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[National and Community Service Act of 1993] [7] [loose]

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Stack:	Row:	Section:	Shelf:	Position:
S	66	2	6	2

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: To provide a substitute amendment.

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

**S. 919**

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

Referred to the Committee on \_\_\_\_\_  
and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended to be proposed by \_\_\_\_\_ to the Committee amendment

Viz:

1 Strike all after the enacting clause and insert the fol-

2 lowing:

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

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

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

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

## TITLE I—PROGRAMS AND RELATED PROVISIONS

## Subtitle A—Programs

- Sec. 101. Federal investment in support of national service.
- Sec. 102. National Service Trust and provision of national service educational awards.
- Sec. 103. School-based and community-based service-learning programs.
- Sec. 104. Quality and innovation activities.

## Subtitle B—Related Provisions

- Sec. 111. Definitions.
- Sec. 112. Authority to make State grants.
- Sec. 113. Family and medical leave.
- Sec. 114. Reports.
- Sec. 115. Nondiscrimination.
- Sec. 116. Notice, hearing, and grievance procedures.
- Sec. 117. Nondisplacement.
- Sec. 118. Evaluation.
- Sec. 119. Engagement of participants.
- Sec. 120. Contingent extension.
- Sec. 121. Audits.
- Sec. 122. Repeals.
- Sec. 123. Effective date.

## TITLE II—ORGANIZATION

- Sec. 201. State Commissions on National and Community Service.
- Sec. 202. Interim authorities of the Corporation for National and Community Service and ACTION Agency.
- Sec. 203. Final authorities of the Corporation for National and Community Service.

## TITLE III—REAUTHORIZATION

## Subtitle A—National and Community Service Act of 1990

- Sec. 301. Authorization of appropriations.

## Subtitle B—Domestic Volunteer Service Act of 1973

- Sec. 311. Short title; references.

## CHAPTER 1—VISTA AND OTHER ANTI-POVERTY PROGRAMS

- Sec. 321. Purpose of the VISTA program.
- Sec. 322. Selection and assignment of VISTA volunteers.
- Sec. 323. Terms and periods of service.
- Sec. 324. Support for VISTA volunteers.
- Sec. 325. Participation of younger and older persons.
- Sec. 326. Literacy activities.
- Sec. 327. Applications for assistance.
- Sec. 328. Repeal of authority for student community service programs.
- Sec. 329. University year for VISTA.
- Sec. 330. Authority to establish and operate special volunteer and demonstration programs.
- Sec. 331. Technical and financial assistance.

Sec. 332. Elimination of separate authority for drug abuse programs.

#### CHAPTER 2—NATIONAL SENIOR VOLUNTEER CORPS

Sec. 341. National Senior Volunteer Corps.  
 Sec. 342. The Retired and Senior Volunteer Program.  
 Sec. 343. Operation of the Retired and Senior Volunteer Program.  
 Sec. 344. Services under the Foster Grandparent Program.  
 Sec. 345. Stipends for low-income volunteers  
 Sec. 346. Participation of non-low-income persons under parts B and C.  
 Sec. 347. Conditions of grants and contracts.  
 Sec. 348. Evaluation of the Senior Companion Program.  
 Sec. 349. Agreements with other Federal agencies.  
 Sec. 350. Programs of national significance.  
 Sec. 351. Adjustments to Federal financial assistance.  
 Sec. 352. Demonstration programs.

#### CHAPTER 3—ADMINISTRATION

Sec. 361. Purpose of agency.  
 Sec. 362. Authority of the Director.  
 Sec. 363. Compensation for volunteers.  
 Sec. 364. Repeal of report.  
 Sec. 365. Application of Federal law.  
 Sec. 366. Evaluation of programs.  
 Sec. 367. Nondiscrimination provisions.  
 Sec. 368. Elimination of separate requirements for setting regulations.  
 Sec. 369. Clarification of role of Inspector General.  
 Sec. 370. Copyright protection.  
 Sec. 371. Center for research and training.  
 Sec. 372. Deposit requirement credit for service as a volunteer.

#### CHAPTER 4—AUTHORIZATION OF APPROPRIATIONS AND OTHER AMENDMENTS

Sec. 381. Authorization of appropriations for title I.  
 Sec. 382. Authorization of appropriations for title II.  
 Sec. 383. Authorization of appropriations for title IV.  
 Sec. 384. Conforming amendments: compensation for VISTA FECA claimants.  
 Sec. 385. Repeal of authority.

#### CHAPTER 5—GENERAL PROVISIONS

Sec. 391. Technical and conforming amendments.  
 Sec. 392. Effective date.

#### Subtitle C—Youth Conservation Corps Act of 1970

Sec. 399. Public Lands Corps.

#### TITLE IV—TECHNICAL AND CONFORMING AMENDMENTS

Sec. 401. Definitions.  
 Sec. 402. References to the Commission on National and Community Service.  
 Sec. 403. References to Directors of the Commission on National and Community Service.  
 Sec. 404. Definition of Director.  
 Sec. 405. References to ACTION and the ACTION Agency.

Sec. 406. Effective date.

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

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

5 **“SEC. 2. FINDINGS AND PURPOSE.**

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

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

10 “(2) Americans desire to affirm common re-  
11 sponsibilities and shared values, and join together in  
12 positive experiences, that transcend race, religion,  
13 gender, age, disability, region, income, and edu-  
14 cation.

15 “(3) The rising costs of postsecondary edu-  
16 cation are putting higher education out of reach for  
17 an increasing number of citizens.

18 “(4) Americans of all ages can improve their  
19 communities and become better citizens through  
20 service to the United States.

21 “(5) Nonprofit organizations, local govern-  
22 ments, States, and the Federal Government are al-  
23 ready supporting a wide variety of national service  
24 programs that deliver needed services in a cost-effec-  
25 tive manner.

1           “(6) Residents of low-income communities, es-  
2           pecially youth and young adults, can be empowered  
3           through their service, and can help provide future  
4           community leadership.

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

6           “(1) meet the unmet human, educational, envi-  
7           ronmental, and public safety needs of the United  
8           States, without displacing existing workers;

9           “(2) renew the ethic of civic responsibility and  
10          the spirit of community throughout the United  
11          States;

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

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

20          “(5) reinvent government to eliminate duplica-  
21          tion in national service programs, support locally es-  
22          tablished service initiatives, encourage private sector  
23          investment and involvement in national service pro-  
24          grams, and require measurable goals for perform-

1       ance in such programs and offer flexibility in meet-  
2       ing those goals:

3               “(6) empower residents of low-income commu-  
4       nities, especially youth and young adults, through  
5       their service, and help provide future community  
6       leadership;

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

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

13              “(9) build ties among Americans that transcend  
14      race, religion, gender, age, disability, region, income,  
15      and education;

16              “(10) encourage educational reform by intro-  
17      ducing service-learning into curricula in elementary  
18      schools, secondary schools, and institutions of higher  
19      education; and

20              “(11) enable service participants to gain per-  
21      sonal, academic, and occupational skills through  
22      service-learning experiences.”.

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

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

“Sec. 2. Findings and purpose.”

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

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

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

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

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

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

17           “(a) PROVISION OF ASSISTANCE.—The Corporation  
18 may make grants to States, subdivisions of States, Indian  
19 tribes, public and private not-for-profit organizations (in-  
20 cluding labor organizations and community action agen-  
21 cies), and institutions of higher education for the purpose  
22 of assisting the recipients of the grants by paying for the  
23 Federal share of—

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

4           “(2) making grants in support of other national  
5 service programs described in section 122(a) that  
6 are carried out by other entities.

7           “(b) AGREEMENTS WITH FEDERAL AGENCIES.—

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

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

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



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

3           “(d) FIVE PERCENT LIMITATION ON ADMINISTRA-  
4           TIVE COSTS.—

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

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

12                           “(B) national service programs carried out  
13                           or supported with the assistance.

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

16                           “(A) assistance provided under subsection  
17                           (a) or (b) may be used to cover administrative  
18                           costs; and

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

22                                   “(i) the original recipient of the grant  
23                                   or transfer of assistance under such sub-  
24                                   section; and

1                   “(ii) national service programs carried  
2                   out or supported with the assistance.

3           “(e) MATCHING FUNDS REQUIREMENTS.—

4                   “(1) REQUIREMENTS.—Except as provided in  
5                   sections 129(d)(2)(B) and 140, the Federal share of  
6                   the cost of carrying out a national service program  
7                   that receives the assistance under subsection (a),  
8                   whether the assistance is provided directly or as a  
9                   subgrant from the original recipient of the assist-  
10                  ance, may not exceed 75 percent of such cost.

11                  “(2) CALCULATION.—

12                   “(A) IN GENERAL.—In providing for the  
13                   remaining share of the cost of carrying out a  
14                   national service program, the program—

15                   “(i) shall provide for such share  
16                   through a payment in cash or in kind, fair-  
17                   ly evaluated, including facilities, equip-  
18                   ment, or services; and

19                   “(ii) may provide for such share  
20                   through State sources, local sources, or  
21                   other Federal sources (other than the use  
22                   of funds made available under the national  
23                   service laws).

24                   “(B) COST OF HEALTH CARE.—In provid-  
25                   ing for such remaining share through a pay-

1           ment in cash, a national service program may  
2           count not more than 85 percent of the cost of  
3           providing health care policy described in section  
4           140(d)(2) toward such share.

5           “(3) WAIVER.—The Corporation may waive in  
6           whole or in part the requirements of paragraph (1)  
7           with respect to a national service program in any fis-  
8           cal year if the Corporation determines that such a  
9           waiver would be equitable due to a lack of available  
10          financial resources at the local level.

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

13          “(a) ELIGIBLE NATIONAL SERVICE PROGRAMS.—  
14          The recipient of a grant under section 121(a) and each  
15          Federal agency receiving assistance under section 121(b)  
16          shall use the assistance, directly or through subgrants to  
17          other entities, to carry out full- or part-time national serv-  
18          ice programs, including summer programs, that address  
19          unmet human, educational, environmental, or public safe-  
20          ty needs. Subject to subsection (b)(1), these national serv-  
21          ice programs may include the following types of national  
22          service programs:

23               “(1) A community corps program that meets  
24               unmet human, educational, environmental, or public  
25               safety needs and promotes greater community unity

1 through the use of organized teams of participants  
2 of varied social and economic backgrounds, skill lev-  
3 els, capabilities, ages, ethnic backgrounds, or gen-  
4 ders.

5 “(2) A full-time youth corps program, carried  
6 out during the summer or throughout the full cal-  
7 endar year, such as a conservation corps or youth  
8 service corps (including a conservation corps or  
9 youth service corps that performs service on Federal  
10 or other public lands or on Indian lands), that—

11 “(A) undertakes meaningful service  
12 projects with visible benefits to a community,  
13 including natural resource, urban renovation,  
14 rural development, or human services projects;

15 “(B) includes as participants youths and  
16 young adults between the ages of 16 and 25, in-  
17 clusive, including out-of-school youths, other  
18 economically disadvantaged youths, and individ-  
19 uals with disabilities, who are between those  
20 ages; and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7           “(A) as teachers, nurses and other health  
8           care providers, police officers, early childhood  
9           development staff, or other professionals provid-  
10          ing service to meet educational, human, envi-  
11          ronmental, or public safety needs in commu-  
12          nities with an inadequate number of such pro-  
13          fessionals:

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

18          “(C) that are sponsored by public or pri-  
19          vate not-for-profit employers who agree to pay  
20          100 percent of the salaries and benefits (other  
21          than any national service educational award  
22          under subtitle D) of the participants.

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

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

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

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

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

13           “(11) An intergenerational program that com-  
14 bines students, out-of-school youths, and older  
15 adults as participants to provide needed community  
16 services, including an intergenerational component of  
17 a national service program described in any of para-  
18 graphs (1) through (10), or in paragraph (12) or  
19 (13).

20           “(12) A program, to be known as a ‘Communi-  
21 ties in Action program’, carried out by not-for-  
22 profit organizations, including community action  
23 agencies or combinations of such agencies, to pro-  
24 vide opportunities for individuals or teams of indi-  
25 viduals to engage in local community projects that

1 meet important unaddressed community and individ-  
2 ual needs in low-income areas served by such a not-  
3 for-profit organization, including service projects to  
4 meet the unaddressed needs of economically dis-  
5 advantaged youth age 18 and younger (including  
6 providing safe locations for after-school programs  
7 that provide opportunities for learning and recre-  
8 ation).

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

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

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

23       “(2) CONSULTATION.—In establishing qualifica-  
24 tion criteria under paragraph (1), the Corporation  
25 shall consult with organizations and individuals that

1 have extensive experience in developing and admin-  
2 istering effective national service programs.

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

9 “(4) ENCOURAGEMENT OF  
10 INTERGENERATIONAL COMPONENTS OF PRO-  
11 GRAMS.—The Corporation shall encourage national  
12 service programs eligible to receive assistance or ap-  
13 proved national service positions under this subtitle  
14 to establish, if consistent with the purposes of the  
15 program, an intergenerational component of the pro-  
16 gram that combines students, out-of-school youths,  
17 and older adults as participants to provide services  
18 to address unmet human, education, environmental,  
19 or public safety needs.

20 “(c) NATIONAL SERVICE PRIORITIES.—

21 “(1) ESTABLISHMENT BY CORPORATION.—In  
22 order to concentrate national efforts on meeting cer-  
23 tain unmet human, educational, environmental, or  
24 public safety needs and to achieve the other pur-  
25 poses of this Act, the Corporation, after consultation

1 with the State Commissions, may establish, and pe-  
2 riodically alter, priorities regarding the types of na-  
3 tional service programs to be assisted under section  
4 121 and the purposes for which such assistance may  
5 be used.

6 “(2) NOTICE TO APPLICANTS.—

7 “(A) IN GENERAL.—The Corporation shall  
8 provide to potential applicants advance notice of  
9 any national service priorities to be in effect  
10 under this subsection for a fiscal year.

11 “(B) CONTENTS.—The notice shall specifi-  
12 cally include—

13 “(i) a description of any alteration  
14 made in the priorities since the previous  
15 notice; and

16 “(ii) a description of the national  
17 service programs that are designated by  
18 the Corporation under section 133(d)(2) as  
19 eligible for priority consideration in the  
20 next competitive distribution of assistance  
21 under section 121(a).

22 “(C) REGULATIONS.—The Corporation  
23 shall by regulation establish procedures to en-  
24 sure the equitable treatment of national service  
25 programs that—

1                   “(i) receive funding under this subtitle  
2                   for multiple years; and

3                   “(ii) would be adversely affected by  
4                   annual revisions in such national service  
5                   priorities.

6                   “(3) APPLICATION TO SUBGRANTS.—Any recip-  
7                   ient of funds under section 121(a) that uses any  
8                   portion of the assistance to conduct a grant program  
9                   to support other national service programs shall, in  
10                  conducting such a grant program, make reasonable  
11                  efforts to use any national service priorities estab-  
12                  lished by the Corporation under this subsection.

13 **“SEC. 123. TYPES OF NATIONAL SERVICE POSITIONS ELIGI-**  
14 **BLE FOR APPROVAL FOR NATIONAL SERVICE**  
15 **EDUCATIONAL AWARDS.**

16                  “The Corporation may approve of any of the follow-  
17                  ing service positions as an approved national service posi-  
18                  tion that includes the national service educational award  
19                  described in subtitle D as one of the benefits to be pro-  
20                  vided for successful service in the position:

21                  “(1) A position for a participant in a national  
22                  service program described in section 122(a) that re-  
23                  ceives assistance under subsection (a) or (b) of sec-  
24                  tion 121.

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

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

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

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

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

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

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

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

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

2       “(a) **PLANNING ASSISTANCE.**—The Corporation may  
3 provide assistance under section 121 to a qualified appli-  
4 cant that submits an application under section 130 for the  
5 planning of a national service program. Assistance pro-  
6 vided in accordance with this subsection may cover a pe-  
7 riod of not more than 1 year.

8       “(b) **OPERATIONAL ASSISTANCE.**—The Corporation  
9 may provide assistance under section 121 to a qualified  
10 applicant that submits an application under section 130  
11 for the establishment, operation, or expansion of a na-  
12 tional service program. Assistance provided in accordance  
13 with this subsection may cover a period of not more than  
14 3 years, but may be renewed by the Corporation upon con-  
15 sideration of a new application under section 130.

16       “(c) **REPLICATION ASSISTANCE.**—The Corporation  
17 may provide assistance under section 121 to a qualified  
18 applicant that submits an application under section 130  
19 for the expansion of a proven national service program to  
20 another geographical location. Assistance provided in ac-  
21 cordance with this subsection may cover a period of not  
22 more than 3 years, but may be renewed by the Corpora-  
23 tion upon consideration of a new application under section  
24 130.

25       “(d) **APPLICATION TO SUBGRANTS.**—The require-  
26 ments of this section shall apply to any State or other

1 applicant receiving assistance under section 121 that pro-  
2 poses to conduct a grant program using the assistance to  
3 support other national service programs.

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

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

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

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

13                       “(B) where programs do not exist, or are  
14 too limited to meet community needs, as of the  
15 date on which the Corporation makes the grant  
16 or enters into the contract;

17               “(2) promote leadership development in such  
18 programs;

19               “(3) improve the instructional and pro-  
20 grammatic quality of such programs to build an  
21 ethic of civic responsibility;

22               “(4) develop the management and budgetary  
23 skills of program operators; and

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

1       “(b) TECHNICAL ASSISTANCE.—The Corporation  
2 shall, where necessary, make appropriate technical assist-  
3 ance available to States, Indian tribes, labor organizations,  
4 organizations operated by young adults, organizations  
5 serving economically disadvantaged individuals, and other  
6 entities described in section 121 that desire—

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

8               “(2) to apply for assistance under such section  
9 or under a grant program conducted using assist-  
10 ance provided under such section.

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

12       “(a) SUPPORT FOR STATE COMMISSIONS.—

13               “(1) ASSISTANCE AUTHORIZED.—The Corpora-  
14 tion may make assistance available to assist a State  
15 to establish or operate the State Commission on Na-  
16 tional and Community Service required to be estab-  
17 lished by the State under section 178.

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

23                       “(A) 85 percent of the total cost to estab-  
24 lish or operate the State Commission for the

1 first year for which the State Commission re-  
2 ceives assistance under this subsection; and

3 “(B) such smaller percentage of such cost  
4 as the Corporation may establish for the sec-  
5 ond, third, and fourth years of such assistance  
6 in order to ensure that the Federal share does  
7 not exceed 50 percent of such costs for the fifth  
8 year, and any subsequent year, for which the  
9 State Commission receives assistance under this  
10 subsection.

11 “(b) DISASTER SERVICE.—The Corporation may un-  
12 dertake activities, including activities carried out through  
13 part A of title I of the Domestic Volunteer Service Act  
14 of 1973, to involve in disaster relief efforts youth corps  
15 programs described in section 122(a)(2) and other pro-  
16 grams that receive assistance under the national service  
17 laws.

18 “(c) CHALLENGE GRANTS FOR NATIONAL SERVICE  
19 PROGRAMS.—

20 “(1) ASSISTANCE AUTHORIZED.—

21 “(A) IN GENERAL.—The Corporation may  
22 make challenge grants under this subsection to  
23 national service programs that receive assist-  
24 ance under section 121.

1           “(B) CRITERIA.—The Corporation shall  
2           develop criteria for the selection of recipients of  
3           such challenge grants, so as to make the grants  
4           widely available to a variety of programs that—  
5                   “(i) are high-quality national service  
6                   programs; and  
7                   “(ii) are carried out by entities with  
8                   demonstrated experience in establishing  
9                   and implementing projects that provide  
10                  benefits to participants and communities.  
11          “(2) AMOUNT OF ASSISTANCE.—A challenge  
12          grant under this subsection may provide not more  
13          than \$1 of assistance under this subsection for each  
14          \$1 in cash raised by the national service program  
15          from private sources in excess of amounts required  
16          to be provided by the program to satisfy matching  
17          funds requirements under section 121(e). The Cor-  
18          poration shall establish a ceiling on the amount of  
19          assistance that may be provided to a national service  
20          program under this subsection.

1           **“PART II—APPLICATION AND APPROVAL**  
2   **PROCESS**  
3   **“SEC. 129. PROVISION OF ASSISTANCE AND APPROVED NA-**  
4   **TIONAL SERVICE POSITIONS BY COMPETI-**  
5   **TIVE AND OTHER MEANS.**

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

8                   “(1) ALLOTMENT OF ASSISTANCE TO CERTAIN  
9 STATES.—Of the funds allocated by the Corporation  
10 for provision of assistance under subsections (a) and  
11 (b) of section 121 for a fiscal year, the Corporation  
12 shall make a grant under section 121(a) (and a cor-  
13 responding allotment of approved national service  
14 positions) to each of the several States (through the  
15 State Commission of the State), the District of Co-  
16 lumbia, and the Commonwealth of Puerto Rico that  
17 has an application approved by the Corporation  
18 under section 133. The amount allotted as a grant  
19 to each such State under this paragraph for a fiscal  
20 year shall be equal to the amount that bears the  
21 same ratio to  $33\frac{1}{3}$  percent of the allocated funds for  
22 that fiscal year as the population of the State bears  
23 to the total population of the several States, the Dis-  
24 trict of Columbia, and the Commonwealth of Puerto  
25 Rico.

1           “(2) ALLOTMENT OF ASSISTANCE TO OTHER  
2 JURISDICTIONS AND INDIAN TRIBES.—Of the funds  
3 allocated by the Corporation for provision of assist-  
4 ance under subsections (a) and (b) of section 121  
5 for a fiscal year, the Corporation shall reserve up to  
6 1 percent of the allocated funds for grants under  
7 section 121(a) to Indian tribes, the Virgin Islands,  
8 Guam, American Samoa, and the Commonwealth of  
9 the Northern Mariana Islands, to be allotted by the  
10 Corporation on a competitive basis in accordance  
11 with their respective needs. Palau shall also be eligi-  
12 ble for a grant under this paragraph from the re-  
13 served funds until such time as the Compact of Free  
14 Association with Palau is ratified.

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

22           “(A) to make grants (and provide ap-  
23 proved national service positions in connection  
24 with such grants) to other eligible entities  
25 under section 121 that propose to carry out na-

1            tional service programs in the State or on be-  
2            half of the Indian tribe; and

3            “(B) after making grants under paragraph  
4            (1), to make a reallocation to other States and  
5            Indian tribes with approved applications under  
6            section 130.

7            “(b) RESERVATION OF APPROVED POSITIONS.—

8            “(1) NUMBER RESERVED.—Except as provided  
9            in paragraph (2), the Corporation shall ensure that  
10           each individual selected during a fiscal year for as-  
11           signment as a VISTA volunteer under title I of the  
12           Domestic Volunteer Service Act of 1973 (42 U.S.C.  
13           4951 et seq.) or as a participant in the Civilian  
14           Community Corps Demonstration Program under  
15           subtitle E shall receive the national service edu-  
16           cational award described in subtitle D if the individ-  
17           ual satisfies the eligibility requirements for the  
18           award. Funds for approved national service positions  
19           required by this paragraph for a fiscal year shall be  
20           deducted from the total funding for approved na-  
21           tional service positions for that fiscal year.

22           “(2) TRANSITION.—The Corporation shall de-  
23           termine an equitable procedure for providing post-  
24           service educational awards to individuals who are se-  
25           lected for assignment as described in paragraph (1)

1 after the date of enactment of this subtitle and be-  
2 fore the effective date of section 203(c)(2) of the  
3 National and Community Service Trust Act of 1993.

4 “(c) RESERVATION FOR SPECIAL ASSISTANCE.—  
5 Subject to section 501(a)(2), of the funds allocated by the  
6 Corporation for provision of assistance under subsections  
7 (a) and (b) of section 121 for a fiscal year, the Corpora-  
8 tion may reserve such amount as the Corporation consid-  
9 ers to be appropriate for the purpose of making assistance  
10 available under sections 125 and 126. The Corporation  
11 may not reserve more than \$10,000,000 for a fiscal year  
12 for challenge grants under section 126(c).

13 “(d) COMPETITIVE DISTRIBUTION OF REMAINING  
14 FUNDS.—

15 “(1) STATE COMPETITION.—Of the funds allo-  
16 cated by the Corporation for provision of assistance  
17 under subsections (a) and (b) of section 121 for a  
18 fiscal year, the Corporation shall use not less than  
19 33 $\frac{1}{3}$  percent of the allocated funds to make grants  
20 to States (through the State Commissions) on a  
21 competitive basis under section 121(a).

22 “(2) FEDERAL AGENCIES AND OTHER APPLI-  
23 CANTS.—

24 “(A) IN GENERAL.—The Corporation shall  
25 distribute on a competitive basis to subdivisions

1 of States (through the State Commissions). In-  
2 dian tribes, public and private not-for-profit or-  
3 ganizations (including labor organizations and  
4 community action agencies), institutions of  
5 higher education, and Federal agencies the re-  
6 mainder of the funds allocated by the Corpora-  
7 tion for provision of assistance under section  
8 121 for a fiscal year, after operation of para-  
9 graph (1) and subsections (a) and (c).

10 “(B) FEDERAL SHARE.—Notwithstanding  
11 section 121(e), if a Federal agency proposes to  
12 carry out a national service program using  
13 funds made available under subparagraph (A),  
14 and the Federal agency is authorized to use  
15 funds made available under Federal law (other  
16 than the national service laws) to carry out  
17 such a program, the Federal share attributable  
18 to this paragraph of the cost of carrying out the  
19 national service program shall be 50 percent of  
20 such cost. The President may by regulation  
21 specify the sources that may be used by the  
22 Federal agency to provide for the remaining  
23 share of such cost.

24 “(C) FEDERAL AGENCIES.—The Corpora-  
25 tion may not distribute more than 30 percent of

1           such remainder to Federal agencies for a fiscal  
2           year under subparagraph (A).

3           “(D) LIMITATIONS.—The Corporation may  
4           limit the categories of eligible applicants for as-  
5           sistance under this paragraph consistent with  
6           the priorities established by the Corporation  
7           under section 133(d)(2).

8           “(3) PRIORITY.—In distributing the funds allo-  
9           cated by the Corporation for provision of assistance  
10          under section 121 for a fiscal year, after operation  
11          of subsections (a) and (c) and after using 33<sup>1</sup>/<sub>3</sub> per-  
12          cent of such funds to make grants under paragraph  
13          (1), in determining whether to—

14                 “(A) use an additional portion of the funds  
15                 to make a grant under paragraph (1) to a State  
16                 applicant; or

17                 “(B) distribute the portion of the funds to  
18                 an applicant that is a private not-for-profit or-  
19                 ganization under paragraph (2).

20          the Corporation shall give preference to the private  
21          not-for-profit organization in any case in which the  
22          Corporation determines that the applicants have  
23          submitted applications of equal quality under section  
24          130.

1           “(e) APPLICATION REQUIRED.—The allotment of as-  
2   sistance and approved national service positions to a State  
3   or Indian tribe under subsection (a), and the competitive  
4   distribution of assistance under subsection (d), shall be  
5   made by the Corporation only pursuant to an application  
6   submitted by a State or other applicant under section 130  
7   and approved by the Corporation under section 133.

8           “(f) APPROVAL OF POSITIONS SUBJECT TO AVAIL-  
9   ABLE FUNDS.—The Corporation may not approve posi-  
10   tions as approved national service positions under this  
11   subtitle for a fiscal year in excess of the number of such  
12   positions for which the Corporation has sufficient available  
13   funds in the National Service Trust for that fiscal year  
14   to satisfy the maximum possible obligations to be incurred  
15   by the United States to provide the national service edu-  
16   cational award corresponding to service in these positions.

17           “(g) SPONSORSHIP OF APPROVED NATIONAL SERV-  
18   ICE POSITIONS.—

19           “(1) SPONSORSHIP AUTHORIZED.—The Cor-  
20   poration may enter into agreements with persons or  
21   entities who offer to sponsor national service posi-  
22   tions for which the person or entity will be respon-  
23   sible for supplying the funds necessary to provide a  
24   national service educational award. The distribution  
25   of these approved national service positions shall be

1 made pursuant to the agreement, and the creation  
2 of these positions shall not be taken into consider-  
3 ation in determining the number of approved na-  
4 tional service positions to be available for distribu-  
5 tion under this section.

6 “(2) DEPOSIT OF CONTRIBUTION.—Funds pro-  
7 vided pursuant to an agreement under paragraph  
8 (1) and any other funds contributed to the Corpora-  
9 tion to support the activities of the Corporation  
10 under the national service laws shall be deposited in  
11 the National Service Trust established in section  
12 145 until such time as the funds are needed.

13 **“SEC. 130. APPLICATION FOR ASSISTANCE AND APPROVED**  
14 **NATIONAL SERVICE POSITIONS.**

15 “(a) TIME, MANNER, AND CONTENT OF APPLICA-  
16 TION.—To be eligible to receive assistance under section  
17 121 and approved national service positions for partici-  
18 pants who serve in the national service programs to be  
19 carried out using the assistance, a State, subdivision of  
20 a State, Indian tribe, public or private not-for-profit orga-  
21 nization (including a community action agency), institu-  
22 tion of higher education, or Federal agency shall prepare  
23 and submit to the Corporation an application at such time,  
24 in such manner, and containing such information as the  
25 Corporation may reasonably require.

1       “(b) TYPES OF APPLICATION INFORMATION.—In  
2 order to have adequate information upon which to consider  
3 an application under section 133, the Corporation—

4               “(1) may require that an applicant described in  
5 subsection (a) submit an application under sub-  
6 section (a) containing—

7                       “(A) a description of the national service  
8 programs proposed to be carried out directly by  
9 the applicant using assistance provided under  
10 section 121;

11                      “(B) a description of the national service  
12 programs that are selected by the applicant to  
13 receive a grant from assistance requested under  
14 section 121 and a description of the process  
15 and criteria by which the programs were se-  
16 lected;

17                      “(C) a description of other funding sources  
18 to be used, or sought to be used, for the na-  
19 tional service programs referred to in subpara-  
20 graphs (A) and (B), and, if the application is  
21 submitted for the purpose of seeking a renewal  
22 of assistance, a description of the success of the  
23 programs in reducing their reliance on Federal  
24 funds;

1           “(D) a description of the extent to which  
2 the projects to be conducted using the assist-  
3 ance will address unmet human, educational,  
4 environmental, or public safety needs and  
5 produce a direct benefit for the community in  
6 which the projects are performed:

7           “(E) a description of the plan to be used  
8 to recruit participants, including economically  
9 disadvantaged youth, for the national service  
10 programs referred to in subparagraphs (A) and  
11 (B);

12           “(F) a description of the manner in which  
13 the national service programs referred to in  
14 subparagraphs (A) and (B) build on existing  
15 programs, including Federal programs;

16           “(G) a description of the manner in which  
17 the national service programs referred to in  
18 subparagraphs (A) and (B) will involve  
19 participants—

20           “(i) in projects that build an ethic of  
21 civic responsibility and produce a positive  
22 change in the lives of participants through  
23 training and participation in meaningful  
24 service experiences and opportunities for  
25 reflection on such experiences; and

1                   “(ii) in leadership positions in imple-  
2                   menting and evaluating the program;

3                   “(H) measurable goals for the national  
4                   service programs referred to in subparagraphs  
5                   (A) and (B), and a strategy to achieve such  
6                   goals, in terms of—

7                   “(i) the impact to be made in meeting  
8                   unmet human, educational, environmental,  
9                   or public safety needs; and

10                  “(ii) the service experience to be pro-  
11                  vided to participants in the programs;

12                  “(I) a description of the manner and ex-  
13                  tent to which the national service programs re-  
14                  ferred to in subparagraphs (A) and (B) con-  
15                  form to the national service priorities estab-  
16                  lished by the Corporation under section 122(c);

17                  “(J) a description of the past experience of  
18                  the applicant in operating a comparable pro-  
19                  gram or in conducting a grant program in sup-  
20                  port of other comparable programs;

21                  “(K) a description of the type and number  
22                  of proposed service positions in which partici-  
23                  pants will receive the national service edu-  
24                  cational award described in subtitle D and a de-  
25                  scription of the manner in which approved na-

1 tional service positions will be apportioned by  
2 the applicant;

3 “(L) a description of the manner and ex-  
4 tent to which participants, representatives of  
5 the community served, community-based agen-  
6 cies with a demonstrated record of experience in  
7 providing services, and labor organizations con-  
8 tributed to the development of the national  
9 service programs referred to in subparagraphs  
10 (A) and (B), including the identity of the indi-  
11 vidual representing the labor organization who  
12 was consulted and the nature of the consulta-  
13 tion;

14 “(M) a description of a plan to be used to  
15 encourage women to participate in programs re-  
16 ferred to in subparagraphs (A) and (B); and

17 “(N) such other information as the Cor-  
18 poration may reasonably require; and

19 “(2) shall require that the applicant submit an  
20 application under subsection (a) containing—

21 “(A) a description of the jobs or positions  
22 into which participants will be placed using the  
23 assistance provided under section 121, including  
24 descriptions of specific tasks to be performed by  
25 such participants; and

1           “(B) a description of the minimum quali-  
2           fications that individuals shall meet to become  
3           participants in such programs.

4           “(c) APPLICATION TO RECEIVE ONLY APPROVED  
5 NATIONAL SERVICE POSITIONS.—

6           “(1) APPLICABILITY OF SUBSECTION.—This  
7           subsection shall apply in the case of an application  
8           in which—

9           “(A) the applicant is not seeking assist-  
10          ance under subsection (a) or (b) of section 121,  
11          but requests national service educational  
12          awards for individuals serving in service posi-  
13          tions described in section 123; or

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

21          “(2) SPECIAL APPLICATION REQUIREMENTS.—

22          For the applications described in paragraph (1), the  
23          Corporation shall establish special application re-  
24          quirements in order to determine—

1           “(A) whether the service positions meet  
2           unmet human, educational, environmental, or  
3           public safety needs and meet the criteria for as-  
4           sistance under this subtitle; and

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

11          “(d) SPECIAL RULE FOR STATE APPLICANTS.—

12           “(1) SUBMISSION BY STATE COMMISSION.—The  
13           application of a State for approved national service  
14           positions or for a grant under section 121(a) shall  
15           be submitted by the State Commission.

16           “(2) COMPETITIVE SELECTION.—The applica-  
17           tion of a State shall contain an assurance that all  
18           assistance provided under section 121(a) to the  
19           State will be used to support national service pro-  
20           grams that were selected by the State on a competi-  
21           tive basis.

22           “(3) ASSISTANCE TO NONSTATE ENTITIES.—  
23           The application of a State shall also contain an as-  
24           surance that not less than 60 percent of the assist-  
25           ance will be used to make grants in support of na-

1 tional service programs other than national service  
2 programs carried out by a State agency. The Cor-  
3 poration may permit a State to deviate from the per-  
4 centage specified by this paragraph if the State has  
5 not received a sufficient number of acceptable appli-  
6 cations to comply with the percentage.

7 “(e) SPECIAL RULE FOR CERTAIN SERVICE SPON-  
8 SORS.—In the case of a program applicant that proposes  
9 to serve as the service sponsor, the application shall in-  
10 clude the written concurrence of any local labor organiza-  
11 tion representing employees of the applicant who are en-  
12 gaged in the same or substantially similar work as that  
13 proposed to be carried out.

14 “(f) LIMITATION ON SAME PROJECT IN MULTIPLE  
15 APPLICATIONS.—No applicant shall submit an application  
16 under this section, and the Corporation shall reject an ap-  
17 plication that is submitted under this section, if the appli-  
18 cation describes a project proposed to be conducted using  
19 assistance requested by the applicant and the project is  
20 already described in another application pending before  
21 the Corporation.

22 **“SEC. 131. NATIONAL SERVICE PROGRAM ASSISTANCE RE-**  
23 **QUIREMENTS.**

24 “(a) IMPACT ON COMMUNITIES.—An application sub-  
25 mitted under section 130 shall include an assurance by

1 the applicant that any national service program carried  
2 out by the applicant using assistance provided under sec-  
3 tion 121 and any national service program supported by  
4 a grant made by the applicant using such assistance will—

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

9           “(2) comply with the nonduplication and  
10          nondisplacement requirements of section 177.

11          “(b) IMPACT ON PARTICIPANTS.—An application  
12 submitted under section 130 shall also include an assur-  
13 ance by the applicant that any national service program  
14 carried out by the applicant using assistance provided  
15 under section 121 and any national service program sup-  
16 ported by a grant made by the applicant using such assist-  
17 ance will—

18           “(1) provide participants in the national service  
19           program with the training, skills, and knowledge  
20           necessary for the projects that participants are  
21           called upon to perform;

22           “(2) provide support services to participants,  
23           such as the provision of appropriate information and  
24           support—

1           “(A) to those participants who are com-  
2           pleting a term of service and making the transi-  
3           tion to other educational and career opportuni-  
4           ties; and

5           “(B) to those participants who are school  
6           dropouts in order to assist those participants in  
7           earning the equivalent of a high school diploma;  
8           and

9           “(3) provide structured opportunities for par-  
10          ticipants to reflect on their service experiences.

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

17               “(1) provide in the design, recruitment, and op-  
18               eration of the program for broad-based input from  
19               the community served, individuals eligible to serve as  
20               participants in the program, community-based agen-  
21               cies (including community action agencies) with a  
22               demonstrated record of experience in providing serv-  
23               ices, and local labor organizations representing em-  
24               ployees of service sponsors;

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

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

12          “(d) EVALUATION AND PERFORMANCE GOALS.—

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

16                         “(A)(i) arrange for an independent evalua-  
17                         tion of any national service program carried out  
18                         using assistance provided to the applicant under  
19                         section 121; or

20                         “(ii) with the approval of the Corporation,  
21                         conduct an internal evaluation of the program;

22                         “(B) develop measurable performance  
23                         goals and evaluation methods (such as the use  
24                         of surveys of participants and persons served),

1           which are to be used as part of such evaluation  
2           to determine the impact of the program—

3                   “(i) on communities and persons  
4                   served by the projects performed by the  
5                   program:

6                   “(ii) on participants who take part in  
7                   the projects; and

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

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

12                  “(2) ALTERNATIVE EVALUATION REQUIRE-  
13                  MENTS.—The Corporation may establish alternative  
14                  evaluation requirements for national service pro-  
15                  grams based upon the amount of assistance received  
16                  under section 121 or received by a grant made by  
17                  a recipient of assistance under such section. The de-  
18                  termination of whether a national service program is  
19                  covered by this paragraph shall be made in such  
20                  manner as the Corporation may prescribe.

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

1           “(1) provide a living allowance and other bene-  
2           fits specified in section 140 to participants in any  
3           national service program carried out by the appli-  
4           cant using assistance provided under section 121:  
5           and

6           “(2) require that each national service program  
7           that receives a grant from the applicant using such  
8           assistance will also provide a living allowance and  
9           other benefits specified in section 140 to participants  
10          in the program.

11          “(f) SELECTION OF PARTICIPANTS FROM INDIVID-  
12          UALS RECRUITED BY CORPORATION OR STATE COMMIS-  
13          SIONS.—The Corporation may also require an assurance  
14          by the applicant that any national service program carried  
15          out by the applicant using assistance provided under sec-  
16          tion 121 and any national service program supported by  
17          a grant made by the applicant using such assistance will  
18          select a portion of the participants for the program from  
19          among prospective participants recruited by the Corpora-  
20          tion or State Commissions under section 138(d). The Cor-  
21          poration may specify a minimum percentage of partici-  
22          pants to be selected from the national leadership pool es-  
23          tablished under section 138(e) and may vary the percent-  
24          age for different types of national service programs.

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

2 “An application submitted to the Corporation under  
3 section 130 shall include an assurance by the applicant  
4 that any national service program carried out using assist-  
5 ance provided under section 121 and any approved na-  
6 tional service position provided to an applicant will not be  
7 used to perform service that provides a direct benefit to  
8 any—

9 “(1) business organized for profit;

10 “(2) labor union;

11 “(3) partisan political organization; or

12 “(4) organization engaged in religious activities.

13 unless such service does not involve the use of assist-  
14 ance provided under section 121 or participants to  
15 give religious instruction, conduct worship services,  
16 provide instruction as part of a program that in-  
17 cludes mandatory religious education or worship,  
18 construct, operate, or maintain facilities devoted to  
19 religious instruction or worship, or engage in any  
20 form of proselytization.

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

22 “(a) CORPORATION CONSIDERATION OF CERTAIN  
23 CRITERIA.—The Corporation shall apply the criteria de-  
24 scribed in subsections (c) and (d) in determining  
25 whether—

1           “(1) to approve an application submitted under  
2           section 130 and provide assistance under section  
3           121 to the applicant; and

4           “(2) to approve service positions described in  
5           the application as national service positions that in-  
6           clude the national service educational award de-  
7           scribed in subtitle D and provide such approved na-  
8           tional service positions to the applicant.

9           “(b) APPLICATION TO SUBGRANTS.—

10           “(1) IN GENERAL.—A State or other entity  
11           that uses assistance provided under section 121(a)  
12           to support national service programs selected on a  
13           competitive basis to receive a share of the assistance  
14           shall use the criteria described in subsections (c) and  
15           (d) when considering an application submitted by a  
16           national service program to receive a portion of such  
17           assistance or an approved national service position.

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

20                   “(A) a certification that the State or other  
21                   entity complied with these criteria in the selec-  
22                   tion of national service programs to receive as-  
23                   sistance;

24                   “(B) a description of the jobs or positions  
25                   into which participants will be placed using

1 such assistance, including descriptions of spe-  
2 cific tasks to be performed by such participants;  
3 and

4 “(C) a description of the minimum quali-  
5 fications that individuals shall meet to become  
6 participants in such programs.

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

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

13 “(2) The innovative aspects of the national  
14 service program, and the feasibility of replicating the  
15 program.

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

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

20 “(B) of multiple funding sources or private  
21 funding for the program.

22 “(4) The quality of the leadership of the na-  
23 tional service program, the past performance of the  
24 program, and the extent to which the program  
25 builds on existing programs.

1           “(5) The extent to which participants of the na-  
2 tional service program are recruited from among  
3 residents of the communities in which projects are to  
4 be conducted, and the extent to which participants  
5 and community residents are involved in the design,  
6 leadership, and operation of the program.

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

10           “(A) communities designated as enterprise  
11 zones or redevelopment areas, targeted for spe-  
12 cial economic incentives, or otherwise identifi-  
13 able as having high percentages or concentra-  
14 tions of low-income individuals;

15           “(B) areas that are environmentally dis-  
16 tressed;

17           “(C) areas adversely affected by reductions  
18 in defense spending or the closure or realign-  
19 ment of military installations; and

20           “(D) areas—

21           “(i) that have experienced a substan-  
22 tial reduction in population, as determined  
23 by the Corporation; and

1                   “(ii) with high numbers or percent-  
2                   ages of economically disadvantaged older  
3                   adults.

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

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

10                  “(d) OTHER CONSIDERATIONS.—

11                   “(1) GEOGRAPHIC DIVERSITY.—The Corpora-  
12                   tion shall ensure that recipients of assistance pro-  
13                   vided under section 121 are geographically diverse  
14                   and include projects to be conducted in those urban  
15                   and rural areas in a State with the highest rates of  
16                   poverty.

17                   “(2) PRIORITIES.—

18                   “(A) IN GENERAL.—The Corporation may  
19                   designate, under such criteria as may be estab-  
20                   lished by the Corporation, certain national serv-  
21                   ice programs or types of national service pro-  
22                   grams described in section 122(a) for priority  
23                   consideration in the competitive distribution of  
24                   funds under section 129(d)(2).

1                   “(B) PROGRAMS DESIGNATED TO RECEIVE  
2                   PRIORITY.—In designating national service pro-  
3                   grams to receive priority, the Corporation may  
4                   include—

5                   “(i) national service programs carried  
6                   out by another Federal agency;

7                   “(ii) national service programs that  
8                   conform to the national service priorities in  
9                   effect under section 122(c);

10                  “(iii) innovative national service pro-  
11                  grams;

12                  “(iv) national service programs that  
13                  are well established in one or more States  
14                  at the time of the application and are pro-  
15                  posed to be expanded to additional States  
16                  using assistance provided under section  
17                  121;

18                  “(v) grant programs in support of  
19                  other national service programs if the  
20                  grant programs are to be conducted by  
21                  not-for-profit organizations (including com-  
22                  munity action agencies) with a dem-  
23                  onstrated and extensive expertise in the  
24                  provision of services to meet human, edu-



1                   “(ii) not one of the types of programs  
2                   described in clauses (i) through (vi) of sub-  
3                   paragraph (B).

4                   if the State Commission provides an adequate  
5                   explanation of the reasons why it should not be  
6                   a priority of such State to carry out any of such  
7                   types of programs in the State.

8                   “(3) REVIEW PANEL.—The President shall—

9                   “(A) establish panels of experts for the  
10                  purpose of securing recommendations on appli-  
11                  cations submitted under section 130 for more  
12                  than \$100,000 in assistance, or for national  
13                  service positions that would require more than  
14                  \$100,000 in national service educational  
15                  awards; and

16                  “(B) consider the opinions of such panels  
17                  prior to making such determinations.

18                  “(e) EMPHASIS ON AREAS MOST IN NEED.—In mak-  
19                  ing assistance available under section 121 and in providing  
20                  approved national service positions under section 123, the  
21                  Corporation shall ensure that not less than 50 percent of  
22                  the total amount of assistance to be distributed to States  
23                  under subsections (a) and (d)(1) of section 129 for a fiscal  
24                  year is provided to carry out or support national service  
25                  programs and projects that—

1           “(1) are conducted in areas described in any of  
2           subparagraphs (A) through (D) of subsection (c)(6)  
3           or on Federal or other public lands, to address  
4           unmet human, educational, environmental, or public  
5           safety needs in such areas or on such lands; and

6           “(2) place a priority on the recruitment of par-  
7           ticipants who are residents of areas described in any  
8           of subparagraphs (A) through (D) of subsection  
9           (c)(6) or Federal or other public lands.

10          “(f) REJECTION OF STATE APPLICATIONS.—

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

17           “(2) RESUBMISSION AND RECONSIDERATION.—

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

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

7           **“PART III—NATIONAL SERVICE PARTICIPANTS**

8           **“SEC. 137. DESCRIPTION OF PARTICIPANTS.**

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

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

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

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

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

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

1           “(ii) agrees to obtain a high school diploma or  
2           its equivalent and the individual did not drop out of  
3           an elementary or secondary school to enroll in the  
4           program; or

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

10           “(ii) meets the requirements of section 484(a)  
11           of such Act; and

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

14           “(b) SPECIAL RULES FOR CERTAIN YOUTH PRO-  
15           GRAMS.—An individual shall be considered to be a partici-  
16           pant in a youth corps program described in section  
17           122(a)(2) or a program described in section 122(a)(9)  
18           that is carried out with assistance provided under section  
19           121(a) if the individual—

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

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

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

7     **“SEC. 138. SELECTION OF NATIONAL SERVICE PARTICI-**  
8                                 **PANTS.**

9           “(a) SELECTION PROCESS.—Subject to subsections  
10    (b) and (c) and section 131(f), the actual recruitment and  
11    selection of an individual to serve in a national service pro-  
12    gram receiving assistance under section 121 or to fill an  
13    approved national service position shall be conducted by  
14    the State, subdivision of a State, Indian tribe, public or  
15    private not-for-profit organization, institution of higher  
16    education, Federal agency, or other entity to which the  
17    assistance and approved national service positions are  
18    provided.

19          “(b) NONDISCRIMINATION AND NONPOLITICAL SE-  
20    LECTION OF PARTICIPANTS.—The recruitment and selec-  
21    tion of individuals to serve in national service programs  
22    receiving assistance under section 121 or to fill approved  
23    national service positions shall be consistent with the re-  
24    quirements of section 175.

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

5       “(d) RECRUITMENT AND PLACEMENT.—The Cor-  
6 poration and each State Commission shall establish a sys-  
7 tem to recruit individuals who desire to perform national  
8 service and to assist the placement of these individuals in  
9 approved national service positions, including positions  
10 available under title I of the Domestic Volunteer Service  
11 Act of 1973 (42 U.S.C. 4951). The Corporation and State  
12 Commissions shall disseminate information regarding  
13 available approved national service positions through co-  
14 operation with secondary schools, institutions of higher  
15 education, employment service offices, State vocational re-  
16 habilitation agencies within the meaning of the Rehabilita-  
17 tion Act of 1973 and other State agencies that primarily  
18 serve individuals with disabilities, and other appropriate  
19 entities, particularly those organizations that provide out-  
20 reach to economically disadvantaged youths or youths who  
21 are individuals with disabilities.

22       “(e) NATIONAL LEADERSHIP POOL.—

23               “(1) SELECTION AND TRAINING.—From among  
24 individuals recruited under subsection (d), the Cor-  
25 poration may select individuals with significant lead-

1       ership potential, as determined by the Corporation.  
2       to receive special training to enhance their leader-  
3       ship ability. The leadership training shall be pro-  
4       vided by the Corporation directly or through a grant  
5       or contract.

6           “(2) EMPHASIS ON CERTAIN INDIVIDUALS.—In  
7       selecting individuals to receive leadership training  
8       under this subsection, the Corporation shall make  
9       special efforts to select individuals who have  
10      served—

11           “(A) in the Peace Corps;

12           “(B) as VISTA volunteers;

13           “(C) as participants in national service  
14      programs receiving assistance under section  
15      121; or

16           “(D) as participants in programs receiving  
17      assistance under subtitle D of the National and  
18      Community Service Act of 1990, as in effect on  
19      the day before the date of enactment of this  
20      subtitle.

21           “(3) ASSIGNMENT.—At the request of a pro-  
22      gram that receives assistance under the national  
23      service laws, the Corporation may assign an individ-  
24      ual who receives leadership training under para-  
25      graph (1) to work with the program in a leadership

1 position and carry out assignments not otherwise  
2 performed by regular participants. An individual as-  
3 signed to a program shall be considered to be a par-  
4 ticipant of the program.

5 **“SEC. 139. TERMS OF SERVICE.**

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

11 “(b) TERM OF SERVICE.—

12 “(1) FULL-TIME SERVICE.—An individual per-  
13 forming full-time national service in an approved na-  
14 tional service position shall agree to participate in  
15 the program sponsoring the position for not less  
16 than 1,700 hours during a period of not less than  
17 9 months and not more than 1 year.

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

24 “(A) not less than 1 year and not more  
25 than 2 years; or

1           “(B) not less than 1 year and not more  
2           than 3 years if the individual is enrolled in an  
3           institution of higher education while performing  
4           all or a majority of the hours of such service.

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

14          “(c) RELEASE FROM COMPLETING TERM OF SERV-  
15          ICE.—

16                 “(1) RELEASE AUTHORIZED.—A recipient of  
17                 assistance under section 121 or a program sponsor-  
18                 ing an approved national service position may re-  
19                 lease a participant from completing a term of service  
20                 in the position—

21                         “(A) for compelling personal circumstances  
22                         as demonstrated by the participant; or

23                         “(B) for cause.

24                 “(2) EFFECT OF RELEASE.—If the released  
25                 participant was serving in an approved national

1 service position, the participant may receive a por-  
2 tion of the national service educational award cor-  
3 responding to that service in the manner provided in  
4 section 147(b), except that a participant released for  
5 cause may not receive any portion of the national  
6 service educational award.

7 **“SEC. 140. LIVING ALLOWANCES FOR NATIONAL SERVICE**  
8 **PARTICIPANTS.**

9 “(a) PROVISION OF LIVING ALLOWANCE.—

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

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

21 “(A) 85 percent of the total average an-  
22 nual subsistence allowance provided to VISTA  
23 volunteers under section 105 of the Domestic  
24 Volunteer Service Act of 1973 (42 U.S.C.  
25 4955); and

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

4           “(3) MAXIMUM LIVING ALLOWANCE.—Except  
5           as provided in subsection (c), the total amount of an  
6           annual living allowance that may be provided to a  
7           participant in a national service program shall not  
8           exceed 200 percent of the average annual subsist-  
9           ence allowance provided to VISTA volunteers under  
10          section 105 of the Domestic Volunteer Service Act  
11          of 1973 (42 U.S.C. 4955).

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

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

1 cient to cover 85 percent of such taxes based upon the  
2 lesser of—

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

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

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

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

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

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

25           “(d) HEALTH INSURANCE.—

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

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

1       “(e) CHILD CARE.—

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

4               “(A) make child care available for children  
5 of each full-time participant who serves in a na-  
6 tional service program carried out or supported  
7 by the recipient using the assistance, including  
8 individuals who need such child care in order to  
9 participate in the program; or

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

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

19              “(f) WAIVER OF LIMITATION ON FEDERAL SHARE.—  
20 The Corporation may waive in whole or in part the limita-  
21 tion on the Federal share specified in this section with  
22 respect to a particular national service program in any fis-  
23 cal year if the Corporation determines that such a waiver  
24 would be equitable due to a lack of available financial re-  
25 sources at the local level.

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

2       “(a) **ELIGIBILITY GENERALLY.**—A participant in a  
3 national service program carried out using assistance pro-  
4 vided to an applicant under section 121 shall be eligible  
5 for the national service educational award described in  
6 subtitle D if the participant—

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

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

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

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

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

- “Sec. 123. Types of national service positions eligible for approval for national service educational awards.
- “Sec. 124. Types of program assistance
- “Sec. 125. Training and technical assistance.
- “Sec. 126. Other special assistance.

“PART II—APPLICATION AND APPROVAL PROCESS

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

“PART III—NATIONAL SERVICE PARTICIPANTS

- “Sec. 137. Description of participants.
- “Sec. 138. Selection of national service participants.
- “Sec. 139. Terms of service.
- “Sec. 140. Living allowances for national service participants.
- “Sec. 141. National service educational awards.”.

1 **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—

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

6                   “(A) national service educational awards;  
7                   and

8                   “(B) interest expenses pursuant to sub-  
9                   section 148(e);

10           “(2) any amounts received by the Corporation  
11           as gifts, bequests, devise, or otherwise pursuant to  
12           section 196(a)(2); and

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

15           “(b) INVESTMENT OF TRUST.—It shall be the duty  
16 of the Secretary of the Treasury to invest in full the  
17 amounts appropriated to the Trust. Except as otherwise  
18 expressly provided in instruments concerning a gift, be-  
19 quest, devise, or other donation and agreed to by the Cor-  
20 poration, such investments may be made only in interest-  
21 bearing obligations of the United States or in obligations  
22 guaranteed as to both principal and interest by the United  
23 States. For such purpose, such obligations may be ac-  
24 quired (1) on original issue at the issue price, or (2) by  
25 purchase of outstanding obligations at the marketplace.

1 Any obligation acquired by the Trust may be sold by the  
2 Secretary at the market price.

3 “(c) EXPENDITURES FROM TRUST.—Amounts in the  
4 Trust shall be available for payments of national service  
5 educational awards in accordance with section 148.

6 “(d) REPORTS TO CONGRESS ON RECEIPTS AND EX-  
7 PENDITURES.—The Corporation shall submit an annual  
8 report to the Congress on the financial status of the Trust.  
9 Such report shall—

10 “(1) specify the amount deposited to the Trust  
11 from the most recent appropriation to the Corpora-  
12 tion, the amount received by the Corporation as gifts  
13 or bequest during the period covered by the report,  
14 and any amounts obtained by the Trust pursuant to  
15 subsection (a)(3);

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

19 “(3) identify the number of individuals whose  
20 ability to claim national service educational awards  
21 during the period covered by the report—

22 “(A) has been reduced pursuant to section  
23 147(b); or

24 “(B) has lapsed pursuant to section  
25 146(d); and

1           “(4) estimate the number of additional ap-  
2           proved national service positions which 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 be  
14 eligible to receive a national service educational award  
15 from the National 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)(i) is enrolled at an institution of  
6 higher education on the basis of meeting the  
7 standard described in paragraph (1) or (2) of  
8 section 484(d) of the Higher Education Act of  
9 1965 (20 U.S.C. 1091(d)); and

10           “(ii) meets the requirements of section  
11 484(a) of such Act; or

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

14           “(4) is a citizen of the United States or lawfully  
15 admitted for permanent residence.

16           “(b) TERM OF SERVICE.—The term of service for an  
17 approved national service position shall not be less than  
18 the full- or part-time term of service specified in section  
19 139(b).

20           “(c) LIMITATION ON NUMBER OF TERMS OF SERV-  
21 ICE FOR AWARDS.—Although an individual may serve  
22 more than 2 terms of service described in subsection (b)  
23 in an approved national service position, the individual  
24 shall receive a national service educational award from the

1 National Service Trust only on the basis of the first and  
2 second of such terms of service.

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

4 “(1) FIVE-YEAR REQUIREMENT.—An individual  
5 eligible to receive a national service educational  
6 award under this section may not use such award  
7 after the end of the 5-year period beginning on the  
8 date the individual completes the term of service in  
9 an approved national service position that is the  
10 basis of the award.

11 “(2) EXCEPTION.—The Corporation may ex-  
12 tend the period within which an individual may use  
13 a national service educational award if the Corpora-  
14 tion determines that the individual—

15 “(A) was unavoidably prevented from  
16 using the national service educational award  
17 during the original 5-year period; or

18 “(B) performed another term of service in  
19 an approved national service position during  
20 that period.

21 **“SEC. 147. DETERMINATION OF THE AMOUNT OF THE NA-**  
22 **TIONAL SERVICE EDUCATIONAL AWARD.**

23 “(a) AMOUNT GENERALLY.—Except as provided in  
24 subsection (b), an individual described in section 146(a)  
25 who successfully completes a required term of service in

1 an approved national service position shall receive a na-  
2 tional service educational award having a value equal to  
3 \$5,000 for each of not more than 2 of such terms of  
4 service.

5       “(b) AWARD FOR PARTIAL COMPLETION OF SERV-  
6 ICE.—If an individual serving in an approved national  
7 service position is released in accordance with section  
8 139(c)(1)(A) from completing the term of service agreed  
9 to by the individual, the Corporation may provide the indi-  
10 vidual with that portion of the national service educational  
11 award approved for the individual that corresponds to the  
12 quantity of the term of service actually completed by the  
13 individual.

14 **“SEC. 148. DISBURSEMENT OF NATIONAL SERVICE EDU-**  
15 **CATIONAL AWARDS.**

16       “(a) IN GENERAL.—Amounts in the Trust shall be  
17 available—

18               “(1) to repay student loans in accordance with  
19 subsection (b);

20               “(2) to pay all or part of the cost of attendance  
21 at an institution of higher education in accordance  
22 with subsection (c);

23               “(3) to pay expenses incurred in participating  
24 in an approved school-to-work program in accord-  
25 ance with subsection (d); and

1           “(4) to pay interest expenses in accordance with  
2 regulations prescribed pursuant to subsection (e).

3           “(b) USE OF EDUCATIONAL AWARD TO REPAY OUT-  
4 STANDING STUDENT LOANS.—

5           “(1) APPLICATION BY ELIGIBLE INDIVID-  
6 UALS.—An eligible individual under section 146 who  
7 desires to apply the national service educational  
8 award of the individual to the repayment of qualified  
9 student loans shall submit, in a manner prescribed  
10 by the Corporation, an application to the Corpora-  
11 tion that—

12           “(A) identifies, or permits the Corporation  
13 to identify readily, the holder or holders of such  
14 loans;

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

18           “(C) specifies the qualified student loan to  
19 which the individual desires to apply the na-  
20 tional service educational award, in any case in  
21 which the total of the amounts described in  
22 subparagraph (B) is greater than the amount of  
23 the national service educational award to which  
24 the individual is entitled; and

1           “(D) contains or is accompanied by such  
2           other information as the Corporation may re-  
3           quire.

4           “(2) DISBURSEMENT OF REPAYMENTS.—Upon  
5           receipt of an application from an eligible individual  
6           of an application that complies with paragraph (1),  
7           the Corporation shall, as promptly as practicable  
8           consistent with paragraph (5), disburse the amount  
9           of the national service educational award to which  
10          the eligible individual is entitled. Such disbursement  
11          shall be made by check or other means that is pay-  
12          able to the holder of the loan and requires the en-  
13          dorsement or other certification by the eligible indi-  
14          vidual.

15          “(3) APPLICATION OF DISBURSED AMOUNTS.—  
16          If the amount disbursed under paragraph (2) is less  
17          than the principal and accrued interest on any quali-  
18          fied student loan, such amount shall first be applied  
19          to the repayment of principal. In a case described in  
20          paragraph (1)(C), such amount shall be applied to  
21          the loan described in paragraph (1)(C).

22          “(4) REPORTS BY HOLDERS.—Any holder re-  
23          ceiving a loan payment pursuant to this subsection  
24          shall submit to the Corporation such information as  
25          the Corporation may require to verify that such pay-

1       ment was applied in accordance with this subsection  
2       and any regulations prescribed to carry out this sub-  
3       section.

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

8           “(6) NOTIFICATION.—On disbursing a national  
9       service educational award to which an individual is  
10      entitled under paragraph (2) and applying the award  
11      to a loan, the Corporation shall notify the individual  
12      of the amount disbursed for each such loan and the  
13      date of the disbursal.

14          “(7) DEFINITIONS.—As used in this subsection:

15           “(A) QUALIFIED STUDENT LOAN.—The  
16      term ‘qualified student loan’ means—

17           “(i) any loan made, insured, or guar-  
18      anteed pursuant to title IV of the Higher  
19      Education Act of 1965 (20 U.S.C. 1070 et  
20      seq.), other than a loan to a parent of a  
21      student pursuant to section 428B of such  
22      Act (20 U.S.C. 1078–2); and

23           “(ii) any loan made pursuant to title  
24      VII or VIII of the Public Health Service  
25      Act (42 U.S.C. 292a et seq.).

1           “(B) HOLDER.—The term ‘holder’ with re-  
2           spect to any eligible loan means the original  
3           lender or, if the loan is subsequently sold,  
4           transferred, or assigned to some other person,  
5           and such other person acquires a legally en-  
6           forceable right to receive payments from the  
7           borrower, such other person.

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

10           “(1) APPLICATION BY ELIGIBLE INDIVIDUAL.—  
11           An eligible individual under section 146 who desires  
12           to apply the national service educational award of  
13           the individual to the payment of full-time or part-  
14           time educational expenses, that have been incurred  
15           by the individual prior to the service of the individ-  
16           ual under subtitle C, shall, on a form prescribed by  
17           the Corporation, submit an application to the insti-  
18           tution of higher education in which the student will  
19           be enrolled that contains such information as the  
20           Corporation may require to verify the individual’s  
21           eligibility.

22           “(2) SUBMISSION OF REQUESTS FOR PAYMENT  
23           BY INSTITUTIONS.—An institution of higher edu-  
24           cation that receives one or more applications that  
25           comply with paragraph (1) shall submit to the Cor-

1       poration a statement, in a manner prescribed by the  
2       Corporation, that—

3               “(A) identifies each eligible individual fil-  
4               ing an application under paragraph (1) for a  
5               disbursement of the individual’s national service  
6               educational award under this subsection;

7               “(B) specifies the amounts for which such  
8               eligible individuals are, consistent with para-  
9               graph (6), qualified for disbursement under this  
10              subsection:

11              “(C) certifies that—

12                      “(i) the institution of higher education  
13                      has in effect a program participation  
14                      agreement under section 487 of the Higher  
15                      Education Act of 1965 (20 U.S.C. 1094);  
16                      and

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

22              “(D) contains such provisions concerning  
23              financial compliance as the Corporation may  
24              require.

1           “(3) DISBURSEMENT OF PAYMENTS.—Upon re-  
2           ceipt of a statement from an institution of higher  
3           education that complies with paragraph (2), the Cor-  
4           poration shall, subject to paragraph (4), disburse the  
5           total amount of the national service educational  
6           awards for which eligible individuals who have sub-  
7           mitted applications to that institution under para-  
8           graph (1) are qualified. Such disbursement shall be  
9           made by check or other means that is payable to the  
10          institution and requires the endorsement or other  
11          certification by the eligible individual.

12          “(4) MULTIPLE DISBURSEMENTS REQUIRED.—  
13          The total amount required to be disbursed to an in-  
14          stitution of higher education under paragraph (3)  
15          for any period of enrollment shall be disbursed by  
16          the Corporation in 2 or more installments, none of  
17          which exceeds  $\frac{1}{2}$  of such total amount. The interval  
18          between the first and second such installment shall  
19          not be less than  $\frac{1}{2}$  of such period of enrollment, ex-  
20          cept as necessary to permit the second installment to  
21          be paid at the beginning of the second semester,  
22          quarter, or similar division of such period of enroll-  
23          ment.

24          “(5) REFUND RULES.—The Corporation shall,  
25          by regulation, provide for the refund to the Corpora-

1 tion (and the crediting to the national service edu-  
2 cational award of an eligible individual) of amounts  
3 disbursed to institutions for the benefit of eligible in-  
4 dividuals who withdraw or otherwise fail to complete  
5 the period of enrollment for which the assistance  
6 was provided. Such regulations shall be consistent  
7 with the fair and equitable refund policies required  
8 of institutions pursuant to section 484B of the  
9 Higher Education Act of 1965 (20 U.S.C. 1091b).  
10 Amounts refunded to the Trust pursuant to this  
11 paragraph may be used by the Corporation to fund  
12 additional approved national service positions under  
13 subtitle C.

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

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

23 “(B) the sum of—

24 “(i) the student’s estimated financial  
25 assistance for such period under part A of

1 title IV of such Act (20 U.S.C. 1070 et  
2 seq.); and

3 “(ii) the student’s veterans’ education  
4 benefits, determined in accordance with  
5 section 480(c) of such Act (20 U.S.C.  
6 1087vv(c)).

7 “(d) USE OF EDUCATIONAL AWARD TO PARTICIPATE  
8 IN APPROVED SCHOOL-TO-WORK PROGRAMS.—The Cor-  
9 poration shall by regulation provide for the payment of  
10 national service educational awards to permit eligible indi-  
11 viduals to participate in school-to-work programs approved  
12 by the Secretaries of Labor and Education.

13 “(e) INTEREST PAYMENTS DURING FORBEARANCE  
14 ON LOAN REPAYMENT.—The Corporation may provide by  
15 regulation for the payment on behalf of an eligible individ-  
16 ual of interest that accrues during a period for which such  
17 individual has obtained forbearance in the repayment of  
18 a qualified student loan (as defined in subsection (b)(7)),  
19 if the eligible individual successfully completes the re-  
20 quired term of service (as determined under section  
21 146(b)) of the individual. Such regulations shall be pre-  
22 scribed after consultation with the Secretary of Education.

23 “(f) EXCEPTION.—

24 “(1) OPTION.—With the approval of the Presi-  
25 dent, a national service program that receives assist-

1           ance under section 121 may offer to each participant  
2           in the program the option of—

3                   “(A) waiving the right of the participant to  
4                   receive a national service education award; and

5                   “(B) receiving an alternative post-service  
6                   benefit.

7           “(2) SOURCES OF FUNDING.—In providing for  
8           the alternative post-service benefit, the program may  
9           not use funds made available under this Act or any  
10          other Federal law.

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

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  
19          items relating to subtitle D of title I of such Act and in-  
20          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.”.

21          “(c) CONFORMING AMENDMENTS.—

1           (1) ELIGIBILITY FOR SUBSIDIZED STAFFORD  
2           LOANS.—Section 428(a)(2)(C)(i) of the Higher Edu-  
3           cation Act of 1965 (20 U.S.C. 1078(a)(2)(C)(i)) is  
4           amended by inserting “any national service edu-  
5           cational award such student will receive under sub-  
6           title D of title I of the National and Community  
7           Service Act of 1990 (42 U.S.C. 12751 et seq.),”  
8           after “parts C and E of this title.”

9           (2) FORBEARANCE IN THE COLLECTION OF  
10          STAFFORD LOANS.—Section 428 of the Higher Edu-  
11          cation Act of 1965 is amended—

12                   (A) in subsection (b)(1)—

13                           (i) by redesignating subparagraphs  
14                           (W), (X), and (Y) as subparagraphs (X),  
15                           (Y), and (Z), respectively; and

16                           (ii) by inserting after subparagraph  
17                           (V) the following new subparagraph:

18                           “(W)(i) provides that, upon written re-  
19                           quest, a lender shall grant a borrower forbear-  
20                           ance on such terms as are otherwise consistent  
21                           with the regulations of the Secretary, during  
22                           periods in which the borrower is serving in a  
23                           national service position, for which the borrower  
24                           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 (3) 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. 12751 et seq.).”.

3 (4) 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 serv-  
8 ice, receive a benefit under both this section and subtitle  
9 D of title I of the National and Community Service Act  
10 of 1990 (42 U.S.C. 12751 et seq.).”.

11 (5) IMPACT ON GENERAL NEEDS ANALYSIS.—  
12 Section 480(j) of such Act (20 U.S.C. 1087vv(j)) is  
13 amended by adding at the end the following new  
14 paragraph:

15 “(3) Notwithstanding paragraph (1), any national  
16 service educational award such student will receive under  
17 subtitle D of title I of the National and Community Serv-  
18 ice Act of 1990 (42 U.S.C. 12751 et seq.) shall not be  
19 taken into account in determining estimated financial as-  
20 sistance not received under this title.”.

21 **SEC. 103. SCHOOL-BASED AND COMMUNITY-BASED SERV-**

22 **ICE-LEARNING PROGRAMS.**

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

24 (1) PURPOSE.—The purpose of this subsection  
25 is to improve the Serve-America programs estab-

1 lished under part I of subtitle B of the National and  
2 Community Service Act of 1990, and to enable the  
3 Corporation for National and Community Service,  
4 and the entities receiving financial assistance under  
5 such part, to—

6 (A) work with teachers in elementary  
7 schools and secondary schools within a commu-  
8 nity, and with community-based agencies, to  
9 create and offer service-learning opportunities  
10 for all school-age youth;

11 (B) educate teachers, and faculty providing  
12 teacher training and retraining, about service-  
13 learning, and incorporate service-learning op-  
14 portunities into classroom teaching to strength-  
15 en academic learning;

16 (C) coordinate the work of adult volunteers  
17 who work with elementary and secondary  
18 schools as part of their community service ac-  
19 tivities; and

20 (D) work with employers in the commu-  
21 nities to ensure that projects introduce the stu-  
22 dents to various careers and expose the stu-  
23 dents to needed further education and training.

24 (2) PROGRAMS.—Subtitle B of title I of the Na-  
25 tional and Community Service Act of 1990 (42

1 U.S.C. 12501 et seq.) is amended by striking the  
2 subtitle heading and all that follows through the end  
3 of part I and inserting the following:

4 **“Subtitle B—School-Based and**  
5 **Community-Based Service-**  
6 **Learning Programs**

7 **“PART I—SERVE-AMERICA PROGRAMS**

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

9 **“SEC. 111. AUTHORITY TO ASSIST STATES AND INDIAN**  
10 **TRIBES.**

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

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

22 “(A) providing training for teachers, su-  
23 pervisors, personnel from community-based  
24 agencies (particularly with regard to the utiliza-  
25 tion of participants), and trainers, to be con-

1 ducted by qualified individuals or organizations  
2 that have experience with service-learning;

3 “(B) developing service-learning curricula  
4 to be integrated into academic programs, in-  
5 cluding the age-appropriate learning component  
6 described in section 114(d)(5)(B);

7 “(C) forming local partnerships described  
8 in paragraph (2) or (4) to develop school-based  
9 service-learning programs in accordance with  
10 this subpart;

11 “(D) devising appropriate methods for re-  
12 search and evaluation of the educational value  
13 of service-learning and the effect of service-  
14 learning activities on communities; and

15 “(E) establishing effective outreach and  
16 dissemination of information to ensure the  
17 broadest possible involvement of community-  
18 based agencies with demonstrated effectiveness  
19 in working with school-age youth in their com-  
20 munities;

21 “(2) implementing, operating, or expanding  
22 school-based service-learning programs, which may  
23 include paying for the cost of the recruitment, train-  
24 ing, supervision, placement, salaries, and benefits of  
25 service-learning coordinators, through State distribu-

1       tion of Federal funds made available under this sub-  
2       part to projects operated by local partnerships  
3       among—

4               “(A) local educational agencies; and

5               “(B) one or more community partners  
6       that—

7               “(i) shall include a public or private  
8       not-for-profit organization that—

9                       “(I) has demonstrated expertise  
10                      in the provision of services to meet  
11                      human, educational, environmental, or  
12                      public safety needs;

13                     “(II) was in existence 1 year be-  
14                     fore the date on which the organiza-  
15                     tion submitted an application under  
16                     section 114; and

17                     “(III) will make projects avail-  
18                     able for participants, who shall be stu-  
19                     dents; and

20                     “(ii) may include a private for-profit  
21                     business or private elementary or second-  
22                     ary school;

23               “(3) planning of school-based service-learning  
24       programs through State distribution of Federal  
25       funds made available under this subpart to local

1 educational agencies, which planning may include  
2 paying for the cost of—

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

5 “(B) the recruitment, training, supervision,  
6 and placement of service-learning coordinators  
7 who are participants in a program under sub-  
8 title C or receive a national service educational  
9 award under subtitle D.

10 who will identify the community partners described  
11 in paragraph (2)(B) and assist in the design and im-  
12 plementation of a program described in paragraph  
13 (2); and

14 “(4) implementing, operating, or expanding  
15 school-based service-learning programs involving  
16 adult volunteers to utilize service-learning to improve  
17 the education of students through State distribution  
18 of Federal funds made available under this part to  
19 local partnerships among—

20 “(A) local educational agencies; and

21 “(B) one or more—

22 “(i) public or private not-for-profit or-  
23 ganizations;

24 “(ii) other educational agencies; or

25 “(iii) private for-profit businesses,

1 that coordinate and operate projects for participants.  
2 who shall be students.

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

7 “(1) expanding the awareness of teachers of the  
8 potential of service-learning in strengthening the  
9 educational achievement, leadership development,  
10 and substantive learning, of students:

11 “(2) providing technical assistance and informa-  
12 tion to, and facilitating the training of, teachers who  
13 want to use service-learning in their classrooms;

14 “(3) assisting local partnerships described in  
15 subsection (a) in the planning, development, and  
16 execution of service-learning projects;

17 “(4) recruiting and supervising adult volun-  
18 teers, or individuals who are participants in a pro-  
19 gram under subtitle C or receive a national service  
20 educational award under subtitle D, to expand serv-  
21 ice-learning opportunities; and

22 “(5) coordinating the activities of the service-  
23 learning coordinator with the activities of the com-  
24 mittee described in section 114(d)(1), and, where  
25 appropriate, assisting the committee.

1       “(c) RELATED EXPENSES.—A partnership, local edu-  
2 cational agency, or other qualified organization that re-  
3 ceives financial assistance under this subpart may, in car-  
4 rying out the activities described in subsection (a), use  
5 such assistance to pay for the Federal share of reasonable  
6 costs related to the supervision of participants, program  
7 administration, transportation, insurance, evaluations,  
8 and for other reasonable expenses related to the activities.

9       **“SEC. 111A. AUTHORITY TO ASSIST LOCAL APPLICANTS IN**  
10                                   **NONPARTICIPATING STATES.**

11       “In any fiscal year in which a State does not submit  
12 an application under section 113, for an allotment under  
13 subsection (a) or (b)(2) of section 112, that meets the re-  
14 quirements of section 113 and such other requirements  
15 as the President may determine to be appropriate, the  
16 Corporation may use the allotment of that State to make  
17 direct grants to pay for the Federal share 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 **NOT-FOR-PROFIT ORGANIZATIONS.**

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

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

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

10 “(3) meets such other criteria as the President  
11 may establish.

12 “(b) USE OF FUNDS.—Such an organization may use  
13 a grant 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 1 percent for payments to Indian tribes, the  
24 Virgin Islands, Guam, American Samoa, and the Com-  
25 monwealth of the Northern Mariana Islands, to be allotted  
26 in accordance with their respective needs. The Corporation

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

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

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

12                       “(A) States and Indian tribes; or

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

15       “(2) ALLOTMENTS.—

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

23                       “(B) ALLOCATION UNDER ELEMENTARY  
24 AND SECONDARY EDUCATION ACT OF 1965.—  
25 Except as provided in paragraph (3), from 37.5

1           percent of such funds, the Corporation shall  
2           allot to each State an amount that bears the  
3           same ratio to 37.5 percent of such funds as the  
4           allocation to the State for the previous fiscal  
5           year under chapter 1 of title I of the Elemen-  
6           tary and Secondary Education Act of 1965 (20  
7           U.S.C. 2711 et seq.) bears to such allocations  
8           to all States.

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

20          “(4) DEFINITION.—Notwithstanding section  
21          101(27), for purposes of this subsection, the term  
22          ‘State’ means each of the several States, the District  
23          of Columbia, the Commonwealth of Puerto Rico, and  
24          an Indian tribe.

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

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

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

21       “(a) SUBMISSION.—To be eligible to receive a grant  
22 under section 112(b)(1), an allotment under subsection  
23 (a) or (b)(2) of section 112, a reallocation under section  
24 112(c), or a grant under section 112(d), a State, acting  
25 through the State educational agency, or an Indian tribe,

1 shall prepare, submit to the Corporation, and obtain ap-  
2 proval of, an application at such time and in such manner  
3 as the President may reasonably require.

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

7               “(1) a 3-year strategic plan, or a revision of a  
8 previously approved 3-year strategic plan, for pro-  
9 moting service-learning through the programs, which  
10 plan shall contain such information as the President  
11 may reasonably require, such as—

12                       “(A) a description of the goals to be at-  
13 tained in promoting service-learning through  
14 such programs;

15                       “(B) a description of the resources and or-  
16 ganization needed to achieve the goals of such  
17 programs within elementary schools and second-  
18 ary schools; and

19                       “(C) a description of the manner in  
20 which—

21                               “(i) such programs and the activities  
22 to be carried out under such programs re-  
23 late to the goals described in subparagraph  
24 (A);

1           “(ii) the applicant will evaluate the  
2 success of the programs and the extent of  
3 community involvement in the programs,  
4 and measure the extent to which the pro-  
5 grams meet the goals described in subpara-  
6 graph (A);

7           “(iii) in reviewing applications that  
8 are submitted under section 114(c), the  
9 applicant will rank the applications accord-  
10 ing to the criteria described in section  
11 115(b), will consider the factors described  
12 in section 115(a), and will review the ap-  
13 plications in a manner that ensures the eq-  
14 uitable treatment of all such applications;

15           “(iv) the programs will be coordinated  
16 with—

17           “(I) the education reform efforts  
18 of the applicant;

19           “(II) other efforts to meet the  
20 National Education Goals;

21           “(III) other service activities in  
22 the State or serving the Indian tribe;  
23 and

24           “(IV) other education programs,  
25 training programs, social service pro-

1           grams, and appropriate programs that  
2           serve school-age youth, that are au-  
3           thorized under Federal law;

4           “(v) the applicant will disseminate in-  
5           formation, conduct outreach, and take  
6           other measures, to encourage cooperative  
7           efforts among the local educational agen-  
8           cies, local government agencies, commu-  
9           nity-based agencies, State agencies, and  
10          private for-profit businesses that will carry  
11          out the service-learning programs proposed  
12          by the applicant, to develop and provide  
13          projects, including those that involve the  
14          participation of urban, suburban, and rural  
15          students working together;

16          “(vi) the applicant will promote ap-  
17          propriate projects in such programs for  
18          economically disadvantaged students, stu-  
19          dents with limited basic skills, students in  
20          foster care who are becoming too old for  
21          foster care, students of limited-English  
22          proficiency, homeless students, and stu-  
23          dents who are individuals with disabilities;

1           “(vii) service-learning training and  
2 technical assistance will be provided  
3 through the programs—

4           “(I) to State and local edu-  
5 cational agency personnel, federally  
6 assisted education specialists in the  
7 State or serving the Indian tribe, and  
8 local recipients of grants under this  
9 subpart, to raise the awareness of  
10 service-learning among such person-  
11 nel, specialists, and recipients; and

12           “(II) by qualified and experi-  
13 enced individuals employed by the  
14 State or Indian tribe or through  
15 grants or contracts with such individ-  
16 uals;

17           “(viii) a service-learning network will  
18 be established for the State or Indian  
19 tribe, comprised of expert teachers and ad-  
20 ministrators who have carried out success-  
21 ful service-learning activities within the  
22 State or serving the Indian tribe; and

23           “(ix) the applicant will use payments  
24 from sources described in section  
25 116(a)(2)(B) to expand projects for stu-

1                   dents through the programs proposed by  
2                   the applicant:

3                   “(2) assurances that—

4                   “(A) the applicant will keep such records  
5                   and provide such information to the Corpora-  
6                   tion with respect to the programs as may be re-  
7                   quired for fiscal audits and program evaluation;  
8                   and

9                   “(B) the applicant will comply with the  
10                  nonduplication and nondisplacement require-  
11                  ments of section 177 and the grievance proce-  
12                  dure requirements of section 176(f); and

13                  “(3) such additional information as the Presi-  
14                  dent may reasonably require.

15   **“SEC. 114. LOCAL APPLICATIONS.**

16                  “(a) APPLICATION TO CORPORATION TO MAKE  
17   GRANTS FOR SCHOOL-BASED SERVICE-LEARNING PRO-  
18   GRAMS.—

19                  “(1) IN GENERAL.—To be eligible to receive a  
20   grant in accordance with section 111B(a) to make  
21   grants relating to school-based service-learning pro-  
22   grams described in section 111(a)(2), a grantmaking  
23   entity shall prepare, submit to the Corporation, and  
24   obtain approval of, an application.

1           “(2) SUBMISSION.—Such application shall be  
2           submitted at such time and in such manner, and  
3           shall contain such information, as the President may  
4           reasonably require.

5           “(b) DIRECT APPLICATION TO CORPORATION TO  
6 CARRY OUT SCHOOL-BASED SERVICE-LEARNING PRO-  
7 GRAMS IN NONPARTICIPATING STATES.—To be eligible to  
8 receive a grant from the Corporation in the circumstances  
9 described in section 111A to carry out an activity de-  
10 scribed in such section, a partnership or agency described  
11 in such section shall prepare, submit to the Corporation,  
12 and obtain approval of, an application. Such application  
13 shall be submitted at such time and in such manner, and  
14 shall contain such information, as the President may rea-  
15 sonably require.

16           “(c) APPLICATION TO STATE OR INDIAN TRIBE TO  
17 RECEIVE ASSISTANCE TO CARRY OUT SCHOOL-BASED  
18 SERVICE-LEARNING PROGRAMS.—

19           “(1) IN GENERAL.—Any—

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

24                   “(B) partnership described in section  
25           111(a)(2) that desires to receive such assistance

1 from a State, Indian tribe, or grantmaking en-  
2 tity for an activity described in section  
3 111(a)(2);

4 “(C) agency described in section 111(a)(3)  
5 that desires to receive such assistance from a  
6 State or Indian tribe for an activity described  
7 in such section; or

8 “(D) partnership described in section  
9 111(a)(4) that desires to receive such assistance  
10 from a State or Indian tribe for an activity de-  
11 scribed in such section.

12 to be carried out through a service-learning program  
13 described in section 111, shall prepare, submit to  
14 the State educational agency, Indian tribe, or  
15 grantmaking entity, and obtain approval of, an ap-  
16 plication for the program.

17 “(2) SUBMISSION.—Such application shall be  
18 submitted at such time and in such manner, and  
19 shall contain such information, as the agency, tribe,  
20 or entity may reasonably require.

21 “(d) CONTENTS OF APPLICATION.—An application  
22 that is submitted under subsection (a), (b), or (c) with  
23 respect to a service-learning program described in section  
24 111 shall, at a minimum, contain a proposal that  
25 includes—

1           “(1) information specifying the membership and  
2           role of an established advisory committee, consisting  
3           of representatives of community-based agencies in-  
4           cluding service recipients, students, parents, teach-  
5           ers, administrators, representatives of agencies that  
6           serve school-age youth or older adults, school board  
7           members, representatives of local labor organiza-  
8           tions, and representatives of business, that will pro-  
9           vide advice with respect to the program;

10           “(2) a description of—

11                   “(A) the goals of the program which shall  
12                   include goals that are quantifiable and dem-  
13                   onstrate any benefits from the program to par-  
14                   ticipants and the community;

15                   “(B) service-learning projects to be pro-  
16                   vided under the program, and evidence that  
17                   participants will make a sustained commitment  
18                   to service in the projects;

19                   “(C) the manner in which participants in  
20                   the program were or will be involved in the de-  
21                   sign and operation of the program;

22                   “(D) training for supervisors, teachers,  
23                   service sponsors, and participants in the pro-  
24                   gram;

1           “(E) the manner in which exemplary serv-  
2           ice will be recognized under the program; and

3           “(F) any resources that will permit con-  
4           tinuation of the program, if needed, after the  
5           assistance received under this subpart for the  
6           program has ended;

7           “(3) information that shall include—

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

11          “(B) the expected number of participants  
12          in the program and the hours of service that  
13          such participants will provide individually and  
14          as a group;

15          “(C) the proportion of expected partici-  
16          pants in the program who are economically dis-  
17          advantaged, including participants who are indi-  
18          viduals with disabilities; and

19          “(D) any role of adult volunteers in imple-  
20          menting the program, and the manner in which  
21          such volunteers will be recruited;

22          “(4) in the case of an application submitted by  
23          a local partnership, a written agreement, between  
24          the members of the local partnership, stating that  
25          the program was jointly developed by the members

1 and that the program will be jointly executed by the  
2 members:

3 “(5) assurances that—

4 “(A) prior to the placement of a partici-  
5 pant, the entity carrying out the program will  
6 consult with any local labor organization rep-  
7 resenting employees in the area who are en-  
8 gaged in the same or similar work as that pro-  
9 posed to be carried out by such program, to  
10 prevent the displacement and protect the rights  
11 of such employees;

12 “(B) the entity carrying out the program  
13 will develop an age-appropriate learning compo-  
14 nent for participants in the program that shall  
15 include a chance for participants to analyze and  
16 apply their service experiences; and

17 “(C) the entity carrying out the program  
18 will comply with the nonduplication and  
19 nondisplacement requirements of section 177  
20 and the grievance procedure requirements of  
21 section 176(f); and

22 “(6) in the case of an application submitted by  
23 a grantmaking entity, information demonstrating  
24 that the entity will make grants for a program to—

1           “(A) carry out activities described in sec-  
2           tion 111B(b) in two or more States, under cir-  
3           cumstances in which the activities carried out  
4           under such program can be carried out more ef-  
5           ficiently through one program than through two  
6           or more programs; and

7           “(B) carry out the same activities, such as  
8           training activities or activities related to ex-  
9           changing information on service experiences,  
10          through each of the projects assisted through  
11          the program.

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

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

21          “(a) CRITERIA FOR APPLICATIONS.—In approving  
22          applications for financial assistance under subsection (a),  
23          (b), (c), or (d) of section 112, the Corporation shall con-  
24          sider such criteria with respect to sustainability,  
25          replicability, innovation, and quality of programs under

1 this subpart as the President may by regulation specify.  
2 In providing assistance under this subpart, a State edu-  
3 cational agency, Indian tribe, or grantmaking entity shall  
4 consider such criteria.

5 “(b) PRIORITY FOR LOCAL APPLICATIONS.—

6 “(1) IN GENERAL.—In providing assistance  
7 under this subpart, a State educational agency or  
8 Indian tribe, or the Corporation if section 111A or  
9 111B applies, shall give priority to entities that sub-  
10 mit applications under section 114 with respect to  
11 service-learning programs described in section 111  
12 that—

13 “(A) involve participants in the design and  
14 operation of the program:

15 “(B) are in the greatest need of assistance,  
16 such as programs targeting low-income areas:

17 “(C) involve—

18 “(i) students from public elementary  
19 or secondary schools, and students from  
20 private elementary or secondary schools,  
21 serving together; or

22 “(ii) students of different ages, races,  
23 sexes, ethnic groups, disabilities, or eco-  
24 nomic backgrounds, serving together; or

1                   “(D) are integrated into the academic pro-  
2                   gram of the participants.

3           “(c) REJECTION OF APPLICATIONS.—If the Corpora-  
4           tion rejects an application submitted by a State under sec-  
5           tion 113 for an allotment under subsection (b)(2) of sec-  
6           tion 112, the Corporation shall promptly notify the State  
7           of the reasons for the rejection of the application. The  
8           Corporation shall provide the State with a reasonable op-  
9           portunity to revise and resubmit the application and shall  
10          provide technical assistance, if needed, to the State as part  
11          of the resubmission process. The Corporation shall  
12          promptly reconsider such resubmitted application.

13   **“SEC. 115A. PARTICIPATION OF STUDENTS AND TEACHERS**  
14                                   **FROM PRIVATE SCHOOLS.**

15          “(a) IN GENERAL.—To the extent consistent with the  
16          number of students in the State or Indian tribe or in the  
17          school district of the local educational agency involved who  
18          are enrolled in private not-for-profit elementary and sec-  
19          ondary schools, such State, Indian tribe, or agency shall  
20          (after consultation with appropriate private school rep-  
21          resentatives) make provision—

22                   “(1) for the inclusion of services and arrange-  
23                   ments for the benefit of such students so as to allow  
24                   for the equitable participation of such students in  
25                   the programs implemented to carry out the objec-

1 tives and provide the benefits described in this sub-  
2 part: and

3 “(2) for the training of the teachers of such  
4 students so as to allow for the equitable participa-  
5 tion of such teachers in the programs implemented  
6 to carry out the objectives and provide the benefits  
7 described in this subpart.

8 “(b) WAIVER.—If a State, Indian tribe, or local edu-  
9 cational agency is prohibited by law from providing for  
10 the participation of students or teachers from private not-  
11 for-profit schools as required by subsection (a), or if the  
12 Corporation determines that a State, Indian tribe, or local  
13 educational agency substantially fails or is unwilling to  
14 provide for such participation on an equitable basis, the  
15 President shall waive such requirements and shall arrange  
16 for the provision of services to such students and teachers.  
17 Such waivers shall be subject to consultation, withholding,  
18 notice, and judicial review requirements in accordance  
19 with paragraphs (3) and (4) of section 1017(b) of the Ele-  
20 mentary and Secondary Education Act of 1965 (20 U.S.C.  
21 2727(b)).

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

23 “(a) SHARE.—

24 “(1) IN GENERAL.—The Federal share attrib-  
25 utable to this subpart of the cost of carrying out a

1 program for which a grant or allotment is made  
2 under this subpart may not exceed—

3 “(A) 90 percent of the total cost of the  
4 program for the first year for which the pro-  
5 gram receives assistance under this subpart:

6 “(B) 80 percent of the total cost of the  
7 program for the second year for which the pro-  
8 gram receives assistance under this subpart:

9 “(C) 70 percent of the total cost of the  
10 program for the third year for which the pro-  
11 gram receives assistance under this subpart:  
12 and

13 “(D) 50 percent of the total cost of the  
14 program for the fourth year, and for any subse-  
15 quent year, for which the program receives as-  
16 sistance under this subpart.

17 “(2) CALCULATION.—In providing for the re-  
18 maining share of the cost of carrying out such a pro-  
19 gram, each recipient of assistance under this  
20 subpart—

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

24 “(B) may provide for such share through  
25 State sources, local sources, or Federal sources

1 (other than funds made available under the na-  
2 tional service laws).

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

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

9 “(a) ADMINISTRATIVE COSTS.—

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

17 “(A) the original recipient; or

18 “(B) the entity carrying out the service-  
19 learning programs supported with the assist-  
20 ance.

21 “(2) RULES ON USE.—The President may by  
22 rule prescribe the manner and extent to which—

23 “(A) such assistance may be used to cover  
24 administrative costs; and

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

4                   “(i) the original recipient; and

5                   “(ii) the entity carrying out the serv-  
6           ice-learning programs supported with the  
7           assistance.

8           “(b) CAPACITY-BUILDING ACTIVITIES.—

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

19                   “(2) WAIVER.—The President may waive the  
20           requirements of paragraph (1) in order to permit an  
21           agency or a tribe to use not less than 10 percent  
22           and not more than 25 percent of such amount to  
23           build capacity as provided in paragraph (1). To be  
24           eligible to receive such a waiver such an agency or  
25           tribe shall submit an application to the President at

1 such time, in such manner, and containing such in-  
2 formation as the President may require.

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

10 **“SEC. 116B. DEFINITIONS.**

11 “As used in this subpart:

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

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

18 “(3) STUDENT.—Notwithstanding section  
19 101(30), the term ‘student’ means an individual who  
20 is enrolled in an elementary or secondary school on  
21 a full- or part-time basis.

22 **“Subpart B—Community-Based Service Programs for**  
23 **School-Age Youth**

24 **“SEC. 117. DEFINITIONS.**

25 “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 1 year before the  
11                   date on which the organization submitted the  
12                   application;

13                   “(C) has experience with service-learning;  
14                   and

15                   “(D) meets such other criteria as the  
16                   President shall establish.

17           “(3) QUALIFIED ORGANIZATION.—The term  
18           ‘qualified organization’ means a public or private  
19           not-for-profit organization with experience working  
20           with school-age youth that meets such criteria as the  
21           President may establish.

22   **“SEC. 117A. GENERAL AUTHORITY.**

23           “(a) GRANTS.—From the funds appropriated to  
24           carry out this subpart for a fiscal year, the Corporation  
25           may make grants to State Commissions, grantmaking en-

1 titles, and qualified organizations to pay for the Federal  
2 share of the implementation, operation, expansion, or rep-  
3 lication of community-based service programs.

4 “(b) USE OF FUNDS.—

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

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

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

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

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

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

5       “(c) CONTENTS.—Such an application shall include,  
6       at a minimum, a State plan that contains the descriptions,  
7       proposals, and assurance described in section 117C(d)  
8       with respect to each community-based service program  
9       proposed to be carried out through funding distributed by  
10      the State Commission 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 President 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 a model or an innovative commu-  
7 nity-based service program. Such application shall be sub-  
8 mitted at such time and in such manner, and shall contain  
9 such information, as the President may reasonably re-  
10 quire.

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

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

1       ated, expanded, or replicated directly by the appli-  
2       cant using assistance provided under this subpart;

3               “(2) a description of any grant program pro-  
4       posed to be conducted by the applicant with assist-  
5       ance provided under this subpart to support a com-  
6       munity-based service program;

7               “(3) a proposal for carrying out the commu-  
8       nity-based service program that describes the man-  
9       ner in which the entity carrying out the program  
10      will—

11              “(A) provide preservice and inservice train-  
12      ing, for supervisors and participants, that will  
13      be conducted by qualified individuals, or quali-  
14      fied organizations, that have experience in com-  
15      munity-based service programs;

16              “(B) include economically disadvantaged  
17      individuals as participants in the program pro-  
18      posed by the applicant;

19              “(C) provide an age-appropriate service-  
20      learning component described in section  
21      114(d)(5)(B);

22              “(D) conduct an appropriate evaluation of  
23      the program;

24              “(E) provide for appropriate community  
25      involvement in the program;

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

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

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

9           “(I) if appropriate, organize participants in  
10          the program into teams, with team leaders who  
11          may be participants in a program under subtitle  
12          C or individuals who receive a national service  
13          educational award under subtitle D;

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

19          “(5) an assurance that the entity carrying out  
20          the program will, prior to placing a participant in  
21          the program, consult with any local labor organiza-  
22          tion representing employees in the area in which the  
23          program will be carried out that are engaged in the  
24          same or similar work as the work proposed to be

1 carried out by the program, to prevent the displace-  
2 ment of such employees; and

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

6 “(A) carry out activities described in sec-  
7 tion 117A(b)(1) in two or more States, under  
8 circumstances in which the activities carried out  
9 under such program can be carried out more ef-  
10 ficiently through one program than through two  
11 or more programs; and

12 “(B) carry out the same activities, such as  
13 training activities or activities related to ex-  
14 changing information on service experiences,  
15 through each of the projects assisted through  
16 the program.

17 “(e) LIMITATION ON SAME PROJECT IN MULTIPLE  
18 APPLICATIONS.—No applicant shall submit an application  
19 under section 117B or this section, and the Corporation  
20 shall reject an application that is submitted under section  
21 117B or this section, if the application describes a project  
22 proposed to be conducted using assistance requested by  
23 the applicant and the project is already described in an-  
24 other application pending before the Corporation.

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

2       “(a) APPLICATION OF CRITERIA.—The Corporation  
3 shall apply the criteria described in subsection (b) in de-  
4 termining whether to approve an application submitted  
5 under section 117B or under subsection (a) or (b) of sec-  
6 tion 117C and to provide assistance under section 117A  
7 to the applicant on the basis of the application.

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

12       “(c) APPLICATION TO SUBGRANTS.—A State Com-  
13 mission or grantmaking entity shall apply the criteria de-  
14 scribed in subsection (b) in determining whether to ap-  
15 prove an application under section 117C(c) and to make  
16 a grant under section 117A(b)(1) to the applicant on the  
17 basis of the application.

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

19       “(a) FEDERAL SHARE.—

20               “(1) IN GENERAL.—The Federal share attrib-  
21 utable to this subpart of the cost of carrying out a  
22 program for which a grant is made under this sub-  
23 part may not exceed the percentage specified in sub-  
24 paragraph (A), (B), (C), or (D) of section 116(a)(1),  
25 as appropriate.

1           “(2) CALCULATION.—Each recipient of assist-  
2           ance under this subpart shall comply with section  
3           116(a)(2).

4           “(b) WAIVER.—The President may waive the require-  
5           ments of subsection (a), in whole or in part, as provided  
6           in section 116(b).

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

8           “(a) ADMINISTRATIVE COSTS.—Not more than 5 per-  
9           cent of the amount of assistance provided to a State Com-  
10          mission, grantmaking entity, or qualified organization that  
11          is the original recipient of a grant under section 117A(a)  
12          for a fiscal year may be used to pay for administrative  
13          costs incurred by—

14                 “(1) the original recipient; or

15                 “(2) the entity carrying out the community-  
16          based service programs supported with the assist-  
17          ance.

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

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

22                 “(2) that portion of the assistance available to  
23          cover administrative costs should be distributed  
24          between—

25                         “(A) the original recipient; and

1           “(B) the entity carrying out the commu-  
2           nity-based service programs supported with the  
3           assistance.

4                           **“Subpart C—Clearinghouse**

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

6           “(a) IN GENERAL.—The Corporation shall provide fi-  
7           nancial assistance, from funds appropriated to carry out  
8           subtitle H, to agencies described in subsection (b) to es-  
9           tablish a clearinghouse, which shall carry out activities,  
10          either directly or by arrangement with another such entity,  
11          with respect to information about service-learning.

12          “(b) PUBLIC AND PRIVATE NOT-FOR-PROFIT AGEN-  
13          CIES.—Public and private not-for-profit agencies that  
14          have extensive experience with service-learning, including  
15          use of adult volunteers to foster service-learning, shall be  
16          eligible to receive assistance under subsection (a).

17          “(c) FUNCTION OF CLEARINGHOUSE.—An entity  
18          that receives assistance under subsection (a) may—

19                  “(1) assist entities carrying out State or local  
20                  service-learning programs with needs assessments  
21                  and planning;

22                  “(2) conduct research and evaluations concern-  
23                  ing service-learning;

24                  “(3)(A) provide leadership development and  
25                  training to State and local service-learning program

1 administrators, supervisors, service sponsors, and  
2 participants; and

3 “(B) provide training to persons who can pro-  
4 vide the leadership development and training de-  
5 scribed in subparagraph (A);

6 “(4) facilitate communication among entities  
7 carrying out service-learning programs and partici-  
8 pants in such programs;

9 “(5) provide information, curriculum materials,  
10 and technical assistance relating to planning and op-  
11 eration of service-learning programs, to States and  
12 local entities eligible to receive financial assistance  
13 under this title;

14 “(6)(A) gather and disseminate information on  
15 successful service-learning programs, components of  
16 such successful programs, innovative youth skills  
17 curricula related to service-learning, and service-  
18 learning projects; and

19 “(B) coordinate the activities of the Clearing-  
20 house with appropriate entities to avoid duplication  
21 of effort;

22 “(7) make recommendations to State and local  
23 entities on quality controls to improve the quality of  
24 service-learning programs;

1           “(8) assist organizations in recruiting, screen-  
2           ing, and placing service-learning coordinators; and

3           “(9) carry out such other activities as the  
4           President determines to be appropriate.”.

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

9           **“PART II—HIGHER EDUCATION INNOVATIVE**  
10           **PROGRAMS FOR COMMUNITY SERVICE**  
11           **“SEC. 119. HIGHER EDUCATION INNOVATIVE PROGRAMS**  
12           **FOR COMMUNITY SERVICE.**

13           “(a) PURPOSE.—It is the purpose of this part to ex-  
14           pand participation in community service by supporting in-  
15           novative community service programs carried out through  
16           institutions of higher education, acting as civic institutions  
17           to meet the human, educational, environmental, or public  
18           safety needs of neighboring communities.

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

1 private organizations. to pay for the Federal share of the  
2 cost of—

3           “(1) enabling such an institution or partnership  
4 to create or expand an organized community service  
5 program that—

6                   “(A) engenders a sense of social respon-  
7 sibility and commitment to the community in  
8 which the institution is located; and

9                   “(B) provides projects for participants,  
10 who shall be students, faculty, administration,  
11 or staff of the institution, or residents of the  
12 community;

13           “(2) supporting student-initiated and student-  
14 designed community service projects through the  
15 program:

16                   “(3) strengthening the leadership and instruc-  
17 tional capacity of teachers at the elementary, sec-  
18 ondary, and post secondary levels, with respect to  
19 service-learning, by—

20                           “(A) including service-learning as a key  
21 component of the preservice teacher education  
22 of the institution; and

23                           “(B) encouraging the faculty of the institu-  
24 tion to use service-learning methods throughout  
25 their curriculum;

1           “(4) facilitating the integration of community  
2 service carried out under the program into academic  
3 curricula, including integration of clinical programs  
4 into the curriculum for students in professional  
5 schools, so that students can obtain credit for their  
6 community service projects:

7           “(5) supplementing the funds available to carry  
8 out work-study programs under part C of title IV of  
9 the Higher Education Act of 1965 (42 U.S.C. 2751  
10 et seq.) to support service-learning and community  
11 service through the community service program:

12           “(6) strengthening the service infrastructure  
13 within institutions of higher education in the United  
14 States through the program; and

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

19           “(c) FEDERAL SHARE.—

20           “(1) SHARE.—

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



1 need that will be addressed under such  
2 program:

3 “(iii) whether or not students will re-  
4 ceive academic credit for community serv-  
5 ice projects under the program:

6 “(iv) the procedure for training super-  
7 visors and participants and for supervising  
8 and organizing participants in such pro-  
9 gram:

10 “(v) the procedures to ensure that the  
11 program provides an opportunity for par-  
12 ticipants to reflect on their service experi-  
13 ences and includes the age-appropriate  
14 learning component described in section  
15 114(d)(5)(B):

16 “(vi) the roles played by students and  
17 community members, including service re-  
18 cipients, in the design and implementation  
19 of the program: and

20 “(vii) the budget for the program;

21 “(B) assurances that—

22 “(i) prior to the placement of a partic-  
23 ipant, the applicant will consult with any  
24 local labor organization representing em-  
25 ployees in the area who are engaged in the

1 same or similar work as that proposed to  
2 be carried out by such program, to prevent  
3 the displacement and protect the rights of  
4 such employees; and

5 “(ii) the applicant will comply with  
6 the nonduplication and nondisplacement  
7 provisions of section 177 and the grievance  
8 procedure requirements of section 176(f);  
9 and

10 “(C) such other assurances as the Presi-  
11 dent may reasonably require.

12 “(e) PRIORITY.—

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

17 “(A) demonstrate the commitment of the  
18 institution of higher education, other than by  
19 demonstrating the commitment of the students,  
20 to supporting the community service projects  
21 carried out under the program;

22 “(B) specify the manner in which the insti-  
23 tution will promote faculty, administration, and  
24 staff participation in the community service  
25 projects;

1           “(C) specify the manner in which the insti-  
2           tution will provide service to the community  
3           through organized programs, including, where  
4           appropriate, clinical programs for students in  
5           professional schools;

6           “(D) describe any partnership that will  
7           participate in the community service projects,  
8           such as a partnership comprised of—

9                   “(i) the institution;

10                   “(ii)(I) a community-based agency;

11                   “(II) a local government agency; or

12                   “(III) a not-for-profit entity that  
13           serves or involves school-age youth or older  
14           adults; and

15                   “(iii) a student organization;

16           “(E) demonstrate community involvement  
17           in the development of the proposal;

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

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

24           “(2) DETERMINATION.—In giving priority to  
25           applicants under paragraph (1), the Corporation

1 shall give increased priority to such an applicant for  
 2 each characteristic described in subparagraphs (A)  
 3 through (G) of paragraph (1) that is reflected in the  
 4 application submitted by the applicant.

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

10 “(g) DEFINITION.—Notwithstanding section  
 11 101(30), as used in this part, the term ‘student’ means  
 12 an individual who is enrolled in an institution of higher  
 13 education on a full- or part-time basis.”.

14 (c) TABLE OF CONTENTS.—Section 1(b) of the Na-  
 15 tional and Community Service Act of 1990 (Public Law  
 16 101–610; 104 Stat. 3127) is amended by striking the  
 17 items relating to subtitle B of title I of such Act and in-  
 18 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 not-for-profit organizations.

“Sec. 112. Grants and allotments.

“Sec. 113. State or tribal applications.

“Sec. 114. Local applications.

“Sec. 115. Consideration of applications.

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

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

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

“Sec. 116B. Definitions.

"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 adding at the end the following new subtitle:

1           **“Subtitle H—Investment for**  
2                   **Quality and Innovation**

3   **“SEC. 198. ADDITIONAL CORPORATION ACTIVITIES TO SUP-**  
4                   **PORT NATIONAL SERVICE.**

5           “(a) METHODS OF CONDUCTING ACTIVITIES.—The  
6 Corporation may carry out this section directly or through  
7 grants, contracts, and cooperative agreements with other  
8 entities.

9           “(b) INNOVATION AND QUALITY IMPROVEMENT.—

10           “(1) ACTIVITIES.—The Corporation may under-  
11 take activities to improve the quality of national  
12 service programs and to support innovative and  
13 model programs, including—

14                   “(A) programs, including programs for  
15 rural youth, under subtitle B or C;

16                   “(B) employer-based retiree programs;

17                   “(C) intergenerational programs;

18                   “(D) programs involving individuals with  
19 disabilities as participants providing service;  
20 and

21                   “(E) programs sponsored by Governors.

22           “(2) INTERGENERATIONAL PROGRAM.—An  
23 intergenerational program referred to in paragraph  
24 (1)(C) may include a program in which older adults

1 provide services to children who participate in Head  
2 Start programs.

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

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

15 “(e) IMPROVE ABILITY TO APPLY FOR ASSIST-  
16 ANCE.—The Corporation shall provide training and tech-  
17 nical assistance, where necessary, to individuals, pro-  
18 grams, local labor organizations, State educational agen-  
19 cies, State Commissions, local educational agencies, local  
20 governments, community-based agencies, and other enti-  
21 ties to enable them to apply for funding under one of the  
22 national service laws, to conduct high-quality programs,  
23 to evaluate such programs, and for other purposes.

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

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

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

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

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

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

3       “(l) INTERGENERATIONAL SUPPORT.—The Corpora-  
4 tion may assist programs in developing a service compo-  
5 nent that combines students, out-of-school youths, and  
6 older adults as participants to provide needed community  
7 services.

8       “(m) PLANNING COORDINATION.—The Corporation  
9 may coordinate community-wide planning among pro-  
10 grams and projects.

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

14       “(o) NATIONAL PROGRAM IDENTITY.—The Corpora-  
15 tion may support the development and dissemination of  
16 materials, including training materials, and arrange for  
17 uniforms and insignia, designed to promote unity and  
18 shared features among programs that receive assistance  
19 under the national service laws.

20       “(p) SERVICE-LEARNING.—The Corporation shall  
21 support innovative programs and activities that promote  
22 service-learning.

23       “(q) NATIONAL YOUTH SERVICE DAY.—

24               “(1) DESIGNATION.—April 19, 1994, and April  
25       18, 1995 are each designated as ‘National Youth

1 Service Day'. The President of the United States is  
2 authorized and directed to issue a proclamation call-  
3 ing on the people of the United States to observe the  
4 day with appropriate ceremonies and activities.

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

9 “(3) ACTIVITIES.—The Corporation may make  
10 grants to not-for-profit organizations with dem-  
11 onstrated ability to carry out appropriate activities,  
12 in order to support such activities on National Youth  
13 Service Day.

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 technical assistance relating to planning and oper-  
18 ation of community service programs, to States and  
19 local entities eligible to receive funds under this title;

20          “(6)(A) gather and disseminate information on  
21 successful community service programs, components  
22 of such successful programs, innovative youth skills  
23 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  
9 President determines to be appropriate.

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

11           “(a) PRESIDENTIAL AWARDS.—

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

17           “(2) INDIVIDUALS AND PROGRAMS.—Notwith-  
18 standing section 101(20)—

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

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



1           “(4) foster a sense of community pride in the  
2 youth in the community.

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

4           “(1) AFFECTED MILITARY INSTALLATION.—  
5 The term ‘affected military installation’ means a  
6 military installation described in section 325(e)(1) of  
7 the Job Training Partnership Act (29 U.S.C.  
8 1662d(e)(1)).

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

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

14                   “(A) conversion of the installation or a  
15 part of the installation to—

16                           “(i) a park;

17                           “(ii) a community center;

18                           “(iii) a recreational facility; or

19                           “(iv) a facility for a Head Start pro-  
20 gram under the Head Start Act (42 U.S.C.  
21 9831 et seq.); and

22                   “(B) carrying out, at the installation, a  
23 construction or economic development project  
24 that is of substantial benefit, as determined by  
25 the President, to—

1                   “(i) the community in which the in-  
2                   stallation is located; or

3                   “(ii) a community located within such  
4                   distance of the installation as the Presi-  
5                   dent may determine by regulation to be ap-  
6                   propriate.

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

10                  “(c) DEMONSTRATION PROGRAMS.—

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

17                         “(A) within the community; or

18                         “(B) within such distance from the com-  
19                         munity as the President may by regulation de-  
20                         termine to be appropriate.

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

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

1                   “(B) a full-time summer program.

2           “(d) USE OF FUNDS.—

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

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

14                   “(A) 85 percent of the total average an-  
15 nual subsistence allowance provided to VISTA  
16 volunteers under section 105 of the Domestic  
17 Volunteer Service Act of 1973 (42 U.S.C.  
18 4955); and

19                   “(B) 85 percent of the salary established  
20 by the demonstration program involved.

21           “(e) PARTICIPANTS.—

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

1           “(A) an economically disadvantaged indi-  
2           vidual; and

3           “(B)(i) a person described in section  
4           153(b);

5           “(ii) a youth described in section 154(a);  
6           or

7           “(iii) an eligible youth described in section  
8           423 of the Job Training Partnership Act (29  
9           U.S.C. 1693).

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

14                 “(A) on a full-time or a part-time basis;  
15                 and

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

18          “(f) APPLICATION.—

19                 “(1) IN GENERAL.—To be eligible to receive a  
20                 grant under subsection (c), a community or commu-  
21                 nity-based agency shall submit an application to the  
22                 President at such time, in such manner, and con-  
23                 taining such information as the President may re-  
24                 quire.

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

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

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

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

13                           “(ii) conduct an appropriate evalua-  
14                           tion of the program; and

15                           “(iii) provide for appropriate commu-  
16                           nity involvement in the program;

17                   “(C) information indicating the duration of  
18                   the program; and

19                   “(D) an assurance that the applicant will  
20                   comply with the nonduplication and  
21                   nondisplacement provisions of section 177 and  
22                   the grievance procedure requirements of section  
23                   176(f).

24           “(g) LIMITATION ON GRANT.—In making a grant  
25           under subsection (c) with respect to a demonstration pro-

1 gram to assist in converting an affected military installa-  
 2 tion, the Corporation shall not make a grant for more than  
 3 25 percent of the total cost of the conversion.”.

4 (d) TABLE OF CONTENTS.—

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

“Subtitle E—Civilian Community Corps

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

10 (2) QUALITY AND INNOVATION.—Section 1(b)  
 11 of the National and Community Service Act of 1990  
 12 (Public Law 101–610; 104 Stat. 3127) is amended  
 13 by striking the items relating to subtitle H of title  
 14 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.”

1 (e) TECHNICAL AND CONFORMING AMENDMENTS.—

2 (1) NATIONAL DEFENSE AUTHORIZATION ACT  
3 FOR FISCAL YEAR 1993.—

4 (A) Section 1091(f)(2) of the National De-  
5 fense Authorization Act for Fiscal Year 1993  
6 (Public Law 102-484) is amended by striking  
7 “195G” and inserting “158”.

8 (B) Paragraphs (1) and (2) of section  
9 1092(b), and sections 1092(c), 1093(a), and  
10 1094(a) of such Act are amended by striking  
11 “195A” and inserting “152”.

12 (C) Sections 1091(f)(2), 1092(b)(1), and  
13 1094(a), and subsections (a) and (c) of section  
14 1095 of such Act are amended by striking  
15 “subtitle H” and inserting “subtitle E”.

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

21 (2) NATIONAL AND COMMUNITY SERVICE ACT  
22 OF 1990.—

23 (A) Section 153(a) of the National and  
24 Community Service Act of 1990 (as redesign-  
25 nated in subsection (b)(3) of this section) (42

1 U.S.C. 12653b(a)) is amended by striking  
2 “195A(a)” and inserting “152(a)”.

3 (B) Section 154(a) of such Act (as redesignig-  
4 nated in subsection (b)(3) of this section) (42  
5 U.S.C. 12653c(a)) is amended by striking  
6 “195A(a)” and inserting “152(a)”.

7 (C) Section 155 of such Act (as redesignig-  
8 nated in subsection (b)(3) of this section) (42  
9 U.S.C. 12653d) is amended—

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

12 (ii) in subsection (c)(2), by striking  
13 “195H(c)(2)” and inserting “159(c)(2)”;  
14 and

15 (iii) in subsection (d)(3), by striking  
16 “195K(a)(3)” and inserting “162(a)(3)”.

17 (D) Section 156 of such Act (as redesignig-  
18 nated in subsection (b)(3) of this section) (42  
19 U.S.C. 12653e) is amended—

20 (i) in subsection (c)(1), by striking  
21 “195H(c)(2)” and inserting “159(c)(2)”;  
22 and

23 (ii) in subsection (d), by striking  
24 “195K(a)(3)” and inserting “162(a)(3)”.

1           (E) Section 159 of such Act (as redesignig-  
2           nated in subsection (b)(3) of this section) (42  
3           U.S.C. 12653h) is amended—

4                   (i) in subsection (a)—

5                           (I) by striking “195A” and in-  
6                           serting “152”; and

7                           (II) in paragraph (2), by striking  
8                           “195” and inserting “151”; and

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

12           (F) Section 161(b)(1)(B) of such Act (as  
13           redesignated in subsection (b)(3) of this sec-  
14           tion) (42 U.S.C. 12653j(b)(1)(B)) is amended  
15           by striking “195K(a)(3)” and inserting  
16           “162(a)(3)”.

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

21           (H) Section 166 of such Act (as redesignig-  
22           nated in subsection (b)(3) of this section) (42  
23           U.S.C. 12653o) is amended—

24                   (i) in paragraph (2), by striking  
25                   “195D” and inserting “155”;

1 (ii) in paragraph (8), by striking  
2 “195A” and inserting “152”;

3 (iii) in paragraph (10), by striking  
4 “195D(d)” and inserting “155(d)”; and

5 (iv) in paragraph (11), by striking  
6 “195D(e)” and inserting “155(e)”.

7 (f) EXTENSION OF AUTHORITY TO CONDUCT CIVIL-  
8 LAN COMMUNITY CORPS.—Section 1092(c) of the National  
9 Defense Authorization Act for Fiscal Year 1993 (Public  
10 Law 102-484; 106 Stat. 2534), as amended by subsection  
11 (e)(1) of this section, is further amended by adding at the  
12 end the following new sentence: “The amount made avail-  
13 able for the Civilian Community Corps Demonstration  
14 Program pursuant to this subsection shall remain avail-  
15 able for expenditure during fiscal years 1993 and 1994.”.

16 (g) PARTICIPANTS.—

17 (1) NATIONAL SERVICE PROGRAM.—Section  
18 153 of the National and Community Service Act of  
19 1990 (as redesignated in subsection (b)(3) of this  
20 section) (42 U.S.C. 12653b) is amended—

21 (A) by striking subsection (d); and

22 (B) by redesignating subsection (e) as sub-  
23 section (d).

24 (2) SUMMER NATIONAL SERVICE PROGRAM.—

25 Section 154 of the National and Community Service

1 Act of 1990 (as redesignated in subsection (b)(3) of  
2 this section) (42 U.S.C. 12653c) is amended—

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

4 (B) by redesignating subsection (c) as sub-  
5 section (b).

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

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

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

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

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

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

### 3 **Subtitle B—Related Provisions**

#### 4 **SEC. 111. DEFINITIONS.**

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

#### 8 **“SEC. 101. DEFINITIONS.**

9 “For purposes of this title:

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

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

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

21 “(2) APPROVED NATIONAL SERVICE POSI-  
22 TION.—The term ‘approved national service position’  
23 means a national service position for which the Cor-  
24 poration has approved the provision of a national  
25 service educational award described in section 147

1 as one of the benefits to be provided for successful  
2 service in the position.

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

8 “(4) COMMUNITY ACTION AGENCY.—The term  
9 ‘community action agency’ means an entity or orga-  
10 nization referred to in section 675(c)(2)(A) of the  
11 Community Services Block Grant Act (42 U.S.C.  
12 9904(c)(2)(A)).

13 “(5) COMMUNITY-BASED AGENCY.—The term  
14 ‘community-based agency’ means a private not-for-  
15 profit organization, including a church or other reli-  
16 gious entity, that is representative of a community  
17 and that is engaged in meeting human, educational,  
18 environmental, or public safety community needs.

19 “(6) CORPORATION.—The term ‘Corporation’  
20 means the Corporation for National and Community  
21 Service established under section 191.

22 “(7) ECONOMICALLY DISADVANTAGED.—The  
23 term ‘economically disadvantaged’ means, with re-  
24 spect to an individual, an individual who is deter-  
25 mined by the President to be low-income according

1 to the latest available data from the Department of  
2 Commerce.

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

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

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

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

1           “(12) INDIVIDUAL WITH A DISABILITY.—EX-  
2           cept as provided in section 175(a), the term ‘individ-  
3           ual with a disability’ has the meaning given the term  
4           in section 7(8) of the Rehabilitation Act of 1973 (29  
5           U.S.C. 706(8)).

6           “(13) INSTITUTION OF HIGHER EDUCATION.—  
7           The term ‘institution of higher education’ has the  
8           same meaning given such term in section 1201(a) of  
9           the Higher Education Act of 1965 (20 U.S.C.  
10          1141(a)).

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

16          “(15) NATIONAL SERVICE LAWS.—The term  
17          ‘national service laws’ means this Act and the Do-  
18          mestic Volunteer Service Act of 1973 (42 U.S.C.  
19          4950 et seq.).

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

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

23                       “(B) has not completed college or the  
24                       equivalent thereof; and

1           “(C) is not enrolled in an elementary or  
2 secondary school or institution of higher edu-  
3 cation.

4           “(17) PARTICIPANT.—

5           “(A) IN GENERAL.—The term ‘participant’  
6 means—

7           “(i) for purposes of subtitle C, an in-  
8 dividual in an approved national service  
9 position; and

10           “(ii) for purposes of any other provi-  
11 sion of this Act, an individual enrolled in  
12 a program that receives assistance under  
13 this title.

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

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

22           “(19) PRESIDENT.—The term ‘President’, ex-  
23 cept when used as part of the term ‘President of the  
24 United States’ means the President of the Corpora-  
25 tion appointed under section 193.

1           “(20) PROGRAM.—The term ‘program’, except  
2           when used as part of the term ‘academic program’,  
3           means a program described in section 111(a) (other  
4           than a program referred to in paragraph (3)(B) of  
5           such section), 117A(a), 119(b)(1), or 122(a), in  
6           paragraph (1) or (2) of section 152(b), or in section  
7           198.

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

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

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

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

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

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

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

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

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

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

14 “(iii) helps foster civic responsibility;  
15 and

16 “(B) that—

17 “(i) is integrated into and enhances  
18 the academic curriculum of the students,  
19 or the educational components of the com-  
20 munity service program in which the par-  
21 ticipants are enrolled; and

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

1           “(25) SERVICE-LEARNING COORDINATOR.—The  
2 term ‘service-learning coordinator’ means an individ-  
3 ual who provides services as described in subsection  
4 (a)(3) or (b) of section 111.

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

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

16           “(28) STATE COMMISSION.—The term ‘State  
17 Commission’ means a State Commission on National  
18 and Community Service maintained by a State pur-  
19 suant to section 178. Except when used in section  
20 178, the term includes an alternative administrative  
21 entity for a State approved by the Corporation  
22 under such section to act in lieu of a State Commis-  
23 sion.

24           “(29) STATE EDUCATIONAL AGENCY.—The  
25 term ‘State educational agency’ has the same mean-

1 ing given such term in section 1471(23) of the Ele-  
2 mentary and Secondary Education Act of 1965 (20  
3 U.S.C. 2891(23)).

4 “(30) STUDENT.—The term ‘student’ means an  
5 individual who is enrolled in an elementary or sec-  
6 ondary school or institution of higher education on  
7 a full- or part-time basis.”.

8 (b) TECHNICAL AND CONFORMING AMENDMENTS.—

9 (1) Section 182(a)(2) of the National and Com-  
10 munity Service Act of 1990 (42 U.S.C 12642(a)(2))  
11 is amended by striking “adult volunteer and partner-  
12 ship” each place the term appears and inserting  
13 “partnership”.

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

18 (3) Section 441(c)(2) of the Higher Education  
19 Act of 1965 (42 U.S.C. 2751(c)(2)) is amended by  
20 striking “service opportunities or youth corps as de-  
21 fined in section 101 of the National and Community  
22 Service Act of 1990, and service in the agencies, in-  
23 stitutions and activities designated in section 124(a)  
24 of the National and Community Service Act of  
25 1990” and inserting “a project, as defined in section

1 101(21) of the National and Community Service Act  
2 of 1990 (42 U.S.C. 12511(18))”.

3 (4) Section 1122(a)(2)(C) of the Higher Edu-  
4 cation Act of 1965 (20 U.S.C. 1137a(a)(2)(C)) is  
5 amended by striking “youth corps as defined in sec-  
6 tion 101(30) of the National and Community Service  
7 Act of 1990” and inserting “youth corps programs,  
8 as described in section 122(a)(1) of the National  
9 and Community Service Act of 1990”.

10 (5) Section 1201(p) of the Higher Education  
11 Act of 1965 (20 U.S.C. 1141(p)) is amended by  
12 striking “section 101(22) of the National and Com-  
13 munity Service Act of 1990” and inserting “section  
14 101(24) of the National and Community Service Act  
15 of 1990 (42 U.S.C. 12511(21))”.

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

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

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

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