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[National and Community Service Act of 1993] [4] [loose]

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OTHER VOLUNTEER PROGRAMS

42 USCS § 12621 (1992)

§ 12621. Rural Youth Service Demonstration Project

The Commission is authorized, in accordance with this subtitle [42 USCS § 12591 et seq.], to make grants and enter into contracts under section 102 [42 USCS § 12512] for the establishment of demonstration projects in rural areas. Such projects may include volunteer service involving the elderly and assisted-living services performed by students, school dropouts, and out-of-school youth.

§ 12622. Assistance for Head Start

The Commission, in consultation with the Director of ACTION, is authorized to make grants under section 102 [42 USCS § 12512] to grantees under the Foster Grandparent Program (part B of title II of the Domestic Volunteer Service Act [42 USCS §§ 5011 et seq.]), and to projects of the type described in section 211(a) of the Domestic Volunteer Service Act operating under memoranda of agreement with the ACTION Agency for the purpose of increasing the number of low-income individuals who provide services under such program to children who participate in Head Start programs.

§ 12623. Employer-based retiree volunteer programs

The Commission is authorized to make grants under section 102 [42 USCS § 12512] to public and private nonprofit organizations for the purpose of bringing together retirees, their former employers, and community agencies to develop employer-based retiree volunteer programs.

Subtitle F - ADMINISTRATIVE PROVISIONS

42 USCS § 12631 (1992)

§ 12631. Limitation on number of grants

(a) In general. The Commission shall not award more than one grant during each fiscal year to each State under section 102 [42 USCS § 12512].

(b) Number of applications. In submitting applications for a grant under section 102 [42 USCS § 12512], a State shall consolidate all of the applications of such State for the conduct of programs under subtitles B through E [42 USCS §§ 12521 et seq.], into a single application that meets the requirements of such subtitles.

(c) Multiple use. A grant awarded under section 102 [42 USCS § 12512] to a State may be used by the State in accordance with the applications consolidated, submitted, and approved under subtitles B through E [42 USCS §§ 12521 et seq.].

§ 12632. Reports

(a) State reports.

(1) In general. Each State receiving assistance under this title shall prepare and submit, to the Commission, an annual report concerning the use of assistance provided under this title and the status of the national and community service programs that receive assistance under such title in such State.

(2) Local grantees. Each State may require local grantees that receive assistance under this title to supply such information to the State as is necessary to enable the State to complete the report required under paragraph (1), including a comparison of actual accomplishments with the goals established for the program, the number of participants in the program, the number of service hours generated, and the existence of any problems, delays or adverse conditions that have affected or will affect the attainment of program goals.

(3) Report demonstrating compliance.

(A) In general. Each State receiving assistance under this title shall include information in the report required under paragraph (1) that demonstrates the compliance of the State with the provisions of this Act, including sections 177 [42 USCS § 12637] and 113(9) [42 USCS § 12523(a)].

(B) Local grantees. Each State may require local grantees to supply such information to the State as is necessary to enable the State to comply with the requirement of paragraph (1).

(4) Availability of report. Reports submitted under paragraph (1) shall be made available to the public on request.

(b) Report to Congress.

(1) In general. Not later than 120 days after the end of each fiscal year, the Commission shall prepare and submit, to the appropriate authorizing and appropriation Committees of Congress, a report concerning the programs that receive assistance under this title.

(2) Content. Reports submitted under paragraph (1) shall contain a summary of the information contained in the State reports submitted under subsection (a), and shall reflect the findings and actions taken as a result of any evaluation conducted by the Commission.

§ 12633. Supplementation

(a) In general. Assistance provided under this title shall be used to supplement the level of State and local public funds expended for services of the type assisted under this title in the previous fiscal year.

(b) Aggregate expenditure. Subsection (a) shall be satisfied, with respect to a particular program, if the aggregate expenditure for such program for the fiscal year in which services are to be provided will not be less than the aggregate expenditure for such program in the previous fiscal year, excluding the amount of Federal assistance provided and any other amounts used to pay the remainder of the costs of programs assisted under this title.

§ 12634. Prohibition on use of funds

(a) Prohibited uses. No assistance made available under a grant under this title shall be used to provide religious instruction, conduct worship services, or engage in any form of proselytization.

(b) Political activity. Assistance provided under this title shall not be used by program participants and program staff to--

(1) assist, promote, or deter union organizing; or

(2) finance, directly or indirectly, any activity designed to influence the outcome of an election to Federal office or the outcome of an election to a State or local public office.

(c) Contracts or collective bargaining agreements. A program that receives assistance under this title shall not impair existing contracts for services or collective bargaining agreements.

§ 12635. Nondiscrimination

(a) In general. An individual with responsibility for the operation of a project that receives assistance under this title [42 USCS §§ 12511 et seq.] shall not discriminate against a participant or member of the staff of such project on the basis of race, color, national origin, sex, age, disability, or political affiliation of such member.

(b) Federal financial assistance. Any assistance provided under this title [42 USCS §§ 12511 et seq.] shall constitute Federal financial assistance for purposes of title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.), the Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.), and the regulations issued under such Acts.

(c) Religious discrimination.

(1) In general. Except as provided in paragraph (2), an individual with responsibility for the operation of a project that receives assistance under this title [42 USCS §§ 12511 et seq.] shall not discriminate on the basis of religion against a participant or a member of the project staff who is paid with funds received under this title [42 USCS §§ 12511 et seq.].

(2) Exception. Paragraph (1) shall not apply to the employment, with assistance provided under this title [42 USCS §§ 12511 et seq.], of any member of the staff of a project that receives assistance under this title [42 USCS §§ 12511 et seq.] who was employed with the organization operating the project on the date the grant under this title [42 USCS §§ 12511 et seq.] was awarded.

(d) Rules and regulations. The Commission shall promulgate rules and regulations to provide for the enforcement of this section that shall include provisions for summary suspension of assistance for not more than 30 days, on an emergency basis, until notice and an opportunity to be heard can be provided.

§ 12636. Notice, hearing, and grievance procedures

(a) In general.

(1) Suspension of payments. The Commission may in accordance with the provisions of this title, suspend or terminate payments under a contract or grant providing assistance under this title whenever the Commission determines there is a material failure to comply with this title or the applicable terms and conditions of any such grant or contract issued pursuant to this title.

(2) Procedures to ensure assistance. The Commission shall prescribe procedures to ensure that--

(A) assistance provided under this title shall not be suspended for failure to comply with the applicable terms and conditions of this title except, in emergency situations, a suspension may be granted for 30 days; and

(B) assistance provided under this title shall not be terminated for failure to comply with applicable terms and conditions of this title unless the recipient of such assistance has been afforded reasonable notice and opportunity for a full and fair hearing.

(b) Hearings. Hearings or other meetings that may be necessary to fulfill the requirements of this section shall be held at locations convenient to the recipient of assistance under this title.

(c) Transcript or recording. A transcript or recording shall be made of a hearing conducted under this section and shall be available for inspection by any individual.

(d) State legislation. Nothing in this title shall be construed to preclude the enactment of State legislation providing for the implementation, consistent with this title, of the programs administered under this title.

(e) Construction. Nothing in this title shall be construed to link performance of service with receipt of Federal student financial assistance.

(f) Grievance procedure.

(1) In general. State and local applicants that receive assistance under this title shall establish and maintain a procedure to adjudicate grievances from participants, labor organizations, and other interested individuals concerning programs that receive assistance under this title, including grievances regarding proposed placements of such participants in such projects.

(2) Deadline for grievances. Except for a grievance that alleges fraud or criminal activity, a grievance shall be made not later than 1 year after the date of the alleged occurrence.

(3) Deadline for hearing and decision.

(A) Hearing. a hearing on any grievance conducted under this subsection shall be conducted not later than 30 days of filing such grievance.

(B) Decision. A decision on any grievance shall be made not later than 60 days after the filing of such grievance.

(4) Arbitration.

(A) In general. On the occurrence of an adverse grievance decision, or 60 days after the filing of such grievance if no decision has been reached, the party filing the grievance shall be permitted to submit such grievance to binding arbitration before a qualified arbitrator who is jointly selected and independent of the interested parties.

(B) Deadline for proceeding. An arbitration proceeding shall be held not later than 45 days after the request for such arbitration.

(C) Deadline for decision. A decision concerning such grievance shall be made not later than 30 days after the date of such arbitration proceeding.

(D) Cost. The cost of such arbitration proceeding shall be divided evenly between the parties to the arbitration.

(5) Proposed placement. If a grievance is filed regarding a proposed placement of a participant in a program that receives assistance under this title, such placement shall not be made unless it is consistent with the resolution of the grievance pursuant to this subsection.

(6) Remedies. Remedies for a grievance filed under this subsection include--

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

(B) termination of such payments; and

(C) prohibition of such placement described in paragraph (5).

§ 12637. Nonduplication and nondisplacement

(a) Nonduplication.

(1) In general. Assistance provided under this title shall be used only for a program that does not duplicate, and is in addition to, an activity otherwise available in the locality of such program.

(2) Private nonprofit entity. Assistance made available under this title shall not be provided to a private nonprofit entity to conduct activities that are the same or substantially equivalent to activities provided by a State or local government agency that such entity resides in, unless the requirements of subsection (b) are met.

(b) Nondisplacement.

(1) In general. An employer shall not displace an employee or position, including partial displacement such as reduction in hours, wages, or employment benefits, as a result of the use by such employer of a participant in a program receiving assistance under this title.

(2) Service opportunities. A service opportunity shall not be created under this title that will infringe in any manner on the promotional opportunity of an employed individual.

(3) Limitation on services.

(A) Duplication of services. A participant in a program receiving assistance under this title shall not perform any services or duties or engage in activities that would otherwise be performed by an employee as part of the assigned duties of such employee.

(B) Supplantation of hiring. A participant in any program receiving assistance under this title shall not perform any services or duties or engage in activities that will supplant the hiring of employed workers.

(C) Duties formerly performed by another employee. A participant in any program receiving assistance under this title shall not perform services or duties that have been performed by or were assigned to any--

(i) presently employed worker;

(ii) employee who recently resigned or was discharged;

(iii) employee who is subject to a reduction in force;

(iv) employee who is on leave (terminal, temporary, vacation, emergency,

or sick); or

(v) employee who is on strike or who is being locked out.

(c) Labor market information. The Secretary of Labor shall make available to the Commission and to any program agency under this title such labor market information as is appropriate for use in carrying out the purposes of this title.

(d) Treatment of benefits. Section 142(b) of the Job Training Partnership Act [29 USCS § 1552(b)] shall apply to the projects conducted under this title as such projects were conducted under the Job Training Partnership Act [29 USCS §§ 1501 et seq.].

(e) Standards of conduct. Programs that receive assistance under this title shall establish and stringently enforce standards of conduct at the program site to promote proper moral and disciplinary conditions.

§ 12638. State Advisory Board

(a) Formation of Board. Each State that applies for assistance under this title is encouraged to establish a State Advisory Board for National and Community Service.

(b) Members.

(1) In general. The chief executive officer of a State referred to in subsection (a) shall appoint members to such Advisory Board from among--

(A) representatives of State agencies administering community service, youth service, education, social service, senior service, and job training programs; and

(B) representatives of labor, business, agencies working with youth, community-based organizations such as community action agencies, students, teachers, Older American Volunteer Programs as established under title II of the Domestic Volunteer Act of 1973 (42 U.S.C. 5001 et seq.), full-time youth corps programs, school-based community service programs, higher education institutions, local educational agencies, volunteer public safety organizations, educational partnership programs, and other organizations working with volunteers.

(2) Balance of membership. To the extent practicable, the chief executive officer of a State referred to in subsection (a) shall ensure that the membership of the Advisory Board is balanced according to race, ethnicity, age, and gender.

(c) Duties of Board. A State Advisory Board for National and Community Service established under subsection (a) shall assist the State agency administering a program receiving assistance under this title in--

(1) coordinating programs that receive assistance under this title and related programs within the State;

(2) disseminating information concerning service programs that receive assistance under this title;

(3) recruiting participants for programs that receive assistance under this title; and

(4) developing programs, training methods, curriculum materials, and other materials and activities related to programs that receive assistance under this title.

§ 12639. Evaluation

(a) In general. The Commission shall provide, through grants or contracts, for the continuing evaluation of programs that receive assistance under this title, including evaluations that measure the impact of such programs, to determine--

(1) the effectiveness of various program models in achieving stated goals and the costs associated with such;

(2) for purposes of the reports required by subsection (j), the impact of such programs, in each State in which a program is conducted, on the ability of--

(A) the VISTA and older American volunteer programs (established under the Domestic Volunteer Services Act of 1973 (42 U.S.C. 4950 et seq.));

(B) each regular component of the Armed Forces (as defined in section 101(4) of title 10, United States Code);

(C) each of the reserve components of the Armed Forces (as described in section 216(a) of title 5, United States Code); and

(D) the Peace Corps (as established by the Peace Corps Act (22 U.S.C. 2501 et seq.)); to recruit individuals residing in such State to serve in such program; and

(3) the structure and mechanisms for delivery of services for such programs.

(b) Comparisons. The Commission shall provide for inclusion in the evaluations required under subsection (a), where appropriate, comparisons of participants in such programs with individuals who have not participated in such programs.

(c) Conducting evaluations. Evaluations of programs under subsection (a) shall be conducted by individuals who are not directly involved in the administration program.

(d) Standards. The Commission shall develop and publish general standards for the evaluation of program effectiveness in achieving the objectives of this title.

(e) Community participation. In evaluating a program receiving assistance under this title, the Commission shall consider the opinions of participants and members of the communities where services are delivered concerning the strengths and weaknesses of such program.

(f) Comparison of program models. The Commission shall evaluate and compare the effectiveness of different program models in meeting the program objectives described in subsection (g) including full- and part-time programs, programs involving different types of national service, programs using different recruitment methods, programs offering alternative voucher or post-service benefit options, and programs utilizing individual placements and teams.

(g) Program objectives. The Commission shall ensure that programs that receive assistance under subtitle D [42 USCS § 12571 et seq.] are evaluated to determine their effectiveness in--

(1) recruiting and enrolling diverse participants in such programs, consistent with the requirements of section 145 [42 USCS § 12575], based on economic background, race, ethnicity, age, marital status, education levels, and disability;

(2) promoting the educational achievement of each participant in such programs, based on earning a high school diploma or the equivalent of such diploma and the future enrollment and completion of increasingly higher levels of education;

(3) encouraging each participant to engage in public and community service after completion of the program based on career choices and service in other service programs such as the Volunteers in Service to America Program and older American volunteer programs established under the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4950 et seq.), the Peace Corps (as established by the Peace Corps Act (22 U.S.C. 2501 et seq.)), the military, and part-time volunteer service;

(4) promoting of positive attitudes among each participant regarding the role of such participant in solving community problems based on the view of such participant regarding the personal capacity of such participant to improve the lives of others, the responsibilities of such participant as a citizen and community member, and other factors;

(5) enabling each participant to finance a lesser portion of the higher education of such participant through student loans;

(6) providing services an projects that benefit the community;

(7) supplying additional volunteer assistance to community agencies without overloading such agencies with more volunteers than can effectively be utilized;

(8) providing services and activities that could not otherwise be performed by employed workers and that will not supplant the hiring of, or result in the displacement of, employed workers or impair the existing contracts of such workers; and

(9) attracting a greater number of citizens to public service, including service in the active and reserve components of the Armed Forces, the National Guard, the Peace Corps (as established by the Peace Corps Act (22 U.S.C. 2501 et seq.)), and the VISTA and older American volunteer programs established under the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4950 et seq.).

(h) Obtaining information.

(1) In general. In conducting the evaluations required under this section, the Commission may require each program participant and State or local applicant to provide such information as may be necessary to carry out the requirements of this section.

(2) Confidentiality.

(A) In General. The Commission shall maintain the confidentiality of information acquired under this subsection regarding individual participants.

(B) Disclosure.

(i) Consent. The content of any information described in subparagraph (A) may be disclosed with the prior written consent of the individual participant with respect to whom the information is maintained.

(ii) Aggregate Information.---The Commission may disclose information about the aggregate characteristics of such participants.

(i) Deadline. The Commission shall complete the evaluations required under subsection (g) not later than 30 months after the date of enactment of this Act [enacted Nov. 16, 1990].

(j) Report. Not later than 24 months after the date on which the first program is initiated under this title, the Commission shall prepare and submit, to the appropriate Committees of Congress, a report containing the results of the evaluations conducted under subsection (a)(2) with respect to the first 18 months after such initiation date.

§ 12640. Engagement of participants

A State shall not engage a participant to serve in any program that receives assistance under this title unless and until amounts have been appropriated under section 501 [42 USCS § 12681] for the provision of post-service benefits and for the payment of other necessary expenses and costs associated with such participant.

§ 12641. National service demonstration program amendments

(a) Treatment of education and housing benefits. For purposes of determining eligibility for programs under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.) (hereafter in this section referred to as the "Act"), post-service benefits received under this Act shall be considered as estimated financial assistance as defined in section 428(a)(2)(C)(i) of title IV of the Act (20 U.S.C.

1078(a)(2)(C)(i)), except that in no case shall such a post-service benefit be considered as--

(1) annual adjusted family income as defined in section 411F(1) of subpart 1 of part A of title IV of such Act (20 U.S.C. 1070a-6); or

(2) total income as defined in section 480(a) of part F of title IV of such Act (20 U.S.C. 1087vv(a)).

(b) Treatment of stipend for living expenses. In no case shall living allowances received under this Act be considered in the determination of expected family contribution or independent student status under--

(1) subpart 1 of part A of title IV of such Act (20 U.S.C. 1070a et seq.); or

(2) part F of title IV of such Act (20 U.S.C. 1087kk et seq.).

(c) Contingent extension. Section 414 of the General Education Provisions Act (20 U.S.C. 1226a) shall apply to this Act.

§ 12642. Partnerships with schools

(a) Design of programs. The head of each Federal agency and department shall design and implement a comprehensive strategy to involve employees of such agencies and departments in partnership programs with elementary schools and secondary school strategy shall include--

(1) a review of existing programs to identify and expand the opportunities for such employees to be adult volunteers in schools and for students and out-of-school youth;

(2) the designation of a senior official in each such agency and department who will be responsible for establishing adult volunteer and partnership and youth service programs in each such agency and department and for developing adult volunteer and partnership and youth service programs;

(3) the encouragement of employees of such agencies and departments to participate in adult volunteer and partnership programs and service projects;

(4) the annual recognition of outstanding service programs operated by Federal agencies; and

(5) the encouragement of businesses and professional firms to include community service among the factors considered in making hiring, compensation, and promotion decisions.

(b) Report. Not later than 180 days after the date of enactment of this Act [enacted Nov. 16, 1990], and on a regular basis thereafter, the head of each Federal agency and department shall prepare and submit, to the appropriate Committees of Congress, a report concerning the implementation of this section.

§ 12643. Service as tutors

Notwithstanding any other provision of this Act, a service opportunity through which a part-time participant serves as a classroom tutor under the supervision of a certified professional shall be considered an acceptable placement if the requirements of section 177(b)(1) and (2) [42 USCS § 12637(b)(1) and (2)] and section 174 [42 USCS § 12634] are met.

§ 12644. Drug-free workplace requirements

All programs receiving grants under this title shall be subject to the Drug-Free Workplace Requirements for Federal Grant Recipients under sections 5153 through 5158 of the Anti-Drug Abuse Act of 1988 (41 U.S.C. 702-707).

§ 12645. Regulations

Prior to the end of the 180-day period beginning on the date of enactment of the National and Community Service Act of 1990 [enacted Nov. 16, 1990], the Commission shall issue final rules or regulations necessary to implement the provisions of this title [42 USCS §§ 12501 et seq.].

Subtitle G - COMMISSION ON NATIONAL AND COMMUNITY SERVICE

42 USCS § 12651 (1992)

§ 12651. Commission on National and Community Service

(a) Establishment. There is established a Commission on National and Community Service that shall administer the programs established under this title.

(b) Board of Directors.

(1) Composition.

(A) In general. The Commission shall be administered by a Board of Directors (hereinafter referred to in this section as the "Board") that shall be composed of 21 members, to be appointed by the President with the advice and consent of the Senate. To the maximum extent practicable, an effort should be made to appoint members--

(i) who have extensive experience in volunteer and service opportunity programs and who represent a broad range of viewpoints; and

(ii) so that the Board shall be diverse according to race, ethnicity, age, gender, and political party membership.

(B) Ex-officio members. The Secretary of Education, Secretary of Health and Human Services, Secretary of Labor, Secretary of Interior, Secretary of Agriculture, Director of the Office of National Drug Control Policy and the Director of the ACTION agency shall serve as ex-officio members of the Board.

(2) Terms. Each member of the Board shall serve for a term of 3 years, except that seven of the initial members of the Board shall serve for a term of 1 year and seven shall serve for a term of 2 years, as designated by the President.

(3) Vacancies. As vacancies occur on the Board, new members shall be appointed by the President, with the advice and consent of the Senate, and serve for the remainder of the term for which the predecessor of such member was appointed.

(4) Chairperson. The Board shall elect a chairperson and vice-chairperson from among its membership.

(5) Meetings. The Board shall meet not less than three times each year. The Board shall hold additional meetings if seven members of the Board request such meetings in writing. A majority of the Board shall constitute a quorum.

(6) Expenses. While away from their homes or regular places of business on the business of the Board, members of such Board may be allowed travel expenses, including per diem in lieu of subsistence, as is authorized under section 5703 of title 5, United States Code, for persons employed intermittently in the Government service.

(c) Duties. The Board shall

(1) advise the President and the Congress concerning developments in national and community service that merit the attention of the President and the Congress.

(2) design, administer and disseminate information regarding the programs and initiatives established under this title;

(3) consult with appropriate Federal agencies in administering programs that receive assistance under this title;

(4) have the authority to delegate authority to administer the programs established under this title to any other agency or entity of the Federal Government, on the agreement of such agency or entity, as the Board determines appropriate;

(5) provide, directly or through contract with public or private nonprofit organizations that have extensive experience in service programs, training and technical assistance to States, school and community-based service programs, full-time youth service corps, and national service demonstration programs;

(6) arrange for the evaluation of programs established under this title, in accordance with section 179 [42 USCS § 12639];

(7) coordinate with the Secretary of Defense in evaluating the effect of the program authorized by subtitle D [42 USCS §§ 12571 et seq.] on the recruitment efforts of the active and reserve components of the Armed Forces; and

(8) carry out any other activities determined appropriate by the Commission.

(d) Executive Director of the Board.

(1) In general. The Board shall appoint an individual to serve as Executive Director of the Board (hereinafter referred to in this section as the "Director").

(2) Duties. The Director shall advise the Board concerning developments in volunteer or national service that the Director determines merits the attention of the Board promising service initiatives, and coordinate the Board with the work of other Federal agencies involved in service activities and in the design of a competitive grant to provide assistance as authorized under this title.

(3) The Board may---

(A) appoint the Director without regard to the provisions of title 5, United States Code, governing the appointments in the competitive service; and

(B) fix the compensation of the Director without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, except that the rate of compensation shall not exceed annual rate of basic pay payable for level IV of the Executive Schedule under section 5315 of title 5, United States Code;

(e) Employees.

(1) In general. The Director may, at the discretion of the Board, appoint not more than eight employees to administer the Commission. Such employees shall be appointed for terms that shall not exceed 2 years, without regard to the provisions of title 5, United States Code governing appointments in the competitive service, and without regard to the provisions of chapter 51 [5 USCS §§ 5101 et seq.] and subchapter III of chapter 53 [5 USCS §§ 5331 et seq.] of such title relating to classification and General Schedule pay rates, except that the rate of compensation for two of the eight employees shall not exceed the annual rate of basic pay payable for level V of the Executive Schedule under section 5316 of title 5, United States Code, and the rate of compensation for the remaining six of the eight employees shall not exceed the maximum annual rate of basic pay payable for GS-15s under the General Schedule under section 5332 of title 5, United States Code.

(2) Additional Staff. The Director may, at the discretion of the Board, appoint and compensate such staff as the Director determines to be necessary to carry out the duties of the Commission.

(3) Consultants. Subject to the rules prescribed by the Commission, the Director may procure the temporary and intermittent services of experts and consultants and compensate the experts and consultants in accordance with section 3109(b) of title 5, United States Code.

(4) Details of Personnel. The head of any Federal department or agency may detail on a reimbursable basis, or on a nonreimbursable basis for not to exceed 180 calendar days during any fiscal year, as agreed upon by the Director and the head of the Federal agency, any of the personnel of that department or agency to the Commission to assist the Commission in carrying out the duties of the Commission under this Act. Any detail shall not interrupt or otherwise affect the civil service status or privileges of the Federal employee.

(5) Donations.

(A) Services.

(i) Volunteers. Notwithstanding any other provision of Federal law [section 1342 of title 31, United States Code], the Commission may accept the voluntary services of individuals, and provide to such individuals the travel expenses described in subsection (b)(6).

(ii) Limitation. Such a volunteer shall not be considered to be a Federal employee and shall not be subject to the provisions of law relating to Federal employment including those related to hours of work, rates of compensation, leave, unemployment compensation, and Federal employee benefits, except as follows:

(I) Tort claims. For the purposes of the tort claims provisions of chapter 171 of title 28, United States Code, a volunteer under this subtitle (42 U.S.C. 12651) shall be considered to be a Federal employee.

(II) Civil employee. For the purposes of subchapter I of chapter 81 of title 5, United States Code, relating to compensation to Federal employees for work injuries, volunteers under this subtitle (42 U.S.C. 12651) shall be considered to be employees, as defined in section 8101(1)(B) of title 5, United States Code, and the provisions of such subchapter shall apply.

(B) Property. The Commission may accept, use, and dispose of, in furtherance of the purposes of this Act, donations of any money or property, real, personal, or mixed, tangible or intangible, received by gift, devise, bequest, or otherwise.

(C) Rules. The Commission shall establish written rules setting forth the criteria to be used in determining whether the acceptance of contributions of money or property, real, personal, or mixed, tangible or intangible, received by gift, devise, bequest, or otherwise (pursuant to subparagraph (B)) would reflect unfavorably upon the ability of the Commission or any employee of the Commission to carry out the responsibilities or official duties of the Commission in a fair and objective manner, or would compromise the integrity of the programs of the Commission or any official involved in such programs.

(D) Disposition. Upon completion of the use by the Commission of any affected property, such completion shall be reported to the General Services Administration and such property shall be disposed in accordance with title II of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.).

(6) Contracts. Subject to the Federal Property and Administrative Services Act of 1949, the Commission may enter into contracts, and cooperative and interagency agreements, with Federal and State agencies, private firms, institutions, and individuals to conduct activities necessary to carry out the duties of the Commission under this Act;

(f) Clearinghouses.

(1) In general. The Commission shall provide assistance to not more than four regional service clearinghouses.

(2) Public and private nonprofit agencies. Public and private nonprofit agencies that have extensive experience in community service, adult volunteer and partnership programs, youth service, intergenerational service programs, and programs working with at-risk youth shall be eligible to receive assistance under paragraph (1).

(3) Function of clearinghouses. Clearinghouses that receive assistance under paragraph (1) shall

(A) assist State and local community service programs with needs assessments and planning;

(B) conduct research and evaluations concerning community service;

(C) provide leadership development and training to State and local community service program administrators, supervisors, and participants;

(D) administer award and recognition programs for outstanding community service programs and participants;

(E) facilitate communication among community service programs and participants;

(F) provide information, curriculum materials, technical assistance on program planning and operation, and training to States and local entities eligible to receive funds under this title;

(G) gather and disseminate information on successful programs, innovative youth skills curriculum, and projects being implemented nationwide; and

(H) make recommendations to State and local entities on quality controls to improve program delivery and on changes in the programs under this title.

(g) Presidential Awards for services.

(1) Presidential awards.

(A) In general. The President, acting through the Commission, is authorized to make Presidential Awards for service to

(i) individuals demonstrating outstanding community service including school-based service;

(ii) outstanding service learning and community service programs; and

(iii) outstanding teachers in service-learning programs.

(B) Number of awards. The President is authorized to make one or more individual, one or more teaching, and one or more program awards in each Congressional district, and one or more Statewide individual program and teaching awards in each State.

(C) Consultation. The President shall consult with the Governor of each State, and with the Board, in the selection of individuals and programs for Presidential Awards.

(D) Participants in programs. An individual receiving an award under this subsection need not be a participant in a program assisted under this title.

(2) information. The President shall ensure that information concerning individuals and programs receiving awards under this subsection is widely disseminated.

(h) Report. Not later than January 1, 1993, the President shall prepare and submit to the Committee on Labor and Human Resources of the Senate and the Committee on Education and Labor of the House of Representatives, a report containing recommendations for the improvement of the administration and coordination of volunteer, national, and community service programs administered by the ACTION Agency, the Commission on National Service, and other Federal entities. Such report shall include

(1) an assessment of whether Federal volunteer, national and community service programs could be more cost effectively and efficiently administered by a single Federal entity or fewer entities, including an estimate of any cost savings that could be achieved by consolidating or centralizing the management of such programs; and

(2) a description of the roles and responsibilities of the ACTION Agency, the Commission on National Service and other Federal entities in developing and coordinating National policy on voluntarism and national and community service and any recommendations for clarifying or altering the missions and responsibilities of such entities which may be appropriate.

(i) Use of Mails. The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

(j) Information from Federal Agencies. The Commission may secure directly from an officer, department, agency, establishment, or instrumentality of the Federal Government such information and statistics as the Commission may require to carry out the duties of the Commission under this Act. On the request of the Director of the Commission, each such officer, department, agency, establishment, or instrumentality may furnish, to the extent permitted by law, such information and statistics directly to the Commission.

(k) Sources of Supplies and Services. The Commission may use General Services Administration sources of supplies and services.

SUBCHAPTER IV---AUTHORIZATION OF APPROPRIATIONS

(a) Subchapter I of this chapter

(1) Title I

(A) In general. There are authorized to be appropriated to carry out subtitles B, C, D, E, and F of title I, \$102,000,000 for fiscal year 1993.

(B) Subtitle G. There are authorized to be appropriated to carry out subtitle G of title I, \$3,000,000 for fiscal year 1993.

(2) Earmarks. Of the aggregate amount appropriated under paragraph (1)(A) for subchapter I of this chapter for each fiscal year-

(A) not less than 30 percent shall be available to carry out part B of such subchapter in each such fiscal year;

(B) not less than 30 percent shall be available to carry out part C of such subchapter in each fiscal year;

(C) not less than 30 percent shall be available to carry out part D of such subchapter in each fiscal year; and

(D) any remaining funds may be expended for any activity authorized in subtitle I.

(b) Subchapter III of this chapter. There are authorized to be appropriated to carry out subchapter III of this chapter, \$5,000,000 for fiscal year 1991, \$7,500,000 for fiscal year 1992, and \$10,000,000 for fiscal year 1993.

Subtitle H: Civilian Community Corps

Sec.195 Purpose. It is the purpose of this subtitle to authorize the establishment of a Civilian Community Corps to provide a basis for determining --

(1) whether residential service programs administered by the Federal Government can significantly increase the support for national service and community service by the people of the United States;

(2) whether such programs can expand the opportunities for willing young men and women to perform meaningful, direct, and consequential acts of community service in a manner that will enhance their own skills while contributing to their understanding of civic responsibility in the United States;

(3) whether retired members and former members of the Armed Forces of the United States, members and former members of the Armed Forces discharged or released from active duty in connection with reduced Department of Defense spending, members and former members of the Armed Forces discharged or transferred from the Selected Reserve of the Ready Reserve in connection with reduced Department of Defense spending, and other members of the Armed Forces not on active duty and not actively participating in a reserve component of the Armed Forces can provide guidance and training under such programs that contribute meaningfully to the encouragement of national and community service; and

(4) whether domestic national service programs can serve as a substitute for the traditional option of military service in the Armed Forces of the United States which, in times of

reductions in the size of the Armed Forces, is a diminishing national service opportunity for young Americans.

**Sec. 195A Establishment of Civilian Community Corps
Demonstration Program**

(a) In General. The Commission on National and Community Service may establish the Civilian Community Corps Demonstration Program to carry out the purpose of this subtitle.

(b) Program Components. Under the Civilian Community Corps Demonstration Program authorized by subsection (a), the members of a Civilian Community Corps shall receive training and perform service in at least one of the following two program components:

(1) A national service program.

(2) A summer national service program.

(c) Residential Programs. Both program components are residential programs. The members of the Corps in each program shall reside with other members of the Corps in Corps housing during the periods of the members agreed service.

Sec. 195B National Service Program

(a) In General. Under the national service program component of the Civilian Community Corps Demonstration Program authorized by section 195A(a), eligible young people shall work in teams on Civilian Community Corps projects.

(b) Eligible participants. A person shall be eligible for selection for the national service program if the person --

(1) is at least 16 and not more than 24 years of age; and

(2) is a high school graduate or has not received a high school diploma or its equivalent.

(c) Diverse Backgrounds of Participants. In selecting persons for the national service program, the Director shall endeavor to ensure that participants are from economically, geographically, and ethnically diverse backgrounds.

(d) Necessary Participants. To the extent practicable, at least 50 percent of the participants in the national service program shall be economically disadvantaged youths.

(e) Period of Participation. Persons desiring to participate in the national service program shall enter into an agreement with the Director to participate in the Corps for a period of not less than nine months and not more than one year, as specified by the Director, and may renew the agreement for not more than one additional such period.

Sec. 195C. Summer National Service Program

(a) In General. Under the summer national service program of the Civilian Community Corps Demonstration Program authorized by section 195A(a), a diverse group of youth aged 14 through 18 years who are from urban or rural areas shall work in teams on Civilian Community Corps projects.

(b) Necessary Participants. To the extent practicable, at least 50 percent of the participants in the summer national service program shall be economically disadvantaged youths.

(c) Seasonal Program. The training and service of Corps members under the summer national service program in each year shall be conducted after April 30 and before October 1 of that year.

Sec. 195D. Civilian Community Corps

(a) Director. Upon the establishment of the Civilian Community Corps Demonstration Program, the Civilian Community Corps shall be under the direction of the Director of the Civilian Community Corps appointed pursuant to section 195H(c)(1).

(b) Membership in Civilian Community Corps.

(1) Participants to be members. Persons selected to participate in the national service program or the summer national service program components of the Program shall become members of the Civilian Community Corps.

(2) Selection of members. The Director or the Director's designee shall select individuals for membership in the Corps.

(3) Application for membership. To be selected to become a Corps member an individual shall submit an application to the Director or to any other office as the Director may designate, at such time, in such manner, and containing such information as the Director shall require. At a minimum, the application shall contain information about the work experience of the applicant and sufficient information to enable the Director, or the superintendent of the appropriate camp, to determine whether selection of the applicant for membership in the Corps is appropriate.

(c) Organization of Corps into Units.

(1) Units. The Corps shall be divided into permanent units. Each Corps member shall be assigned to a unit.

(2) Unit leaders. The leader of each unit shall be selected from among persons in the permanent cadre established pursuant to section 195H(c)(2). The designated leader shall accompany the unit throughout the period of agreed service of the members of the unit.

(d) Camps.

(1) Units to be assigned to camps. The units of the Corps shall be grouped together as appropriate in camps for operational, support, and boarding purposes. The Corps camp for a unit shall be in a facility or central location established as the operational headquarters and boarding place for the unit. Corps members may be housed in the camps.

(2) Camp superintendent. There shall be a superintendent for each camp. The superintendent is the head of the camp.

(3) Eligible site for camp. A camp may be located in a facility referred to in section 195K(a)(3).

(e) Distribution of Units and Corps. The Director shall ensure that the Corps units and camps are distributed in urban areas and rural areas in various regions throughout the United States.

(f) Standards of Conduct.

(1) In general. The superintendent of each camp shall establish and enforce standards of conduct to promote proper moral and disciplinary conditions in the camp.

(2) Sanctions. Under procedures prescribed by the Director, the superintendent of a camp may --

(A) transfer a member of the Corps in that camp to another unit or camp if the superintendent determines that the retention of the member in the member's unit or in the

superintendent's camp will jeopardize the enforcement of the standards or diminish the opportunities of other Corps members in that unit or camp, as the case may be; or

(B) dismiss a member of the Corps from the Corps if the superintendent determines that retention of the member in the Corps will jeopardize the enforcement of the standards or diminish the opportunities of other Corps members.

(3) Appeals. Under procedures prescribed by the Director, a member of the corps may appeal to the Director a determination of a camp superintendent to transfer or dismiss the member. The Director shall provide for expeditious disposition of appeals under this paragraph.

Sec. 195E. **Training**

(a) Common Curriculum. Each member of the Civilian Community Corps shall be provided with between three and six weeks of training that includes a comprehensive service learning curriculum designed to promote team building, discipline, leadership, work, training, citizenship, and physical conditioning.

(b) Advanced Service Training.

(1) National service program. Members of the Corps participating in the national service program shall receive advanced training in basic, project-specific skills that the members will use in performing their community service projects.

(2) Summer national service program. Members of the Corps participating in the summer national service program shall not receive advanced training referred to in paragraph (1) but, to the extent practicable, may receive other training.

(c) Training Personnel.

(1) In general. Members of the cadre appointed under section 195H(c)(2) shall provide the training for the members of the corps, including, as appropriate, advanced service training and ongoing training throughout the members' periods of agreed service.

(2) Coordination with other entities. Members of the cadre may provide the advanced service training referred to in subsection (b)(1) in coordination with vocational or technical schools, other employment and training providers, existing youth service programs, or other qualified individuals.

(d) Facilities. The training may be provided at installations and other facilities of the Department of Defense, and at National Guard facilities, identified under section 195K(a)(3).

Sec. 195F. **Service Projects**

(a) Project Requirements. The service projects carried out by the Civilian Community Corps shall –

(1) meet an identifiable public need;

(2) emphasize the performance of community service activities that provide meaningful community benefits and opportunities for service learning and skills development;

(3) to the maximum extent practicable, encourage work to be accomplished in teams of diverse individuals working together; and

(4) include continued education and training in various technical fields.

(b) Project Proposals.

(1) Development of proposals.

(A) Specific executive departments. Upon the establishment of the Program, the Secretary of Agriculture, the Secretary of the Interior, and the Secretary of Housing and Urban Development shall develop proposals for Corps projects pursuant to guidance which the Director of the Civilian Community Corps shall prescribe.

(B) Other sources. Other public and private organizations and agencies, including representatives of local communities in the vicinity of a Corps camp, may develop proposals for projects for a Corps camp. Corps members shall also be encouraged to identify projects for the Corps.

(2) Consultation requirements. The process for developing project proposals under paragraph (1) shall include consultation with the Commission on National and Community Service, representatives of local communities, and persons involved in other youth service programs.

(c) Project Selection, Organization, and Performance.

(1) Selection. The superintendent of a Corps camp shall select the projects to be performed by the members of the Corps assigned to the units in that camp. The superintendent shall select projects from among the projects proposed or identified pursuant to subsection (b).

(2) Innovative local arrangements for project performance. The Director shall encourage camp superintendents to negotiate with representatives of local communities, to the extent practicable, innovative arrangements for the performance of projects. The arrangements may provide for cost-sharing and the provision by the communities of in-kind support and other support.

Sec. 195G. Authorized Benefits for Corps Members.

(a) In General. The Director of the Civilian Community Corps shall provide for members of the Civilian Community Corps to receive benefits authorized by this section.

(b) Living Allowance. The Director shall provide a living allowance to members of the Corps for the period during which such members are engaged in training or any activity on a Corps project. The Director shall establish the amount of the allowance at any amount not in excess of the amount equal to 100 percent of the poverty line that is applicable to a family of two (as defined by the Office of Management and Budget and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))).

(c) Other Authorized Benefits. While receiving training or engaging in service projects as members of the Civilian Community Corps, members may be provided the following benefits:

- (1) Allowances for travel expenses, personal expenses, and other expenses.
- (2) Quarters.
- (3) Subsistence.
- (4) Transportation.
- (5) Equipment.
- (6) Clothing.
- (7) Recreational services and supplies.
- (8) Other services determined by the Director to be consistent with the purposes of the Program.

(d) Supportive Services. As the Director determines appropriate, the Director may provide each member of the Corps with health care services, child care services, counseling services, and other supportive services.

(e) Post Service Benefits. Upon completion of the agreed period of service with the corps, a member shall elect to receive the educational assistance under subsection (f) or the cash benefit under subsection (g).

(f) Educational Assistance.

(1) Authority.

(A) Corps members completing agreed service. The Director shall provide educational assistance to each Corps member who --

(i) completes a period of agreed service in the corps; and

(ii) elects to receive the assistance.

(B) Corps members not completing agreed service. The Director may provide educational assistance to a Corps member who --

(i) through no fault on the part of the Corps member, does not complete the period of agreed service; and

(ii) requests the assistance.

(2) Amount.

(A) Amount for complete service. The amount of the educational assistance provided to a Corps member under paragraph (1)(A) shall be --

(i) in the case of a Corps member in the national service program, \$5,000 for each period of agreed service in the Corps; and

(ii) in the case of a Corps member in the summer national service program, \$1,000 for each period of agreed service in the Corps .

(B) Prorated amount for incomplete service. The amount of the educational assistance provided to a Corps member under paragraph (1)(B) shall be determined by multiplying --

(i) the amount that would be applicable to the member under subparagraph (A) if the member had completed the agreed period of service, by

(ii) the percentage determined by dividing the period Corps member's service by the period of the Corps member's agreed period of service.

An amount that is not an even multiple of \$1 shall be rounded down to the next lower even multiple of \$1.

(C) Adjustment of amount. To the extent provided in appropriations Acts, whenever the maximum permissible grant amount for a year under subpart 1 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. § 1070a et seq.) is increased, the amount of the educational assistance payment under subparagraph (A)(i) shall be increased to the amount equal to the sum of that maximum permissible grant amount (as increased) plus \$2,500.

(3) Uses of assistance. Educational assistance provided for a person under this subsection may be used only for --

(A) payment of any student loan, whether from a Federal source or a nonfederal source; or

(B) tuition, room and board, books and fees, and other costs of attendance (determined in accordance with section 472 of the Higher Education Act of 1965 (20 U.S.C. § 108711)) that are associated with attendance at an institution of higher education on a full-time basis.

(4) Application. To receive educational assistance under this section, a person shall submit to the Director such information and documentation as the Director may require. In the case of use of the educational assistance for expenses referred to in paragraph (3)(B), the information

submitted to the Director shall include, as a minimum, the academic program of, and a letter of acceptance from, the institution of higher education at which the educational assistance is to be used.

(g) Cash Benefit.

(1) In general. The Director shall provide a cash benefit to each Corps member electing to receive the cash benefit.

(2) Amount. The amount of the cash benefit payable to a member of the Corps shall be equal to 50 percent of the amount of the educational assistance that the member would have been entitled to receive under subsection (f) if the member had elected to receive the educational assistance.

(h) Other Post-Service Benefits. To the extent the Director considers appropriate, upon a Corps member's completion of the agreed period of service with the corps, the Director shall provide information and counseling to the member to assist the member --

- (1) to pursue a high school diploma or the equivalent;
- (2) to pursue a degree at an institution of higher education; or
- (3) to obtain employment and support services as necessary and appropriate.

Sec. 195H. **Administrative Provisions**

(a) Board. The Board shall monitor and supervise the administration of the Civilian Community Corps Demonstration Program authorized to be established under section 195A. In carrying out this section, the Board shall --

- (1) approve such guidelines, recommended by the Director, for the design, selection of members, and operation of the Civilian Community Corps as the Board considers appropriate;
- (2) evaluate the progress of the Corps in providing a basis for determining the matters set forth in section 195; and
- (3) carry out any other activities determined appropriate by the Board.

(b) Executive Director. The Executive Director of the Commission on National and Community Service shall --

- (1) monitor the overall operation of the Civilian Community Corps;
- (2) coordinate the activities of the Corps with other youth service programs administered by the Commission; and
- (3) carry out any other activities determined appropriate by the Board.

(c) Staff.

(1) Director.

(A) Appointment. Upon the establishment of the Program, the Board, in consultation with the Executive Director, shall appoint a Director of the Civilian Community Corps. The Director may be selected from among retired commissioned officers of the Armed Forces of the United States.

(B) Duties. The Director shall --

- (i) design, develop, and administer the Civilian Community Corps programs;
- (ii) be responsible for managing the daily operations of the Corps; and
- (iii) report to the Board through the Executive Director.

(C) Authority to employ staff. The Director may employ such staff as is necessary to carry out this subtitle. The Director shall, to the maximum extent practicable, utilize in staff positions personnel who are detailed from departments and agencies of the Federal Government and, to

the extent the Director considers appropriate, shall request and accept detail of personnel from such departments and agencies in order to do so.

(2) Permanent cadre.

(A) Establishment. The Director shall establish a permanent cadre of supervisors and training instructors for Civilian Community Corps programs.

(B) Appointment. The Director shall appoint the members of the permanent cadre.

(C) Employment considerations. In appointing individuals to cadre positions, the Director shall --

(i) give consideration to retired, discharged, and other inactive members and former members of the Armed Forces recommended under section 195K(a)(2);

(ii) give consideration to former VISTA, Peace Corps, and youth service program personnel;

(iii) ensure that the cadre is comprised of males and females of diverse ethnic, economic, professional, and geographic backgrounds; and

(iv) consider applicants' experience in other youth service programs.

(D) Community service credit. Service as a member of the cadre shall be considered as a community service opportunity for purposes of section 4403 of the National Defense Authorization Act for Fiscal Year 1993 and as employment with a public service or community service organization for purposes of section 4464 of that Act.

(E) Training. The Director shall provide to members of the permanent cadre appropriate training in youth development techniques and the principles of service learning. All members of the permanent cadre shall be required to participate in the training.

(3) Inapplicability of certain civil service laws. The Director, the members of the permanent cadre, and the other staff personnel shall be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service. The rates of pay of such persons may be established without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title.

(4) Voluntary services. Notwithstanding any other provision of law, the Director may accept the voluntary services of individuals. While away from their homes or regular places of business on the business of the corps, such individuals may be allowed travel expenses, including per diem in lieu of subsistence in the same amounts and to the same extent, as authorized under section 5703 of title 5, United States Code, for persons employed intermittently in Federal Government services

Sec. 195I. Status of Corps Members and Corps Personnel Under Federal Law.

(a) In General. Except as otherwise provided in this section, members of the Civilian Community Corps shall not, by reason of their status as such members, be considered Federal employees or be subject to the provisions of law relating to Federal employment.

(b) Work-related injuries.

(1) In general. For purposes of subchapter I of chapter 81 of title 5, United States Code, relating to the compensation of Federal employees for work injuries, members of the Corps shall be considered as employees of the United States within the meaning of the term 'employee', as defined in section 8101 of such title.

(2) Special rule. In the application of the provisions of subchapter I of chapter 81 of title 5, United States Code, to a person referred to in paragraph (1), the person shall not be considered to be in the performance of duty while absent from the person's assigned post of duty unless the absence is authorized in accordance with procedures prescribed by the Director.

(c) Tort Claims Procedure. A member of the Corps shall be considered an employee of the United States for purposes of chapter 171 of title 28, United States Code, relating to tort claims liability and procedure.

Sec. 195J. **Contract and Grant Authority**

(a) Programs. The Director may, by contract or grant, provide for any public or private organization to perform any program function under this subtitle.

(b) Equipment and Facilities.

(1) Federal and national guard property. The Director shall enter into agreements, as necessary, with the Secretary of Defense, the Governor of a State, territory or commonwealth, or the commanding general of the District of Columbia National Guard, to utilize --

(A) equipment of the Department of Defense and equipment of the National Guard; and

(B) Department of Defense facilities and National Guard facilities identified pursuant to section 195K(a)(3).

(2) Other property. The Director may enter into contracts or agreements for the use of other equipment or facilities to the extent practicable to train and house members of the Civilian Community Corps.

Sec. 195K. **Responsibilities of Other Departments**

(a) Secretary of Defense.

(1) Liaison office.

(A) Establishment. Upon the establishment of the Program, the Secretary of Defense shall establish an office to provide for liaison between the Secretary and the Civilian Community Corps.

(B) Duties. The office shall --

(i) in order to assist in the recruitment of personnel for appointment in the permanent cadre, make available to the Director information in the registry established by section 4462 of the National Defense Authorization Act for Fiscal Year 1993; and

(ii) provide other assistance in the coordination of Department of Defense activities with the corps.

(A) List of recommended personnel. Upon the establishment of the Program, the Secretary of Defense, in consultation with the liaison office established under paragraph (1) shall develop a list of individuals to be recommended for appointment in the permanent cadre of Corps personnel. Such personnel shall be selected from among members and former members of the Armed Forces referred to in section 195(3) who are commissioned officers, noncommissioned officers, former commissioned officers, or former noncommissioned officers.

(B) Recommendations regarding grade and pay. The Secretary of Defense shall recommend to the Director an appropriate rate of pay for each person recommended for the cadre pursuant to this paragraph.

(C) Contribution for retired member's pay. If a listed individual receiving retired or retainer pay is appointed to a position in the cadre and the rate of pay for that individual is established at the amount equal to the difference between the active duty pay and allowances which that individual would receive if ordered to active duty and the amount of the individual retired or retainer pay, the Secretary of Defense shall pay, by transfer to the Commission on National and Community Service from amounts available for pay of active duty members of the Armed Forces, the amount equal to 50 percent of that individual's rate of pay for service in the cadre.

(3) Facilities. Upon the establishment of the Program, the Secretary of Defense shall identify military installations and other facilities of the Department of Defense and, in consultation with the adjutant generals of the State National Guards, National Guard facilities that may be used, in whole or in part, by the Civilian Community Corps for training or housing Corps members. The Secretary of Defense shall carry out this paragraph in consultation with the liaison office established under paragraph (1).

(4) Information regarding corps. The Secretary of Defense may permit Armed Forces recruiters to inform potential applicants for the Corps regarding service in the Corps as an alternative to service in the Armed Forces.

(b) Secretary of Labor. Upon the establishment of the Program, the Secretary of Labor shall identify and assist in establishing a system for the recruitment of persons to serve as members of the Civilian Community Corps. In carrying out this subsection, the Secretary of Labor may utilize the Employment Service Agency or the Office of Job Training.

Sec. 195L. **Advisory Board**

(a) Establishment and Purpose. Upon the establishment of the Program, there shall also be established a Civilian Community Corps Advisory E to advise the Director of the Civilian Community Corps concerning the administration of this subtitle and to assist in the development and administration of the Corps.

(b) Membership. The Advisory Board shall be composed of the following members:

(1) The Secretary of Labor.

(2) The Secretary of Defense.

(3) The Secretary of the Interior.

(4) The Secretary of Agriculture.

(5) The Secretary of Education.

(6) The Secretary of Housing and Urban Development.

(7) The Chief of the National Guard Bureau.

(8) Individuals appointed by the Director from among persons who are broadly representative of educational institutions, voluntary organizations, industry, youth, and labor unions.

(9) The Chair of the Commission on National and Community Service.

(c) Inapplicability of Termination Requirement. Section 14 of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Advisory Board.

Sec. 195M. **Annual Evaluation**

Pursuant to the provisions for evaluations conducted under section 179, in particular subsection (g) of such section, the Commission on National and Community Service shall conduct an annual evaluation of the Civilian Community Corps programs authorized under this subtitle.

Sec. 195N. **Funding Limitation**

The Commission, in consultation with the Director, shall ensure that no amounts appropriated under section 501 are utilized to carry out this subtitle.

Sec. 195O. **Definitions**

In this subtitle:

(1) Board. The term 'Board' means the Board of Directors of the Commission on National and Community Service.

(2) Corps. The terms 'Civilian Community Corps' and 'Corps' mean the Civilian Community Corps required under section 195D as part of the Civilian Community Corps Demonstration Program.

(3) Corps camp. The term 'Corps camp' means the facility or central location established as the operational headquarters and boarding place for particular Corps units.

(4) Corps members. The term 'Corps members' means persons receiving training and participating in projects under the Civilian Community Corps Demonstration Program.

(5) Director. The term 'Director' means the Director of the Civilian Community Corps.

(6) Executive Director. The term 'Executive Director' means the Executive Director of the Commission on National and Community Service.

(7) Institution of higher education. The term 'institution of higher education' has the meaning given that term in section 1201(a) of the Higher Education Act of 1965 (20 U.S.C. § 1141(a)).

(8) Program. The terms 'Civilian Community Corps Demonstration Program' and 'Program' mean the Civilian Community Corps Demonstration Program established pursuant to section 195A

(9) Service learning. The term 'service learning', Corps members, means a method --

(A) under which Corps members learn and develop through active participation in thoughtfully organized service experiences that meet actual community needs;

(B) that provides structured time for a Corps member to think, talk, or write about what the Corps member did and saw during an actual service activity;

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

(D) that helps to foster the development of a sense of caring for others, good citizenship, and civic responsibility.

(10) Superintendent. The term 'superintendent', with respect to a Corps camp, means the head of the camp under section 195D(d).

(11) Unit. The term "unit" means a unit of the Corps referred to in section 195D(c).

Other legislation affecting the Commission

Sec 1092(b), 1093, 1094, 1095 of Defense Authorization Bill (P.L. 102-484)

Sec. 1092. Civilian Community Corps

[(a) amends the National and Community Service Act of 1990 by adding Subtitle H.]

(b) Report and Study Requirements.

(1) Not later than 180 days after the date on which the Commission on National Community Service establishes the Civilian Community Corps Demonstration Program authorized by section 195A of the National and Community Service Act of 1990 (as added by subsection (a)), the Commission shall prepare and submit to the appropriate committees of Congress a progress report on the implementation of the provision of subtitle H of title I of such Act. The progress report shall include an assessment of the activities undertaken in establishing and administering Civilian Community Corps camps and an analysis of the levels of coordination of Corps activities with activities of other departments or agencies of the Federal Government.

(2) Not later than 90 days after the end of the one year period beginning on the first day of the Civilian Community Corps Demonstration Program established pursuant to section 195A of the National and Community Service Act of 1990 (as added by subsection (a)), the Board of Directors of the Commission on National and Community Service and the Director of the Civilian Community Corps shall prepare and submit to the appropriate committees of Congress a report concerning the desirability and feasibility of establishing the Civilian Community Corps as an independent agency of the Federal Government.

(c) Funding of the amounts appropriated for the Department of Defense for operation and maintenance in fiscal year 1993 pursuant to the authorization of appropriations in section 301, \$30,000,000 shall be available for the Civilian Community Corps Demonstration Program established pursuant to section 195A of the National and Community Service Act of 1990 (as added by subsection (a)).

Sec. 1093. Coordination of Programs

(a) Coordinated Administration. To the maximum extent practicable, the Chief of the National Guard Bureau, the Board of Directors and Executive Director of the Commission on National and Community Service, and the Director of the Civilian Community Corps shall coordinate the National Guard Youth Opportunities Program established pursuant to section 1091 and the Civilian Community Corps Demonstration Program established pursuant to the authorization contained in section 195A of the National and Community Service Act of 1990 (as added by section 1092(a)).

(b) Objectives The officials referred to in subsection (a) shall ensure that

(1) the programs referred to in subsection (a) are conducted in such a manner in relationship to each other that the public benefit of those programs is maximized;

(2) to the maximum extent appropriate to meet the needs of program participants, persons who complete participation in the National Guard Youth Opportunities Program and are

eligible and apply to participate in the Civilian Community Corps under the Civilian Community Corps Demonstration Program are accepted for participation in that Program; and

(3) the programs referred to in subsection (a) are conducted simultaneously in competition with each other in the same immediate area of the United States only when the population of eligible participants in that area is sufficient to justify the simultaneous conduct of such programs in that area.

Sec. 1094. Other Programs of the Commission on National and Community Service

(a) **Increased Commission Activities.** It is the purpose of this section to increase the ability of the Commission on National and Community Service to expand nonresidential programs that perform worthwhile urban and rural community projects that assist in the economic transition of localities affected by Department of Defense conversion. The Commission may also explore the potential for developing a program that would permit members of the Civilian Community Corps established under subtitle H of title I of the National and Community Service Act of 1990, as added by section 1092, to provide training to such participants at residential facilities and return them to their local communities for the service portion of their period of agreed service. To the extent practicable, such effort shall be coordinated with the National Guard Civilian Youth Opportunities Program authorized by section 1091 and with the Civilian Community Corps Demonstration Program established pursuant to the authorization contained in section 195A the National and Community Service Act of 1990, as added by section 1092.

(b) **Funding and Use of Funds.**

(1) Of the amounts appropriated for the Department of Defense for operation and maintenance in fiscal year 1993 pursuant to the authorization of appropriations in section 301, \$30,000,000 shall be available to the Board of Directors of the Commission on National and Community Service for activities under subtitles B, C, D, E, F, and G of the National and Community Service Act of 1990 (42 U.S.C. §12510 et seq) Such amount shall be in addition to, and not a substitute for, amounts authorized to be appropriated under section 501 of such Act (42 U.S.C. §12681).

(2) In the use of the funds made available under paragraph (1), the Commission shall give special consideration to

(A) programs located in communities where facilities of military installation (as defined in section 2687(e)(1) of title 10, United States Code) have been closed;

(B) programs that employ retired, inactive, or discharged military personnel;

(C) programs that involve military personnel participating in volunteer services;

(D) programs that test whether a nonresidential, community based youth service corps can engender in young men and women a commitment to civic responsibility and involvement in their communities;

(E) programs that test whether such nonresidential corps permit young people who have received military-based training to use their skills and knowledge to improve their communities; and

(F) programs that test whether retired, discharged, or inactive members and former members of the Armed Forces can play a meaningful role in service learning by acting as mentors, teachers, counselors and role models.

Sec. 1095. Limitation on Obligation of Funds

(a) Civilian Community Corps Demonstration Program. This amount made available pursuant to section 1092(c) for the Civilian Community Corps Demonstration Program under subtitle H of title I of the National and Community Service Act of 1990 (as added by section 1092(a)), may be obligated for that program only if expenditures for that program have been determined by the Director of the Office of Management and Budget to be counted against the defense category of the discretionary spending limits for fiscal year 1993 (as defined in section 601(a)(2) of the Congressional Budget Act of 1974) for purposes of part C of the Balanced Budget and Emergency Deficit Control Act of 1985.

(b) Other Commission on National and Community Service Programs. The amount made available pursuant to section 1094(b) for activities under subtitles B, C, D, E, F, and G of the National and Community Service Act of 1990 (42 U.S.C. 12510 et seq.) may be obligated for such activities only if expenditures for such activities have been determined by the Director of the Office of Management and Budget to be counted against the defense category of the discretionary spending limits for fiscal year 1993 (as defined in section 601(a)(2) of the Congressional Budget Act of 1974) for purposes of part C of the Balanced Budget and Emergency Deficit Control Act of 1985.

(c) Effect on Appropriations for Programs Not Counted Against Defense Category.

(1) Not later than the third day after the date of the enactment of this Act, the Director of the Office of Management and Budget shall make a determination as to the classification by discretionary spending limit category for purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 of amounts appropriated for fiscal year 1993 under section 301 and made available for the Civilian Community Corps Demonstration Program under subtitle H of title I of the National and Community Service Act of 1990 (as added by section 1092(a)) or for activities under subtitles B, C, D, E, F, and G of such Act. If the Director determines that any such amount shall not classify against the defense category (as described in subsections (a) and (b)), then the President shall submit to Congress a report stating that the Director has made such a determination and containing the amounts that will not classify against the defense category and an explanation for the determination.

(2) The amounts listed in the report under paragraph (1) may be transferred only to the programs under title III that are classified against the defense category pursuant to amounts specified in appropriation Acts. Any such transfer shall be taken into account for purposes of calculating all reports under section 254 of the Balanced Budget and Emergency Deficit Control Act of 1985.

U.S. HOUSE OF REPRESENTATIVES
OFFICE OF THE LEGISLATIVE COUNSEL
WASHINGTON, DC 20518

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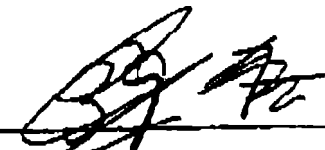
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[DISCUSSION DRAFT]

JUNE 7, 1993

1 “(e) SPECIAL RULE FOR CERTAIN APPLICANTS.—

2 “(1) WRITTEN CONCURRENCE.—In the case of
3 a program applicant that proposes to also serve as
4 the service sponsor, the application shall include the
5 written concurrence of any local labor organization
6 representing employees of the service sponsor who
7 are engaged in the same or substantially similar
8 work as that proposed to be carried out.

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

12 “(A) a State, subdivision of a State, Indian
13 tribe, public or private not-for-profit organiza-
14 tion, institution of higher education, or Federal
15 agency submitting an application under this
16 section; or

17 “(B) an entity applying for assistance or
18 approved national service positions through a
19 grant program conducted using assistance pro-
20 vided to a State, subdivision of a State, Indian
21 tribe, public or private not-for-profit organiza-
22 tion, institution of higher education, or Federal
23 agency under section 121.

Shirley Sas...
copy 6/4/93



II

103D CONGRESS
1ST SESSION

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.

IN THE SENATE OF THE UNITED STATES

MAY 6 (legislative day, APRIL 19), 1993

Mr. KENNEDY (for himself, Mr. DURENBERGER, Ms. MIKULSKI, Mr. JEFFORDS, Mr. NUNN, Mr. SPECTER, Mr. BOREN, Mr. CHAFEE, Mr. BREAUX, Mr. PELL, Mr. DODD, Mr. SIMON, Mr. WELLSTONE, Mr. WOFFORD, Mr. CAMPBELL, Mr. ROCKEFELLER, Mr. ROBB, Mr. LIEBERMAN, Mr. AKAKA, and Mr. RIEGLE) (by request) introduced the following bill; which was read twice and referred to the Committee on Labor and Human Resources

A BILL

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.

- 1 Be it enacted by the Senate and House of Representatives
- 2 of the United States of America in Congress assembled,
- 3 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.
- 4 (a) SHORT TITLE.—This Act may be cited as the
- 5 "National Service Trust Act of 1993".

Global change
Nat'l. svc. → national and community service

National Service Trust Act
National + Community Service Trust Act
Act
Corp. for Natl. Svc. →
Corp. for Natl. and Community Service

Ⓞ change Federal Programs Div. →
Volunteer Service Division

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Sec. 405. References to Directors of the Commission on National and Community Service.
Sec. 406. Effective date.

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25 tional :

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. *disability, income, education, age and gender.*

13 "(3) The rising costs of post-secondary edu-
14 cation are putting higher education out of reach for
15 an increasing number of citizens.

16 "(4) Americans of all ages can improve their
17 communities and become better citizens through
18 service to the United States.

19 "(5) Nonprofit organizations, local govern-
20 ments, States, and the Federal Government are al-
21 ready supporting a wide variety of national service
22 programs that deliver needed services in a cost-effec-
23 tive manner. *(C) (see next page)*

24 "(b) PURPOSES.—It is the purpose of this Act to—

tors of the Commission on National and Commu-

PURPOSE.

Section 2 of the National and ct of 1990 (42 U.S.C. 12501) is lows:

PURPOSE.

The Congress finds the following: hout the United States, there are uman, educational, environmental, needs.

ns desire to affirm common re- shared values that transcend race, -income, ethnicity, age and gender.

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nt organizations, local govern- the Federal Government are al- wide variety of national service

er needed services in a cost-effec- is the purpose of this Act to-

(6) ^{empower} Residents of low-income communities, especially youth and young adults, ~~empowered~~ through their service to help provide future community leadership."

1 "(1) meet the unmet human, educational, envi- 2 ronmental, and public safety needs of the United 3 States, without displacing existing workers;

4 "(2) renew the ethic of civic responsibility and 5 the spirit of community throughout the United 6 States;

7 "(3) expand educational opportunity by reward- 8 ing individuals who participate in national service 9 with an increased ability to pursue higher education 10 or job training;

11 "(4) encourage citizens of the United States, 12 regardless of age or income, ^{or disability} to engage in full-time 13 or part-time national service;

14 "(5) reinvent government to eliminate duplica- 15 tion, support locally established initiatives, require 16 Encourage private sector investment and involvement measurable goals for performance, and offer flexibil-

17 ity in meeting those goals; 18 ^{(6) (see page)} build on the existing organizational service

19 infrastructure of Federal, State, and local programs 20 and agencies to expand full-time and part-time serv- 21 ice opportunities for all citizens; ~~and~~

22 8 "(7) provide tangible benefits to the commu- 23 nities in which national service is performed."; ⁽⁹⁾ and

24 (b) TABLE OF CONTENTS.—Section 1(b) of the Na- 25 tional and Community Service Act of 1990 (Public Law

build ties among Americans that transcend race, religion, region, ^{disability} income, education, age and gender.

(10) (11)

(see bottom on following page)

PURPOSE.

Section 2 of the National and Act of 1990 (42 U.S.C. 12501) is follows:

PURPOSE.

The Congress finds the following: Throughout the United States, there are human, educational, environmental, needs.

citizens desire to affirm common re- shared values that transcend race, income, education, age and gender. rising costs of post-secondary edu- higher education out of reach for mber of citizens. ans of all ages can improve their become better citizens through ited States. ofit organizations, local govern- d the Federal Government are al- a wide variety of national service It is the purpose of this Act to-

2 ronmental, and public safety needs of the United States, without displacing existing workers;

4 "(2) renew the ethic of civic responsibility and the spirit of community throughout the United States;

7 "(3) expand educational opportunity by reward- ing individuals who participate in national service with an increased ability to pursue higher education or job training;

11 "(4) encourage citizens of the United States, regardless of age or income, or disability, to engage in full-time or part-time national service;

14 "(5) reinvent government to eliminate duplica- tion, support locally established initiatives, require measurable goals for performance, and offer flexibil- ity in meeting those goals;

18 "(6) build on the existing organizational service infrastructure of Federal, State, and local programs and agencies to expand full-time and part-time ser- vice opportunities for all citizens; and

22 "(7) provide tangible benefits to the commu- nities in which national service is performed"; and

24 (b) TABLE OF CONTENTS.—Section 1(b) of the Na- tional and Community Service Act of 1990 (Public Law

build ties among Americans that transcend race, religion, region, disability, income, education, age and gender.

(10) Encourage educational reform by introducing service-learning into K-12 and Higher Education
(11) Enable service participants to gain personal, academic, and occupational skills through service experience

1 101-610; 104 Stat. 3127) is amended by striking the item
2 relating to section 2 and inserting the following new item:

“Sec. 2. Findings and purpose.”

3 **TITLE I—PROGRAMS AND**
4 **RELATED PROVISIONS**
5 **Subtitle A—Programs**

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

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

12 **“Subtitle C—National Service Trust**
13 **Program**

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

15 **SEC. 121. AUTHORITY TO PROVIDE ASSISTANCE AND AP-**
16 **PROVED NATIONAL SERVICE POSITIONS.**

17 **“(a) PROVISION OF ASSISTANCE.—**The Corporation
18 **for National Service may make grants to States, subdivi-**
19 **sions of States, Indian tribes, public and private not-for-**
20 **profit organizations, and institutions of higher education**
21 **for the purpose of assisting the recipients of the grants—**

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

including community achievement
the funds under the community service block grant

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Such Federal agencies shall consult with state
Commissions to avoid duplication with existing
service programs in the state. Federal agencies ~~are~~ are
encouraged to develop contracts or cooperative agreements
with high-quality existing
service programs in the state.

7.

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

4 “(b) AGREEMENTS WITH FEDERAL AGENCIES.—The
5 Corporation may enter into a contract or cooperative
6 agreement with another Federal agency to support a na-
7 tional service program carried out by the agency. The sup-
8 port provided by the Corporation pursuant to the contract
9 or cooperative agreement may include the transfer to the
10 Federal agency of funds available to the Corporation
11 under this subtitle. A Federal agency receiving assistance
12 under this subsection shall not be required to satisfy the
13 matching funds requirements specified in subsection (e).
14 However, the supplementation requirements specified in
15 section 173 shall apply with respect to the Federal na-
16 tional service programs supported with such assistance.

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

20 “(1) approve the provision of national service
21 educational awards described in subtitle D for the
22 participants who serve in national service programs
23 carried out using such assistance; and

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

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

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

8 “(d) FIVE PERCENT LIMITATION ON ADMINISTRA-
9 TIVE COSTS.—

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

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

16 “(B) national service programs carried out
17 or supported with the assistance.

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

20 “(A) assistance provided under subsection
21 (a) or (b) may be used to cover administrative
22 costs; and

23 “(B) that portion of the assistance avail-
24 able to cover administrative costs should be dis-
25 tributed between—

6

1 with respect to a national service program in any fis- 1
 2 cal year if the Corporation determines that such a 2
 3 waiver would be equitable due to a lack of available 3
 4 financial resources at the local level. 4

5 **"SEC. 122. TYPES OF NATIONAL SERVICE PROGRAMS ELIGI-** 5
 6 **BLE FOR PROGRAM ASSISTANCE.** 6

7 **"(a) ELIGIBLE NATIONAL SERVICE PROGRAMS.—** 7

8 The recipient of a grant under section 121(a) and each 8
 9 Federal agency receiving assistance under section 121(b) 9
 10 shall use the assistance, directly or through subgrants to 10
 11 other entities, to carry out full- or part-time national serv- 11
 12 ice programs, including summer programs, that address 12
 13 unmet human, educational, environmental, or public safe- 13
 14 ty needs. Subject to subsection (b)(1), these national serv- 14
 15 ice programs may include the following types of national 15
 16 service programs: 16

17 **"(1) A community corps program that meets** 17
 18 **unmet human, educational, environmental, or public** 18
 19 **safety needs and promotes greater community unity** 19
 20 **through the use of organized teams of participants** 20
 21 **of varied social and economic backgrounds, skill lev-** 21
 22 **els, ~~physical~~ capabilities, ages, ethnic backgrounds,** 22
 23 **or genders.** 23

24 **"(2) A youth corps program, (such as a con-** 24
 25 **servation corps or youth service corps (including a** 25



full-time, year-round or full-time summer

for programs on pp. 10-15 take Gene Joke's intergenerational language for each program

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1 conservation corps or youth service corps that per-
2 forms service on Federal or other public lands or on
3 Indian lands), that—
4 “(A) undertakes meaningful ~~full-time~~ serv-
5 ice projects with visible benefits to a commu-
6 nity, including natural resource, urban renova-
7 tion, ^{rural development,} or human services projects;
8 “(B) includes as participants youths and
9 young adults between the ages of 16 and 25, in-
10 clusive, including out-of-school youths and other
11 ^{and youths with disabilities} disadvantaged youths who are between those
12 ages; and
13 “(C) provides those participants who are
14 youths and young adults with—
15 (i) crew-based, highly structured,
16 and adult-supervised work experience, life
17 skills, education, career guidance and
18 counseling, employment training, and sup-
19 port services; and
20 (ii) the opportunity to develop citi-
21 zenship values and skills through service to
22 their community and the United States.
23 “(3) A program that provides specialized train-
24 ing to individuals in service-learning and places the
25 individuals after such training in positions, including

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1 supported by work-study funds under part C of
 2 title IV of the Higher Education Act of 1965
 3 (42 U.S.C. 2751 et seq.);

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

5 “(C) teams composed of a combination of
 6 such students and community residents.

7 “(7) A preprofessional training program in
 8 which students enrolled in an institution of higher
 9 education—

10 “(A) receive training in specified fields,
 11 which may include classes containing service-
 12 learning;

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

17 “(C) agree to provide service upon gradua-
 18 tion to meet unmet human, educational, envi-
 19 ronmental, or public safety needs related to
 20 such training.

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

23 “(A) as teachers, nurses, ^{and other health providers} police officers, ✓

24 early childhood development staff; or other pro-
 25 fessionals providing service to meet educational,

or public safety needs in inadequate number of

include a salary in excess of allowance authorized in section 140, as provided in

section; and

sponsored by public or private employers who agree to pay salaries and benefits (other than a service educational award) to participants.

which economically disservice between the ages of 18 and 24, are provided with services that, while enabling them to receive education and employment

and economic self-sufficiency, are provided to members of low-income families

and (8) in community facilities in

(A) an entrepreneur program that trains gifted young

"A Communities in Action program administered by ^{not-for-profit organizations including} community action agencies or combinations of such agencies to provide opportunities for individuals or teams of individuals to engage in local community projects that meet unaddressed community and individual needs in low-income areas served by ~~community action agencies~~ ^{not-for-profit organizations} including, without limitations, service projects that would (a) meet the unaddressed need of low-income children and youth aged 18 and younger including, but not limited to, providing after-school 'safe-places' with opportunities for learning and recreation, or (b) be directed to other important unaddressed needs in the low-income community or communities served by the participating community ~~action agency or agencies~~ ^{not-for-profit organizations}.

1 adults of all backgrounds and assists them in designing solutions to community problems.

2
3 "(11) An intergenerational program that combines students, out-of-school youths, and older adults as participants to provide needed community services

P. 15

6
7 13 (12) Such other national service programs addressing unmet human, educational, environmental, or public safety needs as the Corporation may designate.

11 "(b) QUALIFICATION CRITERIA TO DETERMINE ELIGIBILITY.—

13 "(1) ESTABLISHMENT BY CORPORATION.—The Corporation shall establish qualification criteria for different types of national service programs for the purpose of determining whether a particular national service program should be considered to be a national service program eligible to receive assistance or approved national service positions under this subtitle.

21 "(2) CONSULTATION.—In establishing qualification criteria under paragraph (1), the Corporation shall consult with organizations and individuals who are experts regarding national service or regarding

substitute "organizations and individuals who have extensive experience in developing and administering effective national service programs."

Subject matter experts

“(B) a description of the national service programs that are designated by the Corporation under section 133(d)(2) as eligible for priority consideration in the next competitive dis-

tribution of assistance under section 121(a). *The Corp. shall ~~develop~~ develop rules to ~~be~~ treat equitably programs*

“(3) APPLICATION TO SUBGRANTS.—Any national service priorities established by the Corporation under this subsection shall also be used by each recipient of funds under section 121(a) that uses any portion of the assistance to conduct a grant program to support other national service programs.

with multiple year funding which will be adversely affected by a shift in priorities.

“SEC. 123. TYPES OF NATIONAL SERVICE POSITIONS ELIGIBLE FOR APPROVAL FOR NATIONAL SERVICE EDUCATIONAL AWARDS.

“The Corporation may approve of any of the following service positions as an approved national service position that includes the national service educational award described in subtitle D as one of the benefits to be provided for successful service in the position:

“(1) A position for a participant in a national service program described in section 122(a) that receives assistance under subsection (a) or (b) of section 121.

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

1 “(A) is carried out by a State, a subdivi-
2 sion of a State, an Indian tribe, a public or pri-
3 vate not-for-profit organization, an institution
4 of higher education, or a Federal agency; and

including a community action agency receiving funding under the Community Services Block Grant Act

5 “(B) would be eligible to receive assistance
6 under section 121(a), based on criteria estab-
7 lished by the Corporation, but has not applied
8 for such assistance.

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

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

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

17 “(6) A position involving service as a crew lead-
18 er in a youth corps program or a similar position
19 supporting a national service program that receives
20 an approved national service position.)

21 “(7) Such other national service positions as
22 the Corporation considers to be appropriate. The

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

24 “(a) **PLANNING ASSISTANCE.**—The Corporation may
25 provide assistance under section 121 to a qualified applicant

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1 poses to conduct a grant program using the assistance to
2 support other national service programs.

3 **"SEC. 125. TRAINING AND TECHNICAL ASSISTANCE.**

4 **"(a) TRAINING PROGRAMS.—**The Corporation may
5 conduct, directly or by grant or contract, appropriate
6 training programs regarding national service in order to—

7 **"(1)** improve the ability of national service pro-
8 grams assisted under section 121 to meet human,
9 educational, environmental, or public safety needs in
10 communities—

11 **"(A)** where services are needed most; and

12 **"(B)** where programs do not currently
13 exist or are currently too limited to meet com-
14 munity needs;

15 **"(2)** promote leadership development in such
16 programs;

17 **"(3)** improve the instructional and pro-
18 grammatic quality of such programs to build an
19 ethic of civic responsibility;

20 **"(4)** develop the management and budgetary
21 skills of program operators; and

22 **"(5)** provide for or improve the training pro-
23 vided to the participants in such programs.

24 **"(b) TECHNICAL ASSISTANCE.—**The Corporation
25 ^{shall} ~~may~~ make appropriate technical assistance ^{where necessary} available to

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Indian tribes

organizations serving the disadvantaged

1 States, labor organizations, organizations operated by
2 young adults, and other entities described in section 121
3 that desire—

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

5 “(2) to apply for assistance under such section or
6 under a grant program conducted using assistance pro-
7 vided under such section.

8 **“SEC. 126. OTHER SPECIAL ASSISTANCE.**

9 **“(a) SUPPORT FOR STATE COMMISSIONS.—**

10 **“(1) ASSISTANCE AUTHORIZED.—**The Corpora-
11 tion may make assistance available to assist a State
12 to establish or operate the State Commission on Na-
13 tional Service required to be established by the State
14 under section 178.

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

20 **“(A) 85 percent of the total cost to estab-**
21 **lish or operate the State Commission for the**
22 **first year for which the State Commission re-**
23 **ceives assistance under this subsection; and**

24 **“(B) such smaller percentage of such cost**
25 **as the Corporation may establish for the sec-**

1 ond, third, and fourth years of such assistance
2 in order to ensure that the Federal share does
3 not exceed 50 percent of such costs for the fifth
4 year, and any subsequent year, for which the
5 State Commission receives assistance under this
6 subsection.

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7 “(b) DISASTER SERVICE.—The Corporation may un-
8 dertake activities to involve youth corps programs de-
9 scribed in section 122(a)(2) and other programs that re-
10 ceive assistance under the national service laws in disaster

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✓ 11 relief efforts. *The VISTA volunteer program shall also be authorized to undertake such activities.*

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12 “(c) CHALLENGE GRANTS FOR NATIONAL SERVICE
13 PROGRAMS.—

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14 “(1) ASSISTANCE AUTHORIZED.—The Corpora-
15 tion may make challenge grants under this sub-
16 section to a national service program that receives
17 assistance under section 121. The Corporation shall
18 develop criteria for the selection of challenge grant
19 recipients so as to make the grants widely available
20 to a variety of high-quality national service pro-
21 grams. *with demonstrated experience in providing service opportunities with benefits to participants and communities*

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22 “(2) AMOUNT OF ASSISTANCE.—A challenge
23 grant under this subsection may provide not more
24 than \$1 of assistance under this subsection for each
25 \$1 in cash raised by the national service program

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During the period prior to the transfer of ACTION into the Corp. under Sec. —, the Corp. shall determine an equitable manner for providing VISTA and CCC post-recipient with post-service educ. awards.

BAD policy
not: Judy Wagner would like no exceptions here? OK?

1 deducted from the total funding for approved national
2 tional service positions to be available for distribu-
3 tion under subsections (a) and (d) for that fiscal
4 year.

5 “(2) EXCEPTION.—If the total number of ap-
6 proved national service positions to be available for
7 distribution under subsections (a) and (d) for a fis-
8 cal year does not exceed 200 percent of the number
9 of such positions that would be required to satisfy
10 paragraph (1) for that fiscal year, the Corporation
11 shall not reserve the national service educational
12 award for individuals described in such paragraph
13 who are selected during that fiscal year.

14 “(c) RESERVATION FOR SPECIAL ASSISTANCE.—
15 Subject to section 501(a)(2), of the funds allocated by the
16 Corporation for provision of assistance under subsections
17 (a) and (b) of section 121 for a fiscal year, the Corpora-
18 tion may reserve such amount as the Corporation consid-
19 ers to be appropriate for the purpose of making assistance
20 available under sections 125 and 126. However, the Cor-
21 poration may not reserve more than \$10,000,000 for a
22 fiscal year for challenge grants under section 126(c).

23 “(d) COMPETITIVE DISTRIBUTION OF REMAINING
24 FUNDS AND APPROVED POSITIONS.—

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1 “(1) STATE COMPETITION.—Of the funds allo-
 2 cated by the Corporation for provision of assistance
 3 under subsections (a) and (b) of section 121 for a
 4 fiscal year, the Corporation shall use not less than
 5 33¹/₃ percent of the allocated funds to make grants
 6 to States on a competitive basis under section
 7 121(a).

8 “(2) FEDERAL AGENCIES AND OTHER APPLI-
 9 CANTS.—The Corporation shall distribute on a com-
 10 petitive basis to subdivisions of States, Indian tribes,
 11 public and private not-for-profit organizations (in-
 12 cluding labor organizations), institutions of higher
 13 education, and Federal agencies the remainder of
 14 the funds allocated by the Corporation for provision
 15 of assistance under section 121 for a fiscal year,
 16 after operation of paragraph (1) and subsections (a)
 17 and (c). (A) Not more than 30% of such funding shall
 18 be distributed to Federal agencies; and

Community
 Services
 Block
 Grant
 Act

19 “(3) LIMITATIONS.—The Corporation may limit
 20 the categories of eligible applicants for assistance
 21 under paragraph (2) consistent with the priorities
 22 established by the Corporation under section
 23 133(d)(2).

24 “(e) APPLICATION REQUIRED.—The allotment of as-
 25 sistance and approved national service positions to a State
 or Indian tribe under subsection (a), and the competitive

(B) The Corporation shall fund applications of multi-state non-profit cabinet of state applications for such funds if applications are judged to be of equal quality.

1 “(B) to those participants who are school
2 dropouts in order to assist those participants in
3 earning the equivalent of a high school diploma.

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

10 “(1) provide in the design, recruitment, and op-
11 eration of the program for broad-based input from
12 the community served, ^{potential participants,} community-based agencies
13 with a demonstrated record of experience in provid-
14 ^{(including community action agencies receiving funding under} ing services, and local labor organizations represent-
15 ^{the} ing employees of service sponsors. ^{Community Services Block Grant Act}

16 “(2) prior to the placement of participants, con-
17 sult with any local labor organization representing
18 employees in the area who are engaged in the same
19 or similar work as that proposed to be carried out
20 by such program to ensure compliance with the
21 nondisplacement requirements specified in section
22 177; and

23 “(3) in the case of a program that is not fund-
24 ed through a State, consult with and coordinate ac-

~~NO~~ NO ✓

1 ance provided under section 121 ~~or~~ participants to
2 give religious instruction, conduct worship services,
3 or engage in any form of proselytization.

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

5 **"(a) CORPORATION CONSIDERATION OF CERTAIN**
6 **CRITERIA.**—The Corporation shall apply the criteria de-
7 scribed in subsections (c) and (d) in determining
8 whether—

9 **"(1) to approve an application submitted under**
10 section 130 and provide assistance under section
11 121 to the applicant; and

12 **"(2) to approve service positions described in**
13 the application as national service positions that in-
14 clude the national service educational award de-
15 scribed in subtitle D and provide such approved na-
16 tional service positions to the applicant.

17 **"(b) APPLICATION TO SUBGRANTS.**—A State or
18 other entity that uses assistance provided under section
19 121(a) to support national service programs selected on
20 a competitive basis to receive a share of the assistance
21 shall use the criteria described in subsections (c) and (d)
22 when considering an application submitted by a national
23 service program to receive a portion of such assistance or
24 an approved national service position. The application of
25 the State or other entity under section 130 shall contain

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1 be conducted, and the extent to which participants
 2 and community residents are involved in the design,
 3 leadership, and operation of the program.

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

7 “(A) communities designated as enterprise
 8 zones or redevelopment areas, targeted for spe-
 9 cial economic incentives, or otherwise identifi-
 10 able as having high ^{percentages or concentrations} concentrations of low-
 11 income people; ✓

12 “(B) areas that are environmentally dis-
 13 tressed; ^{or} ✓

14 “(C) areas adversely affected by reductions
 15 in defense spending or the closure or realign-
 16 ment of military installations; ✓

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

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

23 “(d) OTHER CONSIDERATIONS.—

24 “(1) GEOGRAPHIC DIVERSITY.—The Corpora-
 25 tion shall ensure that recipients of assistance pro-

1 vided under section 121 are geographically diverse
2 and include projects to be conducted in those urban
3 and rural areas ^{within} ~~in~~ a State with the highest rates of
4 poverty.

5 “(2) PRIORITIES.—The Corporation may des- 5
6 ignate, under such criteria as may be established by 6
7 the Corporation, certain national service programs 7
8 or types of national service programs described in 8
9 section 122(a) for priority consideration in the com- 9
10 petitive distribution of funds under section 10
11 129(d)(2). In designating national service programs 11
12 to receive priority, the Corporation may include— 12

13 “(A) national service programs carried out 13
14 by another Federal agency; 14

15 “(B) national service programs that con- 15
16 form to the national service priorities in effect 16
17 under section 122(c); 17

18 “(C) innovative national service programs; 18

19 “(D) national service programs that are 19
20 well established in one or more States at the 20
21 time of the application and are proposed to be 21
22 expanded to additional States using assistance 22
23 provided under section 121; 23

24 “(E) grant programs in support of other 24
25 national service programs. 25

1 are to be conducted by not-for-profit organiza-
 2 (including community action agencies receiving funds
 3 tions with a demonstrated and extensive exper-
 4 tise in the provision of services to meet human,
 5 educational, environmental, or public safety
 6 needs; and

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 Community
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6 “(F) professional corps programs described
 7 in section 122(a)(8).

8 “(e) REJECTION OF STATE APPLICATIONS.—

9 “(1) NOTIFICATION OF STATE APPLICANTS.—If
 10 the Corporation rejects an application submitted by
 11 a State Commission under section 130 for funds de-
 12 scribed in section 129(a)(1), the Corporation shall
 13 promptly notify the State Commission of the reasons
 14 for the rejection of the application.

15 “(2) RESUBMISSION AND RECONSIDERATION.—

16 The Corporation shall provide a State Commission
 17 notified under paragraph (1) with a reasonable op-
 18 portunity to revise and resubmit the application. At
 19 the request of the State Commission, the Corpora-
 20 tion shall provide technical assistance to the State
 21 Commission as part of the resubmission process.
 22 The Corporation shall promptly reconsider an appli-
 23 cation resubmitted under this paragraph.

24 “(3) REALLOTMENT.—The amount of any
 25 State’s allotment under section 129(a) for a fiscal

1 assistance and approved national service positions are
2 provided.

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

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

13 “(d) RECRUITMENT AND PLACEMENT.—The Cor-
14 poration and each State Commission shall establish a sys-
15 tem to recruit individuals who desire to perform national
16 service and to assist the placement of these individuals in
17 approved national service positions, including positions
18 available under title I of the Domestic Volunteer Service
19 Act of 1973 (42 U.S.C. 4951). The Corporation and State
20 Commissions shall disseminate information regarding
21 available approved national service positions through co-
22 operation with secondary schools, institutions of higher
23 education, employment service offices, and other appro-
24 priate entities, particularly those organizations that pro-
25 vide outreach to disadvantaged youths.

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“vocational rehabilitation agency and other state offices that serve primarily people with disabilities”

specifies, if the outstanding balance is greater than the amount disbursed under paragraph (2) which of 65 the loans the eligible individual prefers to be paid by the Corporation and

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“(B) indicates, or permits the Corporation to determine readily, the amounts of principal and interest outstanding on the loans; ~~and~~

(D) ~~(C)~~ contains or is accompanied by such other information as the Corporation may require.

“(2) DISBURSEMENT OF REPAYMENTS.—Upon receipt of an application from an eligible individual of an application that complies with paragraph (1), the Corporation shall, as promptly as practicable consistent with paragraph (5), disburse the amount of the national service educational award to which the eligible individual is entitled. Such disbursement shall be made by check or other means that is payable to the holder of the loan and requires the endorsement or other certification by the eligible individual.

“(3) APPLICATION OF DISBURSED AMOUNTS.—If the amount disbursed under paragraph (2) is less than the principal and accrued interest on any qualified student loan, such amount shall first be applied to the repayment of principal. If the amount disbursed under paragraph (2) is less than the total

“(4) REPORTS BY HOLDERS.—Any holder receiving a loan payment pursuant to this subsection shall submit to the Corporation such information as

~~Between~~ (5) Notification of Individual — The Corporation, upon disbursing the national service educational award, shall notify the individual of the amount paid for each outstanding loan and the date of payment."

1 the Corporation may require to verify that such pay- 1
2 ment was applied in accordance with this subsection 2
3 and any regulations prescribed to carry out this sub- 3
4 section. 4

5 ~~6~~ (5) AUTHORITY TO AGGREGATE PAYMENTS.— 5

6 The Corporation may, by regulation, provide for the 6
7 aggregation of payments to holders under this sub- 7
8 section. 8

9 ~~7~~ (6) DEFINITION OF QUALIFIED STUDENT 9
10 LOANS.—The term 'qualified student loans' means— 10

11 "(A) any loan made, insured, or guaran- 11
12 teed pursuant to title IV of the Higher Edu- 12
13 cation Act of 1965 (20 U.S.C. 1070 et seq.), 13
14 other than a loan to a parent of a student pur- 14
15 suant to section 428B of such Act (20 U.S.C. 15
16 1078-2); and 16

17 "(B) any loan made pursuant to title VII 17
18 or VIII of the Public Health Service Act (42 18
19 U.S.C. 292a et seq.). 19

20 ~~8~~ (7) DEFINITION OF HOLDER.—The term 20
21 'holder' with respect to any eligible loan means the 21
22 original lender or, if the loan is subsequently sold, 22
23 transferred, or assigned to some other person, and 23
24 such other person acquires a legally enforceable 24

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1 **“Subtitle B—School-Based and**
 2 **Community-Based Service-**
 3 **Learning Programs**

4 **“PART I—SERVE-AMERICA PROGRAMS**

5 **“Subpart A—School-Based Programs for Students**

6 **“SEC. 111. AUTHORITY TO ASSIST STATES AND INDIAN**
 7 **TRIBES.**

8 **“(a) USE OF FUNDS.—**The Corporation, in consulta-
 9 tion with the Secretary of Education, may make grants
 10 under section 112(b)(1), and allotments under subsections
 11 (a) and (b)(2) of section 112, to ^{educational agencies} States and Indian tribes
 12 to pay for the Federal share of—

13 **“(1) planning and building the capacity of the**
 14 **States or Indian tribes (which may be accomplished**
 15 **through grants or contracts with qualified organiza-**
 16 **tions) to implement school-based service-learning**
 17 **programs, including—**

18 **“(A) providing training for teachers, su-**
 19 **pervisors, personnel from community-based**
 20 **agencies (particularly with regard to the utiliza-**
 21 **tion of participants), and trainers, to be con-**
 22 **ducted by qualified individuals or organizations**
 23 **that have experience with service-learning;**

24 **“(B) developing service-learning curricula**
 25 **to be integrated into academic programs, in-**

with demonstrated expertise in the provision of services to meet human, educational, environmental, or public safety needs and that was in existence 1 year before the date on which the organization submitted the application

“(B) one or more community partners that—

“(i) shall include a public or private not-for-profit organization that will make projects available for participants, who shall be students; and

“(ii) may include a private for-profit business or private elementary or secondary school;

“(3) planning of school-based service-learning programs through State distribution of Federal funds made available under this subpart to local educational agencies, which planning may include paying for the cost of—

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

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

who are participants in a program under subtitle C or receive a national service educational award under subtitle D;

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

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such activities. The Corporation
may prefer to what information
such a number must contain.

1 agency or Indian tribe that is the original recipient of a
2 grant or allotment under subsection (a), (b), (c), or (d)
3 of section 112 for a fiscal year may be used to build capac-
4 ity through training, technical assistance, curriculum de-
5 velopment, and coordination activities, described in section
6 111(a)(1). *A state may apply for a waiver from
the Corporation to spend up to 25% of funds on*
7 “(c) LOCAL USES OF FUNDS.—Funds made available
8 under this subpart may not be used to pay any stipend,
9 allowance, or other financial support to any student who
10 is a participant under this subtitle, except reimbursement
11 for transportation, meals, and other reasonable out-of-
12 pocket expenses directly related to participation in a pro-
13 gram assisted under this subpart.

14 “SEC. 116B. DEFINITIONS.

15 “As used in this subpart:

16 “(1) GRANTMAKING ENTITY.—The term
17 ‘grantmaking entity’ means an organization de-
18 scribed in section 111B(a).

19 “(2) SCHOOL-BASED.—The term ‘school-based’
20 means based in an elementary school or a secondary
21 school.

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

1 under section 117A(a) to implement, operate, expand, or
 2 replicate a community service program, a qualified organi-
 3 zation shall prepare, submit to the Corporation, and ob-
 4 tain approval of, an application that proposes a commu-
 5 nity-based service program to be carried out at multiple
 6 sites, or that proposes ^{a model or} an innovative community-based
 7 service program. Such application shall be submitted at
 8 such time and in such manner, and shall contain such in-
 9 formation, as the Chairperson may reasonably require.

10 “(c) APPLICATION TO STATE COMMISSION OR
 11 GRANTMAKING ENTITY TO RECEIVE GRANTS TO CARRY
 12 OUT COMMUNITY-BASED SERVICE PROGRAMS.—To be el-
 13 igible to receive a grant from a State Commission or
 14 grantmaking entity under section 117A(b)(1), a qualified
 15 organization shall prepare, submit to the Commission or
 16 entity, and obtain approval of, an application. Such appli-
 17 cation shall be submitted at such time and in such man-
 18 ner, and shall contain such information, as the Commis-
 19 sion or entity may reasonably require.

20 “(d) REQUIREMENTS OF APPLICATION.—An applica-
 21 tion submitted under subsection (a), (b), or (c) shall, at
 22 a minimum, contain—

23 “(1) a description of any community-based
 24 service program proposed to be implemented, oper-

1 “(F) provide service experiences that pro-
2 mote leadership abilities among participants in
3 the program, including experiences that involve
4 such participants in program design;

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

7 “(H) establish and measure progress to-
8 ward the goals of the program; and

9 “(I) organize participants in the program
10 into teams, ^(if applicable) with team leaders who may be par-
11 ticipants in a program under subtitle C or indi-
12 viduals who receive a national service edu-
13 cational award under subtitle D; and

14 “(4) an assurance that the entity carrying out
15 the program proposed by the applicant will comply
16 with the nonduplication and nondisplacement provi-
17 sions of section 177 and grievance procedure re-
18 quirements of section 176(f).

19 **“SEC. 117D. CONSIDERATION OF APPLICATIONS.**

20 “(a) APPLICATION OF CRITERIA.—The Corporation
21 shall apply the criteria described in subsection (b) in de-
22 termining whether to approve an application submitted
23 under section 117B or under subsection (a) or (b) of sec-
24 tion 117C and to provide assistance under section 117A
25 to the applicant on the basis of the application.

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or

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

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

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

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

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

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

(3) strengthening the leadership and instructional capacity of K-12 and higher education in the area of service learning by

(a) including service learning as a key component of preservice teacher education; and

(b) encouraging higher education faculty to use service learning methods throughout the curriculum.

1 (1)(C) may include a program in which older adults
2 provide services to children who participate in Head
3 Start programs.

4 "(c) SUMMER PROGRAMS.—The Corporation may
5 support service programs intended to be carried out be-
6 tween May 1 and October 1, except that such a program
7 may also include a year-round component.

8 "(d) COMMUNITY-BASED AGENCIES.—The Corpora-
9 tion may provide training and technical assistance and
10 other assistance to service sponsors and other community-
11 based agencies that provide volunteer placements in order
12 to improve the ability of such agencies to use participants
13 and other volunteers in a manner that results in high-quality
14 service and a positive service experience for the partici-
15 pants and volunteers.

16 "(e) IMPROVE ABILITY TO APPLY FOR ASSIST-
17 ANCE.—The Corporation ^{shall} ~~may~~ provide training and tech-
18 nical assistance ^{where necessary} to individuals, programs, local labor orga-
19 nizations, State educational agencies, State commissions,
20 local educational agencies, local governments, community-
21 based agencies, and other entities to enable them to apply
22 for funding under one of the national service laws, to con-
23 duct high-quality programs, to evaluate such programs,
24 and for other purposes.

1 “(f) NATIONAL SERVICE FELLOWSHIPS.—The Cor-
2 poration may award national service fellowships.

3 “(g) CONFERENCES AND MATERIALS.—The Corpora-
4 tion may organize and hold conferences, and prepare and
5 publish materials, to disseminate information and promote
6 the sharing of information among programs for the pur-
7 pose of improving the quality of programs and projects.

8 “(h) PEACE CORPS AND VISTA TRAINING.—The
9 Corporation may provide training assistance to selected in-
10 dividuals who volunteer to serve in the Peace Corps or a
11 program authorized under title I of the Domestic Volun-
12 teer Service Act of 1973 (42 U.S.C. 4951 et seq.). The
13 training shall be provided as part of the course of study
14 of the individual at an institution of higher education,
15 shall involve service-learning, and shall cover appropriate
16 skills that the individual will use in the Peace Corps or
17 VISTA.

18 “(i) PROMOTION AND RECRUITMENT.—The Corpora-
19 tion may conduct a campaign to solicit funds for the Na-
20 tional Service Trust and other programs and activities au-
21 thorized under the national service laws and to promote
22 and recruit participants for programs that receive assist-
23 ance under the national service laws.

24 “(j) TRAINING.—The Corporation may support na-
25 tional and regional participant and supervisor training, in-

The Corporation is authorized to conduct an annual National Youth Service Day either directly or by sub-grant to a not-for-profit with the capability to do so.

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1 awards for service to individuals providing signifi- 1
2 cant service, and to outstanding service programs. 2

3 “(2) INDIVIDUALS AND PROGRAMS.—Notwith- 3
4 standing section 101(17)—

5 “(A) an individual receiving an award
6 under this subsection need not be a participant
7 in a program authorized under this Act; and

8 “(B) a program receiving an award under
9 this subsection need not be a program author-
10 ized under this Act.

11 “(3) NATURE OF AWARD.—In making an award
12 under this section to an individual or program, the
13 President, acting through the Corporation—

14 “(A) is authorized to incur necessary ex- 5
15 penses for the honorary recognition of the indi- 6
16 vidual or program; and 7

17 “(B) is not authorized to make a cash 8
18 award to such individual or program.

19 “(b) INFORMATION.—The President, acting through
20 the Corporation, shall ensure that information concerning
21 individuals and programs receiving awards under this sec-
22 tion is widely disseminated.”

*insert
new
Sec. 19BC
(see
attached)*

23 (d) TABLE OF CONTENTS.—

24 (1) CIVILIAN COMMUNITY CORPS.—Section 1(b)
25 of the National and Community Service Act of 1990

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1 **“SEC. 198C. MILITARY INSTALLATION CONVERSION DEM-**
2 **ONSTRATION PROGRAMS.**

3 “(a) PURPOSES.—The purposes of this section are
4 to—

5 “(1) provide meaningful training and paid em-
6 ployment to economically disadvantaged youth;

7 “(2) fully utilize military installations affected
8 by closures or realignments;

9 “(3) encourage communities affected by such
10 closures or realignments to convert the installations
11 to community use; and

12 “(4) foster a sense of community pride in the
13 youth in the community.

14 “(b) DEFINITIONS.—As used in this section:

15 “(1) AFFECTED MILITARY INSTALLATION.—
16 The term ‘affected military installation’ means a
17 military installation described in section 325(e)(1) of
18 the Job Training Partnership Act (29 U.S.C.
19 1662d(e)(1)).

20 “(2) CONVERT TO COMMUNITY USE.—The term
21 ‘convert to community use’, used with respect to an
22 affected military installation, includes—

23 “(A) conversion of the installation or a
24 part of the installation to—

25 “(i) a park;

26 “(ii) a community center;

1 “(iii) a recreational facility; or

2 “(iv) a facility for a Head Start pro-
3 gram under the Head Start Act (42 U.S.C.
4 9831 et seq.); and

5 “(B) carrying out, at the installation, a
6 construction or economic development project
7 that is of substantial benefit, as determined by
8 the Chairperson, to—

9 “(i) the community in which the in-
10 stallation is located; or

11 “(ii) a community located within such
12 distance of the installation as the Chair-
13 person may determine by regulation to be
14 appropriate.

15 “(3) DEMONSTRATION PROGRAM.—The term
16 ‘demonstration program’ means a program described
17 in subsection (c).

18 “(c) GRANTS.—The Corporation may make grants to
19 communities and community-based agencies to pay for the
20 Federal share of establishing and carrying out military in-
21 stallation conversion demonstration programs, to convert
22 to community use affected military installations located—

23 “(1) within the community; or

1 “(ii) within such distance from the
 2 community as the Chairperson may by reg-
 3 ulation determine to be appropriate.

4 “(d) USE OF FUNDS.—A community or community-
 5 based agency that receives a grant under subsection (c)
 6 to establish and carry out a project through a demonstra-
 7 tion program may use the funds made available through
 8 such grant to pay for not less than ⁷⁰~~80~~ percent, and not
 9 more than 90 percent, of the salary of the participants
 10 in the project.

usc
85%.
like rest
of law

max. salary
same as
under
Subtitle C

140(a)(2)(A)
or (B)

11 “(e) PARTICIPANTS.—
 12 “(1) ELIGIBILITY.—A person shall be eligible to
 13 be selected as a participant in a project carried out
 14 through a demonstration program if the person is—

15 “(A) an economically disadvantaged indi-
 16 vidual; and

17 “(B)(i) a person described in section

from
ccc

18 153(b);

19 “(ii) a youth described in section 154(a);

20 or

21 “(iii) an eligible youth described in section
 22 423 of the Job Training Partnership Act (29
 23 U.S.C. 1693).

24 “(2) PARTICIPATION.—Persons desiring to par-
 25 ticipate in such a project shall enter into an agree-

1 ment with the service sponsor of the project to
2 participate—

3 “(A) on a full-time or a part-time basis;
4 and

5 “(B) for the duration referred to in sub-
6 section (f)(2)(C).

7 “(f) APPLICATION.—

8 “(1) IN GENERAL.—To be eligible to receive a
9 grant under subsection (c), a community or commu-
10 nity-based agency shall submit an application to the
11 Chairperson at such time, in such manner, and con-
12 taining such information as the Chairperson may re-
13 quire.

→ 14 “(2) CONTENTS.—At a minimum, such applica-
15 tion shall contain—

16 “(A) a description of the demonstration
17 program proposed to be conducted by the appli-
18 cant;

19 “(B) a proposal for carrying out the pro-
20 gram that describes the manner in which the
21 applicant will—

22 “(i) provide preservice and inservice
23 training, for supervisors and participants,
24 that will be conducted by qualified individ-
25 uals, or qualified organizations, that have

1 experience in military installation conver-
2 sion programs;

3 “(ii) conduct an appropriate evalua-
4 tion of the program; and

5 “(iii) provide for appropriate commu-
6 nity involvement in the program;

7 “(C) information indicating the duration of
8 the program; and

9 “(D) an assurance that the applicant will
10 comply with the nonduplication and
11 nondisplacement provisions of section 177 and
12 grievance procedure requirements of section
13 176(f).



14 “(g) FEDERAL SHARE.—

15 “(1) IN GENERAL.—The Federal share of es-
16 tablishing and carrying out a demonstration pro-
17 gram shall be 25 percent. *of total costs*

18 “(2) CALCULATION.—Each recipient of assist-
19 ance under this section shall comply with section
20 116(a)(2).

21 “(3) WAIVER.—The Chairperson may waive the
22 requirements of paragraph (1) or (2), in whole or in
23 part, as provided in section 116(b).”

*min term?
such as
summer
full-time
or 6
mos?*

- 1 On page 129, strike the matter between lines 8 and
- 2 9 and insert the following:

“Subtitle H—Investment for Quality and Innovation

“Sec. 198. Additional corporation activities to support national service.

“Sec. 198A. Clearinghouses.

“Sec. 198B. Presidential awards for service.

“Sec. 198C. Military installation conversion demonstration programs.”.

1 such section), 117A(a), 119(b)(1), or 122(a), in
2 paragraph (1) or (2) of section 152(b), or in section
3 198.

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

11 “(20) SCHOOL-AGE YOUTH.—The term ‘school-
12 age youth’ means an individual between the ages of
13 5 and 17, inclusive. *(exception for disabled youth as per
part B of IDEA - see bottom
of page)*

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

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

20 “(A) under which students or participants
21 learn and develop through active participation
22 in thoughtfully organized service that—

23 “(i) is conducted in and meets the
24 needs of a community;

Sec. 101 (20) school age youth
and language granting an exception to the definition of school age to
include a provision allowing youth served by 94-142 to participate even if
they are older than age 17. *part B of I.D.E.A. with Dual
Indiv. with Dual
Educ. Act
may be birth to age 21.*

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(3) Coordination with other State Agencies. --

The State Commission or alternative administrative entity designated under paragraph (2) shall ~~also~~ coordinate its efforts with those of other specially-designated State agencies or offices that administer federal financial assistance under the Community Services Block Grant Act or other grant programs related to those authorized under this Act."

1 wise entrusted to a State Commission under this
2 Act. The chief executive officer shall ensure that any
3 alternative administrative entity used in lieu of a
4 State Commission still provides for the individuals
5 described in paragraphs (1) and (2) of subsection (c)
6 to play a significant policy-making role in carrying
7 out the duties otherwise entrusted to a State Com-
8 mission, including the submission of applications on
9 behalf of the State under sections 117B and 130.

10 (b) APPOINTMENT AND SIZE.—Except as provided
11 in subsection (c)(3), the members of a State Commission
12 for a State shall be appointed by the chief executive officer
13 of the State. A State Commission shall consist of not less
14 than 7 voting members and not more than ²⁵~~13~~ voting
15 members.

16 (c) COMPOSITION AND MEMBERSHIP.—

17 (1) REQUIRED MEMBERS.—The State Com-
18 mission for a State shall include as voting members
19 at least one representative from each of the follow-

20 ing categories:

- ✓ 21 (A) ^{(A) young persons between the ages of 16 and 25 who are participants in service programs} A national service program, such as
- ✓ 22 a youth corps program, a service program for
- ✓ 23 school-age youth, ^(D) and a program in which older
- 24 Americans are participants.

- ✓ 25 (B) Local governments in the State, including ^E the state educational agency

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Agencies. --
ative administrative entity designated under
inate its efforts with those of other specially-
ces that administer federal financial assistance
Block Grant Act or other grant programs
er this Act."

o a State Commission under this
ecutive officer shall ensure that any
nistrative entity used in lieu of a
n still provides for the individuals
graphs (1) and (2) of subsection (c)
cant policy-making role in carrying
therwise entrusted to a State Com-
g the submission of applications on
te under sections 117B and 130.

NT AND SIZE.—Except as provided
the members of a State Commission
ppointed by the chief executive officer
Commission shall consist of not less
bers and not more than ²⁵ 13 voting

ON AND MEMBERSHIP.—

QUIRED MEMBERS.—The State Com-
tate shall include as voting members
representative from each of the follow-

any persons between the ages of
16 and 25 who are participants in
A national service program, such as
(C) corps program, a service program for
(D) youth, and a program in which older
are participants.

Local governments in the State, including
the state educational agency

- (G) local educators
- (H) representatives of low-income groups
- (I) out-of-school youth
- (J) ~~senior~~ volunteers or participants who are senior citizens in service programs

- 1 "(C) Local labor organizations. ✓
- 2 "(2) SOURCES OF OTHER MEMBERS.—The
- 3 State Commission for a State may include as voting
- 4 members the following:
- 5 "(A) Representatives of community-based
- 6 organizations, including community action ✓
- 7 "(B) Members selected from among par- ✓
- 8 ticipants in service programs who are youths. Community services Block Grant Act
- 9 "(C) Members selected from among edu-
- 10 cators.
- 11 "(D) Members selected from among ex- ✓
- 12 perts in the delivery of human, educational, health, environmental, or public safety services to commu- ✓
- 13 nities and persons.
- 14 "(E) Representatives of businesses and
- 15 business groups.
- 16 (F) members of Indian tribes ✓
- 17 "(3) CORPORATION REPRESENTATIVE.—The
- 18 representative of the Corporation designated under
- 19 section 195(b) for a State shall be a voting member
- 20 of the State Commission for that State.
- 21 "(4) EX OFFICIO STATE REPRESENTATIVES.—
- 22 shall appoint the state director of the federal programs division
- 23 The chief executive officer of a State may appoint as
- 24 nonvoting ex officio members of the State Commis-
- 25 sion for the State representatives selected from
- among officers and employees of State agencies op-

(G) see above
(H)
(I)
(J)

nonvoting ex officio member
The chief executive officer may also

if such individual is not the federal representative of the Corp. serving on the State Commission

1 erating community service, youth service, education,
2 social service, senior service, and job training pro-
3 grams.

4 “(5) LIMITATION ON NUMBER OF STATE EM-
5 PLOYEES AS MEMBERS.—The number of voting
6 members of a State Commission selected under
7 paragraph (1) or (2) who are officers or employees
8 of the State may not exceed 25 percent (reduced to
9 the nearest whole number) of the total membership
10 of the State Commission.

11 “(d) MISCELLANEOUS MATTERS.—

12 “(1) MEMBERSHIP BALANCE.—The chief execu-
13 tive officer of a State shall ensure that the member-
14 ship of the State Commission for the State is ~~base~~
15 ~~and~~ ^{geographically representative + reflects the diversity of} ~~accord~~ ^{the state with respect} ~~according~~ to race, ethnic background, age,
16 ~~and~~ ^{and disability characteristics} gender. Not more than 50 percent of the voting
17 members of a State Commission, plus one additional
18 member, may be from the same political party.

19 “(2) TERMS.—Each member of the State Com-
20 mission for a State shall serve for a term of 3 years,
21 except that the chief executive officer of a State
22 shall initially appoint a portion of the members to
23 terms of 1 year and 2 years.

24 “(3) VACANCIES.—As vacancies occur on a
25 State Commission, new members shall be appointed

1 ducted by the State using assistance provided to the
 2 State under section 121, including selection, over-
 3 sight, and evaluation of grant recipients.

4 “(8) Development of projects, training methods,
 5 curriculum materials, and other materials and activi-
 6 ties related to national service programs that receive
 7 assistance directly from the Corporation (or from the ^(when such programs request such assistance)
 8 State using assistance provided under section 121.

9 “(f) ACTIVITY INELIGIBLE FOR ASSISTANCE.—A
 10 State Commission may not directly carry out any national
 11 service program that receives assistance under section
 12 121.

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

17 “(h) APPROVAL OF STATE COMMISSION OR ALTER-
 18 NATIVE.—

19 “(1) SUBMISSION TO CORPORATION.—The chief
 20 executive officer for a State shall notify the Corpora-
 21 tion of the establishment or designation of the State
 22 Commission for the State. The notification shall in-
 23 clude a description of—

24 “(A) the composition and membership of
 25 the State Commission; and

SITIONAL PROVISIONS.—

USE OF ALTERNATIVES TO STATE COMMISSION
a State does not have a State Commission
al Service that satisfies the requirements
n section 178 of the National and Commu-
es Act of 1990, as amended by subsection
orporation for National Service may au-
chief executive of the State to use an ex-
cy of the State to perform the duties oth-
rved to a State Commission under sub-
of such section.

PLICATION OF SUBSECTION.—This sub-
l apply only during the 1-year period be-
he date of the enactment of this Act.

M AUTHORITIES OF THE CORPORATION
NATIONAL SERVICE AND ACTION
NCY.

L AND COMMUNITY SERVICE ACT OF
of title I of the National and Commu-
f 1990 (42 U.S.C. 12651) is amended

1 "Subtitle G—Corporation for
2 National Service

3 "SEC. 191. CORPORATION FOR NATIONAL SERVICE.

4 "There is established a Corporation for National
5 Service that shall administer the programs established
6 under this Act. The Corporation shall be a Government
7 corporation, as defined in section 103 of title 5, United
8 States Code.

9 "SEC. 192. BOARD OF DIRECTORS.

10 "(a) COMPOSITION.—

11 "(1) IN GENERAL.—There shall be in the Cor-
12 poration a Board of Directors (referred to in this
13 subtitle as the 'Board') that shall be composed of—

14 "(A) ¹⁵11 members, including the Chair- ✓
15 person appointed under section 193, to be ap-
16 pointed by the President, by and with the ad-
17 vice and consent of the Senate; and

18 "(B) the ex officio members described in
19 paragraph (4).

20 "(2) QUALIFICATIONS.—To the maximum ex-
21 tent practicable, the President shall appoint
22 members—

23 "(A) who have extensive experience in vol-
24 unteer and service programs, including pro^{grams} ✓

at least one of who shall be a young
person between the ages of 16 and
25 who at the time of selection has
served in a school-based service
learning program or who is a
participant in a leadership service
program.

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th
or
"A) who have extensive experience in volunteers and service programs, including programs funded under federal financial assistance programs, including, without limitation, the Head Start Act and the Community Services Block Grant Act, which authorize anti-poverty programs similar or related to those authorized under this Act or one of the national service laws, and in State government,"

1 ~~grams funded under one of the national service~~
2 ~~laws, and in State government;~~

3 "(B) who represent a broad range of view-
4 points;

5 "(C) who are experts in the delivery of
6 human, educational, environmental, or public
7 safety services;

8 "(D) so that the Board shall be diverse ac-
9 *and reflects the diversity of the U.S. with respect* ^{is geographically representative}
cording to race, ethnicity, age, ~~and~~ gender, and ^{age and disability}

10 "(E) so that no more than ~~5~~ ⁸ appointed
11 members of the Board are from a single politi-
12 cal party. *characteristic*

13 "(3) INITIAL MEMBERS.—No fewer than 8 of
14 the members first appointed to the Board after the
15 date of enactment of this section shall be appointed
16 from among individuals who served on the Board of
17 Directors of the Commission on National and Com-
18 munity Service.

19 "(4) EX OFFICIO MEMBERS.—The Secretary of
20 Education, the Secretary of Health and Human
21 Services, the Secretary of Labor, the Secretary of
22 the Interior, the Secretary of Agriculture, the Sec-
23 retary of Housing and Urban Development, the Sec-
24 retary of Defense, the Attorney General, the Direc-
25 tor of the Peace Corps, and the Administrator of the

1 the participant shall be considered to be an employee of
2 the service sponsor.”.

3 (b) TABLE OF CONTENTS.—Section 1(b) of the Na-
4 tional and Community Service Act of 1990 (Public Law
5 101-610; 104 Stat. 3127) is amended by striking the item
6 relating to section 171 of such Act and inserting the fol-
7 lowing:

“Sec. 171. Family and medical leave.”.

8 **SEC. 114. REPORTS.**

9 Section 172 of the National and Community Service
10 Act of 1990 (42 U.S.C. 12632) is amended—

11 (1) in subsection (a)(3)(A), by striking “sec-
12 tions 177 and 113(9)” and inserting “section 177”;
13 and

14 (2) in subsection (b)(1), by striking “this title”
15 and inserting “the national service laws”.

16 **SEC. 115. NONDISCRIMINATION.**

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

20 **“SEC. 175. NONDISCRIMINATION.**

21 “(a) IN GENERAL.—

22 “(1) BASIS.—An individual with responsibility
23 for the operation of a project that receives assistance
24 under this title shall not discriminate against a par-
25 ticipant in, or member of the staff of, such project

*This tracks the
1990 provisions —
but amends the
to deal with
the idea of
reasonable
accommodation in
ADA.*

1 on the basis of race, color, national origin, sex, age,
2 or political affiliation of such participant or member,
3 or on the basis of disability, if the participant or
4 member is a qualified individual with a disability.

5 “(2) DEFINITION.—As used in paragraph (1),
6 the term ‘qualified individual with a disability’ has
7 the meaning given the term in section 101(8) of the
8 Americans with Disabilities Act of 1990 (42 U.S.C.
9 12111(8)).

10 “(b) FEDERAL FINANCIAL ASSISTANCE.—Any assist-
11 ance provided under this title shall constitute Federal fi-
12 nancial assistance for purposes of title VI of the Civil
13 Rights Act of 1964 (42 U.S.C. 2000d et seq.), title IX
14 of the Education Amendments of 1972 (20 U.S.C. 1681
15 et seq.), section 504 of the Rehabilitation Act of 1973 (29
16 U.S.C. 794), and the Age Discrimination Act of 1975 (42
17 U.S.C. 6101 et seq.).

18 “(c) RELIGIOUS DISCRIMINATION.—

19 “(1) IN GENERAL.—Except as provided in para-
20 graph (2), an individual with responsibility for the
21 operation of a project that receives assistance under
22 this title shall not discriminate on the basis of reli-
23 gion against a participant in such project or a mem-
24 ber of the staff of such project who is paid with
25 funds received under this title.

1 “(2) EXCEPTION.—Paragraph (1) shall not
2 apply to the employment, with assistance provided
3 under this title, of any member of the staff, of a
4 project that receives assistance under this title, who
5 was employed with the organization operating the
6 project on the date the grant under this title was
7 awarded.

8 “(d) RULES AND REGULATIONS.—The President
9 shall promulgate rules and regulations to provide for the
10 enforcement of this section that shall include provisions
11 for summary suspension of assistance for not more than
12 30 days, on an emergency basis, until notice and an oppor-
13 tunity to be heard can be provided.”.

14 **SEC. 116. NOTICE, HEARING, AND GRIEVANCE PROCE-**
15 **DURES.**

16 (a) DECERTIFICATION OF POSITIONS.—Section
17 176(a) of the National and Community Service Act of
18 1990 (42 U.S.C. 12636(a)) is amended—

19 (1) in paragraph (1), by inserting “, or revoke
20 the designation of positions, related to the grant or
21 contract, as approved national service positions,” be-
22 fore “whenever the Commission”; and

23 (2) in paragraph (2)(B), by inserting “or re-
24 voked” after “terminated”.

(1) **IN GENERAL.**—Except as provided in paragraph (2), an individual with responsibility for the operation of a project that receives assistance under this title shall not discriminate on the basis of religion against a participant or a member of the project staff who is paid with funds received under this title.

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

(d) **RULES AND REGULATIONS.**—The Commission shall promulgate rules and regulations to provide for the enforcement of this section that shall include provisions for summary suspension of assistance for not more than 30 days, on an emergency basis, until notice and an opportunity to be heard can be provided.

SEC. 176. [42 U.S.C. 12636] NOTICE, HEARING, AND GRIEVANCE PROCEDURES.

(a) **IN GENERAL.**—

(1) **SUSPENSION OF PAYMENTS.**—The Commission may in accordance with the provisions of this title, suspend or terminate payments under a contract or grant providing assistance under this title whenever the Commission determines there is a material failure to comply with this title or the applicable terms and conditions of any such grant or contract issued pursuant to this title.

(2) **PROCEDURES TO ENSURE ASSISTANCE.**—The Commission shall prescribe procedures to ensure that—

(A) assistance provided under this title shall not be suspended for failure to comply with the applicable terms and conditions of this title except, in emergency situations, a suspension may be granted for 30 days; and

(B) assistance provided under this title shall not be terminated for failure to comply with applicable terms and conditions of this title unless the recipient of such assistance has been afforded reasonable notice and opportunity for a full and fair hearing.

(b) **HEARINGS.**—Hearings or other meetings that may be necessary to fulfill the requirements of this section shall be held at locations convenient to the recipient of assistance under this title.

(c) **TRANSCRIPT OR RECORDING.**—A transcript or recording shall be made of a hearing conducted under this section and shall be available for inspection by any individual.

(d) **STATE LEGISLATION.**—Nothing in this title shall be construed to preclude the enactment of State legislation providing for the implementation, consistent with this title, of the programs administered under this title.

(e) **CONSTRUCTION.**—Nothing in this title shall be construed to link performance of service with receipt of Federal student financial assistance.

(f) **GRIEVANCE PROCEDURE.**—

(1) **IN GENERAL.**—State and local applicants that receive assistance under this title shall establish and maintain a procedure to adjudicate grievances from participants, labor organizations, and other interested individuals concerning programs

110- do flow DUSA

b) DIRECTOR OF SENIOR VISTA AND NATIONAL VOLUNTEER CORPS (explain that ~~A~~ the VISTA and what is Director position Dir. will now OAVP Dir. will remain with same political appointment, they report to Managing Dir. of Federal Programs + keep same pay grade

179

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

3 "(3) DUTIES.—

4 "(A) FEDERAL PROGRAMS.—One of the
5 Managing Directors shall be primarily respon-
6 sible for the Federal programs carried out by
7 the Corporation.

8 "(B) INVESTMENT PROGRAMS.—The other
9 Managing Director shall be primarily respon-
10 sible for the financial assistance programs car-
11 ried out by the Corporation.

12 (b) INSPECTOR GENERAL.—

13 "(1) OFFICE.—There shall be in the Corpora-
14 tion an Office of the Inspector General.

15 "(2) APPOINTMENT.—

16 "(A) IN GENERAL.—The Office shall be
17 headed by an Inspector General, appointed by
18 the President, by and with the consent of the
19 Senate.

20 "(B) REPORTING.—The Inspector General
21 shall report directly to the oversight committee.

22 "(3) COMPENSATION.—The Inspector General
23 shall be compensated at the rate provided for level
24 IV of the Executive Schedule under section 5315 of
25 title 5, United States Code.

1 of Education necessary to carry out the pro- 1
 2 grams of the Corporation; and 2

3 “(E) direct, manage, and provide policy 3
 4 guidance and oversight of the financial manage- 4
 5 ment personnel, activities, and operations of the 5
 6 Corporation. 6

7 **“SEC. 195. EMPLOYEES, CONSULTANTS, AND OTHER PER- 7**
 8 **SONNEL. 8**

9 **“(a) EMPLOYEES.— 9**

10 **“(1) IN GENERAL.—**The Chairperson may ap- 10
 11 point and determine the compensation of such em- 11
 12 ployees as the Chairperson determines to be nec- 12
 13 essary to carry out the duties of the Corporation. 13

14 **“(2) TERMS.— 14**

15 **“(A) INITIAL TERM.— 15**

16 **“(i) LENGTH OF TERM.—**Such an em- 16
 17 ployee shall be appointed for an initial 17
 18 term that shall not exceed 5 years. 18

19 **“(ii) PROBATION PERIOD.—**The 19
 20 Chairperson shall take such action, includ- 20
 21 ing the issuance of rules, regulations, and 21
 22 directives, as shall provide, as nearly as 22
 23 conditions of good administration warrant, 23
 24 for a 1-year period of probation before 24
 25 such an appointment becomes final. 25

1 “(B) APPOINTMENT EXTENSIONS.—The
 2 appointment of an employee may be extended if
 3 the Chairperson determines that such an exten-
 4 sion is necessary to ensure the continuity of
 5 functions under this Act.

6 A “(C) APPOINTMENT IN THE COMPETITIVE
 7 SERVICE AFTER EMPLOYMENT IN THE COR-
 8 PORATION.—

9 “(i) EMPLOYEES WITH NOT LESS
 10 THAN 3 YEARS OF EMPLOYMENT.—If an
 11 employee, other than a representative de-
 12 scribed in section 195(b), is separated
 13 from the Corporation (other than by re-
 14 moval for cause), and has been continu-
 15 ously employed by the Corporation for a
 16 period of not less than 3 years, such period
 17 shall be treated as a period of service in
 18 the competitive service for purposes of
 19 chapter 33 of title 5, United States Code.

20 “(ii) EMPLOYEES WITH NOT LESS
 21 THAN 1 BUT LESS THAN 3 YEARS OF EM-
 22 PLOYMENT.—If an employee, other than a
 23 representative described in section 195(b),
 24 is separated from the Corporation (other
 25 than by removal for cause), and has been

1 compensation systems described in sub-
2 paragraph (B).

3 “(ii) LIMITATION ON COMPENSA-
4 TION.—The rate of compensation for each
5 representative described in section 195(b)
6 shall not exceed the maximum rate of basic
7 pay payable for GS-15 of the General
8 Schedule under section 5332 of title 5,
9 United States Code.

10 “(b) CORPORATION REPRESENTATIVE IN EACH
11 STATE.—

12 “(1) DESIGNATION OF REPRESENTATIVE.—The
13 Corporation shall designate 1 employee of the Cor-
14 poration for each State or group of States to serve
15 as the representative of the Corporation in the State
16 or States and to assist the Corporation in carrying
17 out the activities described in this Act in the State
18 or States.

19 “(2) DUTIES.—The representative designated
20 under this subsection for a State or group of States
21 shall serve as the liaison between—

22 “(A) the Corporation and the State Com-
23 mission that is established in the State or
24 States; and

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managers of
the State Commission and the
State Office of the Federal
Fed. Programs
in that State

1 “(B) the Corporation and any subdivision 1
2 of a State, Indian tribe, public or private non- 2
3 profit organization, or institution of higher edu- 3
4 cation, in the State or States, that is awarded 4
5 a grant under section 121 directly from the 5
6 Corporation. 6

7 “(3) MEMBER OF STATE COMMISSION.—The 7
8 representative designated under this subsection for a 8
9 State or group of States shall also serve as a voting 9
10 member of the State Commission established in the 10
11 State or States. 11

12 “(c) CONSULTANTS.—The Chairperson may procure 12
13 the temporary and intermittent services of experts and 13
14 consultants and compensate the experts and consultants 14
15 in accordance with section 3109(b) of title 5, United 15
16 States Code. 16

17 “(d) DETAILS OF PERSONNEL.—The head of any 17
18 Federal department or agency may detail on a reimburs- 18
19 able basis, or on a nonreimbursable basis for not to exceed 19
20 180 calendar days during any fiscal year, as agreed upon 20
21 by the Chairperson and the head of the Federal agency, 21
22 any of the personnel of that department or agency to the 22
23 Corporation to assist the Corporation in carrying out the 23
24 duties of the Corporation under this Act. Any detail shall 24
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Needs childcare provision to VISTA to section 140(e) or p. 55

Subtitle B—Domestic Volunteer Service Act of 1973

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SEC. 311. SHORT TITLE; REFERENCES.

(a) **SHORT TITLE.**—This subtitle may be cited as the “Domestic Volunteer Service Act Amendments of 1993”.

(b) **REFERENCES.**—Except as otherwise specifically provided, whenever in this subtitle an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4950 et seq.).

CHAPTER 1—VISTA AND OTHER ANTI-POVERTY PROGRAMS

SEC. 321. PURPOSE OF THE VISTA PROGRAM.

The last sentence of section 101 (42 U.S.C. 4951) is amended to read as follows: “In addition, the objectives of this part are to generate the commitment of private sector resources, to encourage volunteer service at the local level, and to strengthen local agencies and organizations to carry out the purpose of this part.”.

SEC. 322. SELECTION AND ASSIGNMENT OF VISTA VOLUNTEERS.

(a) **VOLUNTEER ASSIGNMENTS.**—Section 103(a) (42 U.S.C. 4953(a)) is amended—

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1 (2) in paragraph (2), by striking "aged sixty"
2 and inserting "age 55".

3 (b) DELETION OF REQUIREMENT FOR STATE AGEN-
4 CY REVIEW.—Section 201 (42 U.S.C. 5001) is amended—

5 (1) by striking subsection (c); and

6 (2) by redesignating subsection (d) as sub-
7 section (c).

8 **SEC. 344. SERVICES UNDER THE FOSTER GRANDPARENT**
9 **PROGRAM.**

10 Section 211(a) (42 U.S.C. 5011(a)) is amended by
11 striking ", including services" and all that follows through
12 "with special needs." and inserting a period and the fol-
13 lowing: "Such services may include services by individuals
14 *with disabilities and chronic health conditions* serving as foster grandparents to children who are receiv-
15 ing care in hospitals, who are residing in homes for de-
16 pendent and neglected children, or who are receiving serv-
17 *ices provided by day care centers, schools, Head Start*
18 *programs,* or any of a variety of other establishments and
19 institutions providing services for children with special or
20 exceptional needs. Individual foster grandparents may
21 provide person-to-person services to one or more children,
22 depending on the needs of the project and local site."

23 **SEC. 345. STIPENDS FOR LOW-INCOME VOLUNTEERS.**

24 Section 211(d) (42 U.S.C. 5011(d)) is amended in
25 the second sentence by striking "Any stipend or allowance

(17) Programs that support the community integration of people with disabilities; and

1 “(16) Programs that involve older volunteers
2 working with young people in apprenticeship pro-
3 grams.”; and

4 (17)
5 (3) in subsection (d), by striking paragraph (1)
6 and inserting the following new paragraph:

7 “(1) Except as provided in paragraph (2), from the
8 amounts appropriated under subsection (a), (b), (c), or (d)
9 of section 502, for each fiscal year there shall be available
10 to the Director such sums as may be necessary to make
11 grants under subsection (a).”.

12 **SEC. 351. ADJUSTMENTS TO FEDERAL FINANCIAL ASSIST-**
13 **ANCE.**

14 Section 226 (42 U.S.C. 5026) is amended—

15 (1) in subsection (a)(1)—

16 (A) in subparagraph (A), by striking

17 “(A)”;

18 (B) by striking subparagraph (B); and

19 (2) in subsection (b)—

20 (A) in paragraph (1), by striking “(1)”;

21 and

22 (B) by striking paragraph (2).

23 **SEC. 352. DEMONSTRATION PROGRAMS.**

24 Title II is amended by adding at the end the following

25 new part:

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2 ment.

3 **CHAPTER 4—AUTHORIZATION OF APPRO-**
4 **PRIATIONS AND OTHER AMENDMENTS**

5 **SEC. 381. AUTHORIZATION OF APPROPRIATIONS FOR**
6 **TITLE I.**

7 Section 501 (42 U.S.C. 5081) is amended to read as
8 follows:

9 **“SEC. 501. NATIONAL VOLUNTEER ANTIPOVERTY PRO-**
10 **GRAMS.**

11 **“(a) AUTHORIZATIONS.—**

12 **“(1) VOLUNTEERS IN SERVICE TO AMERICA.—**

13 There are authorized to be appropriated to carry out
14 part A of title I, excluding sections 104(e) and 109,
15 ~~\$45,800,000~~ \$40,000,000 for fiscal year 1994, and such sums as
16 may be necessary for each of the fiscal years 1995
17 through 1998. ✓

18 **“(2) SUMMER PROGRAM.—**There are authorized
19 to be appropriated to carry out section 104(e), such
20 sums as may be necessary for each of the fiscal
21 years 1994 through 1998.

22 **“(3) LITERACY ACTIVITIES.—**There are author-
23 ized to be appropriated to carry out section 109,
24 ~~such sums as may be necessary~~ ~~\$5,600,000~~ for each of the fiscal
25 years 1994 through 1998. ✓

1 (B) on such earlier date (which shall be
 2 not earlier than 12 months after the date of the
 3 enactment of this Act) as the President of the
 4 United States shall determine to be appropriate
 5 and announce by proclamation published in the
 6 Federal Register.

7 (2) TRANSITION.—Subsections (c)(10), (d), and
 8 (e) shall take effect on the date of enactment of this
 9 Act.

10 **TITLE III—REAUTHORIZATION**
 11 **Subtitle A—National and**
 12 **Community Service Act of 1990**

13 **SEC. 301. AUTHORIZATION OF APPROPRIATIONS.**

14 Section 501 of the National and Community Service
 15 Act of 1990 (42 U.S.C. 12681) is amended to read as
 16 follows:

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

18 **“(a) TITLE I.—**

19 **“(1) SUBTITLES B, C, D, AND H.—**

20 **“(A) IN GENERAL.—**There are authorized
 21 to be appropriated to provide financial assist-
 22 ance under subtitles B, C, and H of title I, and
 23 to provide national service educational awards
 24 under subtitle D of title I, \$434,000,000 for
 25 fiscal year 1994, and such sums as may be nec-

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1 essary for each of the fiscal years 1995 through
2 1998.

3 “(B) SPECIFIC ACTIVITIES.—Of the funds
4 appropriated under this paragraph for a fiscal
5 year—

6 “(i) not less than a sum of
7 \$45,000,000 shall be made available to
8 provide financial assistance under subtitle
9 B; and

10 “(ii) of the amount remaining after
11 the sum described in clause (i) is made
12 available as described in clause (i), not
13 more than 15 percent of such remainder
14 may be made available to provide financial
15 assistance for activities in subtitle H, sec-
16 tion 125, or section 126.

17 “(2) ADMINISTRATION.—There are authorized
18 to be appropriated for the administration of this Act
19 such sums as may be necessary for each of the fiscal
20 years 1994 through 1998.

21 “(b) TITLE III.—There are authorized to be appro-
22 priated to carry out title III \$5,000,000 for each of the
23 fiscal years 1994 through 1998.

1 SEC. 382. AUTHORIZATION OF APPROPRIATIONS FOR
2 TITLE II.

3 Section 502 (42 U.S.C. 5082) is amended to read as
4 follows:

5 "SEC. 502. NATIONAL SENIOR VOLUNTEER CORPS.

6 "(a) RETIRED AND SENIOR VOLUNTEER PRO-
7 GRAM.—There are authorized to be appropriated to carry
8 out part A of title II, ^{\$37,054,000} ~~\$35,800,000~~ for fiscal year 1994,
9 and such sums as may be necessary for each of the fiscal
10 years 1995 through 1998.

11 "(b) FOSTER GRANDPARENT PROGRAM.—There are
12 authorized to be appropriated to carry out part B of title
13 II, ^{\$71,284,000} ~~\$68,800,000~~ for fiscal year 1994, and such sums as
14 may be necessary for each of the fiscal years 1995 through
15 1998.

16 "(c) SENIOR COMPANION PROGRAM.—There are au-
17 thorized to be appropriated to carry out part C of title
18 II, ^{\$32,509,000} ~~\$31,700,000~~ for fiscal year 1994, and such sums as
19 may be necessary for each of the fiscal years 1995 through
20 1998.

21 "(d) DEMONSTRATION PROGRAMS.—There are au-
22 thorized to be appropriated to carry out part E of title
23 II, such sums as may be necessary for each of the fiscal
24 years 1994 through 1998."

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"TITLE II—NATIONAL SENIOR VOLUNTEER CORPS

"Sec. 200. Statement of purposes.

"PART A—RETIRED AND SENIOR VOLUNTEER PROGRAM

"Sec. 201. Grants and contracts for volunteer service projects.

"PART B—FOSTER GRANDPARENT PROGRAM

"Sec. 211. Grants and contracts for volunteer service projects.

"PART C—SENIOR COMPANION PROGRAM

"Sec. 213. Grants and contracts for volunteer service projects.

"PART D—GENERAL PROVISIONS

"Sec. 221. Promotion of National Senior Volunteer Corps.

"Sec. 222. Payments.

"Sec. 223. Minority group participation.

"Sec. 224. Use of locally generated contributions in National Senior Volunteer Corps.

"Sec. 225. Programs of national significance.

"Sec. 226. Adjustments to Federal financial assistance.

"Sec. 227. Multiyear grants or contracts.

"PART E—DEMONSTRATION PROGRAMS

"Sec. 231. Authority of Director.

"Sec. 232. Prohibition.

"TITLE IV—ADMINISTRATION AND COORDINATION

"Sec. 403. Political activities.

"Sec. 404. Special limitations.

"Sec. 406. Labor standards.

"Sec. 408. Joint funding.

"Sec. 409. Prohibition of Federal control.

"Sec. 410. Coordination with other programs.

"Sec. 411. Prohibition.

"Sec. 412. Notice and hearing procedures for suspension and termination of financial assistance.

"Sec. 414. Distribution of benefits between rural and urban areas.

"Sec. 415. Application of Federal law.

"Sec. 416. Evaluation.

"Sec. 417. Nondiscrimination provisions.

"Sec. 418. Eligibility for other benefits.

"Sec. 419. Legal expenses.

"Sec. 421. Definitions.

"Sec. 422. Audit.

"Sec. 423. Reduction of paperwork.

"Sec. 424. Review of project renewals.

"Sec. 425. Protection against improper use.

"Sec. 426. Center for Research and Training.

"TITLE V—AUTHORIZATION OF APPROPRIATIONS

"Sec. 501. National volunteer antipoverty programs.

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1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) **SHORT TITLE.**—This Act may be cited as the
3 “National and Community Service Trust Act of 1993”.

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

Sec. 1. Short title; table of contents.

Sec. 2. Findings and purpose.

TITLE I—PROGRAMS AND RELATED PROVISIONS

Subtitle A—Programs

Sec. 101. Federal investment in support of national service.

Sec. 102. National Service Trust and provision of national service educational awards.

Sec. 103. School-based and community-based service-learning programs.

Sec. 104. Quality and innovation activities.

Sec. 105. Public Lands Corps.

Sec. 106. Urban Youth Corps.

Subtitle B—Related Provisions

Sec. 111. Definitions.

Sec. 112. Authority to make State grants.

Sec. 113. Family and medical leave.

Sec. 114. Reports.

Sec. 115. Nondiscrimination.

Sec. 116. Notice, hearing, and grievance procedures.

Sec. 117. Nondisplacement.

Sec. 118. Evaluation.

Sec. 119. Engagement of participants.

Sec. 120. Contingent extension.

Sec. 121. Audits.

Sec. 122. Repeals.

Sec. 123. Effective date.

TITLE II—ORGANIZATION

Sec. 201. State Commissions on National and Community Service.

Sec. 202. Interim authorities of the Corporation for National and Community Service and ACTION Agency.

Sec. 203. Final authorities of the Corporation for National and Community Service.

Sec. 204. Business plan.

Sec. 205. Actions under the national service laws to be subject to the availability of appropriations.

TITLE III—REAUTHORIZATION

Subtitle A—National and Community Service Act of 1990

Sec. 301. Authorization of appropriations.

Subtitle B—Domestic Volunteer Service Act of 1973

Sec. 311. Short title; references.

CHAPTER 1—VISTA AND OTHER ANTI-POVERTY PROGRAMS

- Sec. 321. Purpose of the VISTA program.
- Sec. 322. Assistant director for VISTA program.
- Sec. 323. Selection and assignment of VISTA volunteers.
- Sec. 324. Terms and periods of service.
- Sec. 325. Support for VISTA volunteers.
- Sec. 326. Participation of younger and older persons.
- Sec. 327. Literacy activities.
- Sec. 328. Applications for assistance.
- Sec. 329. Repeal of authority for student community service programs.
- Sec. 330. University Year for VISTA.
- Sec. 331. Authority to establish and operate special volunteer and demonstration programs.
- Sec. 332. Technical and financial assistance.
- Sec. 333. Elimination of separate authority for drug abuse programs.

CHAPTER 2—NATIONAL SENIOR VOLUNTEER CORPS

- Sec. 341. National Senior Volunteer Corps.
- Sec. 342. The Retired and Senior Volunteer Program.
- Sec. 343. Operation of the Retired and Senior Volunteer Program.
- Sec. 344. Services under the Foster Grandparent Program.
- Sec. 345. Stipends for low-income volunteers.
- Sec. 346. Conditions of grants and contracts.
- Sec. 347. Evaluation of the Senior Companion Program.
- Sec. 348. Agreements with other Federal agencies.
- Sec. 349. Programs of national significance.
- Sec. 350. Adjustments to Federal financial assistance.
- Sec. 351. Demonstration programs.

CHAPTER 3—ADMINISTRATION

- Sec. 361. Purpose of agency.
- Sec. 362. Authority of the Director.
- Sec. 363. Political activities.
- Sec. 364. Compensation for volunteers.
- Sec. 365. Repeal of report.
- Sec. 366. Application of Federal law.
- Sec. 367. Nondiscrimination provisions.
- Sec. 368. Elimination of separate requirements for setting regulations.
- Sec. 369. Clarification of role of Inspector General.
- Sec. 370. Copyright protection.
- Sec. 371. Deposit requirement credit for service as a volunteer.

CHAPTER 4—AUTHORIZATION OF APPROPRIATIONS AND OTHER AMENDMENTS

- Sec. 381. Authorization of appropriations for title I.
- Sec. 382. Authorization of appropriations for title II.
- Sec. 383. Authorization of appropriations for title IV.
- Sec. 384. Conforming amendments; compensation for VISTA FECA claimants.
- Sec. 385. Repeal of authority.

CHAPTER 5—GENERAL PROVISIONS

- Sec. 391. Technical and conforming amendments.
- Sec. 392. Effective date.

TITLE IV—TECHNICAL AND CONFORMING AMENDMENTS

- Sec. 401. Definitions.
- Sec. 402. References to the Commission on National and Community Service.
- Sec. 403. References to Directors of the Commission on National and Community Service.
- Sec. 404. Definition of Director.
- Sec. 405. References to ACTION and the ACTION Agency.
- Sec. 406. Effective date.

TITLE V—MISCELLANEOUS PROVISIONS

- Sec. 501. Compliance with Buy American Act.
- Sec. 502. Sense of Congress; requirement regarding notice.
- Sec. 503. Prohibition of contracts with persons falsely labeling products as made in America.

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, and join together in
12 positive experiences, that transcend race, religion,
13 gender, age, disability, region, income, and edu-
14 cation.

1 “(3) The rising costs of postsecondary edu-
2 cation are putting higher education out of reach for
3 an increasing number of citizens.

4 “(4) Americans of all ages can improve their
5 communities and become better citizens through
6 service to the United States.

7 “(5) Nonprofit organizations, local govern-
8 ments, States, and the Federal Government are al-
9 ready supporting a wide variety of national service
10 programs that deliver needed services in a cost-effec-
11 tive manner.

12 “(6) Residents of low-income communities, es-
13 pecially youth and young adults, can be empowered
14 through their service, and can help provide future
15 community leadership.

16 “(b) PURPOSE.—It is the purpose of this Act to—

17 “(1) meet the unmet human, educational, envi-
18 ronmental, and public safety needs of the United
19 States, without displacing existing workers;

20 “(2) renew the ethic of civic responsibility and
21 the spirit of community throughout the United
22 States;

23 “(3) expand educational opportunity by reward-
24 ing individuals who participate in national service

1 with an increased ability to pursue higher education
2 or job training;

3 “(4) encourage citizens of the United States,
4 regardless of age, income, or disability, to engage in
5 full-time or part-time national service;

6 “(5) reinvent government to eliminate duplica-
7 tion, support locally established initiatives, require
8 measurable goals for performance, and offer flexibil-
9 ity in meeting those goals;

10 “(6) expand and strengthen existing service
11 programs with demonstrated experience in providing
12 structured service opportunities with visible benefits
13 to the participants and community;

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

18 “(8) provide tangible benefits to the commu-
19 nities in which national service is performed.”.

20 (b) TABLE OF CONTENTS.—Section 1(b) of the Na-
21 tional and Community Service Act of 1990 (Public Law
22 101–610; 104 Stat. 3127) is amended by striking the item
23 relating to section 2 and inserting the following new item:

“Sec. 2. Findings and purpose.”.

1 **TITLE I—PROGRAMS AND**
2 **RELATED PROVISIONS**
3 **Subtitle A—Programs**

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

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

9 (1) by redesignating subtitle C (42 U.S.C.
10 12541 et seq.) as subtitle I;

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

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

16 (b) **ASSISTANCE PROGRAM AUTHORIZED.**—Title I of
17 the National and Community Service Act of 1990 (42
18 U.S.C. 12501 et seq.) is amended by inserting after sub-
19 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.—Subject to the
7 availability of appropriations for this purpose, the Cor-
8 poration for National and Community Service may make
9 grants to States, subdivisions of States, Indian tribes,
10 public or private nonprofit organizations, and institutions
11 of higher education for the purpose of assisting the recipi-
12 ents of the grants—

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

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

19 “(b) AGREEMENTS WITH FEDERAL AGENCIES.—

20 “(1) AGREEMENTS AUTHORIZED.—The Cor-
21 poration may enter into a contract or cooperative
22 agreement with another Federal agency to support a
23 national service program carried out by the agency.
24 The support provided by the Corporation pursuant
25 to the contract or cooperative agreement may in-

1 clude the transfer to the Federal agency of funds
2 available to the Corporation under this subtitle.

3 “(2) MATCHING FUNDS REQUIREMENTS.—A
4 Federal agency receiving assistance under this sub-
5 section shall not be required to satisfy the matching
6 funds requirements specified in subsection (e). How-
7 ever, the supplementation requirements specified in
8 section 173 shall apply with respect to the Federal
9 national service programs supported with such as-
10 sistance.

11 “(3) CONSULTATION WITH STATE COMMIS-
12 SIONS.—A Federal agency receiving assistance under
13 this subsection shall consult with the State Commis-
14 sions for those States in which projects will be con-
15 ducted using such assistance in order to ensure that
16 the projects do not duplicate projects conducted by
17 State or local national service programs.

18 “(4) SUPPORT FOR OTHER NATIONAL SERVICE
19 PROGRAMS.—A Federal agency that enters into a
20 contract or cooperative agreement under paragraph
21 (1) shall, in an appropriate case, enter into a con-
22 tract or cooperative agreement with an entity that is
23 carrying out a national service program in a State
24 that is in existence in the State as of the date of the
25 contract or cooperative agreement and is of high

1 quality, in order to support the national service pro-
2 gram.

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

6 “(1) approve the provision of national service
7 educational awards described in subtitle D for the
8 participants who serve in national service programs
9 carried out using such assistance; and

10 “(2) deposit in the National Service Trust es-
11 tablished in section 145(a) an amount equal to the
12 product of—

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

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

17 “(d) FIVE PERCENT LIMITATION ON ADMINISTRA-
18 TIVE COSTS.—

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

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

1 “(B) national service programs carried out
2 or supported with the assistance.

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

5 “(A) assistance provided under subsection
6 (a) or (b) may be used to cover administrative
7 costs; and

8 “(B) that portion of the assistance avail-
9 able to cover administrative costs should be dis-
10 tributed between—

11 “(i) the original recipient of the grant
12 or transfer of assistance under such sub-
13 section; and

14 “(ii) national service programs carried
15 out or supported with the assistance.

16 “(e) MATCHING FUNDS REQUIREMENTS.—

17 “(1) REQUIREMENTS.—Except as provided in
18 section 140, the Federal share of the cost of carry-
19 ing out a national service program that receives the
20 assistance under subsection (a), whether the assist-
21 ance is provided directly or as a subgrant from the
22 original recipient of the assistance, may not exceed
23 75 percent of such cost.

1 “(2) CALCULATION.—In providing for the re-
2 remaining share of the cost of carrying out a national
3 service program, the program—

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

7 “(B) may provide for such share through
8 State sources, local sources, or other Federal
9 sources (other than the use of funds made
10 available under the national service laws).

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

18 “(4) 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 lack of available
23 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 meets
14 unmet human, educational, environmental, or public
15 safety needs and promotes greater community unity
16 through the use of organized teams of participants
17 of varied social and economic backgrounds, skill lev-
18 els, physical and developmental capabilities, ages,
19 ethnic backgrounds, or genders.

20 **“(2)** A full-time, year-round youth corps pro-
21 gram or full-time summer youth corps program,
22 such as a conservation corps or youth service corps
23 (including youth corps programs under subtitle I,
24 the Public Lands Corps established under the Public
25 Lands Corps Act of 1993, the Urban Youth Corps
26 established under section 106 of the National and

1 Community Service Trust Act of 1993, and other
2 conservation corps or youth service corps that per-
3 forms service on Federal or other public lands or on
4 Indian lands or Hawaiian home lands), that—

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

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

18 “(C) provides those participants who are
19 youths and young adults with—

20 “(i) crew-based, highly structured,
21 and adult-supervised work experience, life
22 skills, education, career guidance and
23 counseling, employment training, and sup-
24 port services; and

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

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

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

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

18 “(B) if consistent with the purposes of the
19 program, brings participants together for addi-
20 tional training and other activities designed to
21 foster civic responsibility, increase the skills of
22 participants, and improve the quality of the
23 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 community 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
13 INTERGENERATIONAL COMPONENTS OF PRO-
14 GRAMS.—The Corporation shall encourage national
15 service programs eligible to receive assistance or ap-
16 proved national service positions under this subtitle
17 to establish, if consistent with the purposes of the
18 program, an intergenerational component of the pro-
19 gram that combines students, out-of-school youths,
20 and older adults as participants to provide services
21 to address unmet human, educational, environ-
22 mental, or public safety needs.

23 “(c) NATIONAL SERVICE PRIORITIES.—

24 “(1) ESTABLISHMENT.—

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

Consistent with the process (4)

13 “(B) BY STATES.—States shall establish,
 14 and through the national service plan process
 15 described in section 178(e)(1), periodically alter
 16 priorities as appropriate regarding the national
 17 service programs to be assisted under section
 18 129(a)(1). *The State Priorities shall be subject to Corporation*

19 “(2) NOTICE TO APPLICANTS.—The Cor-
 20 poration shall provide advance notice to potential ap-
 21 plicants of any national service priorities to be in ef-
 22 fect under this subsection for a fiscal year. The no-
 23 tice shall specifically include—

verbal as part of the application process under Section 136,

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

1 “(B) a description of the national service
2 programs that are designated by the Corpora-
3 tion under section 133(d)(2) as eligible for pri-
4 ority consideration in the next competitive dis-
5 tribution of assistance under section 121(a).

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

9 “(A) receive funding under this subtitle for
10 multiple years; and

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

13 “(4) APPLICATION TO SUBGRANTS.—Any na-
14 tional service priorities established by the Corpora-
15 tion under this subsection shall also be used by each
16 recipient of funds under section 121(a) that uses
17 any portion of the assistance to conduct a grant pro-
18 gram to support other national service programs.

19 **“SEC. 123. TYPES OF NATIONAL SERVICE POSITIONS ELIGI-**
20 **BLE FOR APPROVAL FOR NATIONAL SERVICE**
21 **EDUCATIONAL AWARDS.**

22 “The Corporation may approve of any of the follow-
23 ing service positions as an approved national service posi-
24 tion that includes the national service educational award

1 described in subtitle D as one of the benefits to be pro-
2 vided for successful service in the position:

3 “(1) A position for a participant in a national
4 service program described in section 122(a) that re-
5 ceives assistance under subsection (a) or (b) of sec-
6 tion 121.

7 “(2) A position for a participant in a program
8 that—

9 “(A) is carried out by a State, a subdivi-
10 sion of a State, an Indian tribe, a public or pri-
11 vate nonprofit organization, an institution of
12 higher education, or a Federal agency; and

13 “(B) would be eligible to receive assistance
14 under section 121(a), based on criteria estab-
15 lished by the Corporation, but has not applied
16 for such assistance.

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

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

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

1 “(6) A position involving service as a crew lead-
2 er in a youth corps program or a similar position
3 supporting a national service program that receives
4 an approved national service position.

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

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

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

14 “(b) **OPERATIONAL ASSISTANCE.**—The Corporation
15 may provide assistance under section 121 to a qualified
16 applicant that submits an application under section 130
17 for the establishment, operation, or expansion of a na-
18 tional service program. Assistance provided in accordance
19 with this subsection may cover a period of not more than
20 3 years, but may be renewed by the Corporation upon con-
21 sideration of a new application under section 130.

22 “(c) **REPLICATION ASSISTANCE.**—The Corporation
23 may provide assistance under section 121 to a qualified
24 applicant that submits an application under section 130
25 for the expansion of a proven national service program to

1 another geographical location. Assistance provided in ac-
2 cordance with this subsection may cover a period of not
3 more than 3 years, but may be renewed by the Corpora-
4 tion upon consideration of a new application under section
5 130.

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

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

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

15 “(1) improve the ability of national service pro-
16 grams assisted under section 121 to meet human,
17 educational, environmental, or public safety needs in
18 communities—

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

20 “(B) where programs do not exist, or are
21 too limited to meet community needs, as of the
22 date on which the Corporation makes the grant
23 or enters into the contract;

24 “(2) promote leadership development in such
25 programs;

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

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

6 “(5) provide for or improve the training pro-
7 vided to the participants in such programs; and

8 “(6) encourage national service programs to ad-
9 here to risk management procedures, including the
10 training of participants in appropriate risk manage-
11 ment practices.

12 “(b) **TECHNICAL ASSISTANCE.**—To the extent appro-
13 priate and necessary, the Corporation shall make technical
14 assistance available to States, Indian tribes, labor organi-
15 zations, organizations operated by young adults, organiza-
16 tions serving economically disadvantaged individuals, and
17 other entities described in section 121 that desire—

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

19 “(2) to apply for assistance under such section
20 or under a grant program conducted using assist-
21 ance provided under such section.

22 **“SEC. 126. OTHER SPECIAL ASSISTANCE.**

23 “(a) **SUPPORT FOR STATE COMMISSIONS.**—

24 “(1) **GRANTS AUTHORIZED.**—From amounts
25 appropriated for a fiscal year pursuant to the au-

1 thorization of appropriation in section 501(a)(4), the
2 Corporation may make a grant in an amount be-
3 tween \$125,000 and \$750,000 to a State to assist
4 the State to establish or operate the State Commis-
5 sion on National and Community Service required to
6 be established by the State under section 178.

*\$175,000 and
\$750,000 in FY 1995
and FY 1996*

7 “(2) LIMITATION ON AMOUNT OF GRANTS.—
8 Notwithstanding the amounts specified in paragraph
9 (1), the amount of a grant that may be provided to
10 a State Commission under this subsection, together
11 with other Federal funds available to establish or op-
12 erate the State 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.

1 “(b) DISASTER SERVICE.—The Corporation may un-
2 dertake activities, including activities carried out through
3 part A of title I of the Domestic Volunteer Service Act
4 of 1973 (42 U.S.C. 4951 et seq.), to involve in disaster
5 relief efforts youth corps programs described in section
6 122(a)(2) and other programs that receive assistance
7 under the national service laws.

8 “(c) CHALLENGE GRANTS FOR NATIONAL SERVICE
9 PROGRAMS.—

10 “(1) ASSISTANCE AUTHORIZED.—The Corpora-
11 tion may make challenge grants under this sub-
12 section to national service programs that receive as-
13 sistance under section 121.

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

19 “(A) are high-quality national service pro-
20 grams; and

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

1 “(3) AMOUNT OF ASSISTANCE.—A challenge
2 grant under this subsection may provide not more
3 than \$1 of assistance under this subsection for each
4 \$1 in cash raised by the national service program
5 from private sources in excess of amounts required
6 to be provided by the program to satisfy matching
7 funds requirements under section 121(e). The Cor-
8 poration shall establish a ceiling on the amount of
9 assistance that may be provided to a national service
10 program under this subsection.

11 **“PART II—APPLICATION AND APPROVAL**

12 **PROCESS**

13 **“SEC. 129. PROVISION OF ASSISTANCE AND APPROVED NA-**
14 **TIONAL SERVICE POSITIONS BY COMPETI-**
15 **TIVE AND OTHER MEANS.**

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

18 “(1) $33\frac{1}{3}$ PERCENT ALLOTMENT OF ASSIST-
19 ANCE TO CERTAIN STATES.—Of the funds allocated
20 by the Corporation for provision of assistance under
21 subsections (a) and (b) of section 121 for a fiscal
22 year, the Corporation shall make a grant under sec-
23 tion 121(a) (and a corresponding allotment of ap-
24 proved national service positions) to each of the sev-
25 eral States, the District of Columbia, and the Com-

1 monwealth of Puerto Rico that has an application
2 approved by the Corporation under section 133. The
3 amount allotted as a grant to each such State under
4 this paragraph for a fiscal year shall be equal to the
5 amount that bears the same ratio to $33\frac{1}{3}$ percent
6 of the allocated funds for that fiscal year as the pop-
7 ulation of the State bears to the total population of
8 the several States, the District of Columbia, and the
9 Commonwealth of Puerto Rico.

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

1 same ratio to 1 percent of the allocated funds for
2 that fiscal year as the population of the territory or
3 possession bears to the total population of such ter-
4 ritories and possessions.

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

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

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

1 “(B) after making grants under subpara-
2 graph (A), to make a reallocation to other
3 States and Indian tribes with approved applica-
4 tions under section 130.

5 “(b) RESERVATION OF APPROVED POSITIONS.—The
6 Corporation shall ensure that each individual selected dur-
7 ing a fiscal year for assignment as a VISTA volunteer
8 under title I of the Domestic Volunteer Service Act of
9 1973 (42 U.S.C. 4951 et seq.) or as a participant in the
10 Civilian Community Corps Demonstration Program under
11 subtitle E shall receive the national service educational
12 award described in subtitle D if the individual satisfies the
13 eligibility requirements for the award. Funds for approved
14 national service positions required by this paragraph for
15 a fiscal year shall be deducted from the total funding for
16 approved national service positions to be available for dis-
17 tribution under subsections (a) and (d) for that fiscal year.

18 “(c) RESERVATION FOR SPECIAL ASSISTANCE.—
19 From amounts appropriated for a fiscal year pursuant to
20 the authorization of appropriation in section 501(a)(2),
21 and subject to the limitation in such section, the Corpora-
22 tion may reserve such amount as the Corporation consid-
23 ers to be appropriate for the purpose of making assistance
24 available under sections 125 and 126. The Corporation
25 may not reserve more than \$10,000,000 for a fiscal year

1 for disaster service under subsection (b) of section 126
2 or challenge grants under subsection (c) of such section.

3 “(d) COMPETITIVE DISTRIBUTION OF REMAINING
4 FUNDS.—

5 “(1) STATE COMPETITION.—Of the funds allo-
6 cated by the Corporation for provision of assistance
7 under subsections (a) and (b) of section 121 for a
8 fiscal year, the Corporation shall use not less than
9 $33\frac{1}{3}$ percent of the allocated funds to make grants
10 to States on a competitive basis under section
11 121(a).

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

22 “(3) LIMITATION ON DISTRIBUTION TO FED-
23 ERAL AGENCIES.—The Corporation may not provide
24 more than $\frac{1}{3}$ of the funds available for competitive

1 distribution under paragraph (2) for a fiscal year to
2 Federal agencies under section 121(b).

3 “(4) PRIORITY LIMITATIONS.—The Corporation
4 may limit the categories of eligible applicants for as-
5 sistance under paragraph (2) consistent with the pri-
6 orities established by the Corporation under section
7 133(d)(2).

8 “(5) RESERVATION OF FUNDS FOR SUPPLE-
9 MENTAL AND OUTREACH GRANTS.—

10 “(A) RESERVATION.—From amounts ap-
11 propriated for a fiscal year pursuant to the au-
12 thorization of appropriation in section
13 501(a)(2), and subject to the limitation in such
14 section, the Chief Executive Officer shall re-
15 serve an amount that is not less than 1 percent
16 of such amounts (except that the amount re-
17 served may not exceed \$5,000,000), in order to
18 make supplemental grants as provided in sub-
19 paragraph (B) and outreach grants as provided
20 in subparagraph (C). The amount reserved pur-
21 suant to this paragraph shall be available until
22 expended.

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

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 distribu-
20 tion 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 Corpora-
24 tion 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 or approved national service positions for participants
8 who serve in the national service programs to be carried
9 out using the assistance, a State, subdivision of a State,
10 Indian tribe, public or private nonprofit organization, in-
11 stitution of higher education, or Federal agency shall pre-
12 pare and submit to the Corporation an application at such
13 time, in such manner, and containing such information as
14 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

Umm

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 who are individ-
17 uals with disabilities and economically disadvantaged
18 ^{youth men + women} ~~youth~~, for the national service programs referred to
19 in paragraphs (1) 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

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 Corpora-
22 tion 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.

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

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

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

1 State taking into consideration such factors as the
2 location of the programs applying to the State, pop-
3 ulation density, and economic distress.

4 “(3) ASSISTANCE TO NONSTATE ENTITIES.—

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

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

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

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

1 tion 121 and any national service program supported by
2 a grant made by the applicant using such assistance will—

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

7 “(2) comply with the nonduplication and
8 nondisplacement requirements of section 177 and
9 the grievance procedure requirements of section
10 176(f),

11 “(b) IMPACT ON PARTICIPANTS.—An application
12 submitted under section 130 shall also include an assur-
13 ance by the applicant that any national service program
14 carried out by the applicant using assistance provided
15 under section 121 and any national service program sup-
16 ported by a grant made by the applicant using such assist-
17 ance will—

18 “(1) provide participants in the national service
19 program with the training, skills, and knowledge
20 necessary for the projects that participants are
21 called upon to perform;

22 “(2) provide support services to participants,
23 such as the provision of appropriate information and
24 support—

1 “(A) to those participants who are com-
2 pleting a term of service and making the transi-
3 tion to other educational and career opportuni-
4 ties; and

5 “(B) to those participants who are school
6 dropouts in order to assist those participants in
7 earning the equivalent of a high school diploma;
8 and

9 “(3) provide, ~~when~~ appropriate, structured op-
10 portunities for participants to reflect on their service
11 experiences.

~~if~~ if

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

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

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

22 “(B) community-based agencies with a
23 demonstrated record of experience in providing
24 services and local labor organizations rep-
25 resenting employees of service sponsors, if these

1 ties exist in the area to be served by the pro-
2 gram;

3 “(2) prior to the placement of participants, con-
4 sult with the appropriate local labor organization, if
5 any, representing employees in the area who are en-
6 gaged in the same or similar work as that proposed
7 to be carried out by such program to ensure compli-
8 ance with the nondisplacement requirements speci-
9 fied in section 177; and

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

14 “(d) EVALUATION AND PERFORMANCE GOALS.—

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

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

24 “(B) apply measurable performance goals
25 and evaluation methods (such as the use of sur-

1 veys of participants and persons served), which
2 are to be used as part of such evaluation to de-
3 termine the impact of the program—

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

7 “(ii) on participants who take part in
8 the projects; and

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

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

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

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

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

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

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

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

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

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

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

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

*ND
Subsec (c)*

- 15 “(1) business organized for profit;
- 16 “(2) labor union;
- 17 “(3) partisan political organization;
- 18 “(4) organization engaged in religious activities,
19 unless such service does not involve the use of assist-
20 ance provided under section 121 or participants—
- 21 “(A) to give religious instruction;
- 22 “(B) to conduct worship services;
- 23 “(C) to provide instruction as part of a
24 program that includes mandatory religious edu-
25 cation or worship;

primarily
53

1 (D) to construct, operate, or maintain fa-
2 cilities devoted to religious instruction or wor-
3 ship; or

4 (E) to engage in any form of proselytiza-
5 tion; or

6 (5) nonprofit organization that fails to comply
7 with the restrictions contained in section 501(c) of
8 the Internal Revenue Code of 1986 (26 U.S.C.
9 501(c)), except that nothing in this section shall be
10 construed to prevent participants from engaging in
11 advocacy activities undertaken at their own initia-
12 tive.

13 (b) REGIONAL CORPORATION.—The requirement of
14 subsection (a) relating to an assurance regarding direct
15 benefits to businesses organized for profit shall not apply
16 with respect to a Regional Corporation, as defined in sec-
17 tion 3(g) of the Alaska Native Claims Settlement Act (43
18 U.S.C. 1602(g)), that is established in accordance with
19 such Act as a for-profit corporation but that is engaging
20 in nonprofit activities.

21 **SEC. 133. CONSIDERATION OF APPLICATIONS.**

22 (a) CORPORATION CONSIDERATION OF CERTAIN
23 CRITERIA.—The Corporation shall apply the criteria de-
24 scribed in subsections (c) and (d) in determining
25 whether—

*(D) construct or operate facilities devoted to religious instruction or
worship or maintain facilities primarily or substantially devoted
to religious instruction or worship.*

1 “(D) to construct, operate, or maintain fa-
2 cilities devoted to religious instruction or wor-
3 ship; or

4 “(E) to engage in any form of proselytiza-
5 tion; or

6 “(5) nonprofit organization that fails to comply
7 with the restrictions contained in section 501(c) of
8 the Internal Revenue Code of 1986 (26 U.S.C.
9 501(c)), except that nothing in this section shall be
10 construed to prevent participants from engaging in
11 advocacy activities undertaken at their own initia-
12 tive.

13 “(b) REGIONAL CORPORATION.—The requirement of
14 subsection (a) relating to an assurance regarding direct
15 benefits to businesses organized for profit shall not apply
16 with respect to a Regional Corporation, as defined in sec-
17 tion 3(g) of the Alaska Native Claims Settlement Act (43
18 U.S.C. 1602(g)), that is established in accordance with
19 such Act as a for-profit corporation but that is engaging
20 in nonprofit activities.

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

22 “(a) CORPORATION CONSIDERATION OF CERTAIN
23 CRITERIA.—The Corporation shall apply the criteria de-
24 scribed in subsections (c) and (d) in determining
25 whether—

1 “(1) to approve an application submitted under
2 section 130 and provide assistance under section
3 121 to the applicant; and

4 “(2) to approve service positions described in
5 the application as national service positions that in-
6 clude the national service educational award de-
7 scribed in subtitle D and provide such approved na-
8 tional service positions to the applicant.

9 “(b) APPLICATION TO SUBGRANTS.—

10 “(1) IN GENERAL.—A State or other entity
11 that uses assistance provided under section 121(a)
12 to support national service programs selected on a
13 competitive basis to receive a share of the assistance
14 shall use the criteria described in subsections (c) and
15 (d) when considering an application submitted by a
16 national service program to receive a portion of such
17 assistance or an approved national service position.

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

20 “(A) a certification that the State or other
21 entity used these criteria in the selection of na-
22 tional service programs to receive assistance;

23 “(B) a description of the jobs or positions
24 into which participants will be placed using
25 such assistance, including descriptions of spe-

1 cific tasks to be performed by such participants;
2 and

3 “(C) a description of the minimum quali-
4 fications that individuals shall meet to become
5 participants in such programs.

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

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

12 “(2) The innovative aspects of the national
13 service program, and the feasibility of replicating the
14 program.

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

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

19 “(B) of multiple funding sources or private
20 funding for the program.

21 “(4) The quality of the leadership of the na-
22 tional service program, the past performance of the
23 program, and the extent to which the program
24 builds on existing programs.

1 “(5) The extent to which participants of the na-
2 tional service program are recruited from among
3 residents of the communities in which projects are to
4 be conducted, and the extent to which participants
5 and community residents are involved in the design,
6 leadership, and operation of the program.

7 “(6) The extent to which projects would be con-
8 ducted in the following areas where they are needed
9 most:

10 “(A) Communities designated as
11 empowerment zones or redevelopment areas,
12 targeted for special economic incentives, or oth-
13 erwise identifiable as having high concentra-
14 tions of low-income people.

15 “(B) Areas that are environmentally dis-
16 tressed.

17 “(C) Areas adversely affected by Federal
18 actions related to the management of Federal
19 lands that result in significant regional job
20 losses and economic dislocation.

21 “(D) Areas adversely affected by reduc-
22 tions in defense spending or the closure or re-
23 alignment of military installations.

24 “(E) Areas that have an unemployment
25 rate greater than the national average unem-

1 ployment for the most recent 12 months for
2 which satisfactory data are available.

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

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

9 “(d) OTHER CONSIDERATIONS.—

10 “(1) GEOGRAPHIC DIVERSITY.—The Corpora-
11 tion shall ensure that recipients of assistance pro-
12 vided under section 121 are geographically diverse
13 and include projects to be conducted in those urban
14 and rural areas in a State with the highest rates of
15 poverty.

16 “(2) PRIORITIES.—The Corporation may des-
17 ignate, under such criteria as may be established by
18 the Corporation, certain national service programs
19 or types of national service programs described in
20 section 122(a) for priority consideration in the com-
21 petitive distribution of funds under section
22 129(d)(2). In designating national service programs
23 to receive priority, the Corporation may include—

24 “(A) national service programs carried out
25 by another Federal agency;

1 “(B) national service programs that con-
2 form to the national service priorities in effect
3 under section 122(c);

4 “(C) innovative national service programs;

5 “(D) national service programs that are
6 well established in one or more States at the
7 time of the application and are proposed to be
8 expanded to additional States using assistance
9 provided under section 121;

10 “(E) grant programs in support of other
11 national service programs if the grant programs
12 are to be conducted by nonprofit organizations
13 with a demonstrated and extensive expertise in
14 the provision of services to meet human, edu-
15 cational, environmental, or public safety needs;

16 “(F) professional corps programs described
17 in section 122(a)(8); and

18 “(G) programs that—

19 “(i) received funding under subtitle D
20 of this Act, as in effect on the day before
21 the date of enactment of this subtitle;

22 “(ii) the Corporation determines to
23 meet the requirements of sections 142
24 (other than subsection (g)), 143, and 148
25 through 150 of this Act, as in effect on

1 such day, in addition to the requirements
2 of this subtitle; and

3 “(iii) include an evaluation compo-
4 nent.

5 “(3) ADDITIONAL PRIORITY.—In making a
6 competitive distribution of funds under section
7 129(d)(2), the Corporation may give priority consid-
8 eration to a national service program that is—

9 “(A) proposed in an application submitted
10 by a State Commission; and

11 “(B) not one of the types of programs de-
12 scribed in paragraph (2),

13 if the State Commission provides an adequate expla-
14 nation of the reasons why it should not be a priority
15 of such State to carry out any of such types of pro-
16 grams in the State.

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

18 “(A) establish panels of experts for the
19 purpose of securing recommendations on appli-
20 cations submitted under section 130 for more
21 than \$250,000 in assistance, or for national
22 service positions that would require more than
23 \$250,000 in national service educational
24 awards; and

1 “(B) consider the opinions of such panels
2 prior to making such determinations.

3 “(e) EMPHASIS ON AREAS MOST IN NEED.—In mak-
4 ing assistance available under section 121 and in providing
5 approved national service positions under section 123, the
6 Corporation shall ensure that not less than 50 percent of
7 the total amount of assistance to be distributed to States
8 under subsections (a) and (d)(1) of section 129 for a fiscal
9 year is provided to carry out or support national service
10 programs and projects that—

11 “(1) are conducted in any of the areas de-
12 scribed subsection (c)(6) or on Federal or other pub-
13 lic lands, to address unmet human, educational, en-
14 vironmental, or public safety needs in such areas or
15 on such lands; and

16 “(2) place a priority on the recruitment of par-
17 ticipants who are residents of any of such areas or
18 Federal or other public lands.

19 “(f) REJECTION OF STATE APPLICATIONS.—

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

1 “(2) RESUBMISSION AND RECONSIDERATION.—
2 The Corporation shall provide a State Commission
3 notified under paragraph (1) with a reasonable op-
4 portunity to revise and resubmit the application. At
5 the request of the State Commission, the Corpora-
6 tion shall provide technical assistance to the State
7 Commission as part of the resubmission process.
8 The Corporation shall promptly reconsider an appli-
9 cation resubmitted under this paragraph.

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

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

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

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

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

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

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

20 “(6) is a citizen or national of the United
21 States or lawful permanent resident alien of the
22 United States.

23 “(b) SPECIAL RULES FOR CERTAIN YOUTH PRO-
24 GRAMS.—An individual shall be considered to be a partici-
25 pant in a youth corps program described in section

1 122(a)(2) or a program described in section 122(a)(9)
2 that is carried out with assistance provided under section
3 121(a) if the individual—

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

7 “(2) is between the ages of 16 and 25, inclu-
8 sive, at the time the individual begins the term of
9 service.

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

16 **“SEC. 138. SELECTION OF NATIONAL SERVICE PARTICI-
17 PANTS.**

18 “(a) SELECTION PROCESS.—Subject to subsections
19 (b) and (c) and section 131(f), the actual recruitment and
20 selection of an individual to serve in a national service pro-
21 gram receiving assistance under section 121 or to fill an
22 approved national service position shall be conducted by
23 the State, subdivision of a State, Indian tribe, public or
24 private nonprofit organization, institution of higher edu-

1 cation, Federal agency, or other entity to which the assist-
2 ance and approved national service positions are provided.

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

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

13 “(d) RECRUITMENT AND PLACEMENT.—The Cor-
14 poration and each State Commission shall establish a sys-
15 tem to recruit individuals who desire to perform national
16 service and to assist the placement of these individuals in
17 approved national service positions, which may include po-
18 sitions available under titles I and II of the Domestic Vol-
19 unteer Service Act of 1973 (42 U.S.C. 4951 et seq.). The
20 Corporation and State Commissions shall disseminate in-
21 formation regarding available approved national service
22 positions through cooperation with secondary schools, in-
23 stitutions of higher education, employment service offices,
24 State vocational rehabilitation agencies within the mean-
25 ing of the Rehabilitation Act of 1973 (29 U.S.C. 701 et

1 seq.) and other State agencies that primarily serve individ-
2 uals with disabilities, and other appropriate entities, par-
3 ticularly those organizations that provide outreach to dis-
4 advantaged youths and youths who are individuals with
5 disabilities.

6 “(e) NATIONAL LEADERSHIP POOL.—

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

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

20 “(A) in the Peace Corps;

21 “(B) as VISTA volunteers;

22 “(C) as participants in national service
23 programs receiving assistance under section
24 121;

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

6 “(E) as members of the Armed Forces of
7 the United States, ^{and with} ~~and~~ were honorably dis-
8 charged from such service.

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

18 “(f) EVALUATION OF SERVICE.—The Corporation
19 shall issue regulations regarding the manner and criteria
20 by which the service of a participant shall be evaluated
21 to determine whether the service is satisfactory and suc-
22 cessful for purposes of eligibility for a second term of serv-
23 ice or a national service educational award.