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[National and Community Service Act of 1993] [5] [loose]

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1 **“SEC. 139. TERMS OF SERVICE.**

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

7 “(b) TERM OF SERVICE.—

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

14 “(2) PART-TIME SERVICE.—Except as provided
15 in paragraph (3), an individual performing part-time
16 national service in an approved national service posi-
17 tion shall agree to participate in the program spon-
18 soring the position for not less than 900 hours dur-
19 ing a period of—

20 “(A) not more than 2 years; or

21 “(B) not more than 3 years if the individ-
22 ual is enrolled in an institute of higher edu-
23 cation while performing all or a portion of the
24 service.

25 “(3) REDUCTION IN HOURS OF PART-TIME
26 SERVICE.—The Corporation may reduce the number

1 of hours required to be served to successfully com-
2 plete part-time national service to a level determined
3 by the Corporation, except that any reduction in the
4 required term of service shall include a correspond-
5 ing reduction in the amount of any national service
6 educational award that may be available under sub-
7 title D with regard to that service.

8 “(c) RELEASE FROM COMPLETING TERM OF SERV-
9 ICE.—

10 “(1) RELEASE AUTHORIZED.—A recipient of
11 assistance under section 121 or a program sponsor-
12 ing an approved national service position may re-
13 lease a participant from completing a term of service
14 in the position—

15 “(A) for compelling personal circumstances
16 as demonstrated by the participant; or

17 “(B) for cause.

18 “(2) EFFECT OF RELEASE FOR COMPELLING
19 CIRCUMSTANCES.—If a participant eligible for re-
20 lease under paragraph (1)(A) is serving in an ap-
21 proved national service position, the recipient of as-
22 sistance under section 121 or a program sponsoring
23 an approved national service position may elect—

24 “(A) to grant such release and provide to
25 the participant that portion of the national

1 service educational award corresponding to the
2 portion of the term of service actually com-
3 pleted, as provided in section 147(c); or

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

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

17 **“SEC. 140. LIVING ALLOWANCES FOR NATIONAL SERVICE**
18 **PARTICIPANTS.**

19 “(a) PROVISION OF LIVING ALLOWANCE.—

20 “(1) LIVING ALLOWANCE REQUIRED.—Subject
21 to paragraph (3), a national service program carried
22 out using assistance provided under section 121
23 shall provide to each participant who participates on
24 a full-time basis in the program a living allowance
25 in an amount equal to or greater than the average

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

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

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

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

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

6 “(A) such requirement is inconsistent with
7 the objectives of the program; and

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

14 “(6) EXEMPTION.—The requirement of para-
15 graph (1) shall not apply to any program that was
16 in existence on the date of the enactment of the Na-
17 tional and Community Service Trust Act of 1993.

18 “(b) COVERAGE OF CERTAIN EMPLOYMENT-RELAT-
19 ED TAXES.—To the extent a national service program that
20 receives assistance under section 121 is subject, with re-
21 spect to the participants in the program, to the taxes im-
22 posed on an employer under sections 3111 and 3301 of
23 the Internal Revenue Code of 1986 (26 U.S.C. 3111,
24 3301) and taxes imposed on an employer under a work-
25 men’s compensation act, the assistance provided to the

1 program under section 121 shall include an amount suffi-
2 cient to cover 85 percent of such taxes based upon the
3 lesser of—

4 “(1) the total average annual subsistence allow-
5 ance provided to VISTA volunteers under section
6 105 of the Domestic Volunteer Service Act of 1973
7 (42 U.S.C. 4955); and

8 “(2) the annual living allowance established by
9 the program.

10 “(c) EXCEPTION FROM MAXIMUM LIVING ALLOW-
11 ANCE FOR CERTAIN ASSISTANCE.—A professional corps
12 program described in section 122(a)(8) that desires to
13 provide a living allowance in excess of the maximum allow-
14 ance authorized in subsection (a)(3) may still apply for
15 such assistance, except that—

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

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

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

1 “(d) HEALTH INSURANCE.—

2 “(1) IN GENERAL.—A State or other recipient
3 of assistance under section 121 shall provide a basic
4 health care policy for each full-time participant in a
5 national service program carried out or supported
6 using the assistance, if the participant is not other-
7 wise covered by a health care policy. Not more than
8 85 percent of the cost of a premium shall be pro-
9 vided by the Corporation, with the remaining cost
10 paid by the entity receiving assistance under section
11 121. The Corporation shall establish minimum
12 standards that all plans must meet in order to qual-
13 ify for payment under this part, any circumstances
14 in which an alternative health care policy may be
15 substituted for the basic health care policy, and
16 mechanisms to prohibit participants from dropping
17 existing coverage.

18 “(2) OPTION.—A State or other recipient of as-
19 sistance under section 121 may elect to provide from
20 its own funds a health care policy for participants
21 that does not meet all of the standards established
22 by the Corporation if the fair market value of such
23 policy is equal to or greater than the fair market
24 value of a plan that meets the minimum standards

1 established by the Corporation, and is consistent
2 with other applicable laws.

3 “(e) CHILD CARE.—

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

6 “(A) make child care available for children
7 of each full-time participant who needs child
8 care in order to participate in a national service
9 program carried out or supported by the recipi-
10 ent using the assistance; or

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

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

20 “(f) INDIVIDUALIZED SUPPORT SERVICES.—A State
21 or other recipient of assistance under section 121 shall
22 provide reasonable accommodation, including auxiliary
23 aids and services (as defined in section 3(1) of the Ameri-
24 cans with Disabilities Act of 1990 (42 U.S.C. 12102(1))),
25 based on the individualized need of a participant who is

1 a qualified individual with a disability (as defined in sec-
2 tion 101(8) of such Act (42 U.S.C. 12111(8))).

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

10 “(h) LIMITATION ON NUMBER OF TERMS OF SERV-
11 ICE FOR FEDERALLY SUBSIDIZED LIVING ALLOWANCE.—
12 No national service program may use assistance provided
13 under section 121, or any other Federal funds, to provide
14 a living allowance under subsection (a), a health care pol-
15 icy under subsection (d), or child care or a child care al-
16 lowance under subsection (e), to an individual for a third,
17 or subsequent, term of service described in section 139(b)
18 by the individual in a national service program carried out
19 under this subtitle.

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

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

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

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

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

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

“Subtitle C—National Service Trust Program

"PART I—INVESTMENT IN NATIONAL SERVICE

“Sec. 121. Authority to provide assistance and approved national service positions.

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

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

"Sec. 124. Types of program assistance.

"Sec. 125. Training and technical assistance.

"Sec. 126. Other special assistance.

“PART II—APPLICATION AND APPROVAL PROCESS

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

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

“Sec. 131. National service program assistance requirements.

“Sec. 132. Ineligible service categories.

"Sec. 133. Consideration of applications.

"PART III—NATIONAL SERVICE PARTICIPANTS

"Sec. 137. Description of participants.

"Sec. 138. Selection of national service participants.

"Sec. 139. Terms of service.

"Sec. 140. Living allowances for national service participants.

"Sec. 141. National service educational awards."

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

7 “(1) LIVING ALLOWANCE REQUIRED.—Subject
8 to paragraph (3), each participant in a full-time
9 youth corps program that receives assistance under
10 this subtitle shall receive a living allowance in an
11 amount equal to or greater than the average annual
12 subsistence allowance provided to VISTA volunteers
13 under section 105 of the Domestic Volunteer Service
14 Act of 1973 (42 U.S.C. 4955).

15 “(2) LIMITATION ON FEDERAL SHARE.—The
16 amount of the annual living allowance provided
17 under paragraph (1) that may be paid using assist-
18 ance provided under this subtitle, section 121, and
19 any other Federal funds shall not exceed 85 percent
20 of the total average annual subsistence allowance
21 provided to VISTA volunteers under section 105 of

1 the Domestic Volunteer Service Act of 1973 (42
2 U.S.C. 4955).

3 “(3) MAXIMUM LIVING ALLOWANCE.—The total
4 amount of an annual living allowance that may be
5 provided to a participant in a full-time youth corps
6 program that receives assistance under this subtitle
7 shall not exceed 200 percent of the average annual
8 subsistence allowance provided to VISTA volunteers
9 under section 105 of the Domestic Volunteer Service
10 Act of 1973 (42 U.S.C. 4955).

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

16 “(A) such requirement is inconsistent with
17 the objectives of the program; and

18 “(B) the amount of the living allowance
19 that will be provided to each full-time partici-
20 pant is sufficient to meet the necessary costs of
21 living (including food, housing, and transpor-
22 tation) in the area in which the program is lo-
23 cated.

24 “(5) EXEMPTION.—The requirement of para-
25 graph (1) shall not apply to any program that was

1 in existence on the date of the enactment of the Na-
2 tional and Community Service Trust Act of 1993.”.

3 (e) TECHNICAL AND CONFORMING AMENDMENTS.—

4 (1) REFERENCES.—Subtitle I of title I of the
5 National and Community Service Act of 1990 (as so
6 redesignated by subsection (a)(1) of this section) is
7 amended by striking “Commission” each place it ap-
8 pears in sections 199A, 199C, 199D, 199F, 199I,
9 199M, and 199N (as redesignated in subsection
10 (a)(3) of this section) and inserting “Corporation”.

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

14 (A) by striking “under section 102”;

15 (B) by striking “, to the Secretary of the
16 Interior, or to the Director of ACTION” and
17 inserting “or to the Secretary of the Interior”;
18 and

19 (C) by adding at the end the following new
20 sentence: “To the extent practicable, the Cor-
21 poration shall apply the provisions of subtitle C
22 in making grants under this section.”.

23 (3) PURCHASE OF CAPITAL EQUIPMENT.—Sec-
24 tion 199B of such Act (as redesignated in subsection

1 (a)(3) of this section) (42 U.S.C. 12542) is amended
2 to read as follows:

3 **“SEC. 199B. LIMITATION ON PURCHASE OF CAPITAL EQUIP-**
4 **MENT.**

5 “Not to exceed 10 percent of the amount of assist-
6 ance made available to a program agency under this sub-
7 title shall be used for the purchase of major capital equip-
8 ment.”.

9 (4) STATE APPLICATION.—Section 199C of
10 such Act (as redesignated in subsection (a)(3) of
11 this section) (42 U.S.C. 12543) is amended—

12 (A) in subsection (a)—

13 (i) by striking “section 122(b)” and
14 inserting “section 199A”; and

15 (ii) by striking “, including the infor-
16 mation required under subsection (b)” be-
17 fore the period at the end thereof; and

18 (B) by striking subsections (c) and (d).

19 (5) FOCUS OF PROGRAMS.—Section 199D of
20 such Act (as redesignated in subsection (a)(3) of
21 this section) (42 U.S.C. 12544) is amended—

22 (A) by striking subsection (b); and

23 (B) by redesignating subsection (c) as sub-
24 section (b).

1 (6) PUBLIC LANDS.—Section 199F(b) of such
2 Act (as redesignated in subsection (a)(3) of this sec-
3 tion) (42 U.S.C. 12546(b)) is amended by striking
4 “section 123” and inserting “section 199C”.

5 (7) PREFERENCE.—Section 199I(a) of such Act
6 (as redesignated in subsection (a)(3) of this section)
7 (42 U.S.C. 12549) is amended by striking “section
8 123” and inserting “section 199C”.

9 (8) OBSOLETE PROVISIONS.—Such subtitle is
10 further amended—

11 (A) by striking sections 199H and 199L
12 (as redesignated in subsection (a)(3) of this sec-
13 tion) (42 U.S.C. 12548, 12552); and

14 (B) by redesignating sections 199I, 199J,
15 199K, 199M, 199N, and 199O (as previously re-
16 designated) as sections 199H, 199I, 199J,
17 199K, 199L, and 199M, respectively.

18 (f) TABLE OF CONTENTS RELATED TO SUBTITLE
19 I.—Section 1(b) of the National and Community Service
20 Act of 1990 (Public Law 101–610; 104 Stat. 3127) is
21 amended by inserting after the item relating to section
22 195O the following new items:

“Subtitle I—American Conservation and Youth Corps

“Sec. 199. Short title.

“Sec. 199A. General authority.

“Sec. 199B. Limitation on purchase of capital equipment.

“Sec. 199C. State application.

“Sec. 199D. Focus of programs.

“Sec. 199E. Related programs.

- "Sec. 199F. Public lands or Indian lands.
- "Sec. 199G. Training and education services.
- "Sec. 199H. Preference for certain projects.
- "Sec. 199I. Age and citizenship criteria for enrollment.
- "Sec. 199J. Use of volunteers.
- "Sec. 199K. Living allowance.
- "Sec. 199L. Joint programs.
- "Sec. 199M. Federal and State employee status."

1 **SEC. 102. NATIONAL SERVICE TRUST AND PROVISION OF**
2 **NATIONAL SERVICE EDUCATIONAL AWARDS.**

3 (a) ESTABLISHMENT OF TRUST; PROVISION OF
4 AWARDS.—Subtitle D of title I of the National and Com-
5 munity Service Act of 1990 (42 U.S.C. 12571 et seq.) is
6 amended to read as follows:

7 **"Subtitle D—National Service**
8 **Trust and Provision of National**
9 **Service Educational Awards**

10 **"SEC. 145. ESTABLISHMENT OF THE NATIONAL SERVICE**
11 **TRUST.**

12 “(a) ESTABLISHMENT.—There is established in the
13 Treasury of the United States an account to be known
14 as the National Service Trust. The Trust shall consist
15 of—

16 “(1) from the amounts appropriated to the Cor-
17 poration and made available to carry out this sub-
18 title pursuant to section 501(a)(2), such amounts as
19 the Corporation may designate to be available for
20 the payment of—

1 “(A) national service educational awards;
2 and

3 “(B) interest expenses pursuant to section
4 148(e);

5 “(2) any amounts received by the Corporation
6 as gifts, bequests, devises, or otherwise pursuant to
7 section 196(a)(2); and

8 “(3) the interest on, and proceeds from the sale
9 or redemption of, any obligations held by the Trust.

10 “(b) INVESTMENT OF TRUST.—It shall be the duty
11 of the Secretary of the Treasury to invest in full the
12 amounts appropriated to the Trust. Except as otherwise
13 expressly provided in instruments concerning a gift, be-
14 quest, devise, or other donation and agreed to by the Cor-
15 poration, such investments may be made only in interest-
16 bearing obligations of the United States or in obligations
17 guaranteed as to both principal and interest by the United
18 States. For such purpose, such obligations may be ac-
19 quired on original issue at the issue price or by purchase
20 of outstanding obligations at the market price. Any obliga-
21 tion acquired by the Trust may be sold by the Secretary
22 at the market price.

23 “(c) EXPENDITURES FROM TRUST.—Amounts in the
24 Trust shall be available, to the extent provided for in ad-

1 vance by appropriation, for payments of national service
2 educational awards in accordance with section 148.

3 “(d) REPORTS TO CONGRESS ON RECEIPTS AND EX-
4 PENDITURES.—Not later than March 1 of each year, the
5 Corporation shall submit a report to the Congress on the
6 financial status of the Trust during the preceding fiscal
7 year. Such report shall—

8 “(1) specify the amount deposited to the Trust
9 from the most recent appropriation to the Corpora-
10 tion, the amount received by the Corporation as
11 gifts, bequests, devises, or otherwise pursuant to sec-
12 tion 196(a)(2) during the period covered by the re-
13 port, and any amounts obtained by the Trust pursu-
14 ant to subsection (a)(3);

15 “(2) identify the number of individuals who are
16 currently performing service to qualify, or have
17 qualified, for national service educational awards;

18 “(3) identify the number of individuals whose
19 expectation to receive national service educational
20 awards during the period covered by the report—

21 “(A) has been reduced pursuant to section
22 147(c); or

23 “(B) has lapsed pursuant to section
24 146(d); and

1 “(4) estimate the number of additional ap-
2 proved national service positions that the Corpora-
3 tion will be able to make available under subtitle C
4 on the basis of any accumulated surplus in the
5 Trust above the amount required to provide national
6 service educational awards to individuals identified
7 under paragraph (2), including any amounts avail-
8 able as a result of the circumstances referred to in
9 paragraph (3).

10 **“SEC. 146. INDIVIDUALS ELIGIBLE TO RECEIVE A NATIONAL**
11 **SERVICE EDUCATIONAL AWARD FROM THE**
12 **TRUST.**

13 “(a) **ELIGIBLE INDIVIDUALS.**—An individual shall
14 receive a national service educational award from the Na-
15 tional Service Trust if the individual—

16 “(1) successfully completes the required term of
17 service described in subsection (b) in an approved
18 national service position;

19 “(2) was 17 years of age or older at the time
20 the individual began serving in the approved na-
21 tional service position or was an out-of-school youth
22 serving in an approved national service position with
23 a youth corps program described in section
24 122(a)(2) or a program described in section
25 122(a)(9);

1 “(3) at the time the individual uses the national
2 service educational award—

3 “(A) has received a high school diploma, or
4 the equivalent of such diploma;

5 “(B) is enrolled at an institution of higher
6 education on the basis of meeting the standard
7 described in paragraph (1) or (2) of subsection
8 (a) of section 484 of the Higher Education Act
9 of 1965 (20 U.S.C. 1091) and meets the re-
10 quirements of subsection (a) of such section; or

11 “(C) has received a waiver described in
12 section 137(c); and

13 “(3) has received a high school diploma, or the
14 equivalent of such diploma, at the time the individ-
15 ual uses the national service educational award, un-
16 less this requirement has been waived based on an
17 individual education assessment conducted by the
18 program; and

19 “(4) is a citizen or national of the United
20 States or lawful permanent resident alien of the
21 United States.

22 “(b) TERM OF SERVICE.—The term of service for an
23 approved national service position shall not be less than
24 the full- or part-time term of service specified in section
25 139(b).

1 “(c) LIMITATION ON NUMBER OF TERMS OF SERV-
2 ICE FOR AWARDS.—Although an individual may serve
3 more than 2 terms of service described in subsection (b)
4 in an approved national service position, the individual
5 shall receive a national service educational award from the
6 National Service Trust only on the basis of the first and
7 second of such terms of service.

8 “(d) TIME FOR USE OF EDUCATIONAL AWARD.—

9 “(1) SEVEN-YEAR REQUIREMENT.—An individ-
10 ual eligible to receive a national service educational
11 award under this section may not use such award
12 after the end of the 7-year period beginning on the
13 date the individual completes the term of service in
14 an approved national service position that is the
15 basis of the award.

16 “(2) EXCEPTION.—The Corporation may ex-
17 tend the period within which an individual may use
18 a national service educational award if the Corpora-
19 tion determines that the individual—

20 “(A) was unavoidably prevented from
21 using the national service educational award
22 during the original 7-year period; or

23 “(B) performed another term of service in
24 an approved national service position during
25 that period.

1 “(e) SUSPENSION OF ELIGIBILITY FOR DRUG-RE-
2 LATED OFFENSES.—

3 “(1) IN GENERAL.—An individual who, after
4 qualifying under this section as an eligible individ-
5 ual, has been convicted under any Federal or State
6 law of the possession or sale of a controlled sub-
7 stance shall not be eligible to receive a national serv-
8 ice educational award during the period beginning
9 on the date of such conviction and ending after the
10 interval specified in the following table:

“If convicted of:	
The possession of a controlled substance:	Ineligibility period is:
1st conviction	1 year
2nd conviction	2 years
3rd conviction	indefinite
The sale of a controlled substance:	
1st conviction	2 years
2nd conviction	indefinite

11 “(2) REHABILITATION.—An individual whose
12 eligibility has been suspended under paragraph (1)
13 shall resume eligibility before the end of the period
14 determined under such paragraph if the individual
15 satisfactorily completes a drug rehabilitation pro-
16 gram that complies with such criteria as the Cor-
17 poration shall prescribe for purposes of this para-
18 graph.

19 “(3) FIRST CONVICTIONS.—An individual whose
20 eligibility has been suspended under paragraph (1)
21 and is convicted of a first offense may resume eligi-

bility before the end of the period determined under
such paragraph if the individual demonstrates that
he or she has enrolled or been accepted for enroll-
ment in a drug rehabilitation program described in
paragraph (2).

6 “(4) DEFINITIONS.—As used in this subsection,
7 the term ‘controlled substance’ has the meaning
8 given in section 102(6) of the Controlled Substances
9 Act (21 U.S.C. 802(6)).

“(5) EFFECTIVE DATE.—This subsection shall be effective upon publication by the Corporation in the Federal Register of criteria prescribed under paragraph (2).

14 “(f) AUTHORITY TO ESTABLISH DEMONSTRATION
15 PROGRAMS.—The Corporation may establish by regulation
16 demonstration programs for the creation and evaluation
17 of innovative volunteer and community service programs.

18 "SEC. 147. DETERMINATION OF THE AMOUNT OF THE NA-
19 TIONAL SERVICE EDUCATIONAL AWARD.

20 “(a) AMOUNT FOR FULL-TIME NATIONAL SERV-
21 ICE.—Except as provided in subsection (c), an individual
22 described in section 146(a) who successfully completes a
23 required term of full-time national service in an approved
24 national service position shall receive a national service

1 educational award having a value, for each of not more
2 than 2 of such terms of service, equal to 90 percent of—

3 “(1) one-half of an amount equal to the aggre-
4 gate basic educational assistance allowance provided
5 in section 3015(b)(1) of title 38, United States Code
6 (as in effect on July 28, 1993), for the period re-
7 ferred to in section 3013(a)(1) of such title (as in
8 effect on July 28, 1993), for a member of the
9 Armed Forces who is entitled to such an allowance
10 under section 3011 of such title and whose initial
11 obligated period of active duty is 2 years; less

12 “(2) one-half of the aggregate basic contribu-
13 tion required to be made by the member in section
14 3011(b) of such title (as in effect on July 28, 1993).

15 “(b) AMOUNT FOR PART-TIME NATIONAL SERV-
16 ICE.—Except as provided in subsection (c), an individual
17 described in section 146(a) who successfully completes a
18 required term of part-time national service in an approved
19 national service position shall receive a national service
20 educational award having a value, for each of not more
21 than 2 of such terms of service, equal to 50 percent of
22 value of the national service educational award determined
23 under subsection (a).

24 “(c) AWARD FOR PARTIAL COMPLETION OF SERV-
25 ICE.—If an individual serving in an approved national

1 service position is released in accordance with section
2 139(c)(1)(A) from completing the full-time or part-time
3 term of service agreed to by the individual, the Corpora-
4 tion may provide the individual with that portion of the
5 national service educational award approved for the indi-
6 vidual that corresponds to the quantity of the term of serv-
7 ice actually completed by the individual.

8 **"SEC. 148. DISBURSEMENT OF NATIONAL SERVICE EDU-**
9 **CATIONAL AWARDS.**

10 "(a) IN GENERAL.—Amounts in the Trust shall be
11 available—

12 "(1) to repay student loans in accordance with
13 subsection (b);

14 "(2) to pay all or part of the cost of attendance
15 at an institution of higher education in accordance
16 with subsection (c);

17 "(3) to pay expenses incurred in participating
18 in an approved school-to-work program in accord-
19 ance with subsection (d); and

20 "(4) to pay interest expenses in accordance with
21 regulations prescribed pursuant to subsection (e).

22 "(b) USE OF EDUCATIONAL AWARD TO REPAY OUT-
23 STANDING STUDENT LOANS.—

24 "(1) APPLICATION BY ELIGIBLE INDIVID-
25 UALS.—An eligible individual under section 146 who

1 desires to apply the national service educational
2 award of the individual to the repayment of qualified
3 student loans shall submit, in a manner prescribed
4 by the Corporation, an application to the Corpora-
5 tion that—

6 “(A) identifies, or permits the Corporation
7 to identify readily, the holder or holders of such
8 loans;

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

12 “(C) specifies, if the outstanding balance is
13 greater than the amount disbursed under para-
14 graph (2), which of the loans the individual pre-
15 fers to be paid by the Corporation; and

16 “(D) contains or is accompanied by such
17 other information as the Corporation may re-
18 quire.

19 “(2) DISBURSEMENT OF REPAYMENTS.—Upon
20 receipt of an application from an eligible individual
21 of an application that complies with paragraph (1),
22 the Corporation shall, as promptly as practicable
23 consistent with paragraph (5), disburse the amount
24 of the national service educational award that the el-
25 igible individual has earned. Such disbursement shall

1 be made by check or other means that is payable to
2 the holder of the loan and requires the endorsement
3 or other certification by the eligible individual.

4 “(3) APPLICATION OF DISBURSED AMOUNTS.—
5 If the amount disbursed under paragraph (2) is less
6 than the principal and accrued interest on any quali-
7 fied student loan, such amount shall be applied ac-
8 cording to the specified priorities of the individual.

9 “(4) REPORTS BY HOLDERS.—Any holder re-
10 ceiving a loan payment pursuant to this subsection
11 shall submit to the Corporation such information as
12 the Corporation may require to verify that such pay-
13 ment was applied in accordance with this subsection
14 and any regulations prescribed to carry out this sub-
15 section.

16 “(5) NOTIFICATION OF INDIVIDUAL.—The Cor-
17 poration upon disbursing the national service edu-
18 cational award, shall notify the individual of the
19 amount paid for each outstanding loan and the date
20 of payment.

21 “(6) AUTHORITY TO AGGREGATE PAYMENTS.—
22 The Corporation may, by regulation, provide for the
23 aggregation of payments to holders under this sub-
24 section.

1 “(7) DEFINITION OF QUALIFIED STUDENT
2 LOANS.—As used in this subsection, the term ‘quali-
3 fied student loans’ means—

4 “(A) any loan made, insured, or guaran-
5 teed pursuant to title IV of the Higher Edu-
6 cation Act of 1965 (20 U.S.C. 1070 et seq.),
7 other than a loan to a parent of a student pur-
8 suant to section 428B of such Act (20 U.S.C.
9 1078–2); and

10 “(B) any loan made pursuant to title VII
11 or VIII of the Public Health Service Act (42
12 U.S.C. 292a et seq.).

13 “(8) DEFINITION OF HOLDER.—As used in this
14 subsection, the term ‘holder’ with respect to any eli-
15 gible loan means the original lender or, if the loan
16 is subsequently sold, transferred, or assigned to
17 some other person, and such other person acquires
18 a legally enforceable right to receive payments from
19 the borrower, such other person.

20 “(c) USE OF EDUCATIONAL AWARDS TO PAY CUR-
21 RENT EDUCATIONAL EXPENSES.—

22 “(1) APPLICATION BY ELIGIBLE INDIVIDUAL.—
23 An eligible individual under section 146 who desires
24 to apply the individual’s national service educational
25 award to the payment of current full-time or part-

time educational expenses shall, on a form prescribed by the Corporation, submit an application to the institution of higher education in which the student will be enrolled that contains such information as the Corporation may require to verify the individual's eligibility.

7 “(2) SUBMISSION OF REQUESTS FOR PAYMENT
8 BY INSTITUTIONS.—An institution of higher edu-
9 cation that receives one or more applications that
10 comply with paragraph (1) shall submit to the Cor-
11 poration a statement, in a manner prescribed by the
12 Corporation, that—

13 “(A) identifies each eligible individual fil-
14 ing an application under paragraph (1) for a
15 disbursement of the individual’s national service
16 educational award under this subsection;

17 “(B) specifies the amounts for which such
18 eligible individuals are, consistent with para-
19 graph (6), qualified for disbursement under this
20 subsection;

21 “(C) certifies that—

22 “(i) the institution of higher education
23 has in effect a program participation
24 agreement under section 487 of the Higher
25 Education Act of 1965 (20 U.S.C. 1094);

1 “(ii) the institution’s eligibility to par-
2 ticipate in any of the programs under title
3 IV of such Act (20 U.S.C. 1070 et seq.)
4 has not been limited, suspended, or termi-
5 nated; and

6 “(iii) individuals using national serv-
7 ice educational awards received under this
8 subtitle to pay for educational costs do not
9 comprise more than 15 percent of the total
10 student population of the institution; and

11 “(D) contains such provisions concerning
12 financial compliance as the Corporation may re-
13 quire.

14 “(3) DISBURSEMENT OF PAYMENTS.—Upon re-
15 ceipt of a statement from an institution of higher
16 education that complies with paragraph (2), the Cor-
17 poration shall, subject to paragraph (4), disburse the
18 total amount of the national service educational
19 awards for which eligible individuals who have sub-
20 mitted applications to that institution under para-
21 graph (1) are scheduled to receive. Such disburse-
22 ment shall be made by check or other means that is
23 payable to the institution and requires the endorse-
24 ment or other certification by the eligible individual.

1 “(4) MULTIPLE DISBURSEMENTS REQUIRED.—

2 The total amount required to be disbursed to an in-
3 stitution of higher education under paragraph (3)
4 for any period of enrollment shall be disbursed by
5 the Corporation in 2 or more installments, none of
6 which exceeds $\frac{1}{2}$ of such total amount. The interval
7 between the first and second such installment shall
8 not be less than $\frac{1}{2}$ of such period of enrollment, ex-
9 cept as necessary to permit the second installment to
10 be paid at the beginning of the second semester,
11 quarter, or similar division of such period of enroll-
12 ment.

13 “(5) REFUND RULES.—The Corporation shall,
14 by regulation, provide for the refund to the Corpora-
15 tion (and the crediting to the national service edu-
16 cational award of an eligible individual) of amounts
17 disbursed to institutions for the benefit of eligible in-
18 dividuals who withdraw or otherwise fail to complete
19 the period of enrollment for which the assistance
20 was provided. Such regulations shall be consistent
21 with the fair and equitable refund policies required
22 of institutions pursuant to section 484B of the
23 Higher Education Act of 1965 (20 U.S.C. 1091b).
24 Amounts refunded to the Trust pursuant to this
25 paragraph may be used by the Corporation to fund

1 additional approved national service positions under
2 subtitle C.

3 “(6) MAXIMUM AWARD.—The portion of an eli-
4 gible individual’s total available national service edu-
5 cational award that may be disbursed under this
6 subsection for any period of enrollment shall not ex-
7 ceed the difference between—

8 “(A) the eligible individual’s cost of attend-
9 ance for such period of enrollment, determined
10 in accordance with section 472 of the Higher
11 Education Act of 1965 (20 U.S.C. 10871l); and

12 “(B) the sum of—

13 “(i) the student’s estimated financial
14 assistance for such period under part A of
15 title IV of such Act (20 U.S.C. 1070 et
16 seq.); and

17 “(ii) the student’s veterans’ education
18 benefits, determined in accordance with
19 section 480(c) of such Act (20 U.S.C.
20 1087vv(c)).

21 “(d) USE OF EDUCATIONAL AWARD TO PARTICIPATE
22 IN APPROVED SCHOOL-TO-WORK PROGRAMS.—The Cor-
23 poration shall by regulation provide for the payment of
24 national service educational awards to permit eligible indi-

1 viduals to participate in school-to-work programs approved
2 by the Secretaries of Labor and Education.

3 “(e) INTEREST PAYMENTS DURING FORBEARANCE
4 ON LOAN REPAYMENT.—The Corporation shall provide by
5 regulation for the payment on behalf of an eligible individ-
6 ual of interest that accrues during a period for which such
7 individual has obtained forbearance in the repayment of
8 a qualified student loan (as defined in subsection (b)(6)),
9 if the eligible individual successfully completes the individ-
10 ual’s required term of service (as determined under section
11 146(b)). Such regulations shall be prescribed after con-
12 sultation with the Secretary of Education.

13 “(f) EXCEPTION.—With the approval of the Director,
14 an approved national service program funded under sec-
15 tion 121, may offer participants the option of waiving
16 their right to receive a national service education award
17 in order to receive an alternative post-service benefit fund-
18 ed by the program entirely with non-Federal funds.

19 “(g) DEFINITION OF INSTITUTION OF HIGHER EDU-
20 CATION.—Notwithstanding section 101 of this Act, for
21 purposes of this section the term ‘institution of higher
22 education’ has the meaning provided by section 481(a) of
23 the Higher Education Act of 1965 (20 U.S.C. 1088(a)).”.

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

1 101–610; 104 Stat. 3127) is amended by striking the
2 items relating to subtitle D of title I of such Act and in-
3 serting the following new items:

“Subtitle D—National Service Trust and Provision of National Service
Educational Awards

“Sec. 145. Establishment of the National Service Trust.

“Sec. 146. Individuals eligible to receive a national service educational award
from the Trust.

“Sec. 147. Determination of the amount of the national service educational
award.

“Sec. 148. Disbursement of national service educational awards.”.

4 (c) CONFORMING AMENDMENTS.—

5 (1) FORBEARANCE IN THE COLLECTION OF
6 STAFFORD LOANS.—Section 428 of the Higher Edu-
7 cation Act of 1965 (20 U.S.C. 1078) is amended—

8 (A) in subsection (b)(1)—

9 (i) by redesignating subparagraphs
10 (W), (X), and (Y) as subparagraphs (X),
11 (Y), and (Z), respectively; and

12 (ii) by inserting immediately after
13 subparagraph (V) the following new sub-
14 paragraph:

15 “(W)(i) provides that, upon written re-
16 quest, a lender shall grant a borrower forbear-
17 ance on such terms as are otherwise consistent
18 with the regulations of the Secretary, during
19 periods in which the borrower is serving in a
20 national service position, for which the borrower
21 receives a national service educational award

1 under the National and Community Service
2 Trust Act of 1993;

3 “(ii) provides that clauses (iii) and (iv) of
4 subparagraph (V) shall also apply to a forbear-
5 ance granted under this subparagraph; and

6 “(iii) provides that interest shall continue
7 to accrue on a loan for which a borrower re-
8 ceives forbearance under this subparagraph and
9 shall be capitalized or paid by the borrower;”;
10 and

11 (B) in subsection (c)(3)(A), by striking
12 “subsection (b)(1)(V)” and inserting “subpara-
13 graphs (V) and (W) of subsection (b)(1)”.

14 (2) ELIGIBILITY FOR STAFFORD LOAN FOR-
15 GIVENESS.—Section 428J of the Higher Education
16 Act of 1965 (20 U.S.C. 1078–10) is amended—

17 (A) in subsection (b)(1), is amended by
18 striking “October 1, 1992” and inserting “Oc-
19 tober 1, 1989”; and

20 (B) in subsection (c), by adding at the end
21 the following new paragraph:

22 “(5) INELIGIBILITY OF NATIONAL SERVICE
23 EDUCATIONAL AWARD RECIPIENTS.—No student
24 borrower may, for the same volunteer service, receive
25 a benefit under both this section and subtitle D of

1 title I of the National and Community Service Act
2 of 1990 (42 U.S.C. 12571 et seq.).”.

3 (3) ELIGIBILITY FOR PERKINS LOAN FORGIVE-
4 NESS.—Section 465(a) of the Higher Education Act
5 of 1965 (20 U.S.C. 1087ee(a)) is amended by add-
6 ing at the end the following new paragraph:

7 “(6) No borrower may, for the same volunteer
8 service, receive a benefit under both this section and
9 subtitle D of title I of the National and Community
10 Service Act of 1990 (42 U.S.C. 12571 et seq.).”.

11 (4) DEFINITION OF INCOME.—Section
12 480(a)(2) of the Higher Education Act of 1965 (20
13 U.S.C. 1087vv(a)(2)) is amended by inserting after
14 “by an individual” the following: “, and no portion
15 of a national service educational award or post-serv-
16 ice benefit received by an individual under title I of
17 the National and Community Service Act of 1990
18 (42 U.S.C. 12571 et seq.),”.

19 (5) IMPACT ON GENERAL NEEDS ANALYSIS.—
20 Section 480(j) of the Higher Education Act of 1965
21 (20 U.S.C. 1087vv(j)) is amended by adding at the
22 end the following new paragraph:

23 “(3) Notwithstanding paragraph (1), a national
24 service educational award or post-service benefit
25 under title I of the National and Community Service

1 Act of 1990 (42 U.S.C. 12571 et seq.) shall not be
2 treated as financial assistance for purposes of sec-
3 tion 471(3).”.

4 **SEC. 103. SCHOOL-BASED AND COMMUNITY-BASED SERV-**
5 **ICE-LEARNING PROGRAMS.**

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

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

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

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

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

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

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

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

12 **“Subtitle B—School-Based and**
13 **Community-Based Service-**
14 **Learning Programs**

15 **“PART I—SERVE-AMERICA PROGRAMS**

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

17 **“SEC. 111. AUTHORITY TO ASSIST STATES AND INDIAN**
18 **TRIBES.**

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

1 “(1) planning and building the capacity of the
2 States or Indian tribes (which may be accomplished
3 through grants or contracts with qualified organiza-
4 tions) to implement school-based service-learning
5 programs, including—

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

12 “(B) developing service-learning curricula
13 to be integrated into academic programs, in-
14 cluding the age-appropriate learning component
15 described in section 114(d)(2);

16 “(C) forming local partnerships described
17 in paragraph (2) or (4) to develop school-based
18 service-learning programs in accordance with
19 this subpart;

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

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

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

5 “(2) implementing, operating, or expanding
6 school-based service-learning programs, which may
7 include paying for the cost of the recruitment, train-
8 ing, supervision, placement, salaries, and benefits of
9 service-learning coordinators, through State distribu-
10 tion of Federal funds made available under this sub-
11 part to projects operated by local partnerships
12 among—

13 “(A) local educational agencies; and

14 “(B) one or more community partners
15 that—

16 “(i) shall include a public or private
17 nonprofit organization that—

18 “(I) has a demonstrated expertise
19 in the provision of services to meet
20 unmet human, educational, environ-
21 mental, or public safety needs;

22 “(II) was in existence at least 1
23 year before the date on which the or-
24 ganization submitted an application
25 under section 114; and

1 “(III) will make projects avail-
2 able for participants, who shall be stu-
3 dents; and

4 “(ii) may include a private for-profit
5 business or private elementary or second-
6 ary school;

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

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

14 “(B) the recruitment, training, supervision,
15 and placement of service-learning coordinators
16 who are participants in a program under sub-
17 title C or receive a national service educational
18 award under subtitle D,

19 who will identify the community partners described
20 in paragraph (2)(B) and assist in the design and im-
21 plementation of a program described in paragraph
22 (2); and

23 “(4) implementing, operating, or expanding
24 school-based service-learning programs involving
25 adult volunteers to utilize service-learning to improve

1 the education of students, through State distribution
2 of Federal funds made available under this part to
3 local partnerships among—

4 “(A) local educational agencies; and

5 “(B) one or more—

6 “(i) public or private nonprofit organi-
7 zations;

8 “(ii) other educational agencies; or

9 “(iii) private for-profit businesses,

10 that coordinate and operate projects for participants,
11 who shall be students.

12 “(b) DUTIES OF SERVICE-LEARNING COORDINA-
13 TOR.—A service-learning coordinator referred to in para-
14 graph (2) or (3) of subsection (a) shall provide services
15 to a local educational agency by—

16 “(1) providing technical assistance and informa-
17 tion to, and facilitating the training of, teachers who
18 want to use service-learning in their classrooms;

19 “(2) assisting local partnerships described in
20 subsection (a) in the planning, development, and
21 execution of service-learning projects; and

22 “(3) carrying out such other duties as the local
23 educational agency may determine to be appropriate.

24 “(c) RELATED EXPENSES.—A partnership, local edu-
25 cational agency, or other qualified organization that re-

1 ceives financial assistance under this subpart may, in car-
2 rying out the activities described in subsection (a), use
3 such assistance to pay for the Federal share of reasonable
4 costs related to the supervision of participants, program
5 administration, transportation, insurance, and evalua-
6 tions, and for other reasonable expenses related to the ac-
7 tivities.

8 **"SEC. 111A. AUTHORITY TO ASSIST LOCAL APPLICANTS IN**
9 **NONPARTICIPATING STATES.**

10 "In any fiscal year in which a State does not submit
11 an application under section 113, for an allotment under
12 subsection (a) or (b)(2) of section 112, that meets the re-
13 quirements of section 113 and such other requirements
14 as the Chief Executive Officer may determine to be appro-
15 priate, the Corporation may use the allotment of that
16 State to make direct grants to pay for the Federal share
17 of the cost of—

18 "(1) carrying out the activities described in
19 paragraph (2) or (4) of section 111(a), to a local
20 partnership described in such paragraph; or

21 "(2) carrying out the activities described in
22 paragraph (3) of such section, to an agency de-
23 scribed in such paragraph,
24 that is located in the State.

1 **"SEC. 111B. AUTHORITY TO ASSIST PUBLIC OR PRIVATE**
2 **NONPROFIT ORGANIZATIONS.**

3 “(a) IN GENERAL.—The Corporation may make
4 grants under section 112(b)(1) to public or private non-
5 profit organizations that—

6 “(1) have experience with service-learning;

7 “(2) were in existence at least 1 year before the
8 date on which the organization submitted an appli-
9 cation under section 114(a); and

10 “(3) meet such other criteria as the Chief Exec-
11 utive Officer may establish.

12 “(b) USE OF FUNDS.—Such organizations may use
13 grants made under subsection (a) to make grants to part-
14 nerships described in paragraph (2) or (4) of section
15 111(a) to implement, operate, or expand school-based
16 service-learning programs as described in such section and
17 provide technical assistance and training to appropriate
18 persons.

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

20 “(a) INDIAN TRIBES AND TERRITORIES.—Of the
21 amounts appropriated to carry out this subpart for any
22 fiscal year, the Corporation shall reserve an amount of not
23 more than 3 percent for payments to Indian tribes, the
24 United States Virgin Islands, Guam, American Samoa,
25 and the Commonwealth of the Northern Mariana Islands,
26 to be allotted in accordance with their respective needs.

1 The Corporation may also make payments from such
2 amount to Palau, in accordance with its needs, until such
3 time as the Compact of Free Association with Palau is
4 ratified.

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

9 “(1) GRANTS.—Except as provided in para-
10 graph (3), from 25 percent of such remainder, the
11 Corporation may make grants, on a competitive
12 basis, to—

13 “(A) States and Indian tribes; or

14 “(B) as described in section 111B, to
15 grantmaking entities.

16 “(2) ALLOTMENTS.—

17 “(A) SCHOOL-AGE YOUTH.—Except as pro-
18 vided in paragraph (3), from 37.5 percent of
19 such remainder, the Corporation shall allot to
20 each State an amount that bears the same ratio
21 to 37.5 percent of such remainder as the num-
22 ber of school-age youth in the State bears to
23 the total number of school-age youth of all
24 States.

1 “(B) ALLOCATION UNDER ELEMENTARY
2 AND SECONDARY EDUCATION ACT OF 1965.—
3 Except as provided in paragraph (3), from 37.5
4 percent of such remainder, the Corporation
5 shall allot to each State an amount that bears
6 the same ratio to 37.5 percent of such remain-
7 der as the allocation to the State for the pre-
8 vious fiscal year under chapter 1 of title I of
9 the Elementary and Secondary Education Act
10 of 1965 (20 U.S.C. 2711 et seq.) bears to such
11 allocations to all States.

12 “(3) MINIMUM AMOUNT.—No State shall re-
13 ceive, under paragraph (2), an allotment that is less
14 than the allotment such State received for fiscal year
15 1993 under section 112(b) of this Act, as in effect
16 on the day before the date of enactment of this part.
17 If the amount of funds made available in a fiscal
18 year to carry out paragraph (2) is insufficient to
19 make such allotments, the Corporation shall make
20 available sums from the 25 percent described in
21 paragraph (1) for such fiscal year to make such al-
22 lotments.

23 “(4) DEFINITION.—Notwithstanding section
24 101(26), for purposes of this subsection, the term

1 ‘State’ means each of the several States, the District
2 of Columbia, and the Commonwealth of Puerto Rico.

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

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

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

23 “(a) SUBMISSION.—To be eligible to receive a grant
24 under section 112(b)(1), an allotment under subsection
25 (a) or (b)(2) of section 112, a reallocation under section

1 112(c), or a grant under section 112(d), a State, acting
2 through the State educational agency, or an Indian tribe,
3 shall prepare, submit to the Corporation, and obtain ap-
4 proval of, an application at such time and in such manner
5 as the Chief Executive Officer may reasonably require.

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

9 “(1) a 3-year strategic plan, or a revision of a
10 previously approved 3-year strategic plan, for pro-
11 moting service-learning through the programs, which
12 plan shall contain such information as the Chief Ex-
13 ecutive Officer may reasonably require, including in-
14 formation demonstrating that the programs will be
15 carried out in a manner consistent with the ap-
16 proved strategic plan;

17 “(2) assurances that—

18 “(A) the applicant will keep such records
19 and provide such information to the Corpora-
20 tion with respect to the programs as may be re-
21 quired for fiscal audits and program evaluation;
22 and

23 “(B) the applicant will comply with the
24 nonduplication and nondisplacement require-

1 ments of section 177 and the grievance proce-
2 dure requirements of section 176(f); and
3 “(3) such additional information as the Chief
4 Executive Officer may reasonably require.

5 **“SEC. 114. LOCAL APPLICATIONS.**

6 “(a) APPLICATION TO CORPORATION TO MAKE
7 GRANTS FOR SCHOOL-BASED SERVICE-LEARNING PRO-
8 GRAMS.—

9 “(1) IN GENERAL.—To be eligible to receive a
10 grant in accordance with section 111B(a) to make
11 grants relating to school-based service-learning pro-
12 grams described in section 111(a), a grantmaking
13 entity shall prepare, submit to the Corporation, and
14 obtain approval of, an application.

15 “(2) SUBMISSION.—Such application shall be
16 submitted at such time and in such manner, and
17 shall contain such information, as the Chief Execu-
18 tive Officer may reasonably require. Such application
19 shall include a proposal to assist such programs in
20 more than 1 State.

21 “(b) DIRECT APPLICATION TO CORPORATION TO
22 CARRY OUT SCHOOL-BASED SERVICE-LEARNING PRO-
23 GRAMS IN NONPARTICIPATING STATES.—To be eligible to
24 receive a grant from the Corporation in the circumstances
25 described in section 111A to carry out an activity as de-

1 scribed in such section, a partnership or agency described
2 in such section shall prepare, submit to the Corporation,
3 and obtain approval of, an application. Such application
4 shall be submitted at such time and in such manner, and
5 shall contain such information, as the Chief Executive Of-
6 ficer may reasonably require.

7 “(c) APPLICATION TO STATE OR INDIAN TRIBE TO
8 RECEIVE ASSISTANCE TO CARRY OUT SCHOOL-BASED
9 SERVICE-LEARNING PROGRAMS.—

10 “(1) IN GENERAL.—Any—

11 “(A) qualified organization that desires to
12 receive financial assistance under this subpart
13 from a State or Indian tribe for an activity de-
14 scribed in section 111(a)(1);

15 “(B) partnership described in section
16 111(a)(2) that desires to receive such assistance
17 from a State, Indian tribe, or grantmaking en-
18 tity for an activity described in section
19 111(a)(2);

20 “(C) agency described in section 111(a)(3)
21 that desires to receive such assistance from a
22 State or Indian tribe for an activity described
23 in such section; or

24 “(D) partnership described in section
25 111(a)(4) that desires to receive such assistance

1 from a State or Indian tribe for an activity de-
2 scribed in such section,
3 to be carried out through a service-learning program
4 described in section 111, shall prepare, submit to
5 the State educational agency, Indian tribe, or
6 grantmaking entity, and obtain approval of, an ap-
7 plication for the program.

8 “(2) SUBMISSION.—Such application shall be
9 submitted at such time and in such manner, and
10 shall contain such information, as the agency, tribe,
11 or entity may reasonably require.

12 “(d) REGULATIONS.—The Corporation shall by regu-
13 lation establish standards for the information and assur-
14 ances required to be contained in an application submitted
15 under subsection (a) or (b) with respect to a service-learn-
16 ing program described in section 111, including, at a mini-
17 mum, assurances that—

18 “(1) prior to the placement of a participant, the
19 entity carrying out the program will consult with the
20 appropriate local labor organization, if any, rep-
21 resenting employees in the area who are engaged in
22 the same or similar work as that proposed to be car-
23 ried out by such program, to prevent the displace-
24 ment and protect the rights of such employees;

1 “(2) the entity carrying out the program will
2 develop an age-appropriate learning component for
3 participants in the program that shall include a
4 chance for participants to analyze and apply their
5 service experiences; and

6 “(3) the entity carrying out the program will
7 comply with the nonduplication and nondisplacement
8 requirements of section 177 and the grievance proce-
9 dure requirements of section 176(f).

10 “(e) **LIMITATION ON SAME PROJECT IN MULTIPLE**
11 **APPLICATIONS.**—No applicant shall submit an application
12 under section 113 or this section, and the Corporation
13 shall reject an application that is submitted under section
14 113 or this section, if the application describes a project
15 proposed to be conducted using assistance requested by
16 the applicant and the project is already described in an-
17 other application pending before the Corporation.

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

19 “(a) **CRITERIA FOR APPLICATIONS.**—In approving
20 applications for financial assistance under subsection (a),
21 (b), (c), or (d) of section 112, the Corporation shall con-
22 sider such criteria with respect to sustainability,
23 replicability, innovation, and quality of programs under
24 this subpart as the Chief Executive Officer may by regula-
25 tion specify. In providing assistance under this subpart,

1 a State educational agency, Indian tribe, or grantmaking
2 entity shall consider such criteria.

3 “(b) PRIORITY FOR LOCAL APPLICATIONS.—In pro-
4 viding assistance under this subpart, a State educational
5 agency or Indian tribe, or the Corporation if section 111A
6 or 111B applies, shall give priority to entities that submit
7 applications under section 114 with respect to service-
8 learning programs described in section 111 that—

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

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

13 “(3) involve—

14 “(A) students from public elementary or
15 secondary schools, and students from private el-
16 ementary or secondary schools, serving to-
17 gether; or

18 “(B) students of different ages, races,
19 sexes, ethnic groups, disabilities, or economic
20 backgrounds, serving together; or

21 “(4) are integrated into the academic program
22 of the participants.

23 “(c) REJECTION OF APPLICATIONS.—If the Corpora-
24 tion rejects an application submitted by a State under sec-
25 tion 113 for an allotment under section 112(b)(2), the

1 Corporation shall promptly notify the State of the reasons
2 for the rejection of the application. The Corporation shall
3 provide the State with a reasonable opportunity to revise
4 and resubmit the application and shall provide technical
5 assistance, if needed, to the State as part of the resubmis-
6 sion process. The Corporation shall promptly reconsider
7 such resubmitted application.

8 **“SEC. 115A. PARTICIPATION OF STUDENTS AND TEACHERS**
9 **FROM PRIVATE SCHOOLS.**

10 “(a) IN GENERAL.—To the extent consistent with the
11 number of students in the State or Indian tribe or in the
12 school district of the local educational agency involved who
13 are enrolled in private nonprofit elementary and secondary
14 schools, such State, Indian tribe, or agency shall (after
15 consultation with appropriate private school representa-
16 tives) make provision—

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

23 “(2) for the training of the teachers of such
24 students so as to allow for the equitable participa-
25 tion of such teachers in the programs implemented

1 to carry out the objectives and provide the benefits
2 described in this subpart.

3 “(b) WAIVER.—If a State, Indian tribe, or local edu-
4 cational agency is prohibited by law from providing for
5 the participation of students or teachers from private non-
6 profit schools as required by subsection (a), or if the Cor-
7 poration determines that a State, Indian tribe, or local
8 educational agency substantially fails or is unwilling to
9 provide for such participation on an equitable basis, the
10 Chief Executive Officer shall waive such requirements and
11 shall arrange for the provision of services to such students
12 and teachers. Such waivers shall be subject to consulta-
13 tion, withholding, notice, and judicial review requirements
14 in accordance with paragraphs (3) and (4) of section
15 1017(b) of the Elementary and Secondary Education Act
16 of 1965 (20 U.S.C. 2727(b)).

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

18 “(a) SHARE.—

19 “(1) IN GENERAL.—The Federal share attrib-
20 utable to this subpart of the cost of carrying out a
21 program for which a grant or allotment is made
22 under this subpart may not exceed—

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

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

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

8 “(D) 50 percent of the total cost of the
9 program for the fourth year, and for any subse-
10 quent year, for which the program receives as-
11 sistance under this subpart.

12 “(2) CALCULATION.—In providing for the re-
13 maining share of the cost of carrying out such a pro-
14 gram, each recipient of assistance under this
15 subpart—

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

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

23 “(b) WAIVER.—The Chief Executive Officer may
24 waive the requirements of subsection (a) in whole or in
25 part with respect to any such program in any fiscal year

1 if the Corporation determines that such a waiver would
2 be equitable due to a lack of available financial resources
3 at the local level.

4 "SEC. 116A. LIMITATIONS ON USES OF FUNDS.

5 “(a) ADMINISTRATIVE COSTS.—

6 “(1) **LIMITATION.**—Not more than 5 percent of
7 the amount of assistance provided to a State edu-
8 cational agency, Indian tribe, or grantmaking entity
9 that is the original recipient of a grant or allotment
10 under subsection (a), (b), (c), or (d) of section 112
11 for a fiscal year may be used to pay for administra-
12 tive costs incurred by—

13 “(A) the original recipient; or

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

17 “(2) RULES ON USE.—The Chief Executive Of-
18 ficer may by rule prescribe the manner and extent
19 to which—

20 “(A) such assistance may be used to cover
21 administrative costs; and

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

25 “(i) the original recipient; and

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

4 “(b) CAPACITY-BUILDING ACTIVITIES.—

5 “(1) IN GENERAL.—Except as provided in para-
6 graph (2), not less than 10 percent and not more
7 than 15 percent of the amount of assistance pro-
8 vided to a State educational agency or Indian tribe
9 that is the original recipient of a grant or allotment
10 under subsection (a), (b), (c), or (d) of section 112
11 for a fiscal year may be used to build capacity
12 through training, technical assistance, curriculum
13 development, and coordination activities, described
14 in section 111(a)(1).

15 “(2) WAIVER.—The Chief Executive Officer
16 may waive the requirements of paragraph (1) in
17 order to permit an agency or a tribe to use not less
18 than 10 percent and not more than 20 percent of
19 such amount to build capacity as provided in para-
20 graph (1). To be eligible to receive such a waiver
21 such an agency or tribe shall submit an application
22 to the Chief Executive Officer at such time, in such
23 manner, and containing such information as the
24 Chief Executive Officer may require.

1 “(c) LOCAL USES OF FUNDS.—Funds made available
2 under this subpart may not be used to pay any stipend,
3 allowance, or other financial support to any student who
4 is a participant under this subtitle, except reimbursement
5 for transportation, meals, and other reasonable out-of-
6 pocket expenses directly related to participation in a pro-
7 gram assisted under this subpart.

8 **“SEC. 116B. DEFINITIONS.**

9 “As used in this subpart:

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

13 “(2) SCHOOL-BASED.—The term ‘school-based’
14 means based in an elementary school or a secondary
15 school.

16 “(3) STUDENT.—Notwithstanding section
17 101(29), the term ‘student’ means an individual who
18 is enrolled in an elementary or secondary school on
19 a full- or part-time basis.

20 **“Subpart B—Community-Based Service Programs for**
21 **School-Age Youth**

22 **“SEC. 117. DEFINITIONS.**

23 “As used in this subpart:

1 “(1) COMMUNITY-BASED SERVICE PROGRAM.—

2 The term ‘community-based service program’ means
3 a program described in section 117A(b)(1)(A).

4 “(2) GRANTMAKING ENTITY.—The term
5 ‘grantmaking entity’ means a qualified organization
6 that—

7 “(A) submits an application under section
8 117C(a) to make grants to qualified organiza-
9 tions;

10 “(B) was in existence at least 1 year be-
11 fore the date on which the organization submit-
12 ted the application; and

13 “(C) meets such other criteria as the Chief
14 Executive Officer shall establish.

15 “(3) QUALIFIED ORGANIZATION.—The term
16 ‘qualified organization’ means a public or private
17 nonprofit organization with experience working with
18 school-age youth that meets such criteria as the
19 Chief Executive Officer may establish.

20 **“SEC. 117A. GENERAL AUTHORITY.**

21 “(a) GRANTS.—From the funds appropriated to
22 carry out this subpart for a fiscal year, the Corporation
23 may make grants to State Commissions, grantmaking en-
24 tities, and qualified organizations to pay for the Federal

1 share of the implementation, operation, expansion, or rep-
2 lication of community-based service programs.

3 “(b) USE OF FUNDS.—

4 “(1) STATE COMMISSIONS AND GRANTMAKING
5 ENTITIES.—A State Commission or grantmaking en-
6 tity may use a grant made under subsection (a)—

7 “(A) to make a grant to a qualified organi-
8 zation to implement, operate, expand, or rep-
9 licate a community-based service program that
10 provides for meaningful human, educational,
11 environmental, or public safety service by par-
12 ticipants, who shall be school-age youth; or

13 “(B) to provide training and technical as-
14 sistance to such an organization.

15 “(2) QUALIFIED ORGANIZATIONS.—A qualified
16 organization, other than a grantmaking entity, may
17 use a grant made under subsection (a) to implement,
18 operate, expand, or replicate a program described in
19 paragraph (1)(A).

20 **“SEC. 117B. STATE APPLICATIONS.**

21 “(a) IN GENERAL.—To be eligible to receive a grant
22 under section 117A(a), a State Commission shall prepare,
23 submit to the Corporation, and obtain approval of, an
24 application.

1 “(b) SUBMISSION.—Such application shall be submit-
2 ted to the Corporation at such time and in such manner,
3 and shall contain such information, as the Chief Executive
4 Officer may reasonably require.

5 “(c) CONTENTS.—Such an application shall include,
6 at a minimum, a State plan that contains the information
7 and assurances described in section 117C(d) with respect
8 to each community-based service program proposed to be
9 carried out through funding distributed by the State Com-
10 mission under this subpart.

11 **“SEC. 117C. LOCAL APPLICATIONS.**

12 “(a) APPLICATION TO CORPORATION TO MAKE
13 GRANTS FOR COMMUNITY-BASED SERVICE PROGRAMS.—
14 To be eligible to receive a grant from the Corporation
15 under section 117A(a) to make grants under section
16 117A(b)(1), a grantmaking entity shall prepare, submit
17 to the Corporation, and obtain approval of, an application
18 that proposes a community-based service program to be
19 carried out through grants made to qualified organiza-
20 tions. Such application shall be submitted at such time
21 and in such manner, and shall contain such information,
22 as the Chief Executive Officer may reasonably require.

23 “(b) DIRECT APPLICATION TO CORPORATION TO
24 CARRY OUT COMMUNITY-BASED SERVICE PROGRAMS.—
25 To be eligible to receive a grant from the Corporation

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 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 Chief Executive Officer may reasonably
10 require.

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

21 “(d) REGULATIONS.—The Corporation shall by regu-
22 lation establish standards for the information and assur-
23 ances required to be contained in an application submitted
24 under subsection (a) or (b) with respect to a community-
25 based service program, including, at a minimum—

1 “(1) an assurance that the entity carrying out
2 the program proposed by the applicant will comply
3 with the nonduplication and nondisplacement provi-
4 sions of section 177 and the grievance procedure re-
5 quirements of section 176(f);

6 “(2) an assurance that the entity carrying out
7 the program will, prior to placing a participant in
8 the program, consult with the appropriate local labor
9 organization, if any, representing employees in the
10 area in which the program will be carried out that
11 are engaged in the same or similar work as the work
12 proposed to be carried out by the program, to pre-
13 vent the displacement of such employees; and

14 “(3) in the case of an application submitted by
15 a grantmaking entity, information demonstrating
16 that the entity will make grants for a program to—

17 “(A) carry out activities described in sec-
18 tion 117A(b)(1) in two or more States, under
19 circumstances in which the activities carried out
20 under such program can be carried out more ef-
21 ficiently through one program than through two
22 or more programs; and

23 “(B) carry out the same activities, such as
24 training activities or activities related to ex-
25 changing information on service experiences,

1 through each of the projects assisted through
2 the program.

3 “(e) LIMITATION ON SAME PROJECT IN MULTIPLE
4 APPLICATIONS.—No applicant shall submit an application
5 under section 117B or this section, and the Corporation
6 shall reject an application that is submitted under section
7 117B or this section, if the application describes a project
8 proposed to be conducted using assistance requested by
9 the applicant and the project is already described in an-
10 other application pending before the Corporation.

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

12 “(a) APPLICATION OF CRITERIA.—The Corporation
13 shall apply the criteria described in subsection (b) in de-
14 termining whether to approve an application submitted
15 under section 117B or under subsection (a) or (b) of sec-
16 tion 117C and to provide assistance under section 117A
17 to the applicant on the basis of the application.

18 “(b) ASSISTANCE CRITERIA.—In evaluating such an
19 application with respect to a program under this subpart,
20 the Corporation shall consider the criteria established for
21 national service programs under section 133(c).

22 “(c) APPLICATION TO SUBGRANTS.—A State Com-
23 mission or grantmaking entity shall apply the criteria de-
24 scribed in subsection (b) in determining whether to ap-
25 prove an application under section 117C(c) and to make

1 a grant under section 117A(b)(1) to the applicant on the
2 basis of the application.

3 **“SEC. 117E. FEDERAL, STATE, AND LOCAL CONTRIBUTIONS.**

4 “(a) **FEDERAL SHARE.**—

5 “(1) **IN GENERAL.**—The Federal share attrib-
6 utable to this subpart of the cost of carrying out a
7 program for which a grant is made under this sub-
8 part may not exceed the percentage specified in sub-
9 paragraph (A), (B), (C), or (D) of section 116(a)(1),
10 as appropriate.

11 “(2) **CALCULATION.**—Each recipient of assist-
12 ance under this subpart shall comply with section
13 116(a)(2).

14 “(b) **WAIVER.**—The Chief Executive Officer may
15 waive the requirements of subsection (a), in whole or in
16 part, as provided in section 116(b).

17 **“SEC. 117F. LIMITATIONS ON USES OF FUNDS.**

18 “(a) **ADMINISTRATIVE COSTS.**—Not more than 5 per-
19 cent of the amount of assistance provided to a State Com-
20 mission, grantmaking entity, or qualified organization that
21 is the original recipient of a grant under section 117A(a)
22 for a fiscal year may be used to pay for administrative
23 costs incurred by—

24 “(1) the original recipient; or

1 “(2) the entity carrying out the community-
2 based service programs supported with the assist-
3 ance.

4 “(b) RULES ON USE.—The Chief Executive Officer
5 may by rule prescribe the manner and extent to which—

6 “(1) such assistance may be used to cover ad-
7 ministrative costs; and

8 “(2) that portion of the assistance available to
9 cover administrative costs should be distributed
10 between—

11 “(A) the original recipient; and

12 “(B) the entity carrying out the commu-
13 nity-based service programs supported with the
14 assistance.

15 **“Subpart C—Clearinghouse**

16 **“SEC. 118. SERVICE-LEARNING CLEARINGHOUSE.**

17 “(a) IN GENERAL.—The Corporation shall provide fi-
18 nancial assistance, from funds appropriated to carry out
19 subtitle H, to organizations described in subsection (b) to
20 establish a clearinghouse, which shall carry out activities,
21 either directly or by arrangement with another such orga-
22 nization, with respect to information about service-learn-
23 ing.

24 “(b) PUBLIC OR PRIVATE NONPROFIT ORGANIZA-
25 TIONS.—Public or private nonprofit organizations that

1 have extensive experience with service-learning, including
2 use of adult volunteers to foster service-learning, shall be
3 eligible to receive assistance under subsection (a).

4 “(c) FUNCTION OF CLEARINGHOUSE.—An organiza-
5 tion that receives assistance under subsection (a) may—

6 “(1) assist entities carrying out State or local
7 service-learning programs with needs assessments
8 and planning;

9 “(2) conduct research and evaluations concern-
10 ing service-learning;

11 “(3)(A) provide leadership development and
12 training to State and local service-learning program
13 administrators, supervisors, service sponsors, and
14 participants; and

15 “(B) provide training to persons who can pro-
16 vide the leadership development and training de-
17 scribed in subparagraph (A);

18 “(4) facilitate communication among entities
19 carrying out service-learning programs and partici-
20 pants in such programs;

21 “(5) provide information, curriculum materials,
22 and technical assistance relating to planning and op-
23 eration of service-learning programs, to States and
24 local entities eligible to receive financial assistance
25 under this title;

1 “(6) provide information regarding methods to
2 make service-learning programs accessible to individ-
3 uals with disabilities;

4 “(7)(A) gather and disseminate information on
5 successful service-learning programs, components of
6 such successful programs, innovative youth skills
7 curricula related to service-learning, and service-
8 learning projects; and

9 “(B) coordinate the activities of the Clearing-
10 house with appropriate entities to avoid duplication
11 of effort;

12 “(8) make recommendations to State and local
13 entities on quality controls to improve the quality of
14 service-learning programs;

15 “(9) assist organizations in recruiting, screen-
16 ing, and placing service-learning coordinators; and

17 “(10) carry out such other activities as the
18 Chief Executive Officer determines to be appro-
19 priate.”.

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

1 **“PART II—HIGHER EDUCATION INNOVATIVE**
2 **PROGRAMS FOR COMMUNITY SERVICE**
3 **“SEC. 119. HIGHER EDUCATION INNOVATIVE PROGRAMS**
4 **FOR COMMUNITY SERVICE.**

5 “(a) PURPOSE.—It is the purpose of this part to ex-
6 pand participation in community service by supporting in-
7 novative community service programs carried out through
8 institutions of higher education, acting as civic institutions
9 to meet the human, educational, environmental, or public
10 safety needs of neighboring communities.

11 “(b) GENERAL AUTHORITY.—The Corporation, in
12 consultation with the Secretary of Education, is author-
13 ized to make grants to, and enter into contracts with, in-
14 stitutions of higher education (including a combination of
15 such institutions), and partnerships comprised of such in-
16 stitutions and of other public or private nonprofit organi-
17 zations, to pay for the Federal share of the cost of—

18 “(1) enabling such an institution or partnership
19 to create or expand an organized community service
20 program that—

21 “(A) engenders a sense of social respon-
22 sibility and commitment to the community in
23 which the institution is located; and

24 “(B) provides projects for participants,
25 who shall be students, faculty, administration,

1 or staff of the institution, or residents of the
2 community;

3 “(2) supporting student-initiated and student-
4 designed community service projects through the
5 program;

6 “(3) strengthening the leadership and instruc-
7 tional capacity of teachers at the elementary, sec-
8 ondary, and postsecondary levels, with respect to
9 service-learning, by—

10 “(A) including service-learning as a key
11 component of the preservice teacher education
12 of the institution; and

13 “(B) encouraging the faculty of the institu-
14 tion to use service-learning methods throughout
15 their curriculum;

16 “(4) facilitating the integration of community
17 service carried out under the program into academic
18 curricula, including integration of clinical programs
19 into the curriculum for students in professional
20 schools, so that students can obtain credit for their
21 community service projects;

22 “(5) supplementing the funds available to carry
23 out work-study programs under part C of title IV of
24 the Higher Education Act of 1965 (42 U.S.C. 2751

1 et seq.) to support service-learning and community
2 service through the community service program;

3 “(6) strengthening the service infrastructure
4 within institutions of higher education in the United
5 States through the program; and

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

10 “(c) FEDERAL SHARE.—

11 “(1) SHARE.—

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

16 “(B) CALCULATION.—Each recipient of as-
17 sistance under this part shall comply with sec-
18 tion 116(a)(2).

19 “(2) WAIVER.—The Chief Executive Officer
20 may waive the requirements of paragraph (1), in
21 whole or in part, as provided in section 116(b).

22 “(d) APPLICATION FOR GRANT.—

23 “(1) SUBMISSION.—To receive a grant or enter
24 into a contract under this part, an institution or
25 partnership described in subsection (b) shall pre-

1 pare, submit to the Corporation, and obtain approval
2 of, an application at such time, in such manner, and
3 containing such information and assurances as the
4 Corporation may reasonably require. In requesting
5 applications for assistance under this part, the Cor-
6 poration shall specify such required information and
7 assurances.

8 “(2) CONTENTS.—An application submitted
9 under paragraph (1) shall contain, at a minimum—

10 “(A) assurances that—

11 “(i) prior to the placement of a partic-
12 ipant, the applicant will consult with the
13 appropriate local labor organization, if any,
14 representing employees in the area who are
15 engaged in the same or similar work as
16 that proposed to be carried out by such
17 program, to prevent the displacement and
18 protect the rights of such employees; and

19 “(ii) the applicant will comply with
20 the nonduplication and nondisplacement
21 provisions of section 177 and grievance
22 procedure requirements of section 176(f);
23 and

24 “(B) such other assurances as the Chief
25 Executive Officer may reasonably require.

1 “(e) PRIORITY.—

2 “(1) IN GENERAL.—In making grants and en-
3 tering into contracts under subsection (b), the Cor-
4 poration shall give priority to applicants that submit
5 applications containing proposals that—

6 “(A) demonstrate the commitment of the
7 institution of higher education, other than by
8 demonstrating the commitment of the students,
9 to supporting the community service projects
10 carried out under the program;

11 “(B) specify the manner in which the insti-
12 tution will promote faculty, administration, and
13 staff participation in the community service
14 projects;

15 “(C) specify the manner in which the insti-
16 tution will provide service to the community
17 through organized programs, including, where
18 appropriate, clinical programs for students in
19 professional schools;

20 “(D) describe any partnership that will
21 participate in the community service projects,
22 such as a partnership comprised of—

23 “(i) the institution;

24 “(ii)(I) a community-based agency;

25 “(II) a local government agency; or

1 “(III) a nonprofit entity that serves or
2 involves school-age youth or older adults;
3 and

4 “(iii) a student organization;

5 “(E) demonstrate community involvement
6 in the development of the proposal;

7 “(F) specify that the institution will use
8 such assistance to strengthen the service infra-
9 structure in institutions of higher education; or

10 “(G) with respect to projects involving de-
11 livery of service, specify projects that involve
12 leadership development of school-age youth.

13 “(2) DETERMINATION.—In giving priority to
14 applicants under paragraph (1), the Corporation
15 shall give increased priority to such an applicant for
16 each characteristic described in subparagraphs (A)
17 through (G) of paragraph (1) that is reflected in the
18 application submitted by the applicant.

19 “(f) NATIONAL SERVICE EDUCATIONAL AWARD.—A
20 participant in a program funded under this part shall be
21 eligible for the national service educational award de-
22 scribed in subtitle D, if the participant served in an ap-
23 proved national service position.

24 “(g) DEFINITION.—Notwithstanding section
25 101(29), as used in this part, the term ‘student’ means

1 an individual who is enrolled in an institution of higher
2 education on a full- or part-time basis.”.

3 (c) 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
6 items relating to subtitle B of title I of such Act and in-
7 serting the following:

“Subtitle B—School-Based and Community-Based Service-Learning Programs

“PART I—SERVE-AMERICA PROGRAMS

“SUBPART A—SCHOOL-BASED PROGRAMS FOR STUDENTS

“Sec. 111. Authority to assist States and Indian tribes.
“Sec. 111A. Authority to assist local applicants in nonparticipating States.
“Sec. 111B. Authority to assist public or private nonprofit organizations.
“Sec. 112. Grants and allotments.
“Sec. 113. State or tribal applications.
“Sec. 114. Local applications.
“Sec. 115. Consideration of applications.
“Sec. 115A. Participation of students and teachers from private schools.
“Sec. 116. Federal, State, and local contributions.
“Sec. 116A. Limitations on uses of funds.
“Sec. 116B. Definitions.

“SUBPART B—COMMUNITY-BASED SERVICE PROGRAMS FOR SCHOOL-AGE
YOUTH

“Sec. 117. Definitions.
“Sec. 117A. General authority.
“Sec. 117B. State applications.
“Sec. 117C. Local applications.
“Sec. 117D. Consideration of applications.
“Sec. 117E. Federal, State, and local contributions.
“Sec. 117F. Limitations on uses of funds.

“SUBPART C—CLEARINGHOUSE

“Sec. 118. Service-learning clearinghouse.

“PART II—HIGHER EDUCATION INNOVATIVE PROGRAMS FOR COMMUNITY
SERVICE

“Sec. 119. Higher education innovative programs for community service.”.

1 **SEC. 104. QUALITY AND INNOVATION ACTIVITIES.**

2 (a) REPEAL.—Subtitle E of title I of the National
3 and Community Service Act of 1990 (42 U.S.C. 12591
4 et seq.) is repealed.

5 (b) TRANSFER.—Title I of the National and Commu-
6 nity Service Act of 1990 is amended—

7 (1) by redesignating subtitle H (42 U.S.C.
8 12653 et seq.) as subtitle E;

9 (2) by inserting subtitle E (as redesignated by
10 paragraph (1) of this subsection) after subtitle D;
11 and

12 (3) by redesignating sections 195 through 195O
13 as sections 151 through 166, respectively.

14 (c) INVESTMENT FOR QUALITY AND INNOVATION.—
15 Title I of the National and Community Service Act of
16 1990 (as amended by subsection (b) of this section) is
17 amended by inserting after subtitle G the following new
18 subtitle:

19 **“Subtitle H—Investment for**
20 **Quality and Innovation**

21 **“SEC. 198. ADDITIONAL CORPORATION ACTIVITIES TO SUP-**
22 **PORT NATIONAL SERVICE.**

23 “(a) METHODS OF CONDUCTING ACTIVITIES.—The
24 Corporation may carry out this section directly (except as
25 provided in subsection (r)) or through grants, contracts,
26 and cooperative agreements with other entities.

1 “(b) INNOVATION AND QUALITY IMPROVEMENT.—

2 The Corporation may undertake activities to improve the
3 quality of national service programs, including service-
4 learning programs, and to support innovative and model
5 programs, including—

6 “(1) programs, including programs for rural
7 youth, under subtitle B or C;

8 “(2) employer-based retiree programs;

9 “(3) intergenerational programs;

10 “(4) programs involving individuals with dis-
11 abilities as participants providing service; and

12 “(5) programs sponsored by Governors.

13 “(c) SUMMER PROGRAMS.—The Corporation may
14 support service programs intended to be carried out be-
15 tween May 1 and October 1, except that such a program
16 may also include a year-round component.

17 “(d) COMMUNITY-BASED AGENCIES.—The Corpora-
18 tion may provide training and technical assistance and
19 other assistance to service sponsors and other community-
20 based agencies that provide volunteer placements in order
21 to improve the ability of such agencies to use participants
22 and other volunteers in a manner that results in high-qual-
23 ity service and a positive service experience for the partici-
24 pants and volunteers.

1 “(e) IMPROVE ABILITY TO APPLY FOR ASSIST-
2 ANCE.—The Corporation shall provide training and tech-
3 nical assistance, where necessary, to individuals, pro-
4 grams, local labor organizations, State educational agen-
5 cies, State Commissions, local educational agencies, local
6 governments, community-based agencies, and other enti-
7 ties to enable them to apply for funding under one of the
8 national service laws, to conduct high-quality programs,
9 to evaluate such programs, and for other purposes.

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

12 “(g) CONFERENCES AND MATERIALS.—The Corpora-
13 tion may organize and hold conferences, and prepare and
14 publish materials, to disseminate information and promote
15 the sharing of information among programs for the pur-
16 pose of improving the quality of programs and projects.

17 “(h) PEACE CORPS AND VISTA TRAINING.—The
18 Corporation may provide training assistance to selected in-
19 dividuals who volunteer to serve in the Peace Corps or a
20 program authorized under title I of the Domestic Volun-
21 teer Service Act of 1973 (42 U.S.C. 4951 et seq.). The
22 training shall be provided as part of the course of study
23 of the individual at an institution of higher education,
24 shall involve service-learning, and shall cover appropriate

1 skills that the individual will use in the Peace Corps or
2 VISTA.

3 “(i) PROMOTION AND RECRUITMENT.—The Corpora-
4 tion may conduct a campaign to solicit funds for the Na-
5 tional Service Trust and other programs and activities au-
6 thorized under the national service laws and to promote
7 and recruit participants for programs that receive assist-
8 ance under the national service laws.

9 “(j) TRAINING.—The Corporation may support na-
10 tional and regional participant and supervisor training, in-
11 cluding leadership training and training in specific types
12 of service and in building the ethic of civic responsibility.

13 “(k) RESEARCH.—The Corporation may support re-
14 search on national service, including service-learning.

15 “(l) INTERGENERATIONAL SUPPORT.—The Corpora-
16 tion may assist programs in developing a service compo-
17 nent that combines students, out-of-school youths, and
18 older adults as participants to provide needed community
19 services.

20 “(m) PLANNING COORDINATION.—The Corporation
21 may coordinate community-wide planning among pro-
22 grams and projects.

23 “(n) YOUTH LEADERSHIP.—The Corporation may
24 support activities to enhance the ability of youth and
25 young adults to play leadership roles in national service.

1 “(o) NATIONAL PROGRAM IDENTITY.—The Corpora-
2 tion may support the development and dissemination of
3 materials, including training materials, and arrange for
4 uniforms and insignia, designed to promote unity and
5 shared features among programs that receive assistance
6 under the national service laws.

7 “(p) SERVICE-LEARNING.—The Corporation shall
8 support innovative programs and activities that promote
9 service-learning.

10 “(q) NATIONAL YOUTH SERVICE DAY.—

11 “(1) DESIGNATION.—April 19, 1994, and April
12 18, 1995 are each designated as ‘National Youth
13 Service Day’. The President is authorized and di-
14 rected to issue a proclamation calling on the people
15 of the United States to observe the day with appro-
16 priate ceremonies and activities.

17 “(2) FEDERAL ACTIVITIES.—In order to ob-
18 serve National Youth Service Day at the Federal
19 level, the Corporation may organize and carry out
20 appropriate ceremonies and activities.

21 “(3) ACTIVITIES.—The Corporation may make
22 grants to public or private nonprofit organizations
23 with demonstrated ability to carry out appropriate
24 activities, in order to support such activities on Na-
25 tional Youth Service Day.

1 “(r) ASSISTANCE FOR HEAD START.—The Corpora-
2 tion may make grants to, and enter into contracts and
3 cooperative agreements with, public or nonprofit private
4 agencies and organizations that receive grants or contracts
5 under the Foster Grandparent Program (part B of title
6 II of the Domestic Volunteer Service Act of 1973 (29
7 U.S.C. 5011 et seq.)), for projects of the type described
8 in section 211(a) of such Act (29 U.S.C. 5011) operating
9 under memoranda of agreement with the ACTION Agen-
10 cy, for the purpose of increasing the number of low-income
11 individuals who provide services under such program to
12 children who participate in Head Start programs under
13 the Head Start Act (42 U.S.C 9831 et seq).

14 **“SEC. 198A. CLEARINGHOUSES.**

15 “(a) ASSISTANCE.—The Corporation shall provide as-
16 sistance to appropriate entities to establish one or more
17 clearinghouses, including the clearinghouse described in
18 section 118.

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

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

1 “(1) assist entities carrying out State or local
2 community service programs with needs assessments
3 and planning;

4 “(2) conduct research and evaluations concern-
5 ing community service;

6 “(3)(A) provide leadership development and
7 training to State and local community service pro-
8 gram administrators, supervisors, and participants;
9 and

10 “(B) provide training to persons who can pro-
11 vide the leadership development and training de-
12 scribed in subparagraph (A);

13 “(4) facilitate communication among entities
14 carrying out community service programs and par-
15 ticipants;

16 “(5) provide information, curriculum materials,
17 and technical assistance relating to planning and op-
18 eration of community service programs, to States
19 and local entities eligible to receive funds under this
20 title;

21 “(6)(A) gather and disseminate information on
22 successful community service programs, components
23 of such successful programs, innovative youth skills
24 curriculum, and community service projects; and

1 “(B) coordinate the activities of the clearing-
2 house with appropriate entities to avoid duplication
3 of effort;

4 “(7) make recommendations to State and local
5 entities on quality controls to improve the delivery of
6 community service programs and on changes in the
7 programs under this title; and

8 “(8) carry out such other activities as the Chief
9 Executive Officer determines to be appropriate.

10 **“SEC. 198B. PRESIDENTIAL AWARDS FOR SERVICE.**

11 “(a) PRESIDENTIAL AWARDS.—

12 “(1) IN GENERAL.—The President, acting
13 through the Corporation, may make Presidential
14 awards for service to individuals providing signifi-
15 cant service, and to outstanding service programs.

16 “(2) INDIVIDUALS AND PROGRAMS.—Notwith-
17 standing section 101(19)—

18 “(A) an individual receiving an award
19 under this subsection need not be a participant
20 in a program authorized under this Act; and

21 “(B) a program receiving an award under
22 this subsection need not be a program author-
23 ized under this Act.

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

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

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

9 “(b) INFORMATION.—The President, acting through
10 the Corporation, shall ensure that information concerning
11 individuals and programs receiving awards under this sec-
12 tion is widely disseminated.

13 **“SEC. 198C. MILITARY INSTALLATION CONVERSION DEM-**
14 **ONSTRATION PROGRAMS.**

15 “(a) PURPOSES.—The purposes of this section are
16 to—

17 “(1) provide meaningful service opportunities
18 for economically disadvantaged youth;

19 “(2) fully utilize military installations affected
20 by closures or realignments;

21 “(3) encourage communities affected by such
22 closures or realignments to convert the installations
23 to community use; and

24 “(4) foster a sense of community pride in the
25 youth in the community.

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

2 “(1) AFFECTED MILITARY INSTALLATION.—

3 The term ‘affected military installation’ means a
4 military installation described in section 325(e)(1) of
5 the Job Training Partnership Act (29 U.S.C.
6 1662d(e)(1)).

7 “(2) COMMUNITY.—The term ‘community’ in-
8 cludes a county.

9 “(3) CONVERT TO COMMUNITY USE.—The term
10 ‘convert to community use’, used with respect to an
11 affected military installation, includes—

12 “(A) conversion of the installation or a
13 part of the installation to—

14 “(i) a park;

15 “(ii) a community center;

16 “(iii) a recreational facility; or

17 “(iv) a facility for a Head Start pro-
18 gram under the Head Start Act (42 U.S.C.
19 9831 et seq.); and

20 “(B) carrying out, at the installation, a
21 construction or economic development project
22 that is of substantial benefit, as determined by
23 the Chief Executive Officer, to—

24 “(i) the community in which the in-
25 stallation is located; or

1 “(ii) a community located within such
2 distance of the installation as the Chief
3 Executive Officer may determine by regu-
4 lation to be appropriate.

5 “(4) DEMONSTRATION PROGRAM.—The term
6 ‘demonstration program’ means a program described
7 in subsection (c).

8 “(c) DEMONSTRATION PROGRAMS.—

9 “(1) GRANTS.—The Corporation may make
10 grants to communities and community-based agen-
11 cies to pay for the Federal share of establishing and
12 carrying out military installation conversion dem-
13 onstration programs, to assist in converting to com-
14 munity use affected military installations located—

15 “(A) within the community; or

16 “(B) within such distance from the com-
17 munity as the Chief Executive Officer may by
18 regulation determine to be appropriate.

19 “(2) DURATION.—In carrying out such a dem-
20 onstration program, the community or community-
21 based agency may carry out—

22 “(A) a program of not less than 6 months
23 in duration; or

24 “(B) a full-time summer program.

25 “(d) USE OF FUNDS.—

1 “(1) STIPEND.—A community or community-
2 based agency that receives a grant under subsection
3 (c) to establish and carry out a project through a
4 demonstration program may use the funds made
5 available through such grant to pay for a portion of
6 a stipend for the participants in the project.

7 “(2) LIMITATION ON AMOUNT OF STIPEND.—
8 The amount of the stipend provided to a participant
9 under paragraph (1) that may be paid using assist-
10 ance provided under this section and using any other
11 Federal funds shall not exceed the lesser of—

12 “(A) 85 percent of the total average an-
13 nual subsistence allowance provided to VISTA
14 volunteers under section 105 of the Domestic
15 Volunteer Service Act of 1973 (42 U.S.C.
16 4955); and

17 “(B) 85 percent of the stipend established
18 by the demonstration program involved.

19 “(e) PARTICIPANTS.—

20 “(1) ELIGIBILITY.—A person shall be eligible to
21 be selected as a participant in a project carried out
22 through a demonstration program if the person is—

23 “(A) an economically disadvantaged indi-
24 vidual; and

1 “(B)(i) a person described in section
2 153(b);

3 “(ii) a youth described in section 154(a);
4 or

5 “(iii) an eligible youth described in section
6 423 of the Job Training Partnership Act (29
7 U.S.C. 1693).

8 “(2) PARTICIPATION.—Persons desiring to par-
9 ticipate in such a project shall enter into an agree-
10 ment with the service sponsor of the project to
11 participate—

12 “(A) on a full-time or a part-time basis;
13 and

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

16 “(f) APPLICATION.—

17 “(1) IN GENERAL.—To be eligible to receive a
18 grant under subsection (c), a community or commu-
19 nity-based agency shall submit an application to the
20 Chief Executive Officer at such time, in such man-
21 ner, and containing such information as the Chief
22 Executive Officer may require.

23 “(2) CONTENTS.—At a minimum, such applica-
24 tion shall contain—

1 “(A) a description of the demonstration
2 program proposed to be conducted by the appli-
3 cant;

4 “(B) a proposal for carrying out the pro-
5 gram that describes the manner in which the
6 applicant will—

7 “(i) provide preservice and inservice
8 training, for supervisors and participants,
9 that will be conducted by qualified individ-
10 uals or qualified organizations;

11 “(ii) conduct an appropriate evalua-
12 tion of the program; and

13 “(iii) provide for appropriate commu-
14 nity involvement in the program;

15 “(C) information indicating the duration of
16 the program; and

17 “(D) an assurance that the applicant will
18 comply with the nonduplication and
19 nondisplacement provisions of section 177 and
20 the grievance procedure requirements of section
21 176(f).

22 “(g) LIMITATION ON GRANT.—In making a grant
23 under subsection (c) with respect to a demonstration pro-
24 gram to assist in converting an affected military installa-

1 tion, the Corporation shall not make a grant for more than
2 25 percent of the total cost of the conversion.

3 **“SEC. 198D. SPECIAL DEMONSTRATION PROJECT.**

4 “(a) SPECIAL DEMONSTRATION PROJECT FOR THE
5 YUKON-KUSKOKWIM DELTA OF ALASKA.—The President
6 may award grants to, and enter into contracts with, orga-
7 nizations to carry out programs that address significant
8 human needs in the Yukon-Kuskokwim delta region of
9 Alaska.

10 “(b) APPLICATION.—

11 “(1) GENERAL REQUIREMENTS.—To be eligible
12 to receive a grant or enter into a contract under
13 subsection (a) with respect to a program, an organi-
14 zation shall submit an application to the President
15 at such time, in such manner, and containing such
16 information as the President may require.

17 “(2) CONTENTS.—The application submitted by
18 the organization shall, at a minimum—

19 “(A) include information describing the
20 manner in which the program will utilize
21 VISTA volunteers, individuals who have served
22 in the Peace Corps, and other qualified persons,
23 in partnership with the local not-for-profit orga-
24 nizations known as the Yukon-Kuskokwim

1 Health Corporation and the Alaska Village
2 Council Presidents;

3 “(B) take into consideration—

4 “(i) the primarily noncash economy of
5 the region; and

6 “(ii) the needs and desires of resi-
7 dents of the local communities in the re-
8 gion; and

9 “(C) include specific strategies, developed
10 in cooperation with the Yupi’k speaking popu-
11 lation that resides in such communities, for
12 comprehensive and intensive community devel-
13 opment for communities in the Yukon-
14 Kuskokwim delta region.”.

15 (d) TABLE OF CONTENTS.—

16 (1) CIVILIAN COMMUNITY CORPS.—Section 1(b)
17 of the National and Community Service Act of 1990
18 (Public Law 101–610; 104 Stat. 3127) is amended
19 by striking the items relating to subtitle E of title
20 I of such Act and inserting the following:

“Subtitle E—Civilian Community Corps

“Sec. 151. Purpose.

“Sec. 152. Establishment of Civilian Community Corps Demonstration Pro-
gram.

“Sec. 153. National service program.

“Sec. 154. Summer national service program.

“Sec. 155. Civilian Community Corps.

“Sec. 156. Training.

“Sec. 157. Service projects.

“Sec. 158. Authorized benefits for Corps members.

“Sec. 159. Administrative provisions.

“Sec. 160. Status of Corps members and Corps personnel under Federal law.
 “Sec. 161. Contract and grant authority.
 “Sec. 162. Responsibilities of other departments.
 “Sec. 163. Advisory board.
 “Sec. 164. Annual evaluation.
 “Sec. 165. Funding limitation.
 “Sec. 166. Definitions.”.

1 (2) QUALITY AND INNOVATION.—Section 1(b)
 2 of the National and Community Service Act of 1990
 3 (Public Law 101–610; 104 Stat. 3127) is amended
 4 by striking the items relating to subtitle H of title
 5 I of such Act and inserting 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.
 “Sec. 198D. Special demonstration project.”.

6 (e) TECHNICAL AND CONFORMING AMENDMENTS.—
 7 (1) NATIONAL DEFENSE AUTHORIZATION ACT
 8 FOR FISCAL YEAR 1993.—

9 (A) Section 1091(f)(2) of the National De-
 10 fense Authorization Act for Fiscal Year 1993
 11 (Public Law 102–484) is amended by striking
 12 “195G” and inserting “158”.

13 (B) Paragraphs (1) and (2) of section
 14 1092(b), and sections 1092(c), 1093(a), and
 15 1094(a) of such Act are amended by striking
 16 “195A” and inserting “152”.

17 (C) Sections 1091(f)(2), 1092(b)(1), and
 18 1094(a), and subsections (a) and (c) of section

1 1095 of such Act are amended by striking
2 “subtitle H” and inserting “subtitle E”.

(D) Section 1094(b)(1) and subsections (b) and (c)(1) of section 1095 of such Act are amended by striking “subtitles B, C, D, E, F, and G” and inserting “subtitles B, C, D, F, G, and H”.

8 (2) NATIONAL AND COMMUNITY SERVICE ACT
9 OF 1990.—

(A) Section 153(a) of the National and Community Service Act of 1990 (as redesignated in subsection (b)(3) of this section) (42 U.S.C. 12653b(a)) is amended by striking “195A(a)” and inserting “152(a)”.

15 (B) Section 154(a) of such Act (as redesign-
16 nated in subsection (b)(3) of this section) (42
17 U.S.C. 12653c(a)) is amended by striking
18 “195A(a)” and inserting “152(a)”.

19 (C) Section 155 of such Act (as redesign-
20 nated in subsection (b)(3) of this section) (42
21 U.S.C. 12653d) is amended—

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

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

4 (iii) in subsection (d)(3), by striking
5 “195K(a)(3)” and inserting “162(a)(3)”.

6 (D) Section 156 of such Act (as redesign-
7 nated in subsection (b)(3) of this section) (42
8 U.S.C. 12653e) is amended—

9 (i) in subsection (c)(1), by striking
10 “195H(c)(2)” and inserting “159(c)(2)”;
11 and

12 (ii) in subsection (d), by striking
13 “195K(a)(3)” and inserting “162(a)(3)”.

14 (E) Section 159 of such Act (as redesign-
15 nated in subsection (b)(3) of this section) (42
16 U.S.C. 12653h) is amended—

17 (i) in subsection (a)—

18 (I) by striking “195A” and in-
19 serting “152”; and

20 (II) in paragraph (2), by striking
21 “195” and inserting “151”; and

22 (ii) in subsection (c)(2)(C)(i), by
23 striking “195K(a)(2)” and inserting “sec-
24 tion 162(a)(2)”.

1 (F) Section 161(b)(1)(B) of such Act (as
2 redesignated in subsection (b)(3) of this sec-
3 tion) (42 U.S.C. 12653j(b)(1)(B)) is amended
4 by striking “195K(a)(3)” and inserting
5 “162(a)(3)”.

6 (G) Section 162(a)(2)(A) of such Act (as
7 redesignated in subsection (b)(3) of this sec-
8 tion) (42 U.S.C. 12653k(a)(2)(A)) is amended
9 by striking “195(3)” and inserting “151(3)”.

10 (H) Section 166 of such Act (as redesign-
11 nated in subsection (b)(3) of this section) (42
12 U.S.C. 12653o) is amended—

13 (i) in paragraph (2), by striking
14 “195D” and inserting “155”;

15 (ii) in paragraph (8), by striking
16 “195A” and inserting “152”;

17 (iii) in paragraph (10), by striking
18 “195D(d)” and inserting “155(d)”;

19 (iv) in paragraph (11), by striking
20 “195D(c)” and inserting “155(c)”.

21 (f) EXTENSION OF AUTHORITY TO CONDUCT CIVIL-
22 IAN COMMUNITY CORPS.—Section 1092(c) of the National
23 Defense Authorization Act for Fiscal Year 1993 (Public
24 Law 102–484; 106 Stat. 2534), as amended by subsection
25 (e)(1) of this section, is further amended by adding at the

1 end the following new sentence: “The amount made avail-
2 able for the Civilian Community Corps Demonstration
3 Program pursuant to this subsection shall remain avail-
4 able for expenditure during fiscal years 1993 and 1994.”.

5 (g) ADDITIONAL AMENDMENT REGARDING CIVILIAN
6 COMMUNITY CORPS.—Section 158 of the National and
7 Community Service Act of 1990 (as redesignated in sub-
8 section (b)(3) of this section) (42 U.S.C. 12653g) is
9 amended by striking subsections (f), (g), and (h) and in-
10 serting the following new subsections:

11 “(f) NATIONAL SERVICE EDUCATIONAL AWARDS.—
12 A Corps member who successfully completes a period of
13 agreed service in the Corps may receive the national serv-
14 ice educational award described in subtitle D if the Corps
15 member—

16 “(1) serves in an approved national service po-
17 sition; and

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

21 “(g) ALTERNATIVE BENEFIT.—If a Corps member
22 who successfully completes a period of agreed service in
23 the Corps is ineligible for the national service educational
24 award described in subtitle D, the Director may provide

1 for the provision of a suitable alternative benefit for the
2 Corps member.”.

3 **SEC. 105. PUBLIC LANDS CORPS.**

4 Public Law 91-378 (16 U.S.C. 1701-1706; com-
5 monly known as the Youth Conservation Corps Act of
6 1970) is amended—

7 (1) by inserting before section 1 the following:

8 **“TITLE I—YOUTH**
9 **CONSERVATION CORPS”;**

10 (2) by striking “Act” each place it appears and
11 inserting “title”;

12 (3) by redesignating sections 1 through 6 as
13 sections 101 through 106, respectively;

14 (4) in section 102 (as so redesignated), by in-
15 serting “in this title” after “hereinafter” in sub-
16 section (a);

17 (5) in section 104 (as so redesignated), by
18 striking “section 6” in subsection (d) and inserting
19 “section 106”; and

20 (6) by adding at the end the following new title:

21 **“TITLE II—PUBLIC LANDS**
22 **CORPS**

23 **“SEC. 201. SHORT TITLE.**

24 “This title may be cited as the ‘Public Lands Corps
25 Act of 1993’.

1 **“SEC. 202. CONGRESSIONAL FINDINGS AND PURPOSE.**

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

3 “(1) Conserving or developing natural and cul-
4 tural resources and enhancing and maintaining envi-
5 ronmentally important lands and waters through the
6 use of the Nation’s young men and women in a Pub-
7 lic Lands Corps can benefit those men and women
8 by providing them with education and work opportu-
9 nities, furthering their understanding and apprecia-
10 tion of the natural and cultural resources, and pro-
11 viding a means to pay for higher education or to
12 repay indebtedness they have incurred to obtain
13 higher education while at the same time benefiting
14 the Nation’s economy and its environment.

15 “(2) Many facilities and natural resources lo-
16 cated on eligible service lands are in disrepair or de-
17 graded and in need of labor intensive rehabilitation,
18 restoration, and enhancement work which cannot be
19 carried out by Federal agencies at existing personnel
20 levels.

21 “(3) Youth conservation corps have established
22 a good record of restoring and maintaining these
23 kinds of facilities and resources in a cost effective
24 and efficient manner, especially when they have
25 worked in partnership arrangements with govern-
26 ment land management agencies.

1 “(b) PURPOSE.—It is the purpose of this title to—

2 “(1) perform, in a cost-effective manner, appro-
3 priate conservation projects on eligible service lands
4 where such projects will not be performed by exist-
5 ing employees;

6 “(2) assist governments and Indian tribes in
7 performing research and public education tasks asso-
8 ciated with natural and cultural resources on eligible
9 service lands;

10 “(3) expose young men and women to public
11 service while furthering their understanding and ap-
12 preciation of the nation’s natural and cultural re-
13 sources;

14 “(4) expand educational opportunities by re-
15 warding individuals who participate in national serv-
16 ice with an increased ability to pursue higher edu-
17 cation or job training; and

18 “(5) stimulate interest among the nation’s
19 young men and women in conservation careers by
20 exposing them to conservation professionals in land
21 managing agencies.

22 **“SEC. 203. DEFINITIONS.**

23 “For purposes of this title:

24 “(1) APPROPRIATE CONSERVATION PROJECT.—

25 The term ‘appropriate conservation project’ means

1 any project for the conservation, restoration, con-
2 struction or rehabilitation of natural, cultural, his-
3 toric, archaeological, recreational, or scenic re-
4 sources.

5 “(2) CORPS AND PUBLIC LANDS CORPS.—The
6 terms ‘Corps’ and ‘Public Lands Corps’ mean the
7 Public Lands Corps established under section 204.

8 “(3) ELIGIBLE SERVICE LANDS.—The term ‘eli-
9 gible service lands’ means public lands, Indian lands,
10 and Hawaiian home lands.

11 “(4) HAWAIIAN HOME LANDS.—The term ‘Ha-
12 waiian home lands’ means all lands given the status
13 of Hawaiian home lands under section 204 of the
14 Hawaiian Homes Commission Act, 1920 (42 Stat.
15 110), or under the corresponding provision of the
16 Constitution of the State of Hawaii adopted under
17 section 4 of the Act entitled ‘An Act to provide for
18 the admission of the State of Hawaii into the
19 Union’, approved March 18, 1959 (Public Law 86-
20 3; 73 Stat. 5).

21 “(5) INDIAN.—The term ‘Indian’ means a per-
22 son who—

23 “(A) is a member of an Indian tribe; or

1 “(B) is a ‘Native’, as defined in section
2 3(b) of the Alaska Native Claims Settlement
3 Act (43 U.S.C. 1602(b)).

4 “(6) INDIAN LANDS.—The term ‘Indian lands’
5 means—

6 “(A) any Indian reservation;

7 “(B) any public domain Indian allotments;

8 “(C) any former Indian reservation in the
9 State of Oklahoma;

10 “(D) any land held by incorporated Native
11 groups, regional corporations, and village cor-
12 porations under the Alaska Native Claims Set-
13 tlement Act (43 U.S.C. 1701 et seq.); and

14 “(E) any land held by dependent Indian
15 communities within the borders of the United
16 States whether within the original or subse-
17 quently acquired territory thereof, and whether
18 within or without the limits of a State.

19 “(7) INDIAN TRIBE.—The term ‘Indian tribe’
20 means an Indian tribe, band, nation, or other orga-
21 nized group or community, including any Native vil-
22 lage, Regional Corporation, or Village Corporation,
23 as defined in subsection (c), (g), or (j), respectively,
24 of section 3 of the Alaska Native Claims Settlement
25 Act (43 U.S.C. 1602 (c), (g), or (j)), that is recog-

1 nized as eligible for the special programs and serv-
2 ices provided by the United States under Federal
3 law to Indians because of their status as Indians.

4 “(8) PUBLIC LANDS.—The term ‘public lands’
5 means any lands or waters (or interest therein)
6 owned or administered by the United States, except
7 that such term does not include any Indian lands.

8 “(9) QUALIFIED YOUTH OR CONSERVATION
9 CORPS.—The term ‘qualified youth or conservation
10 corps’ means any program established by a State or
11 local government, by the governing body of any In-
12 dian tribe, or by a nonprofit organization that—

13 “(A) is capable of offering meaningful,
14 full-time, productive work for individuals be-
15 tween the ages of 16 and 25, inclusive, in a
16 natural or cultural resource setting;

17 “(B) gives participants a mix of work ex-
18 perience, basic and life skills, education, train-
19 ing, and support services; and

20 “(C) provides participants with the oppor-
21 tunity to develop citizenship values and skills
22 through service to their community and the
23 United States.

1 “(10) RESOURCE ASSISTANT.—The term ‘re-
2 source assistant’ means a resource assistant selected
3 under section 206.

4 “(11) STATE.—The term ‘State’ means any
5 State of the United States, the District of Columbia,
6 the Commonwealth of Puerto Rico, Guam, the Vir-
7 gin Islands of the United States, American Samoa,
8 and the Commonwealth of the Northern Mariana Is-
9 lands.

10 **“SEC. 204. PUBLIC LANDS CORPS PROGRAM.**

11 “(a) ESTABLISHMENT OF PUBLIC LANDS CORPS.—
12 There is hereby established in the Department of the Inte-
13 rior and the Department of Agriculture a Public Lands
14 Corps.

15 “(b) PARTICIPANTS.—The Corps shall consist of indi-
16 viduals between the ages of 16 and 25, inclusive, who are
17 enrolled as participants in the Corps by the Secretary of
18 the Interior or the Secretary of Agriculture. To be eligible
19 for enrollment in the Corps, an individual shall satisfy the
20 criteria specified in section 137(b) of the National and
21 Community Service Act of 1990. The Secretaries may en-
22 roll such individuals in the Corps without regard to the
23 civil service and classification laws, rules, or regulations
24 of the United States. The Secretaries may establish a pref-
25 erence for the enrollment in the Corps of individuals who

1 are economically, physically, or educationally disadvan-
2 tagged.

3 “(c) QUALIFIED YOUTH OR CONSERVATION
4 CORPS.—The Secretary of the Interior and the Secretary
5 of Agriculture are authorized to enter into contracts and
6 cooperative agreements with any qualified youth or con-
7 servation corps to perform appropriate conservation
8 projects referred to in subsection (d).

9 “(d) PROJECTS TO BE CARRIED OUT.—The Sec-
10 retary of the Interior and the Secretary of Agriculture
11 may each utilize the Corps or any qualified youth or con-
12 servation corps to carry out appropriate conservation
13 projects which such Secretary is authorized to carry out
14 under other authority of law on public lands. Appropriate
15 conservation projects may also be carried out under this
16 title on Indian lands with the approval of the Indian tribe
17 involved and on Hawaiian home lands with the approval
18 of the Department of Hawaiian Home Lands of the State
19 of Hawaii. The Secretaries may also authorize appropriate
20 conservation projects and other appropriate projects to be
21 carried out on Federal, State, local, or private lands as
22 part of disaster prevention or relief efforts in response to
23 an emergency or major disaster declared by the President
24 under the Robert T. Stafford Disaster Relief and Emer-
25 gency Assistance Act (42 U.S.C. 5121 et seq.).

1 “(e) PREFERENCE FOR CERTAIN PROJECTS.—In se-
2 lecting appropriate conservation projects to be carried out
3 under this title, the Secretary of the Interior and the Sec-
4 retary of Agriculture shall give preference to those
5 projects which—

6 “(1) will provide long-term benefits to the pub-
7 lic;

8 “(2) will instill in the enrollee involved a work
9 ethic and a sense of public service;

10 “(3) will be labor intensive;

11 “(4) can be planned and initiated promptly; and

12 “(5) will provide academic, experiential, or envi-
13 ronmental education opportunities.

14 “(f) CONSISTENCY.—Each appropriate conservation
15 project carried out under this title on eligible service lands
16 shall be consistent with the provisions of law and policies
17 relating to the management and administration of such
18 lands, with all other applicable provisions of law, and with
19 all management, operational, and other plans and docu-
20 ments which govern the administration of the area.

21 **“SEC. 205. CONSERVATION CENTERS.**

22 “(a) ESTABLISHMENT AND USE.—The Secretary of
23 the Interior and the Secretary of Agriculture are each au-
24 thorized to provide such quarters, board, medical care,
25 transportation, and other services, facilities, supplies, and

1 equipment as such Secretary deems necessary in connec-
2 tion with the Public Lands Corps and appropriate con-
3 servation projects carried out under this title and to estab-
4 lish and use conservation centers owned and operated by
5 such Secretary for purposes of the Corps and such
6 projects. The Secretaries shall establish basic standards
7 of health, nutrition, sanitation, and safety for all conserva-
8 tion centers established under this section and shall assure
9 that such standards are enforced. Where necessary or ap-
10 propriate, the Secretaries may enter into contracts and
11 other appropriate arrangements with State and local gov-
12 ernment agencies and private organizations for the man-
13 agement of such conservation centers.

14 “(b) LOGISTICAL SUPPORT.—The Secretary of the
15 Interior and the Secretary of Agriculture may make ar-
16 rangements with the Secretary of Defense to have
17 logistical support provided by the Armed Forces to the
18 Corps and any conservation center established under this
19 section, where feasible. Logistical support may include the
20 provision of temporary tent shelters where needed, trans-
21 portation, and residential supervision.

22 “(c) USE OF MILITARY INSTALLATIONS.—The Sec-
23 retary of the Interior and the Secretary of Agriculture
24 may make arrangements with the Secretary of Defense to
25 identify military installations and other facilities of the

1 Department of Defense and, in consultation with the adju-
2 tant generals of the State National Guards, National
3 Guard facilities that may be used, in whole or in part,
4 by the Corps for training or housing Corps participants.

5 **“SEC. 206. RESOURCE ASSISTANTS.**

6 “(a) AUTHORIZATION.—The Secretary of the Interior
7 and the Secretary of Agriculture are each authorized to
8 provide individual placements of resource assistants with
9 any Federal land managing agency under the jurisdiction
10 of such Secretary to carry out research or resource protec-
11 tion activities on behalf of the agency. To be eligible for
12 selection as a resource assistant, an individual must be
13 at least 17 years of age. The Secretaries may select re-
14 source assistants without regard to the civil service and
15 classification laws, rules, or regulations of the United
16 States. The Secretaries shall give a preference to the selec-
17 tion of individuals who are enrolled in an institution of
18 higher education or are recent graduates from an institu-
19 tion of higher education, with particular attention given
20 to ensure full representation of women and participants
21 from historically black, Hispanic, and Native American
22 schools.

23 “(b) USE OF EXISTING NONPROFIT ORGANIZA-
24 TIONS.—Whenever one or more existing nonprofit organi-
25 zations can provide, in the judgment of the Secretary of

1 the Interior or the Secretary of Agriculture, appropriate
2 recruitment and placement services to fulfill the require-
3 ments of this section, the Secretary may implement this
4 section through such existing organizations. Participating
5 nonprofit organizations shall contribute to the expenses of
6 providing and supporting the resource assistants, through
7 private sources of funding, at a level equal to 25 percent
8 of the total costs of each participant in the Resource As-
9 sistant program who has been recruited and placed
10 through that organization. Any such participating non-
11 profit conservation service organization shall be required,
12 by the respective land managing agency, to submit an an-
13 nual report evaluating the scope, size, and quality of the
14 program, including the value of work contributed by the
15 Resource Assistants, to the mission of the agency.

16 **“SEC. 207. LIVING ALLOWANCES AND TERMS OF SERVICE.**

17 “(a) LIVING ALLOWANCES.—The Secretary of the In-
18 terior and the Secretary of Agriculture shall provide each
19 participant in the Public Lands Corps and each resource
20 assistant with a living allowance in an amount not to ex-
21 ceed the maximum living allowance authorized by section
22 140(a)(3) of the National and Community Service Act of
23 1990 for participants in a national service program as-
24 sisted under subtitle C of title I of such Act.

1 “(b) TERMS OF SERVICE.—Each participant in the
2 Corps and each resource assistant shall agree to partici-
3 pate in the Corps or serve as a resource assistant, as the
4 case may be, for such term of service as may be estab-
5 lished by the Secretary enrolling or selecting the individ-
6 ual.

7 **“SEC. 208. NATIONAL SERVICE EDUCATIONAL AWARDS.**

8 “(a) EDUCATIONAL BENEFITS AND AWARDS.—If a
9 participant in the Public Lands Corps or a resource assist-
10 ant also serves in an approved national service position
11 designated under subtitle C of title I of the National and
12 Community Service Act of 1990, the participant or re-
13 source assistant shall be eligible for a national service edu-
14 cational award in the manner prescribed in subtitle D of
15 such title upon successfully complying with the require-
16 ments for the award. The period during which the national
17 service educational award may be used, the purposes for
18 which the award may be used, and the amount of the
19 award shall be determined as provided under such subtitle.

20 “(b) FORBEARANCE IN THE COLLECTION OF STAF-
21 FORD LOANS.—For purposes of section 428 of the Higher
22 Education Act of 1965, in the case of borrowers who are
23 either participants in the Corps or resource assistants,
24 upon written request, a lender shall grant a borrower for-
25 bearance on such terms as are otherwise consistent with

1 the regulations of the Secretary of Education, during peri-
2 ods in which the borrower is serving as such a participant
3 or a resource assistant.

4 **"SEC. 209. NONDISPLACEMENT.**

5 "The nondisplacement requirements of section 177 of
6 the National and Community Service Act of 1990 shall
7 be applicable to all activities carried out by the Public
8 Lands Corps, to all activities carried out under this title
9 by a qualified youth or conservation corps, and to the se-
10 lection and service of resource assistants.

11 **"SEC. 210. FUNDING.**

12 "(a) COST SHARING.—

13 "(1) PROJECTS BY QUALIFIED YOUTH OR CON-
14 SERVATION CORPS.—The Secretary of the Interior
15 and the Secretary of Agriculture are each authorized
16 to pay not more than 75 percent of the costs of any
17 appropriate conservation project carried out pursu-
18 ant to this title on public lands by a qualified youth
19 or conservation corps. The remaining 25 percent of
20 the costs of such a project may be provided from
21 nonfederal sources in the form of funds, services, fa-
22 cilities, materials, equipment, or any combination of
23 the foregoing. No cost sharing shall be required in
24 the case of any appropriate conservation project car-

1 ried out on Indian lands or Hawaiian home lands
2 under this title.

3 “(2) PUBLIC LANDS CORPS PROJECTS.—The
4 Secretary of the Interior and the Secretary of Agri-
5 culture are each authorized to accept donations of
6 funds, services, facilities, materials, or equipment for
7 the purposes of operating the Public Lands Corps
8 and carrying out appropriate conservation projects
9 by the Corps. However, nothing in this title shall be
10 construed to require any cost sharing for any project
11 carried out directly by the Corps.

12 “(b) FUNDS AVAILABLE UNDER NATIONAL AND
13 COMMUNITY SERVICE ACT.—In order to carry out the
14 Public Lands Corps or to support resource assistants and
15 qualified youth or conservation corps under this title, the
16 Secretary of the Interior and the Secretary of Agriculture
17 shall be eligible to apply for and receive assistance under
18 section 121(b) of the National and Community Service Act
19 of 1990.”.

20 **SEC. 106. URBAN YOUTH CORPS.**

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

22 (1) The rehabilitation, reclamation, and beau-
23 tification of urban public housing, recreational sites,
24 youth and senior centers, and public roads and pub-
25 lic works facilities through the efforts of young peo-

1 ple in the United States in an Urban Youth Corps
2 can benefit these youths, while also benefiting their
3 communities, by—

4 (A) providing them with education and
5 work opportunities;

6 (B) furthering their understanding and ap-
7 preciation of the challenges faced by individuals
8 residing in urban communities; and

9 (C) providing them with a means to pay
10 for higher education or to repay indebtedness
11 they have incurred to obtain higher education.

12 (2) A significant number of housing units for
13 low-income individuals in urban areas has become
14 substandard and unsafe and the deterioration of
15 urban roadways, mass transit systems, and trans-
16 portation facilities in the United States have contrib-
17 uted to the blight encountered in many cities in the
18 United States.

19 (3) As a result, urban housing, public works,
20 and transportation resources are in need of labor in-
21 tensive rehabilitation, reclamation, and beautifi-
22 cation work that has been neglected in the past and
23 cannot be adequately carried out by Federal, State,
24 and local government at existing personnel levels.

1 (4) Urban youth corps have established a good
2 record of rehabilitating, reclaiming, and beautifying
3 these kinds of resources in a cost efficient manner,
4 especially when they have worked in partnership
5 with government housing, public works, and trans-
6 portation authorities and agencies.

7 (b) PURPOSE.—It is the purpose of this section—

8 (1) to perform, in a cost-effective manner, ap-
9 propriate service projects to rehabilitate, reclaim,
10 beautify, and improve public housing and public
11 works and transportation facilities and resources in
12 urban areas suffering from high rates of poverty
13 where work will not be performed by existing em-
14 ployees;

15 (2) to assist government housing, public works,
16 and transportation authorities and agencies;

17 (3) to expose young people in the United States
18 to public service while furthering their understand-
19 ing and appreciation of their community;

20 (4) to expand educational opportunity for indi-
21 viduals who participate in the Urban Youth Corps
22 established by this section by providing them with
23 an increased ability to pursue postsecondary edu-
24 cation or job training; and

1 (5) to stimulate interest among young people in
2 the United States in lifelong service to their commu-
3 nities and the United States.

4 (c) DEFINITIONS.—For purposes of this section:

5 (1) APPROPRIATE SERVICE PROJECT.—The
6 term “appropriate service project” means any
7 project for the rehabilitation, reclamation, or beau-
8 tification of urban public housing and public works
9 and transportation resources or facilities.

10 (2) CORPS AND URBAN YOUTH CORPS.—The
11 term “Corps” and “Urban Youth Corps” mean the
12 Urban Youth Corps established under subsection
13 (d)(1).

14 (3) QUALIFIED URBAN YOUTH CORPS.—The
15 term “qualified urban youth corps” means any pro-
16 gram established by a State or local government or
17 by a nonprofit organization that—

18 (A) is capable of offering meaningful, full-
19 time, productive work for individuals between
20 the ages of 16 and 25, inclusive, in an urban
21 or public works or transportation setting;

22 (B) gives participants a mix of work expe-
23 rience, basic and life skills, education, training,
24 and support services; and

1 (C) provides participants with the oppor-
2 tunity to develop citizenship values and skills
3 through service to their communities and the
4 United States.

5 (4) SECRETARY.—The term “Secretary” means
6 the Secretary of Housing and Urban Development or
7 the Secretary of Transportation.

8 (5) STATE.—The term “State” means any
9 State of the United States, the District of Columbia,
10 the Commonwealth of Puerto Rico, Guam, the Vir-
11 gin Islands of the United States, American Samoa,
12 and the Commonwealth of the Northern Mariana Is-
13 lands.

14 (d) ESTABLISHMENT OF URBAN YOUTH CORPS.—

15 (1) ESTABLISHMENT.—There is hereby estab-
16 lished in the Department of Housing and Urban De-
17 velopment and the Department of Transportation an
18 Urban Youth Corps. The Corps shall consist of indi-
19 viduals between the ages of 16 and 25, inclusive,
20 who are enrolled as participants in the Corps by the
21 Secretary of Housing and Urban Development and
22 the Secretary of Transportation. To be eligible for
23 enrollment in the Corps, an individual shall satisfy
24 the criteria specified in section 139(b) of the Na-
25 tional and Community Service Act of 1990. The Sec-

1 retaries may enroll such individuals in the Corps
2 without regard to the civil service and classification
3 laws, rules, or regulations of the United States. The
4 Secretaries may establish a preference for the enroll-
5 ment in the Corps of individuals who are economi-
6 cally, physically, or educationally disadvantaged.

7 (2) USE OF QUALIFIED URBAN YOUTH
8 CORPS.—The Secretaries are authorized to enter
9 into contracts and cooperative agreements with any
10 qualified urban youth corps to perform appropriate
11 service projects described in paragraph (3). As part
12 of the Urban Youth Corps established in the Depart-
13 ment of Transportation, the Secretary of Transpor-
14 tation may make grants to States (and through
15 States to local governments) for the purpose of es-
16 tablishing, operating, or supporting qualified urban
17 youth corps that will perform appropriate service
18 projects relating to transportation resources or fa-
19 cilities.

20 (3) SERVICE PROJECTS.—The Secretaries may
21 each utilize the Corps or any qualified urban youth
22 corps to carry out appropriate service projects that
23 the Secretary involved is authorized to carry out
24 under other authority of law involving public housing
25 projects or public works resources or facilities.

1 (4) PREFERENCE FOR CERTAIN PROJECTS.—In
2 selecting an appropriate service project to be carried
3 out under this section, the Secretaries shall give a
4 preference to those projects which—

5 (A) will provide long-term benefits to the
6 public;

7 (B) will instill in the participant a work
8 ethic and a sense of public service;

9 (C) will be labor intensive;

10 (D) can be planned and initiated promptly;

11 and

12 (E) will provide academic, experiential, or
13 community education opportunities.

14 (5) CONSISTENCY.—Each appropriate service
15 project carried out under this section in any public
16 housing project or public works resource or facility
17 shall be consistent with the provisions of law and
18 policies relating to the management and administra-
19 tion of such projects, facilities, or resources, with all
20 other applicable provisions of law, and with all man-
21 agement, operational, and other plans and docu-
22 ments which govern the administration of such
23 projects, facilities, or resources.

24 (e) LIVING ALLOWANCES.—The Secretaries shall
25 provide each participant in the Urban Youth Corps with

1 a living allowance in an amount not to exceed the maxi-
2 mum living allowance authorized by section 140(a)(3) of
3 the National and Community Service Act of 1990 for par-
4 ticipants in a national service program assisted under sub-
5 title C of title I of such Act.

6 (f) TERMS OF SERVICE.—Each participant in the
7 Urban Youth Corps shall agree to participate in the Corps
8 for a term of service established by the Secretary involved,
9 consistent with the terms of service required under section
10 139(b) of the National and Community Service Act of
11 1990 for participants in a national service program as-
12 sisted under subtitle C of title I of such Act.

13 (g) EDUCATIONAL AWARDS.—

14 (1) ELIGIBILITY.—Each participant in the
15 Urban Youth Corps shall be eligible for a national
16 service educational award in the manner prescribed
17 in subtitle D of title I of the National and Commu-
18 nity Service Act of 1990 if such participant complies
19 with such requirements as may be established under
20 this subtitle by the Secretary involved respecting eli-
21 gibility for the award. The period during which the
22 award may be used, the purposes for which the
23 award may be used, and the amount of the award
24 shall be determined as provided under such subtitle.

1 (2) FORBEARANCE IN THE COLLECTION OF
2 STAFFORD LOANS.—For purposes of section 428 of
3 the Higher Education Act of 1965, in the case of
4 borrowers who are participants in the Urban Youth
5 Corps, upon written request, a lender shall grant a
6 borrower forbearance on such terms as are otherwise
7 consistent with the regulations of the Secretary of
8 Education, during periods in which the borrower is
9 serving as such a participant and eligible for a na-
10 tional service educational award under paragraph
11 (1).

12 (h) NONDISPLACEMENT.—The nondisplacement re-
13 quirements of section 177 of the National and Community
14 Service Act of 1990 shall be applicable to all activities car-
15 ried out by the Urban Youth Corps and to all activities
16 carried out under this section by a qualified urban youth
17 corps.

18 (i) COST SHARING.—

19 (1) PROJECTS BY QUALIFIED URBAN YOUTH
20 CORPS.—The Secretaries are each authorized to pay
21 not more than 75 percent of the costs of any appro-
22 priate service project carried out pursuant to this
23 section by a qualified urban youth corps. The re-
24 maining 25 percent of the costs of such a project
25 may be provided from nonfederal sources in the form

1 of funds, services, facilities, materials, equipment, or
2 any combination of the foregoing.

3 (2) DONATIONS.—The Secretaries are each au-
4 thorized to accept donations of funds, services, facili-
5 ties, materials, or equipment for the purposes of op-
6 erating the Urban Youth Corps and carrying out ap-
7 propriate service projects by the Corps. However,
8 nothing in this section shall be construed to require
9 any cost sharing for any project carried out directly
10 by the Corps.

11 (3) FUNDS AVAILABLE UNDER NATIONAL AND
12 COMMUNITY SERVICE ACT.—In order to carry out
13 the Urban Youth Corps or to support qualified
14 urban youth corps under this section, the Secretaries
15 shall be eligible to apply for and receive assistance
16 under section 121(b) of the National and Commu-
17 nity Service Act of 1990.

18 **Subtitle B—Related Provisions**

19 **SEC. 111. DEFINITIONS.**

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

23 **“SEC. 101. DEFINITIONS.**

24 “For purposes of this title:

1 “(1) ADULT VOLUNTEER.—The term ‘adult
2 volunteer’ means an individual, such as an older
3 adult, an individual with a disability, a parent, or an
4 employee of a business or public or private nonprofit
5 organization, who—

6 “(A) works without financial remuneration
7 in an educational institution to assist students
8 or out-of-school youth; and

9 “(B) is beyond the age of compulsory
10 school attendance in the State in which the edu-
11 cational institution is located.

12 “(2) APPROVED NATIONAL SERVICE POSI-
13 TION.—The term ‘approved national service position’
14 means a national service position for which the Cor-
15 poration has approved the provision of a national
16 service educational award described in section 147
17 as one of the benefits to be provided for successful
18 service in the position.

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

24 “(4) CHIEF EXECUTIVE OFFICER.—The term
25 ‘Chief Executive Officer’, except when used to refer

1 to the chief executive officer of a State, means the
2 Chief Executive Officer of the Corporation appointed
3 under section 193.

4 “(5) COMMUNITY-BASED AGENCY.—The term
5 ‘community-based agency’ means a private nonprofit
6 organization (including a church or other religious
7 entity) that—

8 “(A) is representative of a community or a
9 significant segment of a community; and

10 “(B) is engaged in meeting human, edu-
11 cational, environmental, or public safety com-
12 munity needs.

13 “(6) CORPORATION.—The term ‘Corporation’
14 means the Corporation for National and Community
15 Service established under section 191.

16 “(7) ECONOMICALLY DISADVANTAGED.—The
17 term ‘economically disadvantaged’ means, with re-
18 spect to an individual, an individual who is deter-
19 mined by the Chief Executive Officer to be low-in-
20 come according to the latest available data from the
21 Department of Commerce.

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

1 “(9) INDIAN.—The term ‘Indian’ means a per-
2 son who is a member of an Indian tribe, or is a ‘Na-
3 tive’, as defined in section 3(b) of the Alaska Native
4 Claims Settlement Act (43 U.S.C. 1602(b)).

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

12 “(11) INDIAN TRIBE.—The term ‘Indian tribe’
13 means—

14 “(A) an Indian tribe, band, nation, or
15 other organized group or community,
16 including—

17 “(i) any Native village, as defined in
18 section 3(c) of the Alaska Native Claims
19 Settlement Act (43 U.S.C. 1602(c)),
20 whether organized traditionally or pursu-
21 ant to the Act of June 18, 1934 (com-
22 monly known as the ‘Indian Reorganiza-
23 tion Act’; 48 Stat. 984, chapter 576; 25
24 U.S.C 461 et seq.); and

1 “(ii) any Regional Corporation or Vil-
2 lage Corporation, as defined in subsection
3 (g) or (j), respectively, of section 3 of the
4 Alaska Native Claims Settlement Act (43
5 U.S.C. 1602 (g) or (j)),

6 that is recognized as eligible for the special pro-
7 grams and services provided by the United
8 States under Federal law to Indians because of
9 their status as Indians; and

10 “(B) any tribal organization controlled,
11 sanctioned, or chartered by an entity described
12 in subparagraph (A).

13 “(12) INDIVIDUAL WITH A DISABILITY.—Ex-
14 cept as provided in section 175(a), the term ‘individ-
15 ual with a disability’ has the meaning given the term
16 in section 7(8) of the Rehabilitation Act of 1973 (29
17 U.S.C. 706(8)).

(B)

18 “(13) INSTITUTION OF HIGHER EDUCATION.—
19 The term ‘institution of higher education’ has the
20 same meaning given such term in section 1201(a) of
21 the Higher Education Act of 1965 (20 U.S.C.
22 1141(a)).

23 “(14) LOCAL EDUCATIONAL AGENCY.—The
24 term ‘local educational agency’ has the same mean-
25 ing given such term in section 1471(12) of the Ele-

1 mentary and Secondary Education Act of 1965 (20
2 U.S.C. 2891(12)).

3 “(15) NATIONAL SERVICE LAWS.—The term
4 ‘national service laws’ means this Act and the Do-
5 mestic Volunteer Service Act of 1973 (42 U.S.C.
6 4950 et seq.).

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

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

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

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

15 “(17) PARTICIPANT.—

16 “(A) IN GENERAL.—The term ‘participant’
17 means—

18 “(i) for purposes of subtitle C, an in-
19 dividual in an approved national service
20 position; and

21 “(ii) for purposes of any other provi-
22 sion of this Act, an individual enrolled in
23 a program that receives assistance under
24 this title.

1 “(B) RULE.—A participant shall not be
2 considered to be an employee of the program in
3 which the participant is enrolled.

4 “(18) PARTNERSHIP PROGRAM.—The term
5 ‘partnership program’ means a program through
6 which an adult volunteer, a public or private non-
7 profit organization, an institution of higher edu-
8 cation, or a business assists a local educational
9 agency.

10 “(19) PROGRAM.—The term ‘program’, unless
11 the context otherwise requires, and except when used
12 as part of the term ‘academic program’, means a
13 program described in section 111(a) (other than a
14 program referred to in paragraph (3)(B) of such
15 section), 117A(a), 119(b)(1), or 122(a), or in para-
16 graph (1) or (2) of section 152(b), or an activity
17 that could be funded under section 198, 198C, or
18 198D.

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

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

3 “(A) individuals between the ages of 5 and
4 17, inclusive; and

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

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

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

15 “(A) under which students or participants
16 learn and develop through active participation
17 in thoughtfully organized service that—

18 “(i) is conducted in and meets the
19 needs of a community;

20 “(ii) is coordinated with an elemen-
21 tary school, secondary school, institution of
22 higher education, or community service
23 program, and with the community; and

24 “(iii) helps foster civic responsibility;
25 and

1 “(B) that—

“(i) is integrated into and enhances the academic curriculum of the students, or the educational components of the community service program in which the participants are enrolled; and

“(ii) provides structured time for the students or participants to reflect on the service experience.

10 “(24) SERVICE-LEARNING COORDINATOR.—The
11 term ‘service-learning coordinator’ means an individ-
12 ual who provides services as described in subsection
13 (a)(3) or (b) of section 111.

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

18 “(26) STATE.—The term ‘State’ means each of
19 the several States, the District of Columbia, the
20 Commonwealth of Puerto Rico, the United States
21 Virgin Islands, Guam, American Samoa, and the
22 Commonwealth of the Northern Mariana Islands.
23 The term also includes Palau, until such time as the
24 Compact of Free Association is ratified.

1 “(27) STATE COMMISSION.—The term ‘State
2 Commission’ means a State Commission on National
3 and Community Service maintained by a State pur-
4 suant to section 178. Except when used in section
5 178, the term includes an alternative administrative
6 entity for a State approved by the Corporation
7 under such section to act in lieu of a State Commis-
8 sion.

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

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

18 (b) TECHNICAL AND CONFORMING AMENDMENTS.—

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

24 (2) Section 182(a)(3) of the National and Com-
25 munity Service Act of 1990 (42 U.S.C 12642(a)(3))

1 is amended by striking “adult volunteer and partner-
2 ship” and inserting “partnership”.

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

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

20 (5) Section 1201(p) of the Higher Education
21 Act of 1965 (20 U.S.C. 1141(p)) is amended by
22 striking “section 101(22) of the National and Com-
23 munity Service Act of 1990” and inserting “section
24 101(23) of the National and Community Service Act
25 of 1990 (42 U.S.C. 12511(21))”.

1 **SEC. 112. AUTHORITY TO MAKE STATE GRANTS.**

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

4 **SEC. 113. FAMILY AND MEDICAL LEAVE.**

5 (a) IN GENERAL.—Section 171 of the National and
6 Community Service Act of 1990 (42 U.S.C. 12631) is
7 amended to read as follows:

8 **“SEC. 171. FAMILY AND MEDICAL LEAVE.**

9 “(a) PARTICIPANTS IN PRIVATE, STATE, AND LOCAL
10 PROJECTS.—For purposes of title I of the Family and
11 Medical Leave Act of 1993 (29 U.S.C. 2601 et seq.), if—

12 “(1) a participant has provided service for the
13 period required by section 101(2)(A)(i) (29 U.S.C.
14 2611(2)(A)(i)), and has met the hours of service re-
15 quirement of section 101(2)(A)(ii), of such Act with
16 respect to a project; and

17 “(2) the service sponsor of the project is an em-
18 ployer described in section 101(4) of such Act (other
19 than an employing agency within the meaning of
20 subchapter V of chapter 63 of title 5, United States
21 Code),

22 the participant shall be considered to be an eligible em-
23 ployee of the service sponsor.

24 “(b) PARTICIPANTS IN FEDERAL PROJECTS.—For
25 purposes of subchapter V of chapter 63 of title 5, United
26 States Code, if—

1 “(1) a participant has provided service for the
2 period required by section 6381(1)(B) of such title
3 with respect to a project; and

4 “(2) the service sponsor of the project is an em-
5 ploying agency within the meaning of such sub-
6 chapter,

7 the participant shall be considered to be an employee of
8 the service sponsor.

9 “(c) TREATMENT OF ABSENCE.—The period of any
10 absence of a participant from a service position pursuant
11 to title I of the Family and Medical Leave Act of 1993
12 or subchapter V of chapter 63 of title 5, United States
13 Code, shall not be counted toward the completion of the
14 term of service of the participant under section 139 of this
15 Act.”.

16 (b) TABLE OF CONTENTS.—Section 1(b) of the Na-
17 tional and Community Service Act of 1990 (Public Law
18 101–610; 104 Stat. 3127) is amended by striking the item
19 relating to section 171 of such Act and inserting the fol-
20 lowing:

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

21 **SEC. 114. REPORTS.**

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

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

1 (2) in subsection (b)—

2 (A) by striking “REPORT TO CONGRESS”;
3 and inserting “REPORT TO CONGRESS BY COR-
4 PORATION”; and

5 (B) in paragraph (1), by striking “this
6 title” and inserting “the national service laws”;
7 and

8 (3) by adding at the end the following:

9 “(c) REPORT TO CONGRESS BY SECRETARY OF DE-
10 FENSE.—

11 “(1) STUDY.—The Secretary of Defense shall
12 annually conduct a study of the effect of the pro-
13 grams carried out under this title on recruitment for
14 the Armed Forces.

15 “(2) REPORT.—The Secretary of Defense shall
16 annually submit a report to the appropriate commit-
17 tees of Congress containing the findings of the study
18 described in paragraph (1) and such recommenda-
19 tions for legislative and administrative reform as the
20 Secretary may determine to be appropriate.”.

21 **SEC. 115. NONDISCRIMINATION.**

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

1 **“SEC. 175. NONDISCRIMINATION.**

2 “(a) IN GENERAL.—

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

11 “(2) DEFINITION.—As used in paragraph (1),
12 the term ‘qualified individual with a disability’ has
13 the meaning given the term in section 101(8) of the
14 Americans with Disabilities Act of 1990 (42 U.S.C.
15 12111(8)).

16 “(b) FEDERAL FINANCIAL ASSISTANCE.—Any assist-
17 ance provided under this title shall constitute Federal fi-
18 nancial assistance for purposes of title VI of the Civil
19 Rights Act of 1964 (42 U.S.C. 2000d et seq.), title IX
20 of the Education Amendments of 1972 (20 U.S.C. 1681
21 et seq.), section 504 of the Rehabilitation Act of 1973 (29
22 U.S.C. 794), and the Age Discrimination Act of 1975 (42
23 U.S.C. 6101 et seq.), and shall constitute Federal finan-
24 cial assistance to an education program or activity for pur-
25 poses of the Education Amendments of 1972 (20 U.S.C.
26 1681 et seq.).

1 “(c) RELIGIOUS DISCRIMINATION.—

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

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

16 “(d) RULES AND REGULATIONS.—The Chief Execu-
17 tive Officer shall promulgate rules and regulations to pro-
18 vide for the enforcement of this section that shall include
19 provisions for summary suspension of assistance for not
20 more than 30 days, on an emergency basis, until notice
21 and an opportunity to be heard can be provided.”.

1 **SEC. 116. NOTICE, HEARING, AND GRIEVANCE PROCE-**
2 **DURES.**

3 (a) DECERTIFICATION OF POSITIONS.—Section
4 176(a) of the National and Community Service Act of
5 1990 (42 U.S.C. 12636(a)) is amended—

6 (1) in paragraph (1), by inserting “, or revoke
7 the designation of positions, related to the grant or
8 contract, as approved national service positions,” be-
9 fore “whenever the Commission”; and

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

12 (b) CONSTRUCTION.—Section 176(e) of such Act (42
13 U.S.C. 12636(e)) is amended by adding before the period
14 the following “, other than assistance provided pursuant
15 to this Act”.

16 (c) GRIEVANCE PROCEDURE.—Section 176(f) of such
17 Act is amended to read as follows:

18 “(f) GRIEVANCE PROCEDURE.—

19 “(1) IN GENERAL.—A State or local applicant
20 that receives assistance under this title shall estab-
21 lish and maintain a procedure for the filing and ad-
22 judication of grievances from participants, labor or-
23 ganizations, and other interested individuals con-
24 cerning projects that receive assistance under this
25 title, including grievances regarding proposed place-
26 ments of such participants in such projects.

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

6 “(3) DEADLINE FOR HEARING AND DECISION.—
7

8 “(A) HEARING.—A hearing on any grievance
9 conducted under this subsection shall be
10 conducted not later than 30 days after the filing
11 of such grievance.

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

15 “(4) ARBITRATION.—

16 “(A) IN GENERAL.—

17 “(i) JOINTLY SELECTED ARBITRATOR.—In the event of a decision on a
18 grievance that is adverse to the party who
19 filed such grievance, or 60 days after the
20 filing of such grievance if no decision has
21 been reached, such party shall be permitted
22 to submit such grievance to binding
23 arbitration before a qualified arbitrator
24

1 who is jointly selected and independent of
2 the interested parties.

3 “(ii) APPOINTED ARBITRATOR.—If
4 the parties cannot agree on an arbitrator,
5 the Chief Executive Officer shall appoint
6 an arbitrator from a list of qualified arbi-
7 trators within 15 days after receiving a re-
8 quest for such appointment from one of
9 the parties to the grievance.

10 “(B) DEADLINE FOR PROCEEDING.—An
11 arbitration proceeding shall be held not later
12 than 45 days after the request for such arbitra-
13 tion proceeding, or, if the arbitrator is ap-
14 pointed by the Chief Executive Officer in ac-
15 cordance with subparagraph (A)(ii), not later
16 than 30 days after the appointment of such ar-
17 bitrator.

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

22 “(D) COST.—

23 “(i) IN GENERAL.—Except as pro-
24 vided in clause (ii), the cost of an arbitra-

1 tion proceeding shall be divided evenly be-
2 tween the parties to the arbitration.

3 “(ii) EXCEPTION.—If a participant,
4 labor organization, or other interested indi-
5 vidual described in paragraph (1) prevails
6 under a binding arbitration proceeding, the
7 State or local applicant described in para-
8 graph (1) that is a party to such grievance
9 shall pay the total cost of such proceeding
10 and the attorneys’ fees of such participant,
11 labor organization, or individual, as the
12 case may be.

13 “(5) PROPOSED PLACEMENT.—If a grievance is
14 filed regarding a proposed placement of a partici-
15 pant in a project that receives assistance under this
16 title, such placement shall not be made unless the
17 placement is consistent with the resolution of the
18 grievance pursuant to this subsection.

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

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

23 “(B) termination of such payments;

24 “(C) prohibition of the placement described
25 in paragraph (5); and

1 “(D) in a case in which the grievance in-
2 volves a violation of subsection (a) or (b) of sec-
3 tion 177 and the employer of the displaced em-
4 ployee is the recipient of assistance under this
5 title—

6 “(i) reinstatement of the displaced
7 employee to the position held by such em-
8 ployee prior to displacement;

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

11 “(iii) reestablishment of other relevant
12 terms, conditions, and privileges of employ-
13 ment of the displaced employee; and

14 “(iv) such equitable relief as is nec-
15 essary to correct any violation of sub-
16 section (a) or (b) of section 177 or to
17 make the displaced employee whole.

18 “(7) ENFORCEMENT.—Suits to enforce arbitra-
19 tion awards under this section may be brought in
20 any district court of the United States having juris-
21 diction of the parties, without regard to the amount
22 in controversy and without regard to the citizenship
23 of the parties.”.

1 **SEC. 117. NONDISPLACEMENT.**

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

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

6 “(B) SUPPLANTATION OF HIRING.—A par-
7 ticipant in any program receiving assistance
8 under this title shall not perform any services
9 or duties, or engage in activities, that—

10 “(i) will supplant the hiring of em-
11 ployed workers; or

12 “(ii) are services, duties, or activities
13 with respect to which an individual has re-
14 call rights pursuant to a collective bargain-
15 ing agreement or applicable personnel pro-
16 cedures.”; and

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

18 “(iii) employee who—

19 “(I) is subject to a reduction in
20 force; or

21 “(II) has recall rights pursuant
22 to a collective bargaining agreement
23 or applicable personnel procedures;”.

24 **SEC. 118. EVALUATION.**

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

1 (1) in subsection (a)(2)—

2 (A) in the matter preceding subparagraph
3 (A), by striking “for purposes of the reports re-
4 quired by subsection (j),” and inserting “with
5 respect to the programs authorized under sub-
6 title C,”; and

7 (B) in subparagraph (A), by striking
8 “older American volunteer programs” and in-
9 serting “National Senior Volunteer Corps pro-
10 grams”;

11 (2) in subsection (g)—

12 (A) in the matter preceding paragraph (1),
13 by striking “subtitle D” and inserting “subtitle
14 C”; and

15 (B) in paragraphs (3) and (9), by striking
16 “older American volunteer programs” and in-
17 serting “National Senior Volunteer Corps pro-
18 grams”;

19 (3) by striking subsections (i) and (j); and

20 (4) by adding at the end the following:

21 “(i) INDEPENDENT EVALUATION AND REPORT OF
22 DEMOGRAPHICS OF NATIONAL SERVICE PARTICIPANTS
23 AND COMMUNITIES.—

24 “(1) INDEPENDENT EVALUATION.—

1 “(A) IN GENERAL.—The Corporation shall,
2 on an annual basis, arrange for an independent
3 evaluation of the programs assisted under sub-
4 title C.

5 “(B) PARTICIPANTS.—

6 “(i) IN GENERAL.—The entity con-
7 ducting such evaluation shall determine the
8 demographic characteristics of the partici-
9 pants in such programs.

10 “(ii) CHARACTERISTICS.—The entity
11 shall determine, for the year covered by the
12 evaluation, the total number of partici-
13 pants in the programs, and the number of
14 participants within the programs in each
15 State, by sex, age, economic background,
16 education level, ethnic group, disability
17 classification, and geographic region.

18 “(iii) CATEGORIES.—The Corporation
19 shall determine appropriate categories for
20 analysis of each of the characteristics re-
21 ferred to in clause (ii) for purposes of such
22 an evaluation.

23 “(C) COMMUNITIES.—In conducting the
24 evaluation, the entity shall determine the
25 amount of assistance provided under section

1 121 during the year that has been expended for
2 projects conducted under the programs in areas
3 described in section 133(c)(6).

4 “(2) REPORT.—The entity conducting the eval-
5 uation shall submit a report to the President, Con-
6 gress, the Corporation, and each State Commission
7 containing the results of the evaluation—

8 “(A) with respect to the evaluation cover-
9 ing the year beginning on the date of enactment
10 of this subsection, not later than 18 months
11 after such date; and

12 “(B) with respect to the evaluation cover-
13 ing each subsequent year, not later than 18
14 months after the first day of each such year.”.

15 **SEC. 119. ENGAGEMENT OF PARTICIPANTS.**

16 Section 180 of the National and Community Service
17 Act of 1990 (42 U.S.C. 12640) is amended by striking
18 “post-service benefits” and inserting “national service
19 educational awards”.

20 **SEC. 120. CONTINGENT EXTENSION.**

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

1 **“SEC. 181. CONTINGENT EXTENSION.**

2 “Section 414 of the General Education Provisions
3 Act (20 U.S.C. 1226a) shall apply to this Act.”.

4 (b) **TABLE OF CONTENTS.**—Section 1(b) of the Na-
5 tional and Community Service Act of 1990 (Public Law
6 101–610; 104 Stat. 3127) is amended by striking the item
7 relating to section 181 of such Act and inserting the
8 following:

“Sec. 181. Contingent extension.”.

9 **SEC. 121. AUDITS.**

10 (a) **IN GENERAL.**—Section 183 of the National and
11 Community Service Act of 1990 (42 U.S.C. 12643) is
12 amended to read as follows:

13 **“SEC. 183. RIGHTS OF ACCESS, EXAMINATION, AND COPY-**
14 **ING.**

15 “(a) **COMPTROLLER GENERAL.**—The Comptroller
16 General, or any of the duly authorized representatives of
17 the Comptroller General, shall have access to, and the
18 right to examine and copy, any books, documents, papers,
19 records, and other recorded information in any form—

20 “(1) within the possession or control of the Cor-
21 poration or any State or local government, Indian
22 tribe, or public or private nonprofit organization re-
23 ceiving assistance directly or indirectly under this
24 Act; and

1 “(2) that the Comptroller General, or his rep-
2 representative, considers necessary to the performance
3 of an evaluation, audit, or review.

4 “(b) CHIEF FINANCIAL OFFICER.—The Chief Finan-
5 cial Officer of the Corporation shall have access to, and
6 the right to examine and copy, any books, documents, pa-
7 pers, records, and other recorded information in any
8 form—

9 “(1) within the possession or control of the Cor-
10 poration or any State or local government, Indian
11 tribe, or public or private nonprofit organization re-
12 ceiving assistance directly or indirectly under this
13 Act; and

14 “(2) that relates to the duties of the Chief Fi-
15 nancial Officer.”.

16 (b) TABLE OF CONTENTS.—Section 1(b) of the Na-
17 tional and Community Service Act of 1990 (Public Law
18 101–610; 104 Stat. 3127) is amended by striking the item
19 relating to section 183 of such Act and inserting the
20 following:

 “Sec. 183. Rights of access, examination, and copying.”.

21 **SEC. 122. REPEALS.**

22 (a) IN GENERAL.—Subtitle F of title I of the Na-
23 tional and Community Service Act of 1990 (42 U.S.C.
24 12631 et seq.) is amended by repealing sections 185 and
25 186.

1 (b) TABLE OF CONTENTS.—Section 1(b) of the Na-
2 tional and Community Service Act of 1990 (Public Law
3 101–610; 104 Stat. 3127) is amended by striking the item
4 relating to section 185 of such Act.

5 **SEC. 123. EFFECTIVE DATE.**

6 This title, and the amendments made by this title,
7 shall take effect on October 1, 1993.

8 **TITLE II—ORGANIZATION**

9 **SEC. 201. STATE COMMISSIONS ON NATIONAL AND COMMU-**
10 **NITY SERVICE.**

11 (a) COMPOSITION AND DUTIES OF STATE COMMIS-
12 SIONS.—Subtitle F of title I of the National and Commu-
13 nity Service Act of 1990 is amended by striking section
14 178 (42 U.S.C. 12638) and inserting the following new
15 section:

16 **“SEC. 178. STATE COMMISSIONS ON NATIONAL AND COM-**
17 **MUNITY SERVICE.**

18 **“(a) EXISTENCE REQUIRED.—**

19 **“(1) STATE COMMISSION.—**Except as provided
20 in paragraph (2), to be eligible to receive a grant or
21 allotment under subtitle B or C or to receive a dis-
22 tribution of approved national service positions
23 under subtitle C, a State shall maintain a State
24 Commission on National and Community Service
25 that satisfies the requirements of this section.

1 “(2) ALTERNATIVE ADMINISTRATIVE ENTITY.—

2 The chief executive officer of a State may apply to
3 the Corporation for approval to use an alternative
4 administrative entity to carry out the duties other-
5 wise entrusted to a State Commission under this
6 Act. The chief executive officer shall ensure that any
7 alternative administrative entity used in lieu of a
8 State Commission provides for the individuals de-
9 scribed in paragraph (1), and some of the individ-
10 uals described in paragraph (2), of subsection (c) to
11 play a significant policymaking role in carrying out
12 the duties otherwise entrusted to a State Commis-
13 sion, including the submission of applications on be-
14 half of the State under sections 117B and 130.

15 “(b) APPOINTMENT AND SIZE.—Except as provided
16 in subsection (c)(3), the members of a State Commission
17 for a State shall be appointed by the chief executive officer
18 of the State. A State Commission shall consist of not fewer
19 than 15, and not more than 25, voting members, and any
20 ex officio nonvoting members, as described in paragraph
21 (3) or (4) of subsection (c).

22 “(c) COMPOSITION AND MEMBERSHIP.—

23 “(1) REQUIRED MEMBERS.—The State Com-
24 mission for a State shall include as voting members
25 at least one of each of the following individuals:

1 “(A) An individual with expertise in the
2 educational, training, and development needs of
3 youth, particularly disadvantaged youth.

4 “(B) An individual with experience in pro-
5 moting the involvement of older adults in serv-
6 ice and voluntarism.

7 “(C) A representative of community-based
8 agencies or community-based organizations
9 within the State.

10 “(D) The head of the State educational
11 agency.

12 “(E) A representative of local governments
13 in the State.

14 “(F) A representative of local labor organi-
15 zations in the State.

16 “(G) A representative of business.

17 “(H) An individual between the ages of 16
18 and 25 who is a participant or supervisor in a
19 program.

20 “(I) A representative of a national service
21 program described in section 122(a), such as a
22 youth corps program described in section
23 122(a)(2).

1 “(2) SOURCES OF OTHER MEMBERS.—The
2 State Commission for a State may include as voting
3 members the following individuals:

4 “(A) Members selected from among local
5 educators.

6 “(B) Members selected from among ex-
7 perts in the delivery of human, educational, en-
8 vironmental, or public safety services to commu-
9 nities and persons.

10 “(C) Representatives of Indian tribes.

11 “(D) Members selected from among out-of-
12 school youth or other at-risk youth.

13 “(E) Representatives of entities that re-
14 ceive assistance under the Domestic Volunteer
15 Service Act of 1973 (42 U.S.C. 4950 et seq.).

16 “(3) CORPORATION REPRESENTATIVE.—The
17 representative of the Corporation designated under
18 section 195(c) for a State shall be an ex officio
19 nonvoting member of the State Commission or alter-
20 native administrative entity for that State, unless
21 the State permits the representative to serve as a
22 voting member of the State Commission or alter-
23 native administrative entity.

24 “(4) EX OFFICIO STATE REPRESENTATIVES.—
25 The chief executive officer of a State may appoint,

1 as ex officio nonvoting members of the State Com-
2 mission for the State, representatives selected from
3 among officers and employees of State agencies op-
4 erating community service, youth service, education,
5 social service, senior service, and job training pro-
6 grams.

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

14 “(d) MISCELLANEOUS MATTERS.—

15 “(1) MEMBERSHIP BALANCE.—The chief execu-
16 tive officer of a State shall ensure, to the maximum
17 extent practicable, that the membership of the State
18 Commission for the State is diverse with respect to
19 race, ethnicity, age, gender, and disability character-
20 istics. Not more than 50 percent of the voting mem-
21 bers of a State Commission, plus one additional
22 member, may be from the same political party.

23 “(2) TERMS.—Each member of the State Com-
24 mission for a State shall serve for a term of 3 years,
25 except that the chief executive officer of a State

1 shall initially appoint a portion of the members to
2 terms of 1 year and 2 years.

3 “(3) VACANCIES.—If a vacancy occurs on a
4 State Commission, a new member shall be appointed
5 by the chief executive officer of the State and serve
6 for the remainder of the term for which the prede-
7 cessor of such member was appointed. The vacancy
8 shall not affect the power of the remaining members
9 to execute the duties of the State Commission.

10 “(4) COMPENSATION.—A member of a State
11 Commission or alternative administrative entity shall
12 not receive any additional compensation by reason of
13 service on the State Commission or alternative ad-
14 ministrative entity, except that the State may au-
15 thorize the reimbursement of travel expenses, includ-
16 ing a per diem in lieu of subsistence, in the same
17 manner as other employees serving intermittently in
18 the service of the State.

19 “(5) CHAIRPERSON.—The voting members of a
20 State Commission shall elect one of the voting mem-
21 bers to serve as chairperson of the State Commis-
22 sion.

23 “(6) LIMITATION ON MEMBER PARTICIPA-
24 TION.—

1 “(A) GENERAL LIMITATION.—Except as
2 provided in subparagraph (B), a voting member
3 of the State Commission (or of an alternative
4 administrative entity) shall not participate in
5 the administration of the grant program (in-
6 cluding any discussion or decision regarding the
7 provision of assistance or approved national
8 service positions, or the continuation, suspen-
9 sion, or termination of such assistance or such
10 positions, to any program or entity) described
11 in subsection (e)(9) if—

12 “(i) a grant application relating to
13 such program is pending before the Com-
14 mission (or such entity); and

15 “(ii) the application was submitted by
16 a program or entity of which such member
17 is, or in the 1-year period before the sub-
18 mission of such application was, an officer,
19 director, trustee, full-time volunteer, or
20 employee.

21 “(B) EXCEPTION.—If, as a result of the
22 operation of subparagraph (A), the number of
23 voting members of the Commission (or of such
24 entity) is insufficient to establish a quorum for
25 the purpose of administering such program,

1 then voting members excluded from participa-
2 tion by subparagraph (A) may participate in
3 the administration of such program, notwith-
4 standing the limitation in subparagraph (A), to
5 the extent permitted by regulations issued
6 under section 193A(b)(11) by the Corporation.

7 “(C) RULE OF CONSTRUCTION.—Subpara-
8 graph (A) shall not be construed to limit the
9 authority of any voting member of the Commis-
10 sion (or of such entity) to participate in—

11 “(i) discussion of, and hearing and fo-
12 rums on—

13 “(I) the general duties, policies,
14 and operations of the Commission (or
15 of such entity); or

16 “(II) the general administration
17 of such program; or

18 “(ii) similar general matters relating
19 to the Commission (or such entity).

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

23 “(1) Preparation of a national service plan for
24 the State that—

1 “(A) is developed through an open and
2 public process (such as through regional fo-
3 rums, hearings, and other means) that provides
4 for maximum participation and input from na-
5 tional service programs within the State and
6 other interested members of the public;

7 “(B) covers a 3-year period;

8 “(C) is updated annually;

9 “(D) ensures outreach to diverse commu-
10 nity-based agencies that serve underrepresented
11 populations, by—

12 “(i) using established networks, and
13 registries, at the State level; or

14 “(ii) establishing such networks and
15 registries; and

16 “(E) contains such information as the
17 State Commission considers to be appropriate
18 or as the Corporation may require.

19 “(2) Preparation of the applications of the
20 State under sections 117B and 130 for financial as-
21 sistance.

22 “(3) Assistance in the preparation of the appli-
23 cation of the State educational agency for assistance
24 under section 113.

1 “(4) Preparation of the application of the State
2 under section 130 for the approval of service posi-
3 tions that include the national service educational
4 award described in subtitle D.

5 “(5) Make recommendations to the Corporation
6 with respect to priorities for programs receiving as-
7 sistance under the Domestic Volunteer Service Act
8 of 1973 (42 U.S.C. 4950 et seq.).

9 “(6) Make technical assistance available to en-
10 able applicants for assistance under section 121—

11 “(A) to plan and implement service pro-
12 grams; and

13 “(B) to apply for assistance under the na-
14 tional service laws using, if appropriate, infor-
15 mation and materials available through a clear-
16 inghouse established under section 198A.

17 “(7) Assistance in the provision of health care
18 and child care benefits under section 140 to partici-
19 pants in national service programs that receive as-
20 sistance under section 121.

21 “(8) Development of a State system for the re-
22 cruitment and placement of participants in programs
23 that receive assistance under the national service
24 laws and dissemination of information concerning

1 national service programs that receive such assist-
2 ance or approved national service positions.

3 “(9) Administration of the grant program in
4 support of national service programs that is con-
5 ducted by the State using assistance provided to the
6 State under section 121, including selection, over-
7 sight, and evaluation of grant recipients.

8 “(10) Development of projects, training meth-
9 ods, curriculum materials, and other materials and
10 activities related to national service programs that
11 receive assistance directly from the Corporation (to
12 be made available in a case in which such a program
13 requests such a project, method, material, or activ-
14 ity) or from the State using assistance provided
15 under section 121, for use by programs that request
16 such projects, methods, materials, and activities.

17 “(f) ACTIVITY INELIGIBLE FOR ASSISTANCE.—A
18 State Commission or alternative administrative entity may
19 not directly carry out any national service program that
20 receives assistance under section 121.

21 “(g) DELEGATION.—Subject to such requirements as
22 the Corporation may prescribe, a State Commission may
23 delegate nonpolicymaking duties to a State agency or pub-
24 lic or private nonprofit organization.

1 “(h) APPROVAL OF STATE COMMISSION OR ALTER-
2 NATIVE.—

3 “(1) SUBMISSION TO CORPORATION.—The chief
4 executive officer for a State shall notify the Corpora-
5 tion of the establishment or designation of the State
6 Commission or use of an alternative administrative
7 entity for the State. The notification shall include a
8 description of—

9 “(A) the composition and membership of
10 the State Commission or alternative administra-
11 tive entity; and

12 “(B) the authority of the State Commis-
13 sion or alternative administrative entity regard-
14 ing national service activities carried out by the
15 State.

16 “(2) APPROVAL OF ALTERNATIVE ADMINISTRA-
17 TIVE ENTITY.—Any designation of a State Commis-
18 sion or use of an alternative administrative entity to
19 carry out the duties of a State Commission shall be
20 subject to the approval of the Corporation, which
21 shall not be unreasonably withheld. The Corporation
22 shall approve an alternative administrative entity if
23 such entity provides for individuals described in
24 paragraph (1), and some of the individuals described
25 in paragraph (2), of subsection (c) to play a signifi-

1 cant policymaking role in carrying out the duties
2 otherwise entrusted to a State Commission, includ-
3 ing the duties described in paragraphs (1) through
4 (4) of subsection (e).

5 “(3) REJECTION.—The Corporation may reject
6 a State Commission if the Corporation determines
7 that the composition, membership, or duties of the
8 State Commission do not comply with the require-
9 ments of this section. The Corporation may reject a
10 request to use an alternative administrative entity in
11 lieu of a State Commission if the Corporation deter-
12 mines that the entity does not provide for the indi-
13 viduals described in paragraph (1), and some of the
14 individuals described in paragraph (2), of subsection
15 (c) to play a significant policymaking role as de-
16 scribed in paragraph (2). If the Corporation rejects
17 a State Commission or alternative administrative en-
18 tity under this paragraph, the Corporation shall
19 promptly notify the State of the reasons for the re-
20 jection.

21 “(4) RESUBMISSION AND RECONSIDERATION.—
22 The Corporation shall provide a State notified under
23 paragraph (3) with a reasonable opportunity to re-
24 vise the rejected State Commission or alternative ad-
25 ministrative entity. At the request of the State, the

1 Corporation shall provide technical assistance to the
2 State as part of the revision process. The Corpora-
3 tion shall promptly reconsider any resubmission of a
4 notification under paragraph (1) or application to
5 use an alternative administrative entity under para-
6 graph (2).

7 “(5) SUBSEQUENT CHANGES.—This subsection
8 shall also apply to any change in the composition or
9 duties of a State Commission or an alternative ad-
10 ministrative entity made after approval of the State
11 Commission or the alternative administrative entity.

12 “(6) RIGHTS.—An alternative administrative
13 entity approved by the Corporation under this sub-
14 section shall have the same rights as a State Com-
15 mission.

16 “(i) COORDINATION.—

17 “(1) COORDINATION WITH OTHER STATE AGEN-
18 CIES.—The State Commission or alternative admin-
19 istrative entity for a State shall coordinate the ac-
20 tivities of the Commission or entity under this Act
21 with the activities of other State agencies that ad-
22 minister Federal financial assistance programs
23 under the Community Services Block Grant Act (42
24 U.S.C. 9901 et seq.) or other appropriate Federal fi-
25 nancial assistance programs.

1 “(2) COORDINATION WITH VOLUNTEER SERV-
2 ICE PROGRAMS.—

3 “(A) IN GENERAL.—The State Commis-
4 sion or alternative administrative entity for a
5 State shall coordinate functions of the Commis-
6 sion or entity (including recruitment, public
7 awareness, and training activities) with such
8 functions of any division of ACTION, or of the
9 Corporation, that carries out volunteer service
10 programs in the State.

11 “(B) AGREEMENT.—In coordinating func-
12 tions under this paragraph, such Commission or
13 entity, and such division, may enter into an
14 agreement to—

15 “(i) carry out such a function jointly;

16 “(ii) to assign responsibility for such
17 a function to the Commission or entity; or

18 “(iii) to assign responsibility for such
19 a function to the division.

20 “(C) INFORMATION.—The State Commis-
21 sion or alternative entity for a State, and the
22 head of any such division, shall exchange infor-
23 mation about—

1 “(i) the programs carried out in the
2 State by the Commission, entity, or divi-
3 sion, as appropriate; and

4 “(ii) opportunities to coordinate ac-
5 tivities.

6 “(j) LIABILITY.—

7 “(1) LIABILITY OF STATE.—Except as provided
8 in paragraph (2)(B), a State shall agree to assume
9 liability with respect to any claim arising out of or
10 resulting from any act or omission by a member of
11 the State Commission or alternative administrative
12 entity of the State, within the scope of the service
13 of the member on the State Commission or alter-
14 native administrative entity.

15 “(2) OTHER CLAIMS.—

16 “(A) IN GENERAL.—A member of the
17 State Commission or alternative administrative
18 entity shall have no personal liability with re-
19 spect to any claim arising out of or resulting
20 from any act or omission by such person, within
21 the scope of the service of the member on the
22 State Commission or alternative administrative
23 entity.

24 “(B) LIMITATION.—This paragraph shall
25 not be construed to limit personal liability for

1 criminal acts or omissions, willful or malicious
2 misconduct, acts or omissions for private gain,
3 or any other act or omission outside the scope
4 of the service of such member on the State
5 Commission or alternative administrative entity.

6 “(3) EFFECT ON OTHER LAW.—This subsection
7 shall not be construed—

8 “(A) to affect any other immunities and
9 protections that may be available to such mem-
10 ber under applicable law with respect to such
11 service;

12 “(B) to affect any other right or remedy
13 against the State under applicable law, or
14 against any person other than a member of the
15 State Commission or alternative administrative
16 entity; or

17 “(C) to limit or alter in any way the im-
18 munities that are available under applicable law
19 for State officials and employees not described
20 in this subsection.”.

21 (b) TABLE OF CONTENTS.—Section 1(b) of the Na-
22 tional and Community Service Act of 1990 (Public Law
23 101–610; 104 Stat. 3127) is amended by striking the item
24 relating to section 178 and inserting the following new
25 item:

“Sec. 178. State Commissions on National and Community Service.”.

1 (c) EFFECTIVE DATE.—The amendments made by
2 this section shall take effect on October 1, 1993.

3 (d) TRANSITIONAL PROVISIONS.—

4 (1) USE OF ALTERNATIVES TO STATE COMMIS-
5 SION.—If a State does not have a State Commission
6 on National and Community Service that satisfies
7 the requirements specified in section 178 of the Na-
8 tional and Community Service Act of 1990, as
9 amended by subsection (a), the Corporation for Na-
10 tional and Community Service may authorize the
11 chief executive officer of the State to use an existing
12 agency of the State to perform the duties otherwise
13 reserved to a State Commission under subsection (e)
14 of such section.

15 (2) APPLICATION OF SUBSECTION.—This sub-
16 section shall apply only during the 27-month period
17 beginning on the date of the enactment of this Act.

18 **SEC. 202. INTERIM AUTHORITIES OF THE CORPORATION**
19 **FOR NATIONAL AND COMMUNITY SERVICE**
20 **AND ACTION AGENCY.**

21 (a) NATIONAL AND COMMUNITY SERVICE ACT OF
22 1990.—Subtitle G of title I of the National and Commu-
23 nity Service Act of 1990 (42 U.S.C. 12651) is amended
24 to read as follows: