any national service educational award under
22 subtitle D) of the participants.

23 “(9) A program in which economically dis-
24 advantaged individuals who are between the ages of
25 16 and 24 years of age, inclusive, are provided with

1 opportunities to perform service that, while enabling
2 such individuals to obtain the education and employ-
3 ment skills necessary to achieve economic self-suffi-
4 ciency, will help their communities meet—

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

7 “(B) the need for community facilities in
8 low-income areas.

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

13 “(11) An intergenerational program that com-
14 bines students, out-of-school youths, and older
15 adults as participants to provide needed community
16 services, including an intergenerational component
17 for other national service programs described in this
18 subsection.

19 “(12) A program that is administered by a
20 combination of nonprofit organizations located in a
21 low-income area, provides a broad range of services
22 to residents of such area, is governed by a board
23 composed in significant part of low-income individ-
24 uals, and is intended to provide opportunities for in-
25 dividuals or teams of individuals to engage in com-

1 munity projects in such area that meet unaddressed
2 community and individual needs, including projects
3 that would—

4 “(A) meet the needs of low-income children
5 and youth aged 18 and younger, such as pro-
6 viding after-school ‘safe-places’, including
7 schools, with opportunities for learning and
8 recreation; or

9 “(B) be directed to other important
10 unaddressed needs in such area.

11 “(13) A community service program designed to
12 meet the needs of rural communities, using teams or
13 individual placements to address the development
14 needs of rural communities and to combat rural pov-
15 erty, including health care, education, and job train-
16 ing.

17 “(14) A program that seeks to eliminate hunger
18 in communities and rural areas through service in
19 projects—

20 “(A) involving food banks, food pantries,
21 and nonprofit organizations that provide food
22 during emergencies;

23 “(B) involving the gleaning of prepared
24 and unprepared food that would otherwise be
25 discarded as unusable so that the usable por-

1 tion of such food may be donated to food banks,
2 food pantries, and other nonprofit organiza-
3 tions;

4 “(C) seeking to address the long-term
5 causes of hunger through education and the de-
6 livery of appropriate services; or

7 “(D) providing training in basic health,
8 nutrition, and life skills necessary to alleviate
9 hunger in communities and rural areas.

10 “(15) Such other national service programs ad-
11 dressing unmet human, educational, environmental,
12 or public safety needs as the Corporation may des-
13 ignate.

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

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

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

1 shall consult with organizations and individuals with
2 extensive experience in developing and administering
3 effective national service programs or regarding the
4 delivery of human, educational, environmental, or
5 public safety services to communities or persons.

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

12 “(4) ENCOURAGEMENT OF INTERGEN-
13 ERATIONAL COMPONENTS OF PROGRAMS.—The Cor-
14 poration shall encourage national service programs
15 eligible to receive assistance or approved national
16 service positions under this subtitle to establish, if
17 consistent with the purposes of the program, an
18 intergenerational component of the program that
19 combines students, out-of-school youths, and older
20 adults as participants to provide services to address
21 unmet human, educational, environmental, or public
22 safety needs.

23 “(c) NATIONAL SERVICE PRIORITIES.—

24 “(1) ESTABLISHMENT.—**[Note: Paragraph**
25 **(1) is from Senate version and contains**

1 **an amendment adding subparagraph (B)**
2 **that is not referred to in the drafting in-**
3 **structions]**

4 “(A) BY CORPORATION.—In order to con-
5 centrate national efforts on meeting certain
6 unmet human, educational, environmental, or
7 public safety needs and to achieve the other
8 purposes of this Act, the Corporation shall es-
9 tablish, and after reviewing the strategic plan
10 approved under section 192A(g)(1), periodically
11 alter priorities as appropriate regarding the
12 types of national service programs to be as-
13 sisted under subsection (b) or (d) of section 129
14 and the purposes for which such assistance may
15 be used.

16 “(B) BY STATES.—States shall establish,
17 and through the national service plan process
18 described in section 178(e)(1), periodically alter
19 priorities as appropriate regarding the national
20 service programs to be assisted under section
21 129(a)(1).

22 “(2) NOTICE TO APPLICANTS.—The Cor-
23 poration shall provide advance notice to potential ap-
24 plicants of any national service priorities to be in ef-

1 fect under this subsection for a fiscal year. The no-
2 tice shall specifically include—

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

5 “(B) a description of the national service
6 programs that are designated by the Cor-
7 poration under section 133(d)(2) as eligible for
8 priority consideration in the next competitive
9 distribution of assistance under section 121(a).

10 “(3) REGULATIONS.—The Corporation shall by
11 regulation establish procedures to ensure the equi-
12 table treatment of national service programs that—

13 “(A) receive funding under this subtitle for
14 multiple years; and

15 “(B) would be adversely affected by annual
16 revisions in such national service priorities.

17 “(4) APPLICATION TO SUBGRANTS.—Any na-
18 tional service priorities established by the Cor-
19 poration under this subsection shall also be used by
20 each recipient of funds under section 121(a) that
21 uses any portion of the assistance to conduct a grant
22 program to support other national service programs.

1 **“SEC. 123. TYPES OF NATIONAL SERVICE POSITIONS ELIGI-**
2 **BLE FOR APPROVAL FOR NATIONAL SERVICE**
3 **EDUCATIONAL AWARDS.**

4 “The Corporation may approve of any of the fol-
5 lowing service positions as an approved national service
6 position that includes the national service educational
7 award described in subtitle D as one of the benefits to
8 be provided for successful service in the position:

9 “(1) A position for a participant in a national
10 service program described in section 122(a) that re-
11 ceives assistance under subsection (a) or (b) of sec-
12 tion 121.

13 “(2) A position for a participant in a program
14 that—

15 “(A) is carried out by a State, a sub-
16 division of a State, an Indian tribe, a public or
17 private nonprofit organization, an institution of
18 higher education, or a Federal agency; and

19 “(B) would be eligible to receive assistance
20 under section 121(a), based on criteria estab-
21 lished by the Corporation, but has not applied
22 for such assistance.

23 “(3) A position involving service as a VISTA
24 volunteer under title I of the Domestic Volunteer
25 Service Act of 1973 (42 U.S.C. 4951 et seq.).

1 “(4) A position facilitating service-learning in a
2 program described in section 122(a)(3) that is eligi-
3 ble for assistance under part I of subtitle B.

4 “(5) A position for a participant in the Civilian
5 Community Corps under subtitle E.

6 “(6) A position involving service as a crew lead-
7 er in a youth corps program or a similar position
8 supporting a national service program that receives
9 an approved national service position.

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

12 **“SEC. 124. TYPES OF PROGRAM ASSISTANCE.**

13 “(a) PLANNING ASSISTANCE.—The Corporation may
14 provide assistance under section 121 to a qualified appli-
15 cant that submits an application under section 130 for the
16 planning of a national service program. Assistance pro-
17 vided in accordance with this subsection may cover a pe-
18 riod of not more than 1 year.

19 “(b) OPERATIONAL ASSISTANCE.—The Corporation
20 may provide assistance under section 121 to a qualified
21 applicant that submits an application under section 130
22 for the establishment, operation, or expansion of a na-
23 tional service program. Assistance provided in accordance
24 with this subsection may cover a period of not more than

1 3 years, but may be renewed by the Corporation upon con-
2 sideration of a new application under section 130.

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

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

17 **“SEC. 125. TRAINING AND TECHNICAL ASSISTANCE.**

18 “(a) TRAINING PROGRAMS.—The Corporation may
19 conduct, directly or by grant or contract, appropriate
20 training programs regarding national service in order to—

21 “(1) improve the ability of national service pro-
22 grams assisted under section 121 to meet human,
23 educational, environmental, or public safety needs in
24 communities—

25 “(A) where services are needed most; and

1 “(B) where programs do not exist, or are
2 too limited to meet community needs, as of the
3 date on which the Corporation makes the grant
4 or enters into the contract;

5 “(2) promote leadership development in such
6 programs;

7 “(3) improve the instructional and pro-
8 grammatic quality of such programs to build an
9 ethic of civic responsibility;

10 “(4) develop the management and budgetary
11 skills of program operators; and

12 “(5) provide for or improve the training pro-
13 vided to the participants in such programs.

14 “(b) TECHNICAL ASSISTANCE.—[Note: Rewrit-
15 **ten to conform to drafting instructions]**To the
16 extent appropriate and necessary, the Corporation shall
17 make technical assistance available to States, Indian
18 tribes, labor organizations, organizations operated by
19 young adults, organizations serving economically dis-
20 advantaged individuals, and other entities described in sec-
21 tion 121 that desire—

22 “(1) to develop national service programs; or

23 “(2) to apply for assistance under such section
24 or under a grant program conducted using assist-
25 ance provided under such section.

*M. J. W. ©
Porter
amendment*

1 "SEC. 126. OTHER SPECIAL ASSISTANCE.

2 "(a) SUPPORT FOR STATE COMMISSIONS.—

3 "(1) ASSISTANCE AUTHORIZED.—The Cor-
4 poration may make assistance available to assist a
5 State to establish or operate the State Commission
6 on National and Community Service required to be
7 established by the State under section 178.

8 "(2) AMOUNT OF ASSISTANCE.—The amount of
9 assistance that may be provided to a State Commis-
10 sion under this subsection, together with other Fed-
11 eral funds available to establish or operate the State
12 Commission, may not exceed—

13 "(A) 85 percent of the total cost to estab-
14 lish or operate the State Commission for the
15 first year for which the State Commission re-
16 ceives assistance under this subsection, and

17 "(B) such smaller percentage of such cost
18 as the Corporation may establish for the sec-
19 ond, third, and fourth years of such assistance
20 in order to ensure that the Federal share does
21 not exceed 50 percent of such costs for the fifth
22 year, and any subsequent year, for which the
23 State Commission receives assistance under this
24 subsection.

25 "(b) DISASTER SERVICE.—The Corporation may un-
26 dertake activities, including activities carried out through

*From amounts
appropriated
under §501a4*

the lower of

\$150,000

1 part A of title I of the Domestic Volunteer Service Act
2 of 1973, to involve in disaster relief efforts youth corps
3 programs described in section 122(a)(2) and other pro-
4 grams that receive assistance under the national service
5 laws.

6 “(c) CHALLENGE GRANTS FOR NATIONAL SERVICE
7 PROGRAMS.—

8 “(1) ASSISTANCE AUTHORIZED.—The Cor-
9 poration may make challenge grants under this sub-
10 section to national service programs that receive as-
11 sistance under section 121.

12 “(2) SELECTION CRITERIA.—The Corporation
13 shall develop criteria for the selection of recipients of
14 challenge grants under this subsection, so as to
15 make the grants widely available to a variety of pro-
16 grams that—

17 “(A) are high-quality national service pro-
18 grams; and

19 “(B) are carried out by entities with dem-
20 onstrated experience in establishing and imple-
21 menting projects that provide benefits to par-
22 ticipants and communities.

23 “(3) AMOUNT OF ASSISTANCE.—A challenge
24 grant under this subsection may provide not more
25 than \$1 of assistance under this subsection for each

1 \$1 in cash raised by the national service program
2 from private sources in excess of amounts required
3 to be provided by the program to satisfy matching
4 funds requirements under section 121(e). The Cor-
5 poration shall establish a ceiling on the amount of
6 assistance that may be provided to a national service
7 program under this subsection.

8 **“PART II—APPLICATION AND APPROVAL**
9 **PROCESS**

10 **“SEC. 129. PROVISION OF ASSISTANCE AND APPROVED NA-**
11 **TIONAL SERVICE POSITIONS BY COMPETI-**
12 **TIVE AND OTHER MEANS.**

13 “(a) ALLOTMENTS OF ASSISTANCE AND APPROVED
14 POSITIONS TO STATES AND INDIAN TRIBES.—

15 “(1) ALLOTMENT OF ASSISTANCE TO CERTAIN
16 STATES.—[Note: Senate version of para-
17 graph (1) (printed here) contains several
18 additional subparagraphs not referred to
19 in side-by-side. Does the Senate recede to
20 these new provisions?]

21 “(A) IN GENERAL.—Of the funds allocated
22 by the Corporation for provision of assistance
23 under subsections (a) and (b) of section 121 for
24 a fiscal year, the Corporation shall make a
25 grant under section 121(a) (and a cor-

1 responding allotment of approved national serv-
2 ice positions) to each of the several States, the
3 District of Columbia, and the Commonwealth of
4 Puerto Rico that has an application approved
5 by the Corporation under section 133.

6 “(B) ALLOTMENT AMOUNTS.—Except as
7 provided in subparagraph (C), the amount allot-
8 ted as a grant to each such State under this
9 paragraph for a fiscal year shall be equal to—

10 “(i) in the first fiscal year for which
11 funds are appropriated under section
12 501(a)(2), an amount that bears the same
13 ratio to 40 percent of the allocated funds
14 for such fiscal year;

15 “(ii) in the second such fiscal year, an
16 amount that bears the same ratio to 45
17 percent of the allocated funds for such fis-
18 cal year; and

19 “(iii) in the third such fiscal year, an
20 amount that bears the same ratio to 50
21 percent of the allocated funds for such fis-
22 cal year,

23 as the population of the State bears to the total
24 population of the several States, the District of

3313

1 Columbia, and the Commonwealth of Puerto
2 Rico.

3 “(C) LIMITATION.—In no case shall any
4 State receive a grant under this paragraph for
5 a fiscal year in an amount that is less than $\frac{1}{2}$
6 of 1 percent of the allocated funds for the fiscal
7 year.

8 “(2) ONE PERCENT ALLOTMENT FOR CERTAIN
9 TERRITORIES AND POSSESSIONS.—Of the funds allo-
10 cated by the Corporation for provision of assistance
11 under subsections (a) and (b) of section 121 for a
12 fiscal year, the Corporation shall reserve 1 percent
13 of the allocated funds for grants under section
14 121(a) to the Virgin Islands of the United States,
15 Guam, American Samoa, and the Commonwealth of
16 the Northern Mariana Islands upon approval of an
17 application by the Corporation under section 133.
18 Palau shall also be eligible for a grant under this
19 paragraph from the allotment until such time as the
20 Compact of Free Association with Palau is ratified.
21 The amount allotted as a grant to each such terri-
22 tory or possession under this paragraph for a fiscal
23 year shall be equal to the amount that bears the
24 same ratio to 1 percent of the allocated funds for
25 that fiscal year as the population of the territory or

1 possession bears to the total population of such ter-
2 ritories and possessions.

3 “(3) ONE PERCENT ALLOTMENT FOR INDIAN
4 TRIBES.—Of the funds allocated by the Corporation
5 for provision of assistance under subsections (a) and
6 (b) of section 121 for a fiscal year, the Corporation
7 shall reserve 1 percent of the allocated funds for
8 grants under section 121(a) to Indian tribes, to be
9 allotted by the Corporation on a competitive basis in
10 accordance with their respective needs.

11 “(4) EFFECT OF FAILURE TO APPLY.—If a
12 State or Indian tribe fails to apply for, or fails to
13 give notice to the Corporation of its intent to apply
14 for, an allotment under this subsection, the Cor-
15 poration shall use the amount that would have been
16 allotted under this subsection to the State or Indian
17 tribe—

18 “(A) to make grants (and provide ap-
19 proved national service positions in connection
20 with such grants) to other eligible entities
21 under section 121 that propose to carry out na-
22 tional service programs in the State or on be-
23 half of the Indian tribe; and

24 “(B) after making grants under subpara-
25 graph (A), to make a reallocation to other

1 States and Indian tribes with approved applica-
2 tions under section 130.

3 “(5) EFFECT OF STATE FAILURE TO LIMIT LI-
4 ABILITY.—[**Note: No reference in drafting**
5 **instructions to this House provision**]If, not
6 later than 2 years after the effective date of this
7 subtitle, a State fails to have in effect (and to certify
8 in its application that the State has in effect) a lim-
9 itation on liability that satisfies the requirements of
10 title V of the National Service Trust Act of 1993,
11 the allotment for such State shall be reduced by 5
12 percent, and the Corporation shall allot the amount
13 of the reduction among the States that have in ef-
14 fect (and so certify) such limitation.

15 “(b) RESERVATION OF APPROVED POSITIONS.—The
16 Corporation shall ensure that each individual selected dur-
17 ing a fiscal year for assignment as a VISTA volunteer
18 under title I of the Domestic Volunteer Service Act of
19 1973 (42 U.S.C. 4951 et seq.) or as a participant in the
20 Civilian Community Corps Demonstration Program under
21 subtitle E shall receive the national service educational
22 award described in subtitle D if the individual satisfies the
23 eligibility requirements for the award. Funds for approved
24 national service positions required by this paragraph for
25 a fiscal year shall be deducted from the total funding for

1 approved national service positions to be available for dis-
 2 tribution under subsections (a) and (d) for that fiscal year.

3 “(c) RESERVATION FOR SPECIAL ASSISTANCE.—Sub-
 4 ject to section 501(a)(2), of the funds ^{appropriated under § 501(a)(2)} ~~allocated by the~~
 5 ~~Corporation for provision of assistance under subsections~~
 6 ~~(a) and (b) of section 121 for a fiscal year~~, the Cor-
 7 poration may reserve such amount as the Corporation con-
 8 siders to be appropriate for the purpose of making assist-
 9 ance available under sections 125 and 126. ^{(b) + (c).} The Cor-
 10 poration may not reserve more than \$10,000,000 for a
 11 fiscal year for challenge grants under section 126(c).

12 “(d) COMPETITIVE DISTRIBUTION OF REMAINING
 13 FUNDS.—**[Note: Drafting instructions indicate**
 14 **that paragraph (1) is identical in the two bills.**
 15 **They are not.]**

16 “(1) STATE COMPETITION.—**[House Provi-**
 17 **sion]** Of the funds allocated by the Corporation for
 18 provision of assistance under subsections (a) and (b)
 19 of section 121 for a fiscal year, the Corporation shall
 20 use not less than 33⅓ percent of the allocated funds
 21 to make grants to States on a competitive basis
 22 under section 121(a).

23 “(1) STATE COMPETITION.—**[Senate Provi-**
 24 **sion]** Of the funds allocated by the Corporation for
 25 provision of assistance under subsections (a) and (b)

1 of section 121 for a fiscal year, the Corporation shall
2 use not less than 30 percent of the allocated funds
3 in the first fiscal year for which funds are appro-
4 priated under section 501(a)(2), not less than 27½
5 percent of the allocated funds in the second such fis-
6 cal year, and not less than 25 percent of the allo-
7 cated funds in the third such fiscal year, to make
8 grants to States (through the State Commissions)
9 on a competitive basis under section 121(a).

10 “(2) FEDERAL AGENCIES AND OTHER APPLI-
11 CANTS.—The Corporation shall distribute on a com-
12 petitive basis to subdivisions of States, Indian tribes,
13 public or private nonprofit organizations (including
14 labor organizations), institutions of higher edu-
15 cation, and Federal agencies the remainder of the
16 funds allocated by the Corporation for provision of
17 assistance under section 121 for a fiscal year, after
18 operation of paragraph (1) and subsections (a) and
19 (c).

20 “(3) LIMITATION ON DISTRIBUTION TO FED-
21 ERAL AGENCIES.—The Corporation may not provide
22 more than ⅓ of the funds available for competitive
23 distribution under paragraph (2) for a fiscal year to
24 Federal agencies under section 121(b).

1 “(4) PRIORITY LIMITATIONS.—The Corporation
2 may limit the categories of eligible applicants for as-
3 sistance under paragraph (2) consistent with the pri-
4 orities established by the Corporation under section
5 133(d)(2).

6 “(5) RESERVATION.—[**Note: No reference**
7 **to this Senate provision (numbered as**
8 **paragraph (4) in Senate text) in the draft-**
9 **ing instructions.]**

10 “(A) SUPPLEMENTAL AND OTHER
11 GRANTS. ~~in~~ distributing the funds allocated by
12 the Corporation for provision of assistance
13 under section 121 for a fiscal year, after oper-
14 ation of subsections (a) and (c), the Chief Exec-
15 utive Officer shall reserve, from the funds avail-
16 able to make grants under paragraphs (1) and
17 (2), an amount that is not ~~less than 2 percent~~
18 ~~and not more than 5 percent~~ ^{up 12} of such funds (ex-
19 cept that such amount may not exceed
20 \$~~10~~,000,000), in order to make supplemental
21 grants as provided in subparagraph (B) and
22 grants as provided in subparagraph (C).

23 “(B) GRANTS TO ASSIST ENTITIES IN
24 PLACING APPLICANTS WHO ARE INDIVIDUALS
25 WITH A DISABILITY.—

*from funds
appropriated
under § 501(a)(2)*

carry over

1 “(i) IN GENERAL.—The Chief Execu-
2 tive Officer shall make grants from a por-
3 tion of the funds reserved under subpara-
4 graph (A) to entities that—

5 “(I) receive a grant to carry out
6 a national service program under
7 paragraph (1) or (2);

8 “(II) demonstrate that the entity
9 has received a substantial number of
10 applications for placement in the na-
11 tional service program of persons who
12 are individuals with a disability, as
13 defined in section 3(2) of the Ameri-
14 cans with Disabilities Act of 1990,
15 and who require a reasonable accom-
16 modation, as defined in section 101(9)
17 of such Act or auxiliary aids and serv-
18 ices, as defined in section 3(1) of such
19 Act, in order to perform national serv-
20 ice; and

21 “(III) demonstrate that addi-
22 tional funding would assist the na-
23 tional service program in placing a
24 substantial number of such individuals
25 with a disability as participants in

1 projects carried out through the pro-
2 gram.

3 “(ii) REQUIREMENTS.—Funds made
4 available through such a supplemental
5 grant under clause (i) shall be made avail-
6 able for the same purposes, and subject to
7 the same requirements, as funds made
8 available through a grant made under
9 paragraph (1) or (2).

10 “(C) GRANTS FOR OUTREACH TO INDIVID-
11 UALS WITH A DISABILITY.—

12 “(i) IN GENERAL.—From the portion
13 of the funds reserved under subparagraph
14 (A) that is not used to make grants under
15 subparagraph (B), the Chief Executive Of-
16 ficer shall make grants to public or private
17 nonprofit organizations to pay for the Fed-
18 eral share described in section 121(e) of—

19 “(I) providing information about
20 the programs specified in section
21 193A(d)(10) to such individuals with
22 a disability who desire to perform na-
23 tional service; and

24 “(II) enabling the individuals to
25 participate in activities carried out

1 through such programs, which may
2 include assisting the placement of the
3 individuals in approved national serv-
4 ice positions.

5 “(ii) APPLICATION.—To be eligible to
6 receive a grant under this subparagraph,
7 an organization described in clause (i)
8 shall submit an application to the Chief
9 Executive Officer at such time, in such
10 manner, and containing such information
11 as the Chief Executive Officer may require.

12 “(e) APPLICATION REQUIRED.—The allotment of as-
13 sistance and approved national service positions to a State
14 or Indian tribe under subsection (a), and the competitive
15 distribution of assistance under subsection (d), shall be
16 made by the Corporation only pursuant to an application
17 submitted by a State or other applicant under section 130
18 and approved by the Corporation under section 133.

19 “(f) APPROVAL OF POSITIONS SUBJECT TO AVAIL-
20 ABLE FUNDS.—The Corporation may not approve posi-
21 tions as approved national service positions under this
22 subtitle for a fiscal year in excess of the number of such
23 positions for which the Corporation has sufficient available
24 funds in the National Service Trust for that fiscal year,
25 taking into consideration funding needs for national serv-

1 ice educational awards under subtitle D based on com-
2 pleted service. If appropriations are insufficient to provide
3 the maximum allowable national service educational
4 awards under subtitle D for all eligible participants, the
5 Corporation is authorized to make necessary and reason-
6 able adjustments to program rules.

7 “(g) SPONSORSHIP OF APPROVED NATIONAL SERV-
8 ICE POSITIONS.—

9 “(1) SPONSORSHIP AUTHORIZED.—The Cor-
10 poration may enter into agreements with persons or
11 entities who offer to sponsor national service posi-
12 tions for which the person or entity will be respon-
13 sible for supplying the funds necessary to provide a
14 national service educational award. The distribution
15 of these approved national service positions shall be
16 made pursuant to the agreement, and the creation
17 of these positions shall not be taken into consider-
18 ation in determining the number of approved na-
19 tional service positions to be available for dis-
20 tribution under this section.

21 “(2) DEPOSIT OF CONTRIBUTION.—Funds pro-
22 vided pursuant to an agreement under paragraph
23 (1) and any other funds contributed to the Cor-
24 poration to support the activities of the Corporation
25 under the national service laws shall be deposited in

1 the National Service Trust established in section
2 145 until such time as the funds are needed.

3 **"SEC. 130. APPLICATION FOR ASSISTANCE AND APPROVED**
4 **NATIONAL SERVICE POSITIONS.**

5 "(a) TIME, MANNER, AND CONTENT OF APPLICA-
6 TION.—To be eligible to receive assistance under section
7 121 and approved national service positions for partici-
8 pants who serve in the national service programs to be
9 carried out using the assistance, a State, subdivision of
10 a State, Indian tribe, public or private nonprofit organiza-
11 tion, institution of higher education, or Federal agency
12 shall prepare and submit to the Corporation an application
13 at such time, in such manner, and containing such infor-
14 mation as the Corporation may reasonably require.

15 "(b) TYPES OF PERMISSIBLE APPLICATION INFOR-
16 MATION.—In order to have adequate information upon
17 which to consider an application under section 133, the
18 Corporation may require the following information to be
19 provided in an application submitted under subsection (a):

20 "(1) A description of the national service pro-
21 grams proposed to be carried out directly by the ap-
22 plicant using assistance provided under section 121.

23 "(2) A description of the national service pro-
24 grams that are selected by the applicant to receive
25 a grant from assistance requested under section 121

1 and a description of the process and criteria by
2 which the programs were selected.

3 “(3) A description of other funding sources to
4 be used, or sought to be used, for the national serv-
5 ice programs referred to in paragraphs (1) and (2),
6 and, if the application is submitted for the purpose
7 of seeking a renewal of assistance, a description of
8 the success of the programs in reducing their reli-
9 ance on Federal funds.

10 “(4) A description of the extent to which the
11 projects to be conducted using the assistance will ad-
12 dress unmet human, educational, environmental, or
13 public safety needs and produce a direct benefit for
14 the community in which the projects are performed.

15 “(5) A description of the plan to be used to re-
16 cruit participants, including youth with disabilities
17 and economically disadvantaged youth, for the na-
18 tional service programs referred to in paragraphs (1)
19 and (2).

20 “(6) A description of the manner in which the
21 national service programs referred to in paragraphs
22 (1) and (2) build on existing programs, including
23 Federal programs.

1 “(7) A description of the manner in which the
2 national service programs referred to in paragraphs
3 (1) and (2) will involve participants—

4 “(A) in projects that build an ethic of civic
5 responsibility and produce a positive change in
6 the lives of participants through training and
7 participation in meaningful service experiences
8 and opportunities for reflection on such experi-
9 ences; and *where appropriate*
10 “(B) in leadership positions in implement-
11 ing and evaluating the program.

12 “(8) Measurable goals for the national service
13 programs referred to in paragraphs (1) and (2), and
14 a strategy to achieve such goals, in terms of—

15 “(A) the impact to be made in meeting
16 unmet human, educational, environmental, or
17 public safety needs; and

18 “(B) the service experience to be provided
19 to participants in the programs.

20 “(9) A description of the manner and extent to
21 which the national service programs referred to in
22 paragraphs (1) and (2) conform to the national serv-
23 ice priorities established by the Corporation under
24 section 122(c).

1 “(10) A description of the past experience of
2 the applicant in operating a comparable program or
3 in conducting a grant program in support of other
4 comparable service programs.

5 “(11) A description of the type and number of
6 proposed service positions in which participants will
7 receive the national service educational award de-
8 scribed in subtitle D and a description of the man-
9 ner in which approved national service positions will
10 be apportioned by the applicant.

11 “(12) A description of the manner and extent
12 to which participants, representatives of the commu-
13 nity served, community-based agencies with a dem-
14 onstrated record of experience in providing services,
15 and labor organizations contributed to the develop-
16 ment of the national service programs referred to in
17 paragraphs (1) and (2), including the identity of the
18 individual representing each appropriate labor orga-
19 nization (if any) who was consulted and the nature
20 of the consultation.

21 “(13) Such other information as the Cor-
22 poration may reasonably require.

23 “(c) REQUIRED APPLICATION INFORMATION.—An
24 application submitted under subsection (a) shall contain
25 the following information:

1 “(1) A description of the jobs or positions into
2 which participants will be placed using the assist-
3 ance provided under section 121, including descrip-
4 tions of specific tasks to be performed by such par-
5 ticipants.

6 “(2) A description of the minimum qualifica-
7 tions that individuals shall meet to become partici-
8 pants in such programs.

9 “(d) APPLICATION TO RECEIVE ONLY APPROVED
10 NATIONAL SERVICE POSITIONS.—

11 “(1) APPLICABILITY OF SUBSECTION.—This
12 subsection shall apply in the case of an application
13 in which—

14 “(A) the applicant is not seeking assist-
15 ance under subsection (a) or (b) of section 121,
16 but requests national service educational
17 awards for individuals serving in service posi-
18 tions described in section 123; or

19 “(B) the applicant requests national serv-
20 ice educational awards for service positions de-
21 scribed in section 123, but the positions are not
22 positions in a national service program de-
23 scribed in section 122(a) for which assistance
24 may be provided under subsection (a) or (b) of
25 section 121.

1 “(2) SPECIAL APPLICATION REQUIREMENTS.—

2 For the applications described in paragraph (1), the
3 Corporation shall establish special application re-
4 quirements in order to determine—

5 “(A) whether the service positions meet
6 unmet human, educational, environmental, or
7 public safety needs and meet the criteria for as-
8 sistance under this subtitle; and

9 “(B) whether the Corporation should ap-
10 prove the positions as approved national service
11 positions that include the national service edu-
12 cational award described in subtitle D as one of
13 the benefits to be provided for successful service
14 in the position.

15 “(e) SPECIAL RULE FOR STATE APPLICANTS.—

16 “(1) SUBMISSION BY STATE COMMISSION.—The
17 application of a State for approved national service
18 positions or for a grant under section 121(a) shall
19 be submitted by the State Commission.

20 “(2) COMPETITIVE SELECTION.—The applica-
21 tion of a State shall contain an assurance that all
22 assistance provided under section 121(a) to the
23 State will be used to support national service pro-
24 grams that were selected by the State on a competi-
25 tive basis. In making such competitive selections, the

1 State shall seek to ensure the equitable allocation
2 within the State of assistance and approved national
3 service positions provided under this subtitle to the
4 State taking into consideration such factors as the
5 location of the programs applying to the State, pop-
6 ulation density, and economic distress.

7 “(3) ASSISTANCE TO NONSTATE ENTITIES.—

8 The application of a State shall also contain an as-
9 surance that not less than 60 percent of the assist-
10 ance will be used to make grants in support of na-
11 tional service programs other than national service
12 programs carried out by a State agency. The Cor-
13 poration may permit a State to deviate from the per-
14 centage specified by this subsection if the State has
15 not received a sufficient number of acceptable appli-
16 cations to comply with the percentage.

17 “(f) SPECIAL RULE FOR CERTAIN APPLICANTS.—

18 “(1) WRITTEN CONCURRENCE.—In the case of
19 a program applicant that proposes to also serve as
20 the service sponsor, the application shall include the
21 written concurrence of any local labor organization
22 representing employees of the service sponsor who
23 are engaged in the same or substantially similar
24 work as that proposed to be carried out.

1 “(2) PROGRAM APPLICANT DEFINED.—For pur-
2 poses of this subsection, the term ‘program appli-
3 cant’ means—

4 “(A) a State, subdivision of a State, Indian
5 tribe, public or private nonprofit organization,
6 institution of higher education, or Federal
7 agency submitting an application under this
8 section; or

9 “(B) an entity applying for assistance or
10 approved national service positions through a
11 grant program conducted using assistance pro-
12 vided to a State, subdivision of a State, Indian
13 tribe, public or private nonprofit organization,
14 institution of higher education, or Federal
15 agency under section 121.

16 “(g) LIMITATION ON SAME PROJECT IN MULTIPLE
17 APPLICATIONS.—The Corporation shall reject an applica-
18 tion submitted under this section if a project proposed to
19 be conducted using assistance requested by the applicant
20 is already described in another application pending before
21 the Corporation.

22 “SEC. 131. NATIONAL SERVICE PROGRAM ASSISTANCE
23 REQUIREMENTS.

24 “(a) IMPACT ON COMMUNITIES.—[Note: Page
25 missing in drafting instructions relating to

1 **this subsection. I used House provision.]** An ap-
2 plication submitted under section 130 shall include an as-
3 surance by the applicant that any national service pro-
4 gram carried out by the applicant using assistance pro-
5 vided under section 121 and any national service program
6 supported by a grant made by the applicant using such
7 assistance will—

8 “(1) address unmet human, educational, envi-
9 ronmental, or public safety needs through services
10 that provide a direct benefit to the community in
11 which the service is performed; and

12 “(2) comply with the nonduplication and
13 nondisplacement requirements of section 177.

14 “(b) IMPACT ON PARTICIPANTS.—[**Note: Page**
15 **missing in drafting instructions relating to**
16 **this subsection. I used House provision.]**An ap-
17 plication submitted under section 130 shall also include
18 an assurance by the applicant that any national service
19 program carried out by the applicant using assistance pro-
20 vided under section 121 and any national service program
21 supported by a grant made by the applicant using such
22 assistance will—

23 “(1) provide participants in the national service
24 program with the training, skills, and knowledge

1 necessary for the projects that participants are
2 called upon to perform; and

3 “(2) provide support services to participants,
4 such as the provision of appropriate information and
5 support—

6 “(A) to those participants who are com-
7 pleting a term of service and making the transi-
8 tion to other educational and career opportuni-
9 ties; and

10 “(B) to those participants who are school
11 dropouts in order to assist those participants in
12 earning the equivalent of a high school diploma.

13 “(c) CONSULTATION.—An application submitted
14 under section 130 shall also include an assurance by the
15 applicant that any national service program carried out
16 by the applicant using assistance provided under section
17 121 and any national service program supported by a
18 grant made by the applicant using such assistance will—

19 “(1) provide in the design, recruitment, and op-
20 eration of the program for broad-based input from—

21 “(A) the community served and potential
22 participants in the program; and

23 “(B) community-based agencies with a
24 demonstrated record of experience in providing
25 services and local labor organizations rep-

1 resenting employees of service sponsors, if these
2 entities exist in the area to be served by the
3 program;

4 “(2) prior to the placement of participants, con-
5 sult with any local labor organization representing
6 employees in the area who are engaged in the same
7 or similar work as that proposed to be carried out
8 by such program to ensure compliance with the
9 nondisplacement requirements specified in section
10 177; and

11 “(3) in the case of a program that is not fund-
12 ed through a State, consult with and coordinate ac-
13 tivities with the State Commission for the State in
14 which the program operates.

15 “(d) EVALUATION AND PERFORMANCE GOALS.—

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

19 “(A) arrange for an independent evalua-
20 tion of any national service program carried out
21 using assistance provided to the applicant under
22 section 121 or, with the approval of the Cor-
23 poration, conduct an internal evaluation of the
24 program;

1 “(B) apply measurable performance goals
2 and evaluation methods (such as the use of sur-
3 veys of participants and persons served), which
4 are to be used as part of such evaluation to de-
5 termine the impact of the program—

6 “(i) on communities and persons
7 served by the projects performed by the
8 program;

9 “(ii) on participants who take part in
10 the projects; and

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

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

15 “(2) EVALUATION.—Subject to paragraph (3),
16 the Corporation shall develop evaluation criteria and
17 performance goals applicable to all national service
18 programs carried out with assistance provided under
19 section 121.

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

1 termination of whether a national service program is
2 covered by this paragraph shall be made in such
3 manner as the Corporation may prescribe.

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

8 “(1) ensure the provision of a living allowance
9 and other benefits specified in section 140 to partici-
10 pants in any national service program carried out by
11 the applicant using assistance provided under section
12 121; and

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

18 “(f) SELECTION OF PARTICIPANTS FROM INDIVID-
19 UALS RECRUITED BY CORPORATION OR STATE COMMIS-
20 SIONS.—The Corporation may also require an assurance
21 by the applicant that any national service program carried
22 out by the applicant using assistance provided under sec-
23 tion 121 and any national service program supported by
24 a grant made by the applicant using such assistance will
25 select a portion of the participants for the program from

1 among prospective participants recruited by the Cor-
2 poration or State Commissions under section 138(d). The
3 Corporation may specify a minimum percentage of partici-
4 pants to be selected from the national leadership pool es-
5 tablished under section 138(e) and may vary the percent-
6 age for different types of national service programs.

7 **“SEC. 132. INELIGIBLE SERVICE CATEGORIES.**

8 “(a) IN GENERAL.—Except as provided in sub-
9 sections (b) and (c), an application submitted to the Cor-
10 poration under section 130 shall include an assurance by
11 the applicant that any national service program carried
12 out using assistance provided under section 121 and any
13 approved national service position provided to an applicant
14 will not be used to perform service that provides a direct
15 benefit to any—

16 “(1) business organized for profit;

17 “(2) labor union;

18 “(3) partisan political organization;

19 “(4) organization engaged in religious activities,
20 unless such service does not involve the use of assist-
21 ance provided under section 121 or participants—

22 “(A) to give religious instruction;

23 “(B) to conduct worship services;

1 “(C) to provide instruction as part of a
2 program that includes mandatory religious edu-
3 cation or worship;

4 “(D) to construct ^{or maintain} or operate ^{primarily} facilities de-
5 voted to religious instruction or worship; or

6 “(E) to engage in any form of proselytiza-
7 tion; or

8 “(5) **[Note: This provision in Senate**
9 **version is not referred to in the drafting**
10 **instructions]** organization that expends more
11 than 20 percent of the annual budget of the organi-
12 zation, or whose primary purpose is, to influence
13 public policy or engage in legislative advocacy activi-
14 ties.

15 “(b) **ADVOCACY ACTIVITIES.—[Note: Sub-**
16 **sections (b), (c), and (d) of the Senate version**
17 **are not referred to in the drafting instruc-**
18 **tions]** Nothing in this section shall be construed to pre-
19 vent participants from engaging in advocacy activities un-
20 dertaken at their own initiative.

21 “(c) **REGIONAL CORPORATION.—**The requirement of
22 subsection (a) relating to an assurance regarding direct
23 benefits to businesses organized for profit shall not apply
24 with respect to a Regional Corporation, as defined in sec-
25 tion 3(g) of the Alaska Native Claims Settlement Act (43

26 USC
501(c)(3)

1 U.S.C. 1602(g)), that is established in accordance with
2 such Act as a for-profit corporation but that is engaging
3 in nonprofit activities.

4 “(d) PROHIBITION ON CERTAIN POLITICAL ACTIVI-
5 TIES.—

6 “(1) IN GENERAL.—Except as provided in sub-
7 section (b) and paragraph (2), an application sub-
8 mitted to the Corporation under section 130 shall
9 include an assurance by the applicant that any na-
10 tional service program carried out using assistance
11 provided under section 121 and any approved na-
12 tional service position provided to an applicant will
13 not be used to—

14 “(A) provide political seminars, training,
15 instruction, lectures, classes, or speeches; or

16 “(B) assist political organizations, partisan
17 organizations, or political appointees.

18 “(2) POLITICAL APPOINTEES.—The require-
19 ment of paragraph (1) relating to an assurance re-
20 garding speeches shall not apply to political ap-
21 pointees who are responsible for the administration
22 of a national service program.

23 “(3) ENFORCEMENT.—If the Corporation deter-
24 mines that a national service program has failed to

1 comply with the assurances provided under para-
2 graph (1), the Corporation shall—

3 “(A) prohibit the program from recruiting
4 or selecting individuals to participate in the
5 program during the 2-year period beginning on
6 the date the Corporation determines the non-
7 compliance commenced; and

8 “(B) direct the program to terminate the
9 employment of the supervisors determined to be
10 involved in the noncompliance.

11 **“SEC. 133. CONSIDERATION OF APPLICATIONS.**

12 “(a) CORPORATION CONSIDERATION OF CERTAIN
13 CRITERIA.—The Corporation shall apply the criteria de-
14 scribed in subsections (c) and (d) in determining
15 whether—

16 “(1) to approve an application submitted under
17 section 130 and provide assistance under section
18 121 to the applicant; and

19 “(2) to approve service positions described in
20 the application as national service positions that in-
21 clude the national service educational award de-
22 scribed in subtitle D and provide such approved na-
23 tional service positions to the applicant.

24 “(b) APPLICATION TO SUBGRANTS.—

1 “(1) IN GENERAL.—A State or other entity
2 that uses assistance provided under section 121(a)
3 to support national service programs selected on a
4 competitive basis to receive a share of the assistance
5 shall use the criteria described in subsections (c) and
6 (d) when considering an application submitted by a
7 national service program to receive a portion of such
8 assistance or an approved national service position.

9 “(2) CONTENTS.—The application of the State
10 or other entity under section 130 shall contain—

11 “(A) a certification that the State or other
12 entity complied with these criteria in the selec-
13 tion of national service programs to receive as-
14 sistance;

15 “(B) a description of the jobs or positions
16 into which participants will be placed using
17 such assistance, including descriptions of spe-
18 cific tasks to be performed by such participants;
19 and

20 “(C) a description of the minimum quali-
21 fications that individuals shall meet to become
22 participants in such programs.

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

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

4 “(2) The innovative aspects of the national
5 service program, and the feasibility of replicating the
6 program.

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

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

11 “(B) of multiple funding sources or private
12 funding for the program.

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

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

23 “(6) **[Note: Please double check this**
24 **list to ensure compliance with drafting**
25 **instructions]**The extent to which projects would

1 be conducted in the following areas where they are
2 needed most:

3 “(A) Communities designated as ~~enterprise~~ ^{empowerment}
4 zones or redevelopment areas, targeted for spe-
5 cial economic incentives, or otherwise identifi-
6 able as having high concentrations of low-
7 income people.

8 “(B) Areas that are environmentally dis-
9 tressed.

10 “(C) Areas adversely affected by Federal
11 actions related to the management of Federal
12 lands that result in significant regional job
13 losses and economic dislocation.

14 “(D) Areas adversely affected by reduc-
15 tions in defense spending or the closure or re-
16 alignment of military installations.

17 “(E) Areas that have an unemployment
18 rate greater than the national average unem-
19 ployment for the most recent 12 months for
20 which satisfactory data are available.

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

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

3 “(d) OTHER CONSIDERATIONS.—

4 “(1) GEOGRAPHIC DIVERSITY.—The Cor-
5 poration shall ensure that recipients of assistance
6 provided under section 121 are geographically di-
7 verse and include projects to be conducted in those
8 urban and rural areas in a State with the highest
9 rates of poverty.

10 “(2) PRIORITIES.—The Corporation may des-
11 ignate, under such criteria as may be established by
12 the Corporation, certain national service programs
13 or types of national service programs described in
14 section 122(a) for priority consideration in the com-
15 petitive distribution of funds under section
16 129(d)(2). In designating national service programs
17 to receive priority, the Corporation may include—

18 “(A) national service programs carried out
19 by another Federal agency;

20 “(B) national service programs that con-
21 form to the national service priorities in effect
22 under section 122(c);

23 “(C) innovative national service programs;

24 “(D) national service programs that are
25 well established in one or more States at the

1 time of the application and are proposed to be
2 expanded to additional States using assistance
3 provided under section 121;

4 “(E) grant programs in support of other
5 national service programs if the grant programs
6 are to be conducted by nonprofit organizations
7 with a demonstrated and extensive expertise in
8 the provision of services to meet human, edu-
9 cational, environmental, or public safety needs;

10 “(F) professional corps programs described
11 in section 122(a)(8); and

12 “(G) programs that—

13 “(i) received funding under subtitle D
14 of this Act, as in effect on the day before
15 the date of enactment of this subtitle;

16 “(ii) the Corporation determines to
17 meet the requirements of sections 142
18 (other than subsection (g)), 143, and 148
19 through 150 of this Act, as in effect on
20 such day, in addition to the requirements
21 of this subtitle; and

22 “(iii) include an evaluation compo-
23 nent.

24 “(3) ADDITIONAL PRIORITY.—In making a
25 competitive distribution of funds under section

1 129(d)(2), the Corporation may give priority consid-
2 eration to a national service program that is—

3 “(A) proposed in an application submitted
4 by a State Commission; and

5 “(B) not one of the types of programs de-
6 scribed in paragraph (2),
7 if the State Commission provides an adequate expla-
8 nation of the reasons why it should not be a priority
9 of such State to carry out any of such types of pro-
10 grams in the State.

11 “(4) REVIEW PANEL.—The Corporation shall—

12 “(A) establish panels of experts for the
13 purpose of securing recommendations on appli-
14 cations submitted under section 130 for more
15 than \$250,000 in assistance, or for national
16 service positions that would require more than
17 \$250,000 in national service educational
18 awards; and

19 “(B) consider the opinions of such panels
20 prior to making such determinations.

21 “(e) EMPHASIS ON AREAS MOST IN NEED.—In mak-
22 ing assistance available under section 121 and in providing
23 approved national service positions under section 123, the
24 Corporation shall ensure that not less than 50 percent of
25 the total amount of assistance to be distributed to States

1 under subsections (a) and (d)(1) of section 129 for a fiscal
2 year is provided to carry out or support national service
3 programs and projects that—

4 “(1) are conducted in areas described in any of
5 subparagraphs (A) through (D) [**Note: do you**
6 **mean to exclude subparagraph (E) of**
7 **paragraph (6)]** of subsection (c)(6) or on Federal
8 or other public lands, to address unmet human, edu-
9 cational, environmental, or public safety needs in
10 such areas or on such lands; and

11 “(2) place a priority on the recruitment of par-
12 ticipants who are residents of areas described in any
13 of subparagraphs (A) through (D) [**Note: do you**
14 **mean to exclude subparagraph (E) of**
15 **paragraph (6)]** of subsection (c)(6) or Federal or
16 other public lands.

17 “(f) REJECTION OF STATE APPLICATIONS.—

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

24 “(2) RESUBMISSION AND RECONSIDERATION.—
25 The Corporation shall provide a State Commission

1 notified under paragraph (1) with a reasonable op-
2 portunity to revise and resubmit the application. At
3 the request of the State Commission, the Cor-
4 poration shall provide technical assistance to the
5 State Commission as part of the resubmission proc-
6 ess. The Corporation shall promptly reconsider an
7 application resubmitted under this paragraph.

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

14 “SEC. 134. EVALUATION OF SUCCESS OF INVESTMENT IN
15 NATIONAL SERVICE.

**[Note: Drafting instructions require re-
moval of this House section, but reference is
made to “combining demographic and par-
ticipation of economically disadvantaged as
part of Durenberger Report.” What does this
mean?]**

16 “PART III—NATIONAL SERVICE PARTICIPANTS

17 “SEC. 137. DESCRIPTION OF PARTICIPANTS.

18 “(a) IN GENERAL.—For purposes of this subtitle, an
19 individual shall be considered to be a participant in a na-

1 tional service program carried out using assistance pro-
2 vided under section 121 if the individual—

3 “(1) meets such eligibility requirements, di-
4 rectly related to the tasks to be accomplished, as
5 may be established by the program;

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

8 “(3) will serve in the program for a term of
9 service specified in section 139 to be performed be-
10 fore, during, or after attendance at an institution of
11 higher education;

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

14 “(5) has received a high school diploma or its
15 equivalent, agrees to obtain a high school diploma or
16 its equivalent (unless this requirement is waived
17 based on an individual education assessment con-
18 ducted by the program) and the individual did not
19 drop out of an elementary or secondary school to en-
20 roll in the program, or is enrolled in an institution
21 of higher education on an ability to benefit basis and
22 is considered eligible for funds under section 484 of
23 the Higher Education Act of 1965 (20 U.S.C.
24 1091); and

1 “(6) is a citizen or national of the United
2 States or lawful permanent resident alien of the
3 United States.

4 “(b) SPECIAL RULES FOR CERTAIN YOUTH PRO-
5 GRAMS.—An individual shall be considered to be a partici-
6 pant in a youth corps program described in section
7 122(a)(2) or a program described in section 122(a)(9)
8 that is carried out with assistance provided under section
9 121(a) if the individual—

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

13 “(2) is between the ages of 16 and 25, inclu-
14 sive, at the time the individual begins the term of
15 service.

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

22 **“SEC. 138. SELECTION OF NATIONAL SERVICE PARTICI-**
23 **PANTS.**

24 “(a) SELECTION PROCESS.—Subject to subsections
25 (b) and (c) and section 131(f), the actual recruitment and

1 selection of an individual to serve in a national service pro-
2 gram receiving assistance under section 121 or to fill an
3 approved national service position shall be conducted by
4 the State, subdivision of a State, Indian tribe, public or
5 private nonprofit organization, institution of higher edu-
6 cation, Federal agency, or other entity to which the assist-
7 ance and approved national service positions are provided.

8 “(b) NONDISCRIMINATION AND NONPOLITICAL SE-
9 LECTION OF PARTICIPANTS.—The recruitment and selec-
10 tion of individuals to serve in national service programs
11 receiving assistance under section 121 or to fill approved
12 national service positions shall be consistent with the re-
13 quirements of section 175.

14 “(c) SECOND TERM.—Acceptance into a national
15 service program to serve a second term of service under
16 section 139 shall only be available to individuals who per-
17 form satisfactorily in their first term of service.

18 “(d) RECRUITMENT AND PLACEMENT.—The Cor-
19 poration and each State Commission shall establish a sys-
20 tem to recruit individuals who desire to perform national
21 service and to assist the placement of these individuals in
22 approved national service positions, which may include po-
23 sitions available under titles I and II of the Domestic Vol-
24 unteer Service Act of 1973 (42 U.S.C. 4951 et seq.). The
25 Corporation and State Commissions shall disseminate in-

1 formation regarding available approved national service
2 positions through cooperation with secondary schools, in-
3 stitutions of higher education, employment service offices,
4 State vocational rehabilitation agencies within the mean-
5 ing of the Rehabilitation Act of 1973 and other State
6 agencies that primarily serve individuals with disabilities,
7 and other appropriate entities, particularly those organiza-
8 tions that provide outreach to disadvantaged youths and
9 youths with disabilities.

10 “(e) NATIONAL LEADERSHIP POOL.—

11 “(1) SELECTION AND TRAINING.—From among
12 individuals recruited under subsection (d), the Cor-
13 poration may select individuals with significant lead-
14 ership potential, as determined by the Corporation,
15 to receive special training to enhance their leader-
16 ship ability. The leadership training shall be pro-
17 vided by the Corporation directly or through a grant
18 or contract.

19 “(2) EMPHASIS ON CERTAIN INDIVIDUALS.—In
20 selecting individuals to receive leadership training
21 under this subsection, the Corporation shall make
22 special efforts to select individuals who have
23 served—

24 “(A) in the Peace Corps;

25 “(B) as VISTA volunteers;

1 “(C) as participants in national service
2 programs receiving assistance under section
3 121;

4 “(D) as participants in programs receiving
5 assistance under subtitle D of the National and
6 Community Service Act of 1990, as in effect on
7 the day before the date of enactment of this
8 subtitle; or

9 “(E) as members of the Armed Forces of
10 the United States and were honorably dis-
11 charged from such service.

12 “(3) ASSIGNMENT.—At the request of a pro-
13 gram that receives assistance under the national
14 service laws, the Corporation may assign an individ-
15 ual who receives leadership training under para-
16 graph (1) to work with the program in a leadership
17 position and carry out assignments not otherwise
18 performed by regular participants. An individual as-
19 signed to a program shall be considered to be a par-
20 ticipant of the program.

21 “(f) EVALUATION OF SERVICE.—The Corporation
22 shall issue regulations regarding the manner and criteria
23 by which the service of a participant shall be evaluated
24 to determine whether the service is satisfactory and suc-

1 cessful for purposes of eligibility for a second term of serv-
2 ice or a national service educational award.

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

4 “(a) IN GENERAL.—As a condition of receiving a na-
5 tional service education award under subtitle D, a partici-
6 pant in an approved national service position shall be re-
7 quired to perform full- or part-time national service for
8 at least one term of service specified in subsection (b).

9 “(b) TERM OF SERVICE.—

10 “(1) FULL-TIME SERVICE.—An individual per-
11 forming full-time national service in an approved na-
12 tional service position shall agree to participate in
13 the program sponsoring the position for not less
14 than 1,700 hours during a period of not less than
15 9 months and not more than 1 year.

16 “(2) PART-TIME SERVICE.—Except as provided
17 in paragraph (3), an individual performing part-time
18 national service in an approved national service posi-
19 tion shall agree to participate in the program spon-
20 soring the position for not less than 1,700 hours
21 during a period of—

22 “(A) ~~not less than 1 year and~~ not more
23 than 2 years; or

24 “(B) ~~not less than 1 year and~~ not more
25 than 3 years if the individual is enrolled in an

1 institute of higher education while performing
2 all or a portion of the service.

3 “(3) REDUCTION IN HOURS OF PART-TIME
4 SERVICE.—The Corporation may reduce the number
5 of hours required to be served to successfully complete
6 part-time national service to a level determined
7 by the Corporation, except that any reduction in the
8 required term of service shall include a corresponding
9 reduction in the amount of any national
10 service educational award that may be available
11 under subtitle D with regard to that service.

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

14 “(1) RELEASE AUTHORIZED.—A recipient of
15 assistance under section 121 or a program sponsoring
16 an approved national service position may release
17 a participant from completing a term of service
18 in the position—

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

21 “(B) for cause.

22 “(2) EFFECT OF RELEASE FOR COMPELLING
23 CIRCUMSTANCES.—If a participant eligible for release
24 under paragraph (1)(A) is serving in an approved
25 national service position, the recipient of as-

1 sistance under section 121 or a program sponsoring
2 an approved national service position may elect—

3 “(A) to grant such release and provide to
4 the participant that portion of the national
5 service educational award corresponding to the
6 portion of the term of service actually com-
7 pleted, as provided in section 147(b); or

8 “(B) to permit the participant to tempo-
9 rarily suspend performance of the term of serv-
10 ice for a period of up to 2 years (and such addi-
11 tional period as the Corporation may allow for
12 extenuating circumstances) and, upon comple-
13 tion of such period, to allow return to the pro-
14 gram with which the individual was serving in
15 order to complete the remainder of the term of
16 service and obtain the entire national service
17 educational award.

18 “(3) EFFECT OF RELEASE FOR CAUSE.—A par-
19 ticipant released for cause may not receive any por-
20 tion of the national service educational award.

21 **“SEC. 140. LIVING ALLOWANCES FOR NATIONAL SERVICE**
22 **PARTICIPANTS.**

23 “(a) PROVISION OF LIVING ALLOWANCE.—

24 “(1) LIVING ALLOWANCE REQUIRED.—Subject
25 to paragraph (3), a national service program carried

1 out using assistance provided under section 121
2 shall provide to each participant who participates on
3 a full-time basis in the program a living allowance
4 in an amount equal or greater than the average an-
5 nual subsistence allowance provided to VISTA vol-
6 unteers under section 105 of the Domestic Volunteer
7 Service Act of 1973 (42 U.S.C. 4955).

8 “(2) LIMITATION ON FEDERAL SHARE.—The
9 amount of the annual living allowance provided
10 under paragraph (1) that may be paid using assist-
11 ance provided under section 121 and using any other
12 Federal funds shall not exceed 85 percent of the
13 total average annual provided to VISTA volunteers
14 under section 105 of the Domestic Volunteer Service
15 Act of 1973 (42 U.S.C. 4955).

16 “(3) MAXIMUM LIVING ALLOWANCE.—Except
17 as provided in subsection (c), the total amount of an
18 annual living allowance that may be provided to a
19 participant in a national service program shall not
20 exceed 200 percent of the average annual subsist-
21 ence allowance provided to VISTA volunteers under
22 section 105 of the Domestic Volunteer Service Act
23 of 1973 (42 U.S.C. 4955).

24 “(4) PRORATION OF LIVING ALLOWANCE.—The
25 amount provided as a living allowance under this

1 subsection shall be prorated in the case of a partici-
2 pant who is authorized to serve a reduced term of
3 service under section 139(b)(3).

4 “(5) WAIVER OR REDUCTION OF LIVING AL-
5 LOWANCE.—The Corporation may waive or reduce
6 the requirement of paragraph (1) with respect to
7 such national service program if such program dem-
8 onstrates that—

9 “(A) such requirement is inconsistent with
10 the objectives of the program; and

11 “(B) the amount of the living allowance
12 that will be provided to each full-time partici-
13 pant is sufficient to meet the necessary costs of
14 living (including food, housing, and transpor-
15 tation) in the area in which the program is lo-
16 cated.

17 “(6) EXEMPTION.—The requirement of para-
18 graph (1) shall not apply to any program which was
19 in existence on the date of enactment of the Na-
20 tional Service Trust Act of 1993.

21 “(7) EVALUATION OF LIVING ALLOWANCE.—
22 **[Note: This is to go into the Durenberger**
23 **report]**Not later than 2 years after the effective
24 date of this subsection, the Corporation shall ar-
25 range for an independent evaluation to determine

fixed

1 the levels of living allowances paid in all programs
2 under this subtitle, individually, by State, and by re-
3 gion. Such evaluation shall determine the effects
4 that such living allowances have had on the ability
5 of individuals to participate in such programs.

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

17 “(1) the total average annual subsistence allow-
18 ance provided to VISTA volunteers under section
19 105 of the Domestic Volunteer Service Act of 1973
20 (42 U.S.C. 4955); and

21 “(2) the annual living allowance established by
22 the program.

23 “(c) EXCEPTION FROM MAXIMUM LIVING ALLOW-
24 ANCE FOR CERTAIN ASSISTANCE.—A professional corps
25 program described in section 122(a)(8) that desires to

1 provide a living allowance in excess of the maximum allow-
2 ance authorized in subsection (a)(3) may still apply for
3 such assistance, except that—

4 “(1) any assistance provided to the applicant
5 under section 121 may not be used to pay for any
6 portion of the allowance;

7 “(2) the applicant shall apply for such assist-
8 ance only by submitting an application to the Cor-
9 poration for assistance on a competitive basis; and

10 “(3) the national service program shall be oper-
11 ated directly by the applicant and shall meet urgent,
12 unmet human, educational, environmental, or public
13 safety needs, as determined by the Corporation.

14 “(d) HEALTH INSURANCE.—

15 “(1) IN GENERAL.—A State or other recipient
16 of assistance under section 121 shall provide a basic
17 health care policy for each full-time participant in a
18 national service program carried out or supported
19 using the assistance if the participant is not other-
20 wise covered by a health care policy. Not more than
21 85 percent of the cost of a premium shall be pro-
22 vided by the Corporation, with the remaining cost
23 paid by the entity receiving assistance under section
24 121. The Corporation shall establish minimum
25 standards that all plans must meet in order to qual-

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

6 “(2) OPTION.—A State or other recipient of as-
7 sistance under section 121 may elect to provide from
8 its own funds a health care policy for participants
9 that does not meet all of the standards established
10 by the Corporation if the fair market value of such
11 policy is equal to or greater than the fair market
12 value of a plan that meets the minimum standards
13 established by the Corporation.

14 “(e) CHILD CARE.—

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

17 “(A) make child care available for children
18 of each full-time participant who needs child
19 care in order to participate in a national service
20 program carried out or supported by the recipi-
21 ent using the assistance; or

22 “(B) provide a child care allowance to each
23 full-time participant in a national service pro-
24 gram who needs such assistance in order to
25 participate in the program.

1 “(2) GUIDELINES.—The Corporation shall es-
2 ablish guidelines regarding the circumstances under
3 which child care shall be made available under this
4 subsection and the value of any allowance to be pro-
5 vided.

6 “(f) INDIVIDUALIZED SUPPORT SERVICES.—A State
7 or other recipient of assistance under section 121 shall
8 provide auxiliary aids and services based on the individual-
9 ized need of a participant who is a qualified individual
10 with a disability.

11 “(g) WAIVER OF LIMITATION ON FEDERAL
12 SHARE.—The Corporation may waive in whole or in part
13 the limitation on the Federal share specified in this section
14 with respect to a particular national service program in
15 any fiscal year if the Corporation determines that such
16 a waiver would be equitable due to a lack of available fi-
17 nancial resources at the local level.

18 **“SEC. 141. NATIONAL SERVICE EDUCATIONAL AWARDS.**

19 “(a) ELIGIBILITY GENERALLY.—A participant in a
20 national service program carried out using assistance pro-
21 vided to an applicant under section 121 shall be eligible
22 for the national service educational award described in
23 subtitle D if the participant—

24 “(1) serves in an approved national service po-
25 sition; and

1 “(2) satisfies the eligibility requirements speci-
2 fied in section 146 with respect to service in that ap-
3 proved national service position.

4 “(b) SPECIAL RULE FOR VISTA VOLUNTEERS.—A
5 VISTA volunteer who serves in an approved national serv-
6 ice position shall be ineligible for a national service edu-
7 cational award if the VISTA volunteer accepts the stipend
8 authorized under section 105(a)(1) of the Domestic Vol-
9 unteer Service Act of 1973 (42 U.S.C. 4955(a)(1)).”.

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

13 (1) by striking the items relating to subtitle C
14 of title I of such Act and inserting the following new
15 items:

“Subtitle C—National Service Trust Program

“PART I—INVESTMENT IN NATIONAL SERVICE

“Sec. 121. Authority to provide assistance and approved national service posi-
tions.

“Sec. 122. Types of national service programs eligible for program assistance.

“Sec. 123. Types of national service positions eligible for approval for national
service educational awards.

“Sec. 124. Types of program assistance.

“Sec. 125. Training and technical assistance.

“Sec. 126. Other special assistance.

“PART II—APPLICATION AND APPROVAL PROCESS

“Sec. 129. Provision of assistance and approved national service positions by
competitive and other means.

“Sec. 130. Application for assistance and approved national service positions.

“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. National service educational awards.”;

1 and

2 (2) by inserting after the item relating to sec-
 3 tion 195O the following new items:

“Subtitle I—American Conservation and Youth Corps

“Sec. 199. Short title.
 “Sec. 199A. General authority.
 “Sec. 199B. Allocation of funds.
 “Sec. 199C. State application.
 “Sec. 199D. Focus of programs.
 “Sec. 199E. Related programs.
 “Sec. 199F. Public lands or Indian lands.
 “Sec. 199G. Training and education services.
 “Sec. 199H. Amount of award; matching requirement.
 “Sec. 199I. Preference for certain projects.
 “Sec. 199J. Age and citizenship criteria for enrollment.
 “Sec. 199K. Use of volunteers.
 “Sec. 199L. Post-service benefits.
 “Sec. 199M. Living allowance.
 “Sec. 199N. Joint programs.
 “Sec. 199O. Federal and State employee status.”.

4 (d) LIVING ALLOWANCE UNDER SUBTITLE I.—Sec-
 5 tion 199M(a) of the National and Community Service Act
 6 of 1990 (former section 133(a) of such Act as redesign-
 7 nated in subsection (a)(3) of this section) (42 U.S.C.
 8 12553(a)) is amended by striking paragraphs (1) and (2)
 9 and inserting the following new paragraphs:

10 “(1) LIVING ALLOWANCE REQUIRED.—Subject
 11 to paragraph (3), each participant in a full-time
 12 youth corps program that receives assistance under
 13 this subtitle shall receive a living allowance in an
 14 amount equal or greater than the average annual

1 subsistence allowance provided to VISTA volunteers
2 under section 105 of the Domestic Volunteer Service
3 Act of 1973 (42 U.S.C. 4955).

4 “(2) LIMITATION ON FEDERAL SHARE.—The
5 amount of the annual living allowance provided
6 under paragraph (1) that may be paid using assist-
7 ance provided under this subtitle, section 121, and
8 any other Federal funds shall not exceed 85 percent
9 of the total average annual subsistence allowance
10 provided to VISTA volunteers under section 105 of
11 the Domestic Volunteer Service Act of 1973 (42
12 U.S.C. 4955).

13 “(3) MAXIMUM LIVING ALLOWANCE.—The total
14 amount of an annual living allowance that may be
15 provided to a participant in a full-time youth corps
16 program that receives assistance under this subtitle
17 shall not exceed 200 percent of the average annual
18 subsistence allowance provided to VISTA volunteers
19 under section 105 of the Domestic Volunteer Service
20 Act of 1973 (42 U.S.C. 4955).

21 “(4) WAIVER OR REDUCTION OF LIVING AL-
22 LOWANCE.—The Corporation may waive or reduce
23 the requirement of paragraph (1) with respect to
24 such national service program if such program dem-
25 onstrates that—

1 “(A) such requirement is inconsistent with
2 the objectives of the program; and

3 “(B) the amount of the living allowance
4 that will be provided to each full-time partici-
5 pant is sufficient to meet the necessary costs of
6 living (including food, housing, and transpor-
7 tation) in the area in which the program is lo-
8 cated.

9 “(5) EXEMPTION.—The requirement of para-
10 graph (1) shall not apply to any program which was
11 in existence on the date of enactment of the Na-
12 tional Service Trust Act of 1993.

13 “(6) EVALUATION OF LIVING ALLOWANCE.—
14 **[Again: This is to go in the Durenberger**
15 **evaluation]**Not later than 2 years after the effec-
16 tive date of this subsection, the Corporation shall ar-
17 range for an independent evaluation to determine
18 the levels of living allowances paid in all programs
19 under this subtitle, individually, by State, and by re-
20 gion. Such evaluation shall determine the effects
21 that such living allowances have had on the ability
22 of individuals to participate in such programs.”.

23 (e) TECHNICAL AND CONFORMING AMENDMENTS.—

24 (1) REFERENCES.—Subtitle I of title I of the
25 National and Community Service Act of 1990 (as so

fixed

1 redesignated by subsection (a)(1) of this section) is
2 amended by striking “Commission” each place it ap-
3 pears in sections 199A, 199B, 199C, 199D, 199F,
4 199H, 199I, 199M, and 199N (as redesignated in
5 subsection (a)(3) of this section) and inserting “Cor-
6 poration”.

7 (2) GENERAL AUTHORITY.—Section 199A of
8 such Act (as redesignated in subsection (a)(3) of
9 this section) (42 U.S.C. 12541) is amended—

10 (A) by striking “under section 102”; and

11 (B) by striking “, to the Secretary of the
12 Interior, or to the Director of ACTION” and
13 inserting “or to the Secretary of the Interior”.

14 (3) ALLOCATION.—Section 199B of such Act
15 (as redesignated in subsection (a)(3) of this section)
16 (42 U.S.C. 12542) is amended by striking “section
17 123” each place it appears and inserting “section
18 199C”.

19 (4) STATE APPLICATION.—Section 199C(a) of
20 such Act (as redesignated in subsection (a)(3) of
21 this section) (42 U.S.C. 12543(a)) is amended by
22 striking “section 122(b)” and inserting “section
23 199B(b)”.

24 (5) PUBLIC LANDS.—Section 199F(b) of such
25 Act (as redesignated in subsection (a)(3) of this sec-

1 tion) (42 U.S.C. 12546(b)) is amended by striking
2 “section 123” and inserting “section 199C”.

3 (6) PREFERENCE.—Section 199I(a) of such Act
4 (as redesignated in subsection (a)(3) of this section)
5 (42 U.S.C. 12549) is amended by striking “section
6 123” and inserting “section 199C”.

1 by proclamation published in the Federal Reg-
2 ister.

3 (2) TRANSITION.—Subsection (c)(10) shall take
4 effect on the date of enactment of this Act.

5 **Subtitle H—Other Activities**

6 **SEC. 171. POINTS OF LIGHT FOUNDATION.**

7 Section 301(b)(3) of the National and Community
8 Service Act (42 U.S.C. 12661(b)(3)) is amended by insert-
9 ing “and make awards to” after “develop”.

10 **Subtitle I—Authorization of** 11 **Appropriations**

12 **SEC. 181. AUTHORIZATION.**

13 (a) NATIONAL AND COMMUNITY SERVICE ACT OF
14 1990.—Section 501 of the National and Community Serv-
15 ice Act of 1990 (42 U.S.C. 12681) is amended to read
16 as follows:

17 **“SEC. 501. AUTHORIZATION OF APPROPRIATIONS.**

18 “(a) NATIONAL AND COMMUNITY SERVICE.—

19 “(1) SERVICE-LEARNING.—There are author-
20 ized to be appropriated to carry out subtitle B of
21 title I, \$30,600,000 for each of fiscal years 1994
22 and 1995, and such sums as may be necessary for
23 each subsequent fiscal year.

24 “(2) NATIONAL SERVICE.—

1 “(A) IN GENERAL.—There are authorized
2 to be appropriated to carry out subtitle C of
3 title I (other than sections 123 and 125),
4 \$67,900,000 for fiscal year 1994, \$136,000,000
5 for fiscal year 1995, and such sums as may be
6 necessary for each subsequent fiscal year.

7 “(B) DEMONSTRATION EFFORTS.—There
8 are authorized to be appropriated to carry out
9 section 123, \$10,000,000 for fiscal year 1994,
10 and \$20,000,000 for fiscal year 1995.

11 “(C) OTHER SPECIAL EFFORTS.—There
12 are authorized to be appropriated to carry out
13 section 125, \$6,000,000 for fiscal year 1994,
14 \$8,000,000 for fiscal year 1995, and such sums
15 as may be necessary for each subsequent fiscal
16 year.

17 “(3) QUALITY AND INNOVATION ACTIVITIES.—
18 There are authorized to be appropriated to carry out
19 subtitle D, \$10,000,000 for fiscal year 1994, and
20 \$15,000,000 for fiscal year 1995.

21 “(4) ADMINISTRATION AND ORGANIZATION.—
22 There are authorized to be appropriated to carry out
23 subtitles F and G, \$5,000,000 for fiscal year 1994,
24 \$9,000,000 for fiscal year 1995, and such sums as
25 may be necessary for each subsequent fiscal year.

1 “(b) POINTS OF LIGHT FOUNDATION.—There are
2 authorized to be appropriated to carry out title III,
3 \$5,000,000 for each of fiscal years 1994 and 1995.”.

4 (b) EXTENSION OF AUTHORITY TO CONDUCT CIVIL-
5 IAN COMMUNITY CORPS.—Section 1092(c) of the National
6 Defense Authorization Act for Fiscal Year 1993 (Public
7 Law 102-484; 106 Stat. 2534) is further amended by
8 adding at the end the following new sentence: “The
9 amount made available for the Civilian Community Corps
10 Demonstration Program pursuant to this subsection shall
11 remain available for expenditure during fiscal years 1993,
12 1994, and 1995.”.

13 **Subtitle J—General Provisions**

14 **SEC. 191. EFFECTIVE DATE.**

15 Except as otherwise provided, this title, and the
16 amendments made by this title, shall take effect on Octo-
17 ber 1, 1993.

18 **TITLE II—OTHER SERVICE** 19 **PROGRAMS**

20 **SEC. 201. REPEALS OF SERVICE PROGRAMS.**

21 (a) IN GENERAL.—The following provisions are re-
22 pealed:

23 (1) Subtitles D and E of title I (as amended by
24 sections 131 and 141 of this Act), and title III, of
25 the National and Community Service Act of 1990.

FOR: Labor/Kassebaum/O'Connor

SUB: Social Legislation/National Service

TYP: Amendment - Senate Measure 919

DES: To provide a substitute amendment. (copy ald93.424,425)

REC: July 16, 1993

DLV: July 17, 1993

AMENDMENT NO. ____

Calendar No. ____

Purpose: To provide a substitute amendment.

IN THE SENATE OF THE UNITED STATES—103d Cong., 1st Sess.**S. 919**

To amend the National and Community Service Act of 1990 to establish a Corporation for National Service, enhance opportunities for national service, and provide national service educational awards to persons participating in such service, and for other purposes.

Referred to the Committee on _____
and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended to be proposed by Mrs. KASSEBAUM to the Committee amendment

Viz:

1 Strike all after the enacting clause and insert the fol-
2 lowing:

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”.

7 (b) **TABLE OF CONTENTS.**—The table of contents is
8 as follows:

Sec. 1. Short title; table of contents.

2

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. Audits.

Sec. 158. 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. Definitions.
Sec. 302. References to the Commission on National and Community Service.
Sec. 303. References to Directors of the Commission on National and Community Service.
Sec. 304. Definition of Director.
Sec. 305. References to ACTION and the ACTION Agency.
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-effec-
2 tive manner.

3 “(5) Federal appropriations in fiscal year 1993
4 for full-time national service programs totaled
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 Corporation, or Village Corporation,
12 as defined in subsection (c), (g), or (j), respectively,
13 of section 3 of the Alaska Native Claims Settlement
14 Act (43 U.S.C. 1602 (c), (g), or (j)), that is recog-
15 nized as eligible for the special programs and serv-
16 ices provided by the United States under Federal
17 law to Indians because of their status as Indians.

18 “(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 (42 U.S.C.
20 4951 et seq.);

21 “(iii) part B of title XI of the Higher
22 Education Act of 1965 (20 U.S.C. 1137 et
23 seq.); or

1 “(iv) Public Law 91–378 (16 U.S.C.
2 1701–1706; commonly known as the
3 ‘Youth Conservation Corps Act of 1970’).

4 “(B) LIMITATION.—As used in subtitle C,
5 such term means a program described in sec-
6 tion 122(a).

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

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

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

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

15 “(17) PARTICIPANT.—

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

19 “(B) RULE.—A participant shall not be
20 considered to be an employee of the program in
21 which the participant is enrolled.

22 “(18) PARTNERSHIP PROGRAM.—The term
23 ‘partnership program’ means a program through
24 which an adult volunteer, a public or private not-for-

1 profit agency, an institution of higher education, or
2 a business assists a local educational agency.

3 “(19) PROGRAM.—The term ‘program’, except
4 when used as part of the term ‘academic program’,
5 ‘national service program’, or ‘volunteer program’
6 means a program described in section 111(a),
7 119(b)(1), 122(a), or 145, in paragraph (1) or (2)
8 of section 152(b), or in title III.

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

16 “(21) SCHOOL-AGE YOUTH.—The term ‘school-
17 age youth’ means—

18 “(A) individuals between the ages of 5 and
19 17, inclusive; and

20 “(B) children with disabilities, as defined
21 in section 602(a)(1) of the Individuals with Dis-
22 abilities Education Act (20 U.S.C. 1401(a)(1)),
23 who receive services under part B of such Act.

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

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

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

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

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

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

14 “(iii) helps foster civic responsibility;

15 “(B) that is integrated into the academic
16 curriculum of the students, or the educational
17 components of the community service program
18 in which the participants are enrolled;

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

22 “(D) that enhances the curriculum or edu-
23 cational components described in subparagraph
24 (B) by extending student learning beyond the
25 classroom and into the community and helps to

1 foster the development of a sense of caring for
2 others.

3 “(24) SERVICE-LEARNING COORDINATOR.—The
4 term ‘service-learning coordinator’ means an individ-
5 ual who provides services as described in section
6 111(a)(2).

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

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

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

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

5 “(29) SUMMER PROGRAM.—The term ‘summer
6 program’ means a full-time or part-time program
7 authorized under this title that is limited to a period
8 beginning after April 30 and ending before October
9 1.

10 “(30) VOLUNTEER PROGRAM.—The term ‘vol-
11 unteer program’ means a program or activity de-
12 scribed in—

13 “(A) part I or II of subtitle B, or title III;
14 or

15 “(B) part B or C of title I, or part A, B,
16 or C, of title II, of the Domestic Volunteer
17 Service Act of 1973 (42 U.S.C. 4971 et seq.,
18 4991 et seq., 5001 et seq., 5011 et seq., and
19 5013 et seq.).”.

20 (b) TECHNICAL AND CONFORMING AMENDMENTS.—

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

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

5 (3) Section 441(c)(2) of the Higher Education
6 Act of 1965 (42 U.S.C. 2751(c)(2)) is amended by
7 striking “service opportunities or youth corps as de-
8 fined in section 101 of the National and Community
9 Service Act of 1990, and service in the agencies, in-
10 stitutions and activities designated in section 124(a)
11 of the National and Community Service Act of
12 1990” and inserting “a project, as defined in section
13 101(20) of the National and Community Service Act
14 of 1990 (42 U.S.C. 12511(18))”.

15 (4) Section 1122(a)(2)(C) of the Higher Edu-
16 cation Act of 1965 (20 U.S.C. 1137a(a)(2)(C)) is
17 amended by striking “youth corps as defined in sec-
18 tion 101(30) of the National and Community Service
19 Act of 1990” and inserting “youth corps programs,
20 as described in section 122(a)(2) of the National
21 and Community Service Act of 1990”.

22 (5) Section 1201(p) of the Higher Education
23 Act of 1965 (20 U.S.C. 1141(p)) is amended by
24 striking “section 101(22)” and inserting “section
25 101(23)”.

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

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

4 **Subtitle B—Service-Learning**
5 **Programs**

6 **SEC. 111. PROGRAMS.**

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

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

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

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

25 (C) coordinate the work of adult volunteers
26 who work with elementary and secondary

1 schools as part of their community service ac-
2 tivities; and

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

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

12 **“Subtitle B—Service-Learning**
13 **Programs**

14 **“PART I—SERVE-AMERICA PROGRAMS**

15 **“SEC. 111. AUTHORITY TO ASSIST STATES AND INDIAN**
16 **TRIBES.**

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

23 **“(1) planning and building the capacity of the**
24 **States or Indian tribes (which may be accomplished**
25 **through grants or contracts with qualified organiza-**

1 tions) to implement school-based and community-
2 based service-learning programs, including—

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

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

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

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

24 “(E) establishing effective outreach and
25 dissemination of information to ensure the

1 broadest possible involvement of community-
2 based agencies with demonstrated effectiveness
3 in working with school-age youth in their com-
4 munities;

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

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

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

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

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

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

1 “(A) through school-based service-learning
2 programs for participants selected from among
3 students; or

4 “(B) through community-based service-
5 learning programs for participants selected
6 from among school-age youth; and

7 “(2) shall include—

8 “(A) in the case of school-based
9 programs—

10 “(i) local educational agencies; and

11 “(ii) one or more community partners
12 that—

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

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

18 “(B) in the case of community-based
19 programs—

20 “(i) public or private not-for-profit or-
21 ganizations;

22 “(ii) local educational agencies; and

23 “(iii) one or more community part-
24 ners.

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

5 “(1) local educational agencies;

6 “(2) community-based organizations that meet
7 the requirements of section 111B(a);

8 “(3) communities;

9 “(4) State agencies; or

10 “(5) partnerships described in subparagraph
11 (A) or (B) of subsection (b)(2).

12 “(d) RELATED EXPENSES.—A partnership or other
13 qualified organization that receives financial assistance
14 under this part may, in carrying out the activities de-
15 scribed in subsection (a), use such assistance to pay for
16 the Federal share of reasonable costs related to the super-
17 vision of participants, program administration, transpor-
18 tation, insurance, evaluations, and for other reasonable ex-
19 penses necessary to carry out the activities.

20 **“SEC. 111A. AUTHORITY TO ASSIST LOCAL APPLICANTS IN**
21 **NONPARTICIPATING STATES.**

22 “‘In any fiscal year in which a State does not submit
23 an application under section 113, for an allotment under
24 subsection (a) or (b)(2) of section 112, that meets the re-
25 quirements of section 113 and such other requirements

1 as the Director may determine to be appropriate, the Cor-
2 poration may use the allotment of that State to make a
3 direct grant—

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

7 “(2) to a partnership described in section
8 111(b), to pay for the Federal share of carrying out
9 activities described in paragraph (2) or (3) of section
10 111(a) in that State.

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

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

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

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

20 “(3) meets such other criteria as the Director
21 may establish.

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

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

9 “(a) INDIAN TRIBES AND TERRITORIES.—

10 “(1) IN GENERAL.—Of the amounts appro-
11 priated to carry out this part for any fiscal year, the
12 Corporation shall reserve an amount of not more
13 than 1 percent for payments—

14 “(A) to Indian tribes, the Virgin Islands,
15 Guam, American Samoa, and the Common-
16 wealth of the Northern Mariana Islands, to be
17 allotted in accordance with their respective
18 needs; and

19 “(B) to Palau, in accordance with its
20 needs, until such time as the Compact of Free
21 Association with Palau is ratified.

22 “(2) NATIVE HAWAIIAN ENTITIES.—Of the
23 amounts appropriated to carry out this part for any
24 fiscal year, the Corporation shall reserve .2 percent
25 of such amounts for payments to Native Hawaiian

1 entities, to be allotted in accordance with their re-
2 spective needs. The requirements of this subtitle
3 shall apply to such an entity in the same manner,
4 and to the same extent, as such requirements apply
5 to an Indian tribe.

6 “(b) GRANTS AND ALLOTMENTS THROUGH
7 STATES.—The Corporation shall use the remainder of the
8 funds appropriated to carry out this part for any fiscal
9 year as follows:

10 “(1) GRANTS.—Except as provided in para-
11 graph (3), from 20 percent of such funds, the Cor-
12 poration may make grants, on a competitive basis,
13 to—

14 “(A) States and Indian tribes; or

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

17 “(2) ALLOTMENTS.—

18 “(A) SCHOOL-AGE YOUTH.—Except as pro-
19 vided in paragraph (3), from 45 percent of such
20 funds, the Corporation shall allot to each State
21 an amount that bears the same ratio to 45 per-
22 cent of such funds as the number of school-age
23 youth in the State bears to the total number of
24 school-age youth of all States.

“(B) ALLOCATION UNDER ELEMENTARY
AND SECONDARY EDUCATION ACT OF 1965.—

Except as provided in paragraph (3), from 45 percent of such funds, the Corporation shall allot to each State an amount that bears the same ratio to 45 percent of such funds as the allocation to the State for the previous fiscal year under chapter 1 of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2711 et seq.) bears to such allocations to all States.

“(3) MINIMUM AMOUNT.—No State shall receive, under paragraph (2), an allotment that is less than the allotment such State received for fiscal year 1993 under section 112(b) of this Act, as in effect on the day before the date of enactment of this part. If the amount of funds made available in a fiscal year to carry out paragraph (2) is insufficient to make such allotments, the Corporation shall make available sums from the 10 percent described in paragraph (1) for such fiscal year to make such allotments.

“(4) DEFINITION.—Notwithstanding section 101(26), for purposes of this subsection, the term ‘State’ means each of the several States, the District

1 of Columbia, the Commonwealth of Puerto Rico, and
2 an Indian tribe.

3 “(c) REALLOTMENT.—If the Corporation determines
4 that the allotment of a State or Indian tribe under this
5 section will not be required for a fiscal year because the
6 State or Indian tribe does not submit an application for
7 the allotment under section 113 that meets the require-
8 ments of such section and such other requirements as the
9 Director may determine to be appropriate, the Corpora-
10 tion shall, after making any grants under section 111A,
11 make any remainder of such allotment available for real-
12 lotment to such other States, and Indian tribes, with ap-
13 proved applications submitted under section 113, as the
14 Corporation may determine to be appropriate.

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

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

1 “(1) 75 percent of such sum for school-based
2 programs; and

3 “(2) 25 percent of such sum for community-
4 based programs.

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

6 “(a) SUBMISSION.—To be eligible to receive a grant
7 under section 112(b)(1), an allotment under subsection
8 (a) or (b)(2) of section 112, a reallocation under section
9 112(c), or a grant under section 112(d), a State (acting
10 through the State Commission) or an Indian tribe, shall
11 prepare, submit to the Corporation, and obtain approval
12 of, an application at such time and in such manner as
13 the Director may reasonably require.

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

17 “(1) information demonstrating that the pro-
18 grams will be carried out in a manner consistent
19 with the strategic plan submitted for the State in-
20 volved under section 178;

21 “(2) assurances that—

22 “(A) the applicant will keep such records
23 and provide such information to the Corpora-
24 tion with respect to the programs as may be re-

1 quired for fiscal audits and program evaluation;
2 and

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

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

8 **“SEC. 114. LOCAL APPLICATIONS.**

9 “(a) APPLICATION TO CORPORATION TO MAKE
10 GRANTS FOR SCHOOL-BASED OR COMMUNITY-BASED
11 SERVICE-LEARNING PROGRAMS.—

12 “(1) IN GENERAL.—To be eligible to receive a
13 grant under section 112(b)(1) in accordance with
14 section 111B(a) to make grants relating to school-
15 based or community-based service-learning programs
16 described in section 111(a), a grantmaking entity
17 shall prepare, submit to the Corporation, and obtain
18 approval of, an application.

19 “(2) SUBMISSION.—Such application shall be
20 submitted at such time and in such manner, and
21 shall contain such information, as the Director may
22 reasonably require. Such an application may include
23 a proposal to assist such programs in more than 1
24 State.

1 “(b) DIRECT APPLICATION TO CORPORATION TO
2 CARRY OUT SCHOOL-BASED OR COMMUNITY-BASED
3 SERVICE-LEARNING PROGRAMS IN NONPARTICIPATING
4 STATES.—To be eligible to receive a grant from the Cor-
5 poration in the circumstances described in section 111A
6 to carry out an activity described in such section, an orga-
7 nization or partnership referred to in such section shall
8 prepare, submit to the Corporation, and obtain approval
9 of, an application. Such application shall be submitted at
10 such time and in such manner, and shall contain such in-
11 formation, as the Director may reasonably require.

12 “(c) APPLICATION TO STATE OR INDIAN TRIBE TO
13 RECEIVE ASSISTANCE TO CARRY OUT SCHOOL-BASED OR
14 COMMUNITY-BASED SERVICE-LEARNING PROGRAMS.—

15 “(1) IN GENERAL.—A qualified organization or
16 partnership that desires to receive financial assist-
17 ance under this part from a State Commission, In-
18 dian tribe, or grantmaking entity, for activities de-
19 scribed in section 111(a), shall prepare, submit to
20 the State Commission, tribe, or entity, and obtain
21 approval of, an application.

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

1 “(d) CONTENTS OF APPLICATION.—

2 “(1) REGULATIONS.—The Corporation shall by
3 regulation establish standards for the information
4 required to be contained in an application submitted
5 under subsection (a) or (b).

6 “(2) ASSURANCES.—At a minimum, an applica-
7 tion submitted under subsection (a) or (b) shall
8 contain—

9 “(A) an assurance that the applicant will
10 develop an age-appropriate learning component
11 for participants in the program that shall in-
12 clude a chance for participants to analyze and
13 apply their service experiences;

14 “(B) an assurance that the applicant will
15 comply with the nonduplication and
16 nondisplacement requirements of section 177
17 and grievance procedure requirements of section
18 176(f); and

19 “(C) such other assurances as the Director
20 may reasonably require.

21 “(e) LIMITATION ON SAME PROJECT IN MULTIPLE
22 APPLICATIONS.—No applicant shall submit an application
23 under section 113 or this section, and the Corporation
24 shall reject an application that is submitted under section
25 113 or this section, if the application describes a project

1 proposed to be conducted using assistance requested by
2 the applicant and the project is already described in an-
3 other application pending before the Corporation.

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

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

14 “(b) PRIORITY FOR APPLICATIONS.—

15 “(1) IN GENERAL.—In providing assistance
16 under this part, a State Commission or Indian tribe,
17 or the Corporation if section 111A or 111B applies,
18 shall give priority to entities that submit applica-
19 tions under section 114 with respect to service-learn-
20 ing programs described in section 111 that—

21 “(A) involve participants in the design and
22 operation of the program;

23 “(B) are in the greatest need of assistance,
24 such as programs targeting low-income areas;
25 or

1 “(C) involve—

2 “(i) students from public elementary
3 or secondary schools, and students from
4 private elementary or secondary schools,
5 serving together; or

6 “(ii) students of different ages, races,
7 sexes, ethnic groups, disabilities, or eco-
8 nomic backgrounds, serving together.

9 “(c) REGULATIONS.—The Corporation shall by regu-
10 lation establish procedures and criteria (in addition to the
11 criteria described in subsections (a) and (b)) for awarding
12 grants in the circumstances described in sections 111A
13 and 111B.

14 “(d) REJECTION OF APPLICATIONS.—If the Corpora-
15 tion rejects an application submitted under section 113
16 for an allotment under subsection (b)(2) of section 112,
17 the Corporation shall promptly notify the applicant of the
18 reasons for the rejection of the application. The Corpora-
19 tion shall provide the applicant with a reasonable oppor-
20 tunity to revise and resubmit the application and shall pro-
21 vide technical assistance, if needed, to the applicant as
22 part of the resubmission process. The Corporation shall
23 promptly reconsider such resubmitted application.

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

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

10 “(1) for the inclusion of services and arrange-
11 ments for the benefit of such students so as to allow
12 for the equitable participation of such students in
13 the programs implemented to carry out the objec-
14 tives and provide the benefits described in this part;
15 and

16 “(2) for the training of the teachers of such
17 students so as to allow for the equitable participa-
18 tion of such teachers in the programs implemented
19 to carry out the objectives and provide the benefits
20 described in this part.

21 “(b) WAIVER.—If a State, Indian tribe, or local edu-
22 cational agency is prohibited by law from providing for
23 the participation of students or teachers from private not-
24 for-profit schools as required by subsection (a), or if the
25 Corporation determines that a State, Indian tribe, or local
26 educational agency substantially fails or is unwilling to

1 provide for such participation on an equitable basis, the
2 Director shall waive such requirements and shall arrange
3 for the provision of services to such students and teachers.
4 Such waivers shall be subject to consultation, withholding,
5 notice, and judicial review requirements in accordance
6 with paragraphs (3) and (4) of section 1017(b) of the Ele-
7 mentary and Secondary Education Act of 1965 (20 U.S.C.
8 2727(b)).

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

10 “(a) SHARE.—

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

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

18 “(B) 80 percent of the total cost of the
19 program for the second such year;

20 “(C) 70 percent of the total cost of the
21 program for the third such year; and

22 “(D) 50 percent of the total cost of the
23 program for the fourth such year, and for any
24 subsequent such year.

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

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

8 “(B) may provide for such share through
9 State sources, local sources, or Federal sources
10 (other than funds made available under the na-
11 tional service laws).

12 “(3) CALCULATION.—In calculating the cost of
13 carrying out such a program, the recipient shall not
14 include the costs of salaries and benefits of individ-
15 uals who are participants or volunteers in any na-
16 tional service program or any volunteer program,
17 other than a program under this part.

18 “(b) WAIVER.—The Director may waive the require-
19 ments of subsection (a) in whole or in part with respect
20 to any such program in any fiscal year if the Corporation
21 determines that such a waiver would be equitable due to
22 a demonstrated lack of available financial resources at the
23 local level.

24 “(c) DEFINITION.—Notwithstanding section 101, as
25 used in this section, the term ‘national service laws’ means

1 the provisions specified in section 201(a) of the National
2 Service and Community Volunteers Act of 1993.

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

4 “(a) ADMINISTRATIVE COSTS.—

“(1) LIMITATION.—Not more than 5 percent of the amount of assistance provided to a State Commission, Indian tribe, or grantmaking entity that is the original recipient of a grant or allotment under subsection (a), (b), (c), or (d) of section 112 for a fiscal year may be used to pay for administrative costs incurred by—

12 “(A) the original recipient; or

13 “(B) the entity carrying out the service-
14 learning programs supported with the assist-
15 ance.

16 “(2) RULES ON USE.—The Director may by
17 rule prescribe the manner and extent to which—

18 “(A) such assistance may be used to cover
19 administrative costs; and

20 “(B) that portion of the assistance avail-
21 able to cover administrative costs should be dis-
22 tributed between—

23 “(i) the original recipient; and

1 “(ii) the entity carrying out the serv-
2 ice-learning programs supported with the
3 assistance.

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

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

20 “(d) PROHIBITION ON PAYMENTS FOR SALARIES
21 AND BENEFITS.—No partnership or qualified organiza-
22 tion may use funds made available under this subtitle to
23 pay for the costs of salaries and benefits of individuals
24 who are participants or volunteers in any national service

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

3 **“SEC. 116B. DEFINITIONS.**

4 “As used in this part:

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

10 “(2) GRANTMAKING ENTITY.—The term
11 ‘grantmaking entity’ means an organization de-
12 scribed in section 111B(a).

13 “(3) QUALIFIED ORGANIZATION.—The term
14 ‘qualified organization’ means an entity described in
15 any of paragraphs (1) through (5) of section 111(c).

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

21 “(5) STUDENT.—Notwithstanding section
22 101(28), the term ‘student’ means an individual who
23 is enrolled in an elementary or secondary school on
24 a full- or part-time basis.”.

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 subtitle 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.

- "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.**

5 (a) ASSISTANCE PROGRAM AUTHORIZED.—Subtitle
6 C of title I of the National and Community Service Act
7 of 1990 (42 U.S.C. 12541 et seq.) is amended to read
8 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 may make grants to States, subdivisions of States, Indian
15 tribes, public and private not-for-profit organizations, and
16 institutions of higher education for the purpose of assist-
17 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 with
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.—Not more than 5 percent of
16 the amount of assistance provided to the original re-
17 cipient of a grant or transfer of assistance under
18 subsection (a) or (b) for a fiscal year may be used
19 to pay for administrative costs incurred by—

20 “(A) the original recipient; or

21 “(B) the entity carrying out the national
22 service programs supported with the assistance.

23 “(2) RULES ON USE.—The Director may by
24 rule prescribe the manner and extent to which—

1 “(A) such assistance may be used to cover
2 administrative costs; and

3 “(B) that portion of the assistance avail-
4 able to cover administrative costs should be dis-
5 tributed between—

6 “(i) the original recipient; and

7 “(ii) the entity carrying out the na-
8 tional service programs supported with the
9 assistance.

10 “(d) MATCHING FUNDS REQUIREMENTS.—

11 “(1) REQUIREMENTS.—Except as provided in
12 section 129(c)(2)(B), the Federal share of the cost
13 of carrying out a national service program that re-
14 ceives the assistance under subsection (a), whether
15 the assistance is provided directly or as a subgrant
16 from the original recipient of the assistance, may not
17 exceed 75 percent of such cost.

18 “(2) CALCULATION.—In providing for the re-
19 maining share of the cost of carrying out a national
20 service program, a recipient of assistance under this
21 subtitle—

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

1 “(B) may provide for such share through
2 State sources, local sources, or other Federal
3 sources (other than the use of funds made
4 available under the national service laws, in-
5 cluding subtitles B, E, and H of title I, and
6 title III, of the National and Community Serv-
7 ice Act of 1990 (42 U.S.C. 12521 et seq.,
8 12591 et seq., 12653 et seq., and 12661 et
9 seq.), part B of title XI of the Higher Edu-
10 cation Act of 1965 (20 U.S.C. 1137 et seq.),
11 parts A and B of title I, section 124, and title
12 II, of the Domestic Volunteer Service Act of
13 1973. (42 U.S.C. 4951 et seq., 4971 et seq.,
14 4994, and 5000 et seq.), and Public Law 91-
15 378 (16 U.S.C. 1701–1706; commonly known
16 as the “Youth Conservation Corps Act of
17 1970”)).

18 “(3) WAIVER.—The Corporation may waive in
19 whole or in part the requirements of paragraph (1)
20 with respect to a national service program in any fis-
21 cal year if the Corporation determines that such a
22 waiver would be equitable due to a demonstrated
23 lack of available financial resources at the local level.

1 **“SEC. 122. TYPES OF NATIONAL SERVICE PROGRAMS ELIGI-**
2 **BLE FOR PROGRAM ASSISTANCE.**

3 “(a) ELIGIBLE NATIONAL SERVICE PROGRAMS.—

4 The recipient of a grant under section 121(a) and each
5 Federal agency receiving assistance under section 121(b)
6 shall use the assistance, directly or through subgrants to
7 other entities, to carry out full- or part-time national serv-
8 ice programs, including summer programs, that address
9 unmet human, educational, environmental, or public safe-
10 ty needs. Subject to subsection (b)(1), these national serv-
11 ice programs may include the following types of national
12 service programs:

13 “(1) A community corps program that promotes
14 greater community unity through the use of orga-
15 nized teams of participants of varied social and eco-
16 nomic backgrounds, skill levels, physical capabilities,
17 ages, ethnic backgrounds, or genders.

18 “(2) A full-time youth corps program carried
19 out during the summer months or throughout the
20 full calendar year, such as a conservation corps or
21 youth service corps (including a conservation corps
22 or youth service corps that performs service on Fed-
23 eral or other public lands or on Indian lands),
24 that—

25 “(A) undertakes meaningful full-time serv-
26 ice projects with visible benefits to a commu-

1 nity, including natural resource, urban renova-
2 tion, or human services projects;

3 “(B) includes as participants youth and
4 young adults between the ages of 16 and 25, in-
5 clusive, including out-of-school youth and other
6 economically disadvantaged youth, and individ-
7 uals with disabilities, who are between those
8 ages; and

9 “(C) provides those participants who are
10 youth and young adults with—

11 “(i) crew-based, highly structured,
12 and adult-supervised work experience, life
13 skills, education, career guidance and
14 counseling, employment training, and sup-
15 port services; and

16 “(ii) the opportunity to develop citi-
17 zenship values and skills through service to
18 their community and the United States.

19 “(3) A program that provides specialized train-
20 ing to individuals in service-learning and places the
21 individuals after such training in positions, including
22 positions as service-learning coordinators, to facili-
23 tate service-learning in programs eligible for funding
24 under part I subtitle B.

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

4 “(A) recruits individuals with special skills
5 or provides specialized preservice training to en-
6 able participants to be placed individually or in
7 teams in positions in which the participants can
8 meet such unmet needs; and

9 “(B) brings participants together for addi-
10 tional training and other activities designed to
11 foster civic responsibility, increase the skills of
12 participants, and improve the quality of the
13 service provided.

14 “(5) An individualized placement program that
15 includes regular group activities, such as leadership
16 training and special service projects.

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

21 “(A) students who are attending an insti-
22 tution of higher education, including students
23 supported by work-study funds under part C of
24 title IV of the Higher Education Act of 1965
25 (42 U.S.C. 2751 et seq.);

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

2 “(C) teams composed of a combination of
3 such students and community residents.

4 “(7) A preprofessional training program in
5 which students enrolled in an institution of higher
6 education—

7 “(A) receive training in specified fields,
8 which may include classes containing service-
9 learning;

10 “(B) perform service related to such train-
11 ing outside the classroom during the school
12 term and during summer or other vacation peri-
13 ods; and

14 “(C) agree to provide at least 1 year of
15 service upon graduation to meet unmet human,
16 educational, environmental, or public safety
17 needs related to such training.

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

20 “(A) as police officers, early childhood de-
21 velopment staff, social workers, or other profes-
22 sionals providing service to meet educational,
23 human, environmental, or public safety needs in
24 communities with an inadequate number of
25 such professionals;

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

5 “(C) that are sponsored by public or pri-
6 vate not-for-profit employers who agree to pay
7 100 percent of the salaries and benefits (other
8 than any national service benefit under section
9 123 and the post-service benefits under section
10 146) of the participants.

11 “(9) A program in which economically dis-
12 advantaged individuals who are between the ages of
13 16 and 24 years of age, inclusive, are provided with
14 opportunities to perform service that, while enabling
15 such individuals to obtain the education and employ-
16 ment skills necessary to achieve economic self-suffi-
17 ciency, will help their communities meet—

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

20 “(B) the need for community facilities in
21 low-income areas.

22 “(10) A national service entrepreneur program
23 that identifies, recruits, and trains gifted young
24 adults of all backgrounds and assists such adults in
25 designing solutions to community problems.

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

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

15 “(13) A program to help communities adversely
16 affected by the closure or realignment of a military
17 installation, by converting the military installation,
18 in whole or in part, to community use.

19 “(14) Such other national service programs ad-
20 dressing unmet human, educational, environmental,
21 or public safety needs consistent with the strategic
22 plan of the State Commission, if funded through the
23 Commission, or consistent with the Corporation’s
24 strategic plan, if funded directly by the Corporation.

1 “(b) QUALIFICATION CRITERIA TO DETERMINE ELI-
2 GIBILITY.—

3 “(1) ESTABLISHMENT BY CORPORATION.—The
4 Corporation shall establish qualification criteria for
5 different types of national service programs for the
6 purpose of determining whether a particular national
7 service program should be considered to be a na-
8 tional service program eligible to receive assistance
9 under this subtitle.

10 “(2) CONSULTATION.—In establishing qualifica-
11 tion criteria under paragraph (1), the Corporation
12 shall consult with organizations and individuals that
13 have extensive experience in developing and admin-
14 istering effective national service programs.

15 “(3) APPLICATION TO SUBGRANTS.—The quali-
16 fication criteria established by the Corporation under
17 paragraph (1) shall also be used by each recipient of
18 assistance under section 121(a) that uses any por-
19 tion of the assistance to conduct a grant program to
20 support other national service programs.

21 “(4) WAIVER.—With respect to a proposed na-
22 tional service program that does not meet the quali-
23 fication criteria established under paragraph (1), the
24 Corporation may waive such criteria with respect to

1 such program if the Corporation determines that
2 such program is uniquely innovative in nature.

3 “(c) NATIONAL SERVICE PRIORITIES FOR THE COR-
4 PORATION.—

5 “(1) ESTABLISHMENT BY CORPORATION.—In
6 order to concentrate national efforts on meeting cer-
7 tain unmet human, educational, environmental, or
8 public safety needs and to otherwise achieve the pur-
9 poses of this Act, the Corporation shall establish and
10 periodically alter priorities regarding the types of na-
11 tional service programs to be assisted under section
12 129(c) and the purposes for which such assistance
13 may be used.

14 “(2) NOTICE TO APPLICANTS.—The Corpora-
15 tion shall provide advance notice to potential appli-
16 cants for assistance under 129(c) of any national
17 service priorities to be in effect under this subsection
18 for a fiscal year. The notice shall specifically
19 include—

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

22 “(B) a description of the national service
23 programs that are designated by the Corpora-
24 tion under section 133(d)(2) as eligible for pri-

1 ority consideration in the next competitive dis-
2 tribution of assistance under section 129(c).

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

6 “(4) APPLICATION TO SUBGRANTS.—National
7 service priorities established by the Corporation
8 under this subsection shall be used by a recipient of
9 funds under section 129(c) if that recipient uses any
10 portion of such funds to conduct a grant program to
11 support other national service programs.

12 “(5) ENCOURAGEMENT OF
13 INTERGENERATIONAL COMPONENTS OF PRO-
14 GRAMS.—The Corporation shall encourage national
15 service programs eligible to receive assistance under
16 this subtitle to establish, if consistent with the pur-
17 poses of the program, an intergenerational compo-
18 nent of the program that combines students, out-of-
19 school youth, and older adults as participants.

20 “(d) STATE NATIONAL SERVICE POSITIONS.—

21 “(1) ESTABLISHMENT BY STATE COMMIS-
22 SIONS.—In order to concentrate national and State
23 efforts on meeting certain unmet human, edu-
24 cational, environmental, or public safety needs at the
25 State and local level and to otherwise achieve the

1 purposes of this Act, State Commissions shall estab-
2 lish and, through the 3-year strategic plan process
3 described in section 178, periodically alter priorities
4 regarding the types of national service programs to
5 be assisted under section 129(a) and the purposes
6 for which such assistance may be used.

7 “(2) NOTICE TO APPLICANTS.—The State Com-
8 mission shall provide advance notice, to potential ap-
9 plicants to the State Commission for assistance re-
10 ceived by the State Commission under section
11 129(a), of any national service priorities to be in ef-
12 fect under this paragraph for a fiscal year. The no-
13 tice shall specifically include a description of any al-
14 teration made in the priorities since the previous no-
15 tice.

16 **“SEC. 123. DEMONSTRATION EFFORTS CONCERNING EDU-**
17 **CATIONAL OR OTHER POST-SERVICE BENE-**
18 **FITS.**

19 “(a) ESTABLISHMENT.—The Corporation shall estab-
20 lish demonstration programs to determine the most effec-
21 tive and efficient means for implementing educational or
22 other incentives necessary for a successful national service
23 program.

24 “(b) TREATMENT OF PARTICIPANTS.—Participants
25 in demonstration programs under subsection (a) shall be

1 treated in the same manner as if such participants were
2 participants in national service programs funded under
3 this subtitle, except that such participants shall not be eli-
4 gible for post-service benefits under section 141.

5 “(c) REPORT.—Not later than 18 months after the
6 date of enactment of this subtitle, the Corporation shall
7 prepare and submit to the appropriate committees of Con-
8 gress a report concerning the results of the demonstration
9 programs established under subsection (a), and a descrip-
10 tion of the knowledge derived from existing national serv-
11 ice-related programs conducted by Federal or State gov-
12 ernments, including recommendations for legislative ac-
13 tion.

14 **“SEC. 124. TYPES OF PROGRAM ASSISTANCE.**

15 “(a) PLANNING ASSISTANCE.—The Corporation may
16 provide assistance under section 121 to a qualified appli-
17 cant that submits an application under section 130 for the
18 planning of a national service program. Assistance pro-
19 vided in accordance with this subsection may cover a pe-
20 riod of not more than 9 months.

21 “(b) OPERATIONAL ASSISTANCE.—The Corporation
22 may provide assistance under section 121 to a qualified
23 applicant that submits an application under section 130
24 for the establishment, operation, or expansion of a na-
25 tional service program. Assistance provided in accordance

1 with this subsection may cover a period of not more than
2 3 years, but may be renewed by the Corporation upon con-
3 sideration of a new application under section 130.

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

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

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

19 “(a) SUPPORT FOR STATE COMMISSIONS.—

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

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.—

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.