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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 and Community 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 intended to be proposed by

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

2

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.

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

3

- 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 land corps.

TITLE IV—TECHNICAL AND CONFORMING AMENDMENTS

- Sec. 401. Definition of Director.
- Sec. 402. References to ACTION and the ACTION Agency.
- Sec. 403. Definitions.
- Sec. 404. References to the Commission on National and Community Service.
- Sec. 405. References to Directors of the Commission on National and Community Service.
- 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 post-secondary 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 for National and Community Service may make grants to
19 States, subdivisions of States, Indian tribes, public and
20 private not-for-profit organizations (including labor orga-
21 nizations and community action agencies), and institu-
22 tions of higher education for the purpose of assisting the
23 recipients of the grants by paying for the Federal share
24 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

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

Explication
of federal
agency
competence?

“(3) APPLICATION OF REQUIREMENTS.—A Federal agency receiving assistance under this subsection shall comply with the Federal share requirements of section 129(d)(2)(B). The supplementation requirements specified in section 173 shall apply with respect to the Federal national service programs supported with such assistance.

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

Explanation of
all or nothing
rule

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

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

24 “(A) the value of a national service edu-
25 cational award under section 147; 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.—In providing for the re-
12 maining share of the cost of carrying out a national
13 service program, the program—

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

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

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

explain why?

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

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

5 "(a) ELIGIBLE NATIONAL SERVICE PROGRAMS.—

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

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

22 "(2) A full-time youth corps program, carried
23 out during the summer or throughout the full cal-
24 endar year, such as a conservation corps or youth
25 service corps (including a conservation corps or

emphasizes



1 youth service corps that performs service on Federal
2 or other public lands or on Indian lands), that—

3 “(A) undertakes meaningful service
4 projects with visible benefits to a community,
5 including natural resource, urban renovation,
6 rural development, or human services projects;

7 “(B) includes as participants youths and
8 young adults between the ages of 16 and 25, in-
9 clusive, including out-of-school youths, other
10 economically disadvantaged youths, and individ-
11 uals with disabilities, who are between those
12 ages; and

13 “(C) provides those participants who are
14 youths and young adults with—

15 “(i) crew-based, highly structured,
16 and adult-supervised work experience, life
17 skills, education, career guidance and
18 counseling, employment training, and sup-
19 port services; and

20 “(ii) the opportunity to develop citi-
21 zenship values and skills through service to
22 their community and the United States.

23 “(3) A program that provides specialized train-
24 ing to individuals in service-learning and places the
25 individuals after such training in positions, including

20%

1 positions as service-learning coordinators, to facili-
2 tate service-learning in programs eligible for funding
3 under part I subtitle B.

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

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

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

17 “(5) An individualized placement program that
18 includes regular group activities, such as leadership
19 training and special service projects.

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

24 “(A) students who are attending an insti-
25 tution of higher education, including students

1 participating in a work-study program assisted
2 under part C of title IV of the Higher Edu-
3 cation Act of 1965 (42 U.S.C. 2751 et seq.);

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

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

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

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

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

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

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

23 “(A) as teachers, nurses and other health
24 care providers, police officers, early childhood
25 development staff, or other professionals provid-

1 ing service to meet educational, human, envi-
2 ronmental, or public safety needs in commu-
3 nities with an inadequate number of such pro-
4 fessionals;

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

9 “(C) that are sponsored by public or pri-
10 vate not-for-profit employers who agree to pay
11 100 percent of the salaries and benefits (other
12 than any national service educational award
13 under subtitle D) of the participants.

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

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

23 “(B) the need for community facilities in
24 low-income areas.

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

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

12 “(12) A program, to be known as a ‘Commu-
13 nities in Action program’, carried out by not-for-
14 profit organizations, including community action
15 agencies or combinations of such agencies, to pro-
16 vide opportunities for individuals or teams of indi-
17 viduals to engage in local community projects that
18 meet important unaddressed community and individ-
19 ual needs in low-income areas served by such a non-
20 for-profit organization, including service projects to
21 meet the unaddressed needs of economically dis-
22 advantaged youth age 18 and younger (including
23 providing safe locations for after-school programs
24 that provide opportunities for learning and recre-
25 ation).

service

1 “(13) Such other national service programs ad-
2 dressing unmet human, educational, environmental,
3 or public safety needs as the Corporation may des-
4 ignate.

5 “(b) QUALIFICATION CRITERIA TO DETERMINE ELI-
6 GIBILITY.—

7 “(1) ESTABLISHMENT BY CORPORATION.—The
8 Corporation shall establish qualification criteria for
9 different types of national service programs for the
10 purpose of determining whether a particular national
11 service program should be considered to be a na-
12 tional service program eligible to receive assistance
13 or approved national service positions under this
14 subtitle.

15 “(2) CONSULTATION.—In establishing qualifica-
16 tion criteria under paragraph (1), the Corporation
17 shall consult with organizations and individuals that
18 have extensive experience in developing and admin-
19 istering effective national service programs.

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

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

12 “(c) NATIONAL SERVICE PRIORITIES.—

13 “(1) ESTABLISHMENT BY CORPORATION.—In
14 order to concentrate national efforts on meeting cer-
15 tain unmet human, educational, environmental, or
16 public safety needs and to achieve the other pur-
17 poses of this Act, the Corporation, after consultation
18 with the State Commissions, may establish, and pe-
19 riodically alter, priorities regarding the types of na-
20 tional service programs to be assisted under section
21 121 and the purposes for which such assistance may
22 be used.

23 “(2) NOTICE TO APPLICANTS.—

24 “(A) IN GENERAL.—The Corporation shall
25 provide to potential applicants advance notice of

1 any national service priorities to be in effect
2 under this subsection for a fiscal year.

3 “(B) CONTENTS.—The notice shall specifi-
4 cally include—

5 “(i) a description of any alteration
6 made in the priorities since the previous
7 notice; and

8 “(ii) a description of the national
9 service programs that are designated by
10 the Corporation under section 133(d)(2) as
11 eligible for priority consideration in the
12 next competitive distribution of assistance
13 under section 121(a).

14 “(C) REGULATIONS.—The Corporation
15 shall by regulation establish procedures to en-
16 sure the equitable treatment of national service
17 programs that—

18 “(i) receive funding under this subtitle
19 for multiple years; and

20 “(ii) would be adversely affected by
21 annual revisions in such national service
22 priorities.

23 “(3) APPLICATION TO SUBGRANTS.—Any recip-
24 ient of funds under section 121(a) that uses any
25 portion of the assistance to conduct a grant program

1 to support other national service programs shall, in
2 conducting such a grant program, make reasonable
3 efforts to use any national service priorities estab-
4 lished by the Corporation under this subsection.

5 **“SEC. 123. TYPES OF NATIONAL SERVICE POSITIONS ELIGI-**
6 **BLE FOR APPROVAL FOR NATIONAL SERVICE**
7 **EDUCATIONAL AWARDS.**

8 “The Corporation may approve of any of the follow-
9 ing service positions as an approved national service posi-
10 tion that includes the national service educational award
11 described in subtitle D as one of the benefits to be pro-
12 vided for successful service in the position:

13 “(1) A position for a participant in a national
14 service program described in section 122(a) that re-
15 ceives assistance under subsection (a) or (b) of sec-
16 tion 121.

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

19 “(A) is carried out by a State, a subdivi-
20 sion of a State, an Indian tribe, a public or pri-
21 vate not-for-profit organization (including a
22 community action agency), an institution of
23 higher education, or a Federal agency; and

24 “(B) would be eligible to receive assistance
25 under section 121(a), based on criteria estab-

1 lished by the Corporation, but has not applied
2 for such assistance.

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

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

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

11 “(6) A position involving service as a crew lead-
12 er in a youth corps program or a similar position
13 supporting a national service program that receives
14 an approved national service position.

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

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

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

24 “(b) OPERATIONAL ASSISTANCE.—The Corporation
25 may provide assistance under section 121 to a qualified

*Does this need to
be explained?*

1 applicant that submits an application under section 130
2 for the establishment, operation, or expansion of a na-
3 tional service program. Assistance provided in accordance
4 with this subsection may cover a period of not more than
5 3 years, but may be renewed by the Corporation upon con-
6 sideration of a new application under section 130.

7 “(c) REPLICATION ASSISTANCE.—The Corporation
8 may provide assistance under section 121 to a qualified
9 applicant that submits an application under section 130
10 for the expansion of a proven national service program to
11 another geographical location. Assistance provided in ac-
12 cordance with this subsection may cover a period of not
13 more than 3 years, but may be renewed by the Corpora-
14 tion upon consideration of a new application under section
15 130.

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

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

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

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

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

6 “(B) where programs do not exist, or are
7 too limited to meet community needs, as of the
8 date on which the Corporation makes the grant
9 or enters into the contract;

10 “(2) promote leadership development in such
11 programs;

12 “(3) improve the instructional and pro-
13 grammatic quality of such programs to build an
14 ethic of civic responsibility;

15 “(4) develop the management and budgetary
16 skills of program operators; and

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

19 “(b) TECHNICAL ASSISTANCE.—The Corporation
20 shall, where necessary, make appropriate technical assist-
21 ance available to States, Indian tribes, labor organizations,
22 organizations operated by young adults, organizations
23 serving economically disadvantaged individuals, and other
24 entities described in section 121 that desire—

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

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

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

5 “(a) SUPPORT FOR STATE COMMISSIONS.—

6 “(1) ASSISTANCE AUTHORIZED.—The Corpora-
7 tion may make assistance available to assist a State
8 to establish or operate the State Commission on Na-
9 tional and Community Service required to be estab-
10 lished by the State under section 178.

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

16 “(A) 85 percent of the total cost to estab-
17 lish or operate the State Commission for the
18 first year for which the State Commission re-
19 ceives assistance under this subsection; and

20 “(B) such smaller percentage of such cost
21 as the Corporation may establish for the sec-
22 ond, third, and fourth years of such assistance
23 in order to ensure that the Federal share does
24 not exceed 50 percent of such costs for the fifth
25 year, and any subsequent year, for which the

1 State Commission receives assistance under this
2 subsection.

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

10 “(c) CHALLENGE GRANTS FOR NATIONAL SERVICE
11 PROGRAMS.—

12 “(1) ASSISTANCE AUTHORIZED.—

13 “(A) IN GENERAL.—The Corporation may
14 make challenge grants under this subsection to
15 national service programs that receive assist-
16 ance under section 121.

17 “(B) CRITERIA.—The Corporation shall
18 develop criteria for the selection of recipients of
19 such challenge grants, so as to make the grants
20 widely available to a variety of programs that—

21 “(i) are high-quality national service
22 programs; and

23 “(ii) are carried out by entities with
24 demonstrated experience in establishing

1 and implementing projects that provide
2 benefits to participants and communities.

3 “(2) AMOUNT OF ASSISTANCE.—A challenge
4 grant under this subsection may provide not more
5 than \$1 of assistance under this subsection for each
6 \$1 in cash raised by the national service program
7 from private sources in excess of amounts required
8 to be provided by the program to satisfy matching
9 funds requirements under section 121(e). The Cor-
10 poration shall establish a ceiling on the amount of
11 assistance that may be provided to a national service
12 program under this subsection.

13 **“PART II—APPLICATION AND APPROVAL**

14 **PROCESS**

15 **“SEC. 129. PROVISION OF ASSISTANCE AND APPROVED NA-**
16 **TIONAL SERVICE POSITIONS BY COMPETI-**
17 **TIVE AND OTHER MEANS.**

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

20 “(1) $33\frac{1}{3}$ PERCENT ALLOTMENT OF ASSIST-
21 ANCE.—Of the funds allocated by the Corporation
22 for provision of assistance under subsections (a) and
23 (b) of section 121 for a fiscal year, the Corporation
24 shall make a grant under section 121(a) (and a cor-
25 responding allotment of approved national service

1 positions) to each of the several States (through the
2 State Commission of the State), the District of Co-
3 lumbia, and the Commonwealth of Puerto Rico that
4 has an application approved by the Corporation
5 under section 133. The amount allotted as a grant
6 to each such State under this paragraph for a fiscal
7 year shall be equal to the amount that bears the
8 same ratio to $33\frac{1}{3}$ percent of the allocated funds for
9 that fiscal year as the population of the State bears
10 to the total population of the several States, the Dis-
11 trict of Columbia, and the Commonwealth of Puerto
12 Rico.

13 “(2) ONE PERCENT ALLOTMENT OF ASSIST-
14 ANCE.—Of the funds allocated by the Corporation
15 for provision of assistance under subsections (a) and
16 (b) of section 121 for a fiscal year, the Corporation
17 shall reserve 1 percent of the allocated funds for
18 grants under section 121(a) to Indian tribes, the
19 Virgin Islands, Guam, American Samoa, and the
20 Commonwealth of the Northern Mariana Islands, to
21 be allotted by the Corporation on a competitive basis
22 in accordance with their respective needs. Palau
23 shall also be eligible for a grant under this para-
24 graph from the 1 percent allotment until such time

1 as the Compact of Free Association with Palau is
2 ratified.

3 “(3) EFFECT OF FAILURE TO APPLY.—If a
4 State or Indian tribe fails to apply for, or fails to
5 give notice to the Corporation of its intent to apply
6 for, an allotment under this subsection, the Corpora-
7 tion shall use the amount that would have been al-
8 lotted under this subsection to the State or Indian
9 tribe—

10 “(A) to make grants (and provide ap-
11 proved national service positions in connection
12 with such grants) to other eligible entities
13 under section 121 that propose to carry out na-
14 tional service programs in the State or on be-
15 half of the Indian tribe; and

16 “(B) after making grants under paragraph
17 (1), to make a reallocation to other States and
18 Indian tribes with approved applications under
19 section 130.

20 “(b) RESERVATION OF APPROVED POSITIONS.—

21 “(1) NUMBER RESERVED.—Except as provided
22 in paragraph (2), the Corporation shall ensure that
23 each individual selected during a fiscal year for as-
24 signment as a VISTA volunteer under title I of the
25 Domestic Volunteer Service Act of 1973 (42 U.S.C.

1 4951 et seq.) or as a participant in the Civilian
2 Community Corps Demonstration Program under
3 subtitle E shall receive the national service edu-
4 cational award described in subtitle D if the individ-
5 ual satisfies the eligibility requirements for the
6 award. Funds for approved national service positions
7 required by this paragraph for a fiscal year shall be
8 deducted from the total funding for approved na-
9 tional service positions to be available for distribu-
10 tion under subsections (a) and (d) for that fiscal
11 year.

12 “(2) TRANSITION.—The Corporation shall de-
13 termine an equitable procedure for providing post-
14 service educational awards to individuals who are se-
15 lected for assignment as described in paragraph (1)
16 after the date of enactment of this subtitle and be-
17 fore the effective date of section 203(c)(2) of the
18 National and Community Service Trust Act of 1993.

19 “(c) RESERVATION FOR SPECIAL ASSISTANCE.—
20 Subject to section 501(a)(2), of the funds allocated by the
21 Corporation for provision of assistance under subsections
22 (a) and (b) of section 121 for a fiscal year, the Corpora-
23 tion may reserve such amount as the Corporation consid-
24 ers to be appropriate for the purpose of making assistance
25 available under sections 125 and 126. The Corporation

1 may not reserve more than \$10,000,000 for a fiscal year
2 for challenge grants under section 126(c).

3 “(d) COMPETITIVE DISTRIBUTION OF REMAINING
4 FUNDS AND APPROVED POSITIONS.—

5 “(1) STATE COMPETITION.—Of the funds allo-
6 cated by the Corporation for provision of assistance
7 under subsections (a) and (b) of section 121 for a
8 fiscal year, the Corporation shall use not less than
9 $33\frac{1}{3}$ percent of the allocated funds to make grants
10 to States (through the State Commissions) on a
11 competitive basis under section 121(a).

12 “(2) FEDERAL AGENCIES AND OTHER APPLI-
13 CANTS.—

14 “(A) IN GENERAL.—The Corporation shall
15 distribute on a competitive basis to subdivisions
16 of States (through the State Commissions), In-
17 dian tribes, public and private not-for-profit or-
18 ganizations (including labor organizations and
19 community action agencies), institutions of
20 higher education, and Federal agencies the re-
21 mainder of the funds allocated by the Corpora-
22 tion for provision of assistance under section
23 121 for a fiscal year, after operation of para-
24 graph (1) and subsections (a) and (c).

1 “(B) FEDERAL SHARE.—Notwithstanding
2 section 121(e), if a Federal agency proposes to
3 carry out a national service program using
4 funds made available under subparagraph (A),
5 and the Federal agency is authorized to use
6 funds made available under Federal law (other
7 than the national service laws) to carry out
8 such a program, the Federal share attributable
9 to this paragraph of the cost of carrying out the
10 national service program shall be 50 percent of
11 such cost. The President may by regulation
12 specify the sources that may be used by the
13 Federal agency to provide for the remaining
14 share of such cost.

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

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

24 “(3) PRIORITY.—In distributing the funds allo-
25 cated by the Corporation for provision of assistance

1 under section 121 for a fiscal year, after operation
2 of subsections (a) and (c) and after using $33\frac{1}{3}$ per-
3 cent of such funds to make grants under paragraph
4 (1), in determining whether to—

5 “(A) use an additional portion of the funds
6 to make a grant under paragraph (1) to a State
7 applicant; or

8 “(B) distribute the portion of the funds to
9 an applicant that is a private not-for-profit or-
10 ganization under paragraph (2),

11 the Corporation shall give preference to the private
12 not-for-profit organization in any case in which the
13 Corporation determines that the applicants have
14 submitted applications of equal quality under section
15 130.

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

24 “(f) DISTRIBUTION OF APPROVED POSITIONS SUB-
25 JECT TO AVAILABLE FUNDS.—The Corporation may not

1 distribute approved national service positions under this
2 section for a fiscal year in excess of the number of such
3 positions for which the Corporation has sufficient available
4 funds in the National Service Trust for that fiscal year
5 to satisfy the maximum possible obligations to be incurred
6 by the United States to provide the national service edu-
7 cational award corresponding to service in these positions.

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

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

22 “(2) DEPOSIT OF CONTRIBUTION.—Funds pro-
23 vided pursuant to an agreement under paragraph
24 (1) and any other funds contributed to the Corpora-
25 tion to support the activities of the Corporation

1 under the national service laws shall be deposited in
2 the National Service Trust established in section
3 145 until such time as the funds are needed.

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

6 "(a) TIME, MANNER, AND CONTENT OF APPLICA-
7 TION.—To be eligible to receive assistance under section
8 121 and approved national service positions for partici-
9 pants who serve in the national service programs to be
10 carried out using the assistance, a State, subdivision of
11 a State, Indian tribe, public or private not-for-profit orga-
12 nization (including a community action agency), institu-
13 tion of higher education, or Federal agency shall prepare
14 and submit to the Corporation an application at such time,
15 in such manner, and containing such information as the
16 Corporation may reasonably require.

17 "(b) TYPES OF APPLICATION INFORMATION.—In
18 order to have adequate information upon which to consider
19 an application under section 133, the Corporation may re-
20 quire the following information to be provided in an appli-
21 cation submitted under subsection (a):

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

1 “(2) A description of the national service pro-
2 grams that are selected by the applicant to receive
3 a grant from assistance requested under section 121
4 and a description of the process and criteria by
5 which the programs were selected.

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

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

18 “(5) A description of the plan to be used to re-
19 cruit participants, including economically disadvan-
20 taged youth, for the national service programs re-
21 ferred to in paragraphs (1) and (2).

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

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

4 “(A) in projects that build an ethic of civic
5 responsibility and produce a positive change in
6 the lives of participants through training and
7 participation in meaningful service experiences
8 and opportunities for reflection on such experi-
9 ences; and

10 “(B) in leadership positions in implement-
11 ing and evaluating the program.

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

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

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

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

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

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

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

20 “(13) A description of a plan to be used to en-
21 courage women to participate in programs referred
22 to in paragraphs (1) and (2).

23 “(14) Such other information as the Corpora-
24 tion may reasonably require.

1 “(c) APPLICATION TO RECEIVE ONLY APPROVED
2 NATIONAL SERVICE POSITIONS.—

3 “(1) APPLICABILITY OF SUBSECTION.—This
4 subsection shall apply in the case of an application
5 in which—

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

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

18 “(2) SPECIAL APPLICATION REQUIREMENTS.—
19 For the applications described in paragraph (1), the
20 Corporation shall establish special application re-
21 quirements in order to determine—

22 “(A) whether the service positions meet
23 unmet human, educational, environmental, or
24 public safety needs and meet the criteria for as-
25 sistance under this subtitle; and

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

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

8 “(1) SUBMISSION BY STATE COMMISSION.—The
9 application of a State for approved national service
10 positions or for a grant under section 121(a) shall
11 be submitted by the State Commission.

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

18 “(3) ASSISTANCE TO NONSTATE ENTITIES.—
19 The application of a State shall also contain an as-
20 surance that not less than 60 percent of the assist-
21 ance will be used to make grants in support of na-
22 tional service programs other than national service
23 programs carried out by a State agency. The Cor-
24 poration may permit a State to deviate from the per-
25 centage specified by this subsection if the State has

1 not received a sufficient number of acceptable appli-
2 cations to comply with the percentage.

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

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

*anti-form
shopper
punish*

18 **“SEC. 131. NATIONAL SERVICE PROGRAM ASSISTANCE RE-**
19 **QUIREMENTS.**

20 “(a) IMPACT ON COMMUNITIES.—An application sub-
21 mitted under section 130 shall include an assurance by
22 the applicant that any national service program carried
23 out by the applicant using assistance provided under sec-
24 tion 121 and any national service program supported by
25 a grant made by the applicant using such assistance will—

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

5 “(2) comply with the nonduplication and
6 nondisplacement requirements of section 177.

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

14 “(1) provide participants in the national service
15 program with the training, skills, and knowledge
16 necessary for the projects that participants are
17 called upon to perform;

18 “(2) provide support services to participants,
19 such as the provision of appropriate information and
20 support—

21 “(A) to those participants who are com-
22 pleting a term of service and making the transi-
23 tion to other educational and career opportuni-
24 ties; and

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

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

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

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

21 “(2) prior to the placement of participants, con-
22 sult with any local labor organization representing
23 employees in the area who are engaged in the same
24 or similar work as that proposed to be carried out
25 by such program to ensure compliance with the

1 nondisplacement requirements specified in section
2 177; and

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

7 “(d) EVALUATION AND PERFORMANCE GOALS.—

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

11 “(A)(i) arrange for an independent evalua-
12 tion of any national service program carried out
13 using assistance provided to the applicant under
14 section 121; or

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

17 “(B) develop measurable performance
18 goals and evaluation methods (such as the use
19 of surveys of participants and persons served),
20 which are to be used as part of such evaluation
21 to determine the impact of the program—

22 “(i) on communities and persons
23 served by the projects performed by the
24 program;

1 “(ii) on participants who take part in
2 the projects; and

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

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

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

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

20 “(1) provide a living allowance and other bene-
21 fits specified in section 140 to participants in any
22 national service program carried out by the appli-
23 cant using assistance provided under section 121;
24 and

1 “(2) require that each national service program
2 that receives a grant from the applicant using such
3 assistance will also provide a living allowance and
4 other benefits specified in section 140 to participants
5 in the program.

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

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

21 “An application submitted to the Corporation under
22 section 130 shall include an assurance by the applicant
23 that any national service program carried out using assist-
24 ance provided under section 121 and any approved na-
25 tional service position provided to an applicant will not be

1 used to perform service that provides a direct benefit to
2 any—

3 “(1) business organized for profit;

4 “(2) labor union;

5 “(3) partisan political organization; or

6 “(4) organization engaged in religious activities,

7 unless such service does not involve the use of assist-

8 ance provided under section 121 or participants to

9 give religious instruction, conduct worship services,

10 or engage in any form of proselytization.

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

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

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

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

24 “(b) APPLICATION TO SUBGRANTS.—A State or
25 other entity that uses assistance provided under section

1 121(a) to support national service programs selected on
2 a competitive basis to receive a share of the assistance
3 shall use the criteria described in subsections (c) and (d)
4 when considering an application submitted by a national
5 service program to receive a portion of such assistance or
6 an approved national service position. The application of
7 the State or other entity under section 130 shall contain
8 a certification that the State or other entity complied with
9 these criteria in the selection of national service programs
10 to receive assistance.

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

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

17 “(2) The innovative aspects of the national
18 service program, and the feasibility of replicating the
19 program.

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

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

24 “(B) of multiple funding sources or private
25 funding for the program.

1 “(4) The quality of the leadership of the na-
2 tional service program, the past performance of the
3 program, and the extent to which the program
4 builds on existing programs.

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

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

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

19 “(B) areas that are environmentally dis-
20 tressed;

21 “(C) areas adversely affected by reductions
22 in defense spending or the closure or realign-
23 ment of military installations; and

24 “(D) areas—

1 “(i) that have experienced a substan-
2 tial reduction in population, as determined
3 by the Corporation; and

4 “(ii) with high numbers or percent-
5 ages of economically disadvantaged older
6 adults.

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

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

13 “(d) OTHER CONSIDERATIONS.—

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

20 “(2) PRIORITIES.—

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

1 consideration in the competitive distribution of
2 funds under section 129(d)(2).

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

7 “(i) national service programs carried
8 out by another Federal agency;

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

12 “(iii) innovative national service pro-
13 grams;

14 “(iv) national service programs that
15 are well established in one or more States
16 at the time of the application and are pro-
17 posed to be expanded to additional States
18 using assistance provided under section
19 121;

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

1 provision of services to meet human, edu-
2 cational, environmental, or public safety
3 needs; and

4 “(vi) professional corps programs de-
5 scribed in section 122(a)(8).

6 7 “(C) EXCEPTION.—In making a competi-
7 tive distribution of funds under section
8 129(d)(2), the President may give priority con-
9 sideration to a national service program that
10 is—

11 “(i) proposed in an application sub-
12 mitted by a State Commission; and

13 “(ii) not one of the types of programs
14 described in clauses (i) through (vi) of sub-
15 paragraph (B),

16 if the State Commission provides an adequate
17 explanation of the reasons why it should not be
18 a priority of such State to carry out any of such
19 types of programs in the State.

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

21 “(A) establish panels of experts for the
22 purpose of securing recommendations on appli-
23 cations submitted under section 130 for more
24 than \$100,000 in assistance, or for national
25 service positions that would require more than

1 \$100,000 in national service educational
2 awards; and

3 “(B) consider the opinions of such panels
4 prior to making such determinations.

5 “(e) EMPHASIS ON AREAS MOST IN NEED.—In mak-
6 ing assistance available under section 121 and in providing
7 approved national service positions under section 123, the
8 Corporation shall ensure that not less than 50 percent of
9 the total amount of assistance to be distributed to States
10 under subsections (a) and (d)(1) of section 129 for a fiscal
11 year is provided to carry out or support national service
12 programs and projects that—

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

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

22 “(f) REJECTION OF STATE APPLICATIONS.—

23 “(1) NOTIFICATION OF STATE APPLICANTS.—If
24 the Corporation rejects an application submitted by
25 a State Commission under section 130 for funds de-

1 scribed in section 129(a)(1), the Corporation shall
2 promptly notify the State Commission of the reasons
3 for the rejection of the application.

4 “(2) RESUBMISSION AND RECONSIDERATION.—

5 The Corporation shall provide a State Commission
6 notified under paragraph (1) with a reasonable op-
7 portunity to revise and resubmit the application. At
8 the request of the State Commission, the Corpora-
9 tion shall provide technical assistance to the State
10 Commission as part of the resubmission process.
11 The Corporation shall promptly reconsider an appli-
12 cation resubmitted under this paragraph.

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

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

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

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

1 “(1) meets such eligibility requirements as may
2 be established by the program;

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

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

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

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

13 “(ii) agrees to obtain a high school diploma or
14 its equivalent and the individual did not drop out of
15 an elementary or secondary school to enroll in the
16 program; or

17 “(B)(i) is enrolled at an institution of higher
18 education on the basis of meeting the standard de-
19 scribed in paragraph (1) or (2) of section 484(d) of
20 the Higher Education Act of 1965 (20 U.S.C.
21 1091(d)); and

22 “(ii) meets the requirements of section 484(a)
23 of such Act; and

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

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

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

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

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

19 **“SEC. 138. SELECTION OF NATIONAL SERVICE PARTICI-**
20 **PANTS.**

21 “(a) SELECTION PROCESS.—Subject to subsections
22 (b) and (c) and section 131(f), the actual recruitment and
23 selection of an individual to serve in a national service pro-
24 gram receiving assistance under section 121 or to fill an
25 approved national service position shall be conducted by

1 the State, subdivision of a State, Indian tribe, public or
2 private not-for-profit organization, institution of higher
3 education, Federal agency, or other entity to which the
4 assistance and approved national service positions are
5 provided.

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

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

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

1 education, employment service offices, State vocational re-
2 habilitation agencies within the meaning of the Rehabilita-
3 tion Act of 1973 and other State agencies that primarily
4 serve individuals with disabilities, and other appropriate
5 entities, particularly those organizations that provide out-
6 reach to economically disadvantaged youths or youths who
7 are individuals with disabilities.

8 “(e) NATIONAL LEADERSHIP POOL.—

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

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

22 “(A) in the Peace Corps;

23 “(B) as VISTA volunteers;

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

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

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

18 **“SEC. 139. TERMS OF SERVICE.**

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

24 “(b) TERM OF SERVICE.—

1 “(1) FULL-TIME SERVICE.—An individual per-
2 forming full-time national service in an approved na-
3 tional service position shall agree to participate in
4 the program sponsoring the position for not less
5 than 1,700 hours during a period of not less than
6 9 months and not more than 1 year.

7 “(2) PART-TIME SERVICE.—Except as provided
8 in paragraph (3), an individual performing part-time
9 national service in an approved national service posi-
10 tion shall agree to participate in the program spon-
11 soring the position for not less than 1,700 hours
12 during a period of—

13 “(A) not less than 1 year and not more
14 than 2 years; or

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

19 “(3) REDUCTION IN HOURS OF PART-TIME
20 SERVICE.—The Corporation may reduce the number
21 of hours required to be served to successfully com-
22 plete part-time national service to a level determined
23 by the Corporation, except that any reduction in the
24 required term of service shall include a correspond-
25 ing reduction in the amount of any national service

1 educational award that may be available under sub-
2 title D with regard to that service.

3 “(c) RELEASE FROM COMPLETING TERM OF SERV-
4 ICE.—

5 “(1) RELEASE AUTHORIZED.—A recipient of
6 assistance under section 121 or a program sponsor-
7 ing an approved national service position may re-
8 lease a participant from completing a term of service
9 in the position—

10 “(A) for compelling personal circumstances
11 as demonstrated by the participant; or

12 “(B) for cause.

13 “(2) EFFECT OF RELEASE.—If the released
14 participant was serving in an approved national
15 service position, the participant may receive a por-
16 tion of the national service educational award cor-
17 responding to that service in the manner provided in
18 section 147(b), except that a participant released for
19 cause may not receive any portion of the national
20 service educational award.

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

23 “(a) PROVISION OF LIVING ALLOWANCE.—

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

1 out using assistance provided under section 121
2 shall provide to each participant in the program a
3 living allowance in such an amount as may be estab-
4 lished by the program.

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

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

15 “(B) 85 percent of the annual living allow-
16 ance established by the national service pro-
17 gram involved.

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

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

6 “(5) TREATMENT OF LIVING ALLOWANCE.—
7 The amount provided as a living allowance under
8 this subsection, up to the maximum living allowance
9 authorized by paragraph (3), shall not be taken into
10 account in determining the need or eligibility of any
11 person for benefits or assistance, or the amount of
12 such benefits or assistance, under any Federal,
13 State, or local program financed in whole or in part
14 with Federal funds. Nothing in the preceding sen-
15 tence shall be construed to exclude amounts received
16 as a living allowance from gross income under sec-
17 tion 61 of the Internal Revenue Code of 1986 (26
18 U.S.C. 61).

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

1 men's compensation act, the assistance provided to the
2 program under section 121 shall include an amount suffi-
3 cient to cover 85 percent of such taxes based upon the
4 lesser of—

5 “(1) the total average annual subsistence allow-
6 ance provided to VISTA volunteers under section
7 105 of the Domestic Volunteer Service Act of 1973
8 (42 U.S.C. 4955); and

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

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

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

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

23 “(3) the national service program shall be oper-
24 ated directly by the applicant and shall meet urgent,

1 unmet human, educational, environmental, or public
2 safety needs, as determined by the Corporation.

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

17 “(e) CHILD CARE.—

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

20 “(A) make child care available for children
21 of each full-time participant who serves in a na-
22 tional service program carried out or supported
23 by the recipient using the assistance, including
24 individuals who need such child care in order to
25 participate in the program; or

Summary?

1 “(B) provide a child care allowance to each
2 full-time participant in a national service pro-
3 gram who needs such assistance in order to
4 participate in the program.

5 “(2) GUIDELINES.—The Corporation shall es-
6 tablish guidelines regarding the circumstances under
7 which child care shall be made available under this
8 subsection and the value of any allowance to be pro-
9 vided.

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

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

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

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

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

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

10 (b) TABLE OF CONTENTS.—Section 1(b) of the Na-
11 tional and Community Service Act of 1990 (Public Law
12 101–610; 104 Stat. 3127) is amended by striking the
13 items relating to subtitle C of title I of such Act and in-
14 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. Required terms of service of national service participants.

“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—

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

21 “(A) national service educational awards;
22 and

1 “(B) interest expenses pursuant to sub-
2 section 148(e);

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

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

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

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

24 “(d) REPORTS TO CONGRESS ON RECEIPTS AND EX-
25 PENDITURES.—The Corporation shall submit an annual

1 report to the Congress on the financial status of the Trust.

2 Such report shall—

3 “(1) specify the amount deposited to the Trust
4 from the most recent appropriation to the Corpora-
5 tion, the amount received by the Corporation as gifts
6 or bequest during the period covered by the report,
7 and any amounts obtained by the Trust pursuant to
8 subsection (a)(3);

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

12 “(3) identify the number of individuals whose
13 ability to claim national service educational awards
14 during the period covered by the report—

15 “(A) has been reduced pursuant to section
16 147(b); or

17 “(B) has lapsed pursuant to section
18 146(d); and

19 “(4) estimate the number of additional ap-
20 proved national service positions which the Corpora-
21 tion will be able to make available under subtitle C
22 on the basis of any accumulated surplus in the
23 Trust above the amount required to provide national
24 service educational awards to individuals identified
25 under paragraph (2), including any amounts avail-

1 able as a result of the circumstances referred to in
2 paragraph (3).

3 **“SEC. 146. INDIVIDUALS ELIGIBLE TO RECEIVE A NATIONAL**
4 **SERVICE EDUCATIONAL AWARD FROM THE**
5 **TRUST.**

6 “(a) ELIGIBLE INDIVIDUALS.—An individual shall be
7 eligible to receive a national service educational award
8 from the National Service Trust if the individual—

9 “(1) successfully completes the required term of
10 service described in subsection (b) in an approved
11 national service position;

12 “(2) was 17 years of age or older at the time
13 the individual began serving in the approved na-
14 tional service position or was an out-of-school youth
15 serving in an approved national service position with
16 a youth corps program described in section
17 122(a)(2) or a program described in section
18 122(a)(9);

19 “(3) at the time the individual uses the national
20 service educational award—

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

23 “(B)(i) is enrolled at an institution of
24 higher education on the basis of meeting the
25 standard described in paragraph (1) or (2) of

1 section 484(d) of the Higher Education Act of
2 1965 (20 U.S.C. 1091(d)); and

3 “(ii) meets the requirements of section
4 484(a) of such Act; or

5 “(C) has received a waiver described in
6 section 137(c); and

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

9 “(b) TERM OF SERVICE.—The term of service for an
10 approved national service position shall not be less than
11 the full- or part-time term of service specified in section
12 139(b).

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

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

21 “(1) FIVE-YEAR REQUIREMENT.—An individual
22 eligible to receive a national service educational
23 award under this section may not use such award
24 after the end of the 5-year period beginning on the
25 date the individual completes the term of service in

1 an approved national service position that is the
2 basis of the award.

3 “(2) EXCEPTION.—The Corporation may ex-
4 tend the period within which an individual may use
5 a national service educational award if the Corpora-
6 tion determines that the individual—

7 “(A) was unavoidably prevented from
8 using the national service educational award
9 during the original 5-year period; or

10 “(B) performed another term of service in
11 an approved national service position during
12 that period.

13 **“SEC. 147. DETERMINATION OF THE AMOUNT OF THE NA-**
14 **TIONAL SERVICE EDUCATIONAL AWARD.**

15 “(a) AMOUNT GENERALLY.—Except as provided in
16 subsection (b), an individual described in section 146(a)
17 who successfully completes a required term of service in
18 an approved national service position shall receive a na-
19 tional service educational award having a value equal to
20 \$5,000 for each of not more than 2 of such terms of
21 service.

22 “(b) AWARD FOR PARTIAL COMPLETION OF SERV-
23 ICE.—If an individual serving in an approved national
24 service position is released in accordance with section
25 139(c)(1)(A) from completing the term of service agreed

1 to by the individual, the Corporation may provide the indi-
2 vidual with that portion of the national service educational
3 award approved for the individual that corresponds to the
4 quantity of the term of service actually completed by the
5 individual.

6 **“SEC. 148. DISBURSEMENT OF NATIONAL SERVICE EDU-**
7 **CATIONAL AWARDS.**

8 “(a) IN GENERAL.—Amounts in the Trust shall be
9 available—

10 “(1) to repay student loans in accordance with
11 subsection (b);

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

15 “(3) to pay expenses incurred in participating
16 in an approved school-to-work program in accord-
17 ance with subsection (d); and

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

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

22 “(1) APPLICATION BY ELIGIBLE INDIVID-
23 UALS.—An eligible individual under section 146 who
24 desires to apply the national service educational
25 award of the individual to the repayment of qualified

1 student loans shall submit, in a manner prescribed
2 by the Corporation, an application to the Corpora-
3 tion that—

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

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

10 “(C) specifies the qualified student loan to
11 which the individual desires to apply the na-
12 tional service educational award, in any case in
13 which the total of the amounts described in
14 subparagraph (B) is greater than the amount of
15 the national service educational award to which
16 the individual is entitled; and

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

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

1 the eligible individual is entitled. Such disbursement
2 shall be made by check or other means that is pay-
3 able to the holder of the loan and requires the en-
4 dorsement or other certification by the eligible indi-
5 vidual.

6 “(3) APPLICATION OF DISBURSED AMOUNTS.—
7 If the amount disbursed under paragraph (2) is less
8 than the principal and accrued interest on any quali-
9 fied student loan, such amount shall first be applied
10 to the repayment of principal. In a case described in
11 paragraph (1)(C), such amount shall be applied to
12 the loan described in paragraph (1)(C).

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

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

24 “(6) NOTIFICATION.—On disbursing a national
25 service educational award to which an individual is

1 entitled under paragraph (2) and applying the award
2 to a loan, the Corporation shall notify the individual
3 of the amount disbursed for each such loan and the
4 date of the disbursal.

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

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

8 “(i) any loan made, insured, or guar-
9 anteed pursuant to title IV of the Higher
10 Education Act of 1965 (20 U.S.C. 1070 et
11 seq.), other than a loan to a parent of a
12 student pursuant to section 428B of such
13 Act (20 U.S.C. 1078-2); and

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

17 “(B) HOLDER.—The term ‘holder’ with re-
18 spect to any eligible loan means the original
19 lender or, if the loan is subsequently sold,
20 transferred, or assigned to some other person,
21 and such other person acquires a legally en-
22 forceable right to receive payments from the
23 borrower, such other person.

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

1 “(1) APPLICATION BY ELIGIBLE INDIVIDUAL.—

2 An eligible individual under section 146 who desires
3 to apply the national service educational award of
4 the individual to the payment of full-time or part-
5 time educational expenses, that have been incurred
6 by the individual prior to the service of the individ-
7 ual under subtitle C, shall, on a form prescribed by
8 the Corporation, submit an application to the insti-
9 tution of higher education in which the student will
10 be enrolled that contains such information as the
11 Corporation may require to verify the individual’s
12 eligibility.

13 “(2) SUBMISSION OF REQUESTS FOR PAYMENT
14 BY INSTITUTIONS.—An institution of higher edu-
15 cation that receives one or more applications that
16 comply with paragraph (1) shall submit to the Cor-
17 poration a statement, in a manner prescribed by the
18 Corporation, that—

19 “(A) identifies each eligible individual fil-
20 ing an application under paragraph (1) for a
21 disbursement of the individual’s national service
22 educational award under this subsection;

23 “(B) specifies the amounts for which such
24 eligible individuals are, consistent with para-

1 graph (6), qualified for disbursement under this
2 subsection;

3 “(C) certifies that—

4 “(i) the institution of higher education
5 has in effect a program participation
6 agreement under section 487 of the Higher
7 Education Act of 1965 (20 U.S.C. 1094);
8 and

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

14 “(D) contains such provisions concerning
15 financial compliance as the Corporation may re-
16 quire.

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

1 institution and requires the endorsement or other
2 certification by the eligible individual.

3 “(4) MULTIPLE DISBURSEMENTS REQUIRED.—

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

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

1 Amounts refunded to the Trust pursuant to this
2 paragraph may be used by the Corporation to fund
3 additional approved national service positions under
4 subtitle C.

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

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

14 “(B) the sum of—

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

19 “(ii) the student’s veterans’ education
20 benefits, determined in accordance with
21 section 480(c) of such Act (20 U.S.C.
22 1087vv(c)).

23 “(d) USE OF EDUCATIONAL AWARD TO PARTICIPATE
24 IN APPROVED SCHOOL-TO-WORK PROGRAMS.—The Cor-
25 poration shall by regulation provide for the payment of

1 national service educational awards to permit eligible indi-
2 viduals to participate in school-to-work programs approved
3 by the Secretaries of Labor and Education.

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

14 “(f) TREATMENT OF BENEFITS.—Notwithstanding
15 any other provision of law, national service awards and
16 other benefits received under this section shall not be
17 taken into account in the determining the need or eligi-
18 bility of any person for benefits or assistance, or the
19 amount of such benefits or assistance, under any Federal,
20 State, or local program financed in whole or in part with
21 Federal funds. The amount of any national service award
22 or other benefits received under this section shall not be
23 considered income for purposes of the Internal Revenue
24 Code of 1986.

25 “(g) EXCEPTION.—

“(1) OPTION.—With the approval of the President, a national service program that receives assistance under section 121 may offer to each participant in the program the option of—

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

7 “(B) receiving an alternative post-service
8 benefit.

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

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

(b) TABLE OF CONTENTS.—Section 1(b) of the Na-
tional and Community Service Act of 1990 (Public Law
101–610; 104 Stat. 3127) is amended by striking the
items relating to subtitle D of title I of such Act and in-
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.”.

1 (c) CONFORMING AMENDMENTS.—

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

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

13 (A) in subsection (b)(1)—

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

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

19 “(W)(i) provides that, upon written re-
20 quest, a lender shall grant a borrower forbear-
21 ance on such terms as are otherwise consistent
22 with the regulations of the Secretary, during
23 periods in which the borrower is serving in a
24 national service position, for which the borrower
25 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”;

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.).”; and

3 (C) by adding at the end the following new
4 subsection:

5 “(h) TREATMENT OF BENEFITS.—Notwithstanding
6 any other provision of law, the amount of any loan repaid
7 by the Secretary under this section shall not be taken into
8 account in determining the need or eligibility of any per-
9 son for benefits or assistance, or the amount of such bene-
10 fits or assistance, under any Federal, State, or local pro-
11 gram financed in whole or in part with Federal funds. The
12 amount of any loan repaid by the Secretary under this
13 section shall not be considered income for purposes of the
14 Internal Revenue Code of 1986.”.

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

19 “(6) No borrower may, for the same volunteer serv-
20 ice, receive a benefit under both this section and subtitle
21 D of title I of the National and Community Service Act
22 of 1990 (42 U.S.C. 12751 et seq.).”.

23 (5) IMPACT ON GENERAL NEEDS ANALYSIS.—
24 Section 480(j) of such Act (20 U.S.C. 1087vv(j)) is

1 amended by adding at the end the following new
2 paragraph:

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

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

10 **ICE-LEARNING PROGRAMS.**

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

12 (1) PURPOSE.—The purpose of this subsection
13 is to improve the Serve-America programs estab-
14 lished under part I of subtitle B of the National and
15 Community Service Act of 1990, and to enable the
16 Corporation for National and Community Service,
17 and the entities receiving financial assistance under
18 such part, to—

19 (A) work with teachers in elementary
20 schools and secondary schools within a commu-
21 nity, and with community-based agencies, to
22 create and offer service-learning opportunities
23 for all school-age youth;

24 (B) educate teachers, and faculty providing
25 teacher training and retraining, about service-

1 learning, and incorporate service-learning op-
2 portunities into classroom teaching to strength-
3 en academic learning;

4 (C) coordinate the work of adult volunteers
5 who work with elementary and secondary
6 schools as part of their community service ac-
7 tivities; and

8 (D) work with employers in the commu-
9 nities to ensure that projects introduce the stu-
10 dents to various careers and expose the stu-
11 dents to needed further education and training.

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

17 **“Subtitle B—School-Based and**
18 **Community-Based Service-**
19 **Learning Programs**

20 **“PART I—SERVE-AMERICA PROGRAMS**

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

22 **“SEC. 111. AUTHORITY TO ASSIST STATES AND INDIAN**
23 **TRIBES.**

24 **“(a) USE OF FUNDS.—**The Corporation, in consulta-
25 tion with the Secretary of Education, may make grants

1 under section 112(b)(1), and allotments under subsections
2 (a) and (b)(2) of section 112, to States (through State
3 educational agencies), and to Indian tribes, to pay for the
4 Federal share of—

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

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

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

20 “(C) forming local partnerships described
21 in paragraph (2) or (4) to develop school-based
22 service-learning programs in accordance with
23 this subpart;

24 “(D) devising appropriate methods for re-
25 search and evaluation of the educational value

1 of service-learning and the effect of service-
2 learning activities on communities; and

3 “(E) establishing effective outreach and
4 dissemination of information to ensure the
5 broadest possible involvement of community-
6 based agencies with demonstrated effectiveness
7 in working with school-age youth in their com-
8 munities;

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

17 “(A) local educational agencies; and

18 “(B) one or more community partners
19 that—

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

22 “(I) has demonstrated expertise
23 in the provision of services to meet
24 human, educational, environmental, or
25 public safety needs;

1 “(II) was in existence 1 year be-
2 fore the date on which the organiza-
3 tion submitted an application under
4 section 114; and

5 “(III) will make projects avail-
6 able for participants, who shall be stu-
7 dents; and

8 “(ii) may include a private for-profit
9 business or private elementary or second-
10 ary school;

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

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

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

23 who will identify the community partners described
24 in paragraph (2)(B) and assist in the design and im-

1 plementation of a program described in paragraph
2 (2); and

3 “(4) implementing, operating, or expanding
4 school-based service-learning programs involving
5 adult volunteers to utilize service-learning to improve
6 the education of students through State distribution
7 of Federal funds made available under this part to
8 local partnerships among—

9 “(A) local educational agencies; and

10 “(B) one or more—

11 “(i) public or private not-for-profit or-
12 ganizations;

13 “(ii) other educational agencies; or

14 “(iii) private for-profit businesses,
15 that coordinate and operate projects for participants,
16 who shall be students.

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

21 “(1) expanding the awareness of teachers of the
22 potential of service-learning in strengthening the
23 educational achievement, leadership development,
24 and substantive learning, of students;

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

4 “(3) assisting local partnerships described in
5 subsection (a) in the planning, development, and
6 execution of service-learning projects;

7 “(4) recruiting and supervising adult volun-
8 teers, or individuals who are participants in a pro-
9 gram under subtitle C or receive a national service
10 educational award under subtitle D, to expand serv-
11 ice-learning opportunities; and

12 “(5) coordinating the activities of the service-
13 learning coordinator with the activities of the com-
14 mittee described in section 114(d)(1), and, where
15 appropriate, assisting the committee.

16 “(c) RELATED EXPENSES.—A partnership, local edu-
17 cational agency, or other qualified organization that re-
18 ceives financial assistance under this subpart may, in car-
19 rying out the activities described in subsection (a), use
20 such assistance to pay for the Federal share of reasonable
21 costs related to the supervision of participants, program
22 administration, transportation, insurance, evaluations,
23 and for other reasonable expenses related to the activities.

1 **"SEC. 111A. AUTHORITY TO ASSIST LOCAL APPLICANTS IN**
2 **NONPARTICIPATING STATES.**

3 "In any fiscal year in which a State does not submit
4 an application under section 113, for an allotment under
5 subsection (a) or (b)(2) of section 112, that meets the re-
6 quirements of section 113 and such other requirements
7 as the President may determine to be appropriate, the
8 Corporation may use the allotment of that State to make
9 direct grants to pay for the Federal share of the cost of—

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

13 "(2) carrying out the activities described in
14 paragraph (3) of such section, to an agency de-
15 scribed in such paragraph,

16 that is located in the State.

17 **"SEC. 111B. AUTHORITY TO ASSIST PUBLIC OR PRIVATE**
18 **NOT-FOR-PROFIT ORGANIZATIONS.**

19 "(a) IN GENERAL.—The Corporation may make a
20 grant under section 112(b)(1) to a public or private not-
21 for-profit organization that—

22 "(1) has experience with service-learning;

23 "(2) was in existence 1 year before the date on
24 which the organization submitted an application
25 under section 114(a); and

1 “(3) meets such other criteria as the President
2 may establish.

3 “(b) USE OF FUNDS.—Such an organization may use
4 a grant made under subsection (a) to make grants to part-
5 nerships described in paragraph (2) or (4) of section
6 111(a) to implement, operate, or expand school-based
7 service-learning programs as described in such section and
8 provide technical assistance and training to appropriate
9 persons.

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

11 “(a) INDIAN TRIBES AND TERRITORIES.—Of the
12 amounts appropriated to carry out this subpart for any
13 fiscal year, the Corporation shall reserve an amount of not
14 more than 1 percent for payments to Indian tribes, the
15 Virgin Islands, Guam, American Samoa, and the Com-
16 monwealth of the Northern Mariana Islands, to be allotted
17 in accordance with their respective needs. The Corporation
18 may also make payments from such amount to Palau, in
19 accordance with its needs, until such time as the Compact
20 of Free Association with Palau is ratified.

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

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

5 “(A) States and Indian tribes; or

6 “(B) as described in section 111B, to
7 grantmaking entities.

8 “(2) ALLOTMENTS.—

9 “(A) SCHOOL-AGE YOUTH.—Except as pro-
10 vided in paragraph (3), from 37.5 percent of
11 such funds, the Corporation shall allot to each
12 State an amount that bears the same ratio to
13 37.5 percent of such funds as the number of
14 school-age youth in the State bears to the total
15 number of school-age youth of all States.

16 “(B) ALLOCATION UNDER ELEMENTARY
17 AND SECONDARY EDUCATION ACT OF 1965.—
18 Except as provided in paragraph (3), from 37.5
19 percent of such funds, the Corporation shall
20 allot to each State an amount that bears the
21 same ratio to 37.5 percent of such funds as the
22 allocation to the State for the previous fiscal
23 year under chapter 1 of title I of the Elemen-
24 tary and Secondary Education Act of 1965 (20

1 U.S.C. 2711 et seq.) bears to such allocations
2 to all States.

3 “(3) MINIMUM AMOUNT.—No State shall re-
4 ceive, under paragraph (2), an allotment that is less
5 than the allotment such State received for fiscal year
6 1993 under section 112(b) of this Act, as in effect
7 on the day before the date of enactment of this part.
8 If the amount of funds made available in a fiscal
9 year to carry out paragraph (2) is insufficient to
10 make such allotments, the Corporation shall make
11 available sums from the 25 percent described in
12 paragraph (1) for such fiscal year to make such
13 allotments.

14 “(4) DEFINITION.—Notwithstanding section
15 101(27), for purposes of this subsection, the term
16 ‘State’ means each of the several States, the District
17 of Columbia, the Commonwealth of Puerto Rico, and
18 an Indian tribe.

19 “(c) REALLOTMENT.—If the Corporation determines
20 that the allotment of a State or Indian tribe under this
21 section will not be required for a fiscal year because the
22 State or Indian tribe does not submit an application for
23 the allotment under section 113 that meets the require-
24 ments of such section and such other requirements as the
25 President may determine to be appropriate, the Corpora-

tion shall, after making any grants under section 111A to a partnership or agency described in such section, make any remainder of such allotment available for reallocation to such other States, and Indian tribes, with approved applications submitted under section 113, as the Corporation may determine to be appropriate.

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

“SEC. 113. STATE OR TRIBAL APPLICATIONS.

“(a) **SUBMISSION.**—To be eligible to receive a grant under section 112(b)(1), an allotment under subsection (a) or (b)(2) of section 112, a reallocation under section 112(c), or a grant under section 112(d), a State, acting through the State educational agency, or an Indian tribe, shall prepare, submit to the Corporation, and obtain approval of, an application at such time and in such manner as the President may reasonably require.

“(b) **CONTENTS.**—An application that is submitted under subsection (a) with respect to service-learning programs described in section 111 shall include—

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

6 “(A) a description of the goals to be at-
7 tained in promoting service-learning through
8 such programs;

9 “(B) a description of the resources and or-
10 ganization needed to achieve the goals of such
11 programs within elementary schools and second-
12 ary schools; and

13 “(C) a description of the manner in
14 which—

15 “(i) such programs and the activities
16 to be carried out under such programs re-
17 late to the goals described in subparagraph
18 (A);

19 “(ii) the applicant will evaluate the
20 success of the programs and the extent of
21 community involvement in the programs,
22 and measure the extent to which the pro-
23 grams meet the goals described in subpara-
24 graph (A);

1 “(iii) in reviewing applications that
2 are submitted under section 114(c), the
3 applicant will rank the applications accord-
4 ing to the criteria described in section
5 115(b), will consider the factors described
6 in section 115(a), and will review the ap-
7 plications in a manner that ensures the eq-
8 uitable treatment of all such applications;

9 “(iv) the programs will be coordinated
10 with—

11 “(I) the education reform efforts
12 of the applicant;

13 “(II) other efforts to meet the
14 National Education Goals;

15 “(III) other service activities in
16 the State or serving the Indian tribe;
17 and

18 “(IV) other education programs,
19 training programs, social service pro-
20 grams, and appropriate programs that
21 serve school-age youth, that are au-
22 thorized under Federal law;

23 “(v) the applicant will disseminate in-
24 formation, conduct outreach, and take
25 other measures, to encourage cooperative

1 efforts among the local educational agen-
2 cies, local government agencies, commu-
3 nity-based agencies, State agencies, and
4 private for-profit businesses that will carry
5 out the service-learning programs proposed
6 by the applicant, to develop and provide
7 projects, including those that involve the
8 participation of urban, suburban, and rural
9 students working together;

10 “(vi) the applicant will promote ap-
11 propriate projects in such programs for
12 economically disadvantaged students, stu-
13 dents with limited basic skills, students in
14 foster care who are becoming too old for
15 foster care, students of limited-English
16 proficiency, homeless students, and stu-
17 dents who are individuals with disabilities;

18 “(vii) service-learning training and
19 technical assistance will be provided
20 through the programs—

21 “(I) to State and local edu-
22 cational agency personnel, federally
23 assisted education specialists in the
24 State or serving the Indian tribe, and
25 local recipients of grants under this

1 subpart, to raise the awareness of
2 service-learning among such person-
3 nel, specialists, and recipients; and

4 “(II) by qualified and experi-
5 enced individuals employed by the
6 State or Indian tribe or through
7 grants or contracts with such individ-
8 uals;

9 “(viii) a service-learning network will
10 be established for the State or Indian
11 tribe, comprised of expert teachers and ad-
12 ministrators who have carried out success-
13 ful service-learning activities within the
14 State or serving the Indian tribe; and

15 “(ix) the applicant will use payments
16 from sources described in section
17 116(a)(2)(B) to expand projects for stu-
18 dents through the programs proposed by
19 the applicant;

20 “(2) assurances that—

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

1 “(B) the applicant will comply with the
2 nonduplication and nondisplacement require-
3 ments of section 177 and the grievance proce-
4 dure requirements of section 176(f); and

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

7 **“SEC. 114. LOCAL APPLICATIONS.**

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

11 “(1) IN GENERAL.—To be eligible to receive a
12 grant in accordance with section 111B(a) to make
13 grants relating to school-based service-learning pro-
14 grams described in section 111(a)(2), a grantmaking
15 entity shall prepare, submit to the Corporation, and
16 obtain approval of, an application.

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

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

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

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

10 “(1) IN GENERAL.—Any—

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

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

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

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

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

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

12 “(d) CONTENTS OF APPLICATION.—An application
13 that is submitted under subsection (a), (b), or (c) with
14 respect to a service-learning program described in section
15 111 shall, at a minimum, contain a proposal that
16 includes—

17 “(1) information specifying the membership and
18 role of an established advisory committee, consisting
19 of representatives of community-based agencies in-
20 cluding service recipients, students, parents, teach-
21 ers, administrators, representatives of agencies that
22 serve school-age youth or older adults, school board
23 members, representatives of local labor organiza-
24 tions, and representatives of business, that will pro-
25 vide advice with respect to the program;

1 “(2) a description of—

2 “(A) the goals of the program which shall
3 include goals that are quantifiable and dem-
4 onstrate any benefits from the program to par-
5 ticipants and the community;

6 “(B) service-learning projects to be pro-
7 vided under the program, and evidence that
8 participants will make a sustained commitment
9 to service in the projects;

10 “(C) the manner in which participants in
11 the program were or will be involved in the de-
12 sign and operation of the program;

13 “(D) training for supervisors, teachers,
14 service sponsors, and participants in the pro-
15 gram;

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

18 “(F) any resources that will permit con-
19 tinuation of the program, if needed, after the
20 assistance received under this subpart for the
21 program has ended;

22 “(3) information that shall include—

23 “(A) a disclosure of whether or not the
24 participants will receive academic credit for par-
25 ticipation in the program;

1 “(B) the expected number of participants
2 in the program and the hours of service that
3 such participants will provide individually and
4 as a group;

5 “(C) the proportion of expected partici-
6 pants in the program who are economically dis-
7 advantaged, including participants who are indi-
8 viduals with disabilities; and

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

12 “(4) in the case of an application submitted by
13 a local partnership, a written agreement, between
14 the members of the local partnership, stating that
15 the program was jointly developed by the members
16 and that the program will be jointly executed by the
17 members;

18 “(5) assurances that—

19 “(A) prior to the placement of a partici-
20 pant, the entity carrying out the program will
21 consult with any local labor organization rep-
22 resenting employees in the area who are en-
23 gaged in the same or similar work as that pro-
24 posed to be carried out by such program, to

1 prevent the displacement and protect the rights
2 of such employees;

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

8 “(C) the entity carrying out the program
9 will comply with the nonduplication and
10 nondisplacement requirements of section 177
11 and the grievance procedure requirements of
12 section 176(f); and

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

16 “(A) carry out activities described in sec-
17 tion 111B(b) in two or more States, under cir-
18 cumstances in which the activities carried out
19 under such program can be carried out more ef-
20 ficiently through one program than through two
21 or more programs; and

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

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

3 “(e) LIMITATION ON SAME PROJECT IN MULTIPLE
4 APPLICATIONS.—No applicant shall submit an application
5 under section 113 or this section, and the Corporation
6 shall reject an application that is submitted under section
7 113 or this section, if the application describes a project
8 proposed to be conducted using assistance requested by
9 the applicant and the project is already described in an-
10 other application pending before the Corporation.

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

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

21 “(b) PRIORITY FOR LOCAL APPLICATIONS.—

22 “(1) IN GENERAL.—In providing assistance
23 under this subpart, a State educational agency or
24 Indian tribe, or the Corporation if section 111A or
25 111B applies, shall give priority to entities that sub-

1 mit applications under section 114 with respect to
2 service-learning programs described in section 111
3 that—

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

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

8 “(C) involve—

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

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

16 “(D) are integrated into the academic pro-
17 gram of the participants.

18 “(c) REJECTION OF APPLICATIONS.—If the Corpora-
19 tion rejects an application submitted by a State under sec-
20 tion 113 for an allotment under subsection (b)(2) of sec-
21 tion 112, the Corporation shall promptly notify the State
22 of the reasons for the rejection of the application. The
23 Corporation shall provide the State with a reasonable op-
24 portunity to revise and resubmit the application and shall
25 provide technical assistance, if needed, to the State as part

1 of the resubmission process. The Corporation shall
2 promptly reconsider such resubmitted application.

3 **“SEC. 115A. PARTICIPATION OF STUDENTS AND TEACHERS**
4 **FROM PRIVATE SCHOOLS.**

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

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

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

23 “(b) WAIVER.—If a State, Indian tribe, or local edu-
24 cational agency is prohibited by law from providing for
25 the participation of students or teachers from private not-

1 for-profit schools as required by subsection (a), or if the
2 Corporation determines that a State, Indian tribe, or local
3 educational agency substantially fails or is unwilling to
4 provide for such participation on an equitable basis, the
5 President shall waive such requirements and shall arrange
6 for the provision of services to such students and teachers.
7 Such waivers shall be subject to consultation, withholding,
8 notice, and judicial review requirements in accordance
9 with paragraphs (3) and (4) of section 1017(b) of the Ele-
10 mentary and Secondary Education Act of 1965 (20 U.S.C.
11 2727(b)).

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

13 “(a) SHARE.—

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

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

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

24 “(C) 70 percent of the total cost of the
25 program for the third year for which the pro-

1 gram receives assistance under this subpart;
2 and

3 “(D) 50 percent of the total cost of the
4 program for the fourth year, and for any subse-
5 quent year, for which the program receives as-
6 sistance under this subpart.

7 “(2) CALCULATION.—In providing for the re-
8 maining share of the cost of carrying out such a pro-
9 gram, each recipient of assistance under this
10 subpart—

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

14 “(B) may provide for such share through
15 State sources, local sources, or Federal sources
16 (other than funds made available under the na-
17 tional service laws).

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

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

24 “(a) ADMINISTRATIVE COSTS.—

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

8 “(A) the original recipient; or

9 “(B) the entity carrying out the service-
10 learning programs supported with the assist-
11 ance.

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

14 “(A) such assistance may be used to cover
15 administrative costs; and

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

19 “(i) the original recipient; and

20 “(ii) the entity carrying out the serv-
21 ice-learning programs supported with the
22 assistance.

23 “(b) CAPACITY-BUILDING ACTIVITIES.—

24 “(1) IN GENERAL.—Except as provided in para-
25 graph (2), not less than 10 percent and not more

1 than 15 percent of the amount of assistance pro-
2 vided to a State educational agency or Indian tribe
3 that is the original recipient of a grant or allotment
4 under subsection (a), (b), (c), or (d) of section 112
5 for a fiscal year may be used to build capacity
6 through training, technical assistance, curriculum
7 development, and coordination activities, described
8 in section 111(a)(1).

9 “(2) WAIVER.—The President may waive the
10 requirements of paragraph (1) in order to permit an
11 agency or a tribe to use not less than 10 percent
12 and not more than 25 percent of such amount to
13 build capacity as provided in paragraph (1). To be
14 eligible to receive such a waiver such an agency or
15 tribe shall submit an application to the President at
16 such time, in such manner, and containing such in-
17 formation as the President may require.

18 “(c) LOCAL USES OF FUNDS.—Funds made available
19 under this subpart may not be used to pay any stipend,
20 allowance, or other financial support to any student who
21 is a participant under this subtitle, except reimbursement
22 for transportation, meals, and other reasonable out-of-
23 pocket expenses directly related to participation in a pro-
24 gram assisted under this subpart.

1 **“SEC. 116B. DEFINITIONS.**

2 “As used in this subpart:

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

6 “(2) SCHOOL-BASED.—The term ‘school-based’
7 means based in an elementary school or a secondary
8 school.

9 “(3) STUDENT.—Notwithstanding section
10 101(30), the term ‘student’ means an individual who
11 is enrolled in an elementary or secondary school on
12 a full- or part-time basis.

13 **“Subpart B—Community-Based Service Programs for**
14 **School-Age Youth**

15 **“SEC. 117. DEFINITIONS.**

16 “As used in this subpart:

17 “(1) COMMUNITY-BASED SERVICE PROGRAM.—
18 The term ‘community-based service program’ means
19 a program described in section 117A(b)(1)(A).

20 “(2) GRANTMAKING ENTITY.—The term
21 ‘grantmaking entity’ means a qualified organization
22 that—

23 “(A) submits an application under section
24 117C(a) to make grants to qualified organiza-
25 tions;

1 “(B) was in existence 1 year before the
2 date on which the organization submitted the
3 application;

4 “(C) has experience with service-learning;
5 and

6 “(D) meets such other criteria as the
7 President shall establish.

8 “(3) QUALIFIED ORGANIZATION.—The term
9 ‘qualified organization’ means a public or private
10 not-for-profit organization with experience working
11 with school-age youth that meets such criteria as the
12 President may establish.

13 **“SEC. 117A. GENERAL AUTHORITY.**

14 “(a) GRANTS.—From the funds appropriated to
15 carry out this subpart for a fiscal year, the Corporation
16 may make grants to State Commissions, grantmaking en-
17 tities, and qualified organizations to pay for the Federal
18 share of the implementation, operation, expansion, or rep-
19 lication of community-based service programs.

20 “(b) USE OF FUNDS.—

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

24 “(A) to make a grant to a qualified organi-
25 zation to implement, operate, expand, or rep-

1 licate a community-based service-learning pro-
2 gram that provides for meaningful human, edu-
3 cational, environmental, or public safety service
4 by participants, who shall be school-age youth;
5 or

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

8 “(2) QUALIFIED ORGANIZATIONS.—A qualified
9 organization, other than a grantmaking entity, may
10 use a grant made under subsection (a) to implement,
11 operate, expand, or replicate a program described in
12 paragraph (1)(A).

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

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

18 “(b) SUBMISSION.—Such application shall be submit-
19 ted to the Corporation at such time and in such manner,
20 and shall contain such information, as the President may
21 reasonably require.

22 “(c) CONTENTS.—Such an application shall include,
23 at a minimum, a State plan that contains the descriptions,
24 proposals, and assurance described in section 117C(d)
25 with respect to each community-based service program

1 proposed to be carried out through funding distributed by
2 the State Commission under this subpart.

3 **“SEC. 117C. LOCAL APPLICATIONS.**

4 “(a) APPLICATION TO CORPORATION TO MAKE
5 GRANTS FOR COMMUNITY-BASED SERVICE PROGRAMS.—

6 To be eligible to receive a grant from the Corporation
7 under section 117A(a) to make grants under section
8 117A(b)(1), a grantmaking entity shall prepare, submit
9 to the Corporation, and obtain approval of, an application
10 that proposes a community-based service program to be
11 carried out through grants made to qualified organiza-
12 tions. Such application shall be submitted at such time
13 and in such manner, and shall contain such information,
14 as the President may reasonably require.

15 “(b) DIRECT APPLICATION TO CORPORATION TO
16 CARRY OUT COMMUNITY-BASED SERVICE PROGRAMS.—

17 To be eligible to receive a grant from the Corporation
18 under section 117A(a) to implement, operate, expand, or
19 replicate a community service program, a qualified organi-
20 zation shall prepare, submit to the Corporation, and ob-
21 tain approval of, an application that proposes a commu-
22 nity-based service program to be carried out at multiple
23 sites, or that proposes a model or an innovative commu-
24 nity-based service program. Such application shall be sub-
25 mitted at such time and in such manner, and shall contain

1 such information, as the President may reasonably re-
2 quire.

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

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

16 “(1) a description of any community-based
17 service program proposed to be implemented, oper-
18 ated, expanded, or replicated directly by the appli-
19 cant using assistance provided under this subpart;

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

24 “(3) a proposal for carrying out the commu-
25 nity-based service program that describes the man-

1 ner in which the entity carrying out the program
2 will—

3 “(A) provide preservice and inservice train-
4 ing, for supervisors and participants, that will
5 be conducted by qualified individuals, or quali-
6 fied organizations, that have experience in com-
7 munity-based service programs;

8 “(B) include economically disadvantaged
9 individuals as participants in the program pro-
10 posed by the applicant;

11 “(C) provide an age-appropriate service-
12 learning component described in section
13 114(d)(5)(B);

14 “(D) conduct an appropriate evaluation of
15 the program;

16 “(E) provide for appropriate community
17 involvement in the program;

18 “(F) provide service experiences that pro-
19 mote leadership abilities among participants in
20 the program, including experiences that involve
21 such participants in program design;

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

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

1 “(I) if appropriate, organize participants in
2 the program into teams, with team leaders who
3 may be participants in a program under subtitle
4 C or individuals who receive a national service
5 educational award under subtitle D;

6 “(4) an assurance that the entity carrying out
7 the program proposed by the applicant will comply
8 with the nonduplication and nondisplacement provi-
9 sions of section 177 and the grievance procedure re-
10 quirements of section 176(f);

11 “(5) an assurance that the entity carrying out
12 the program will, prior to placing a participant in
13 the program, consult with any local labor organiza-
14 tion representing employees in the area in which the
15 program will be carried out that are engaged in the
16 same or similar work as the work proposed to be
17 carried out by the program, to prevent the displace-
18 ment of such employees; and

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

22 “(A) carry out activities described in sec-
23 tion 117A(b)(1) in two or more States, under
24 circumstances in which the activities carried out
25 under such program can be carried out more ef-

1 ficiently through one program than through two
2 or more programs; and

3 “(B) carry out the same activities, such as
4 training activities or activities related to ex-
5 changing information on service experiences,
6 through each of the projects assisted through
7 the program.

8 “(e) LIMITATION ON SAME PROJECT IN MULTIPLE
9 APPLICATIONS.—No applicant shall submit an application
10 under section 117B or this section, and the Corporation
11 shall reject an application that is submitted under section
12 117B or this section, if the application describes a project
13 proposed to be conducted using assistance requested by
14 the applicant and the project is already described in an-
15 other application pending before the Corporation.

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

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

23 “(b) ASSISTANCE CRITERIA.—In evaluating such an
24 application with respect to a program under this subpart,

1 the Corporation shall consider the criteria established for
2 national service programs under section 133(c).

3 “(c) APPLICATION TO SUBGRANTS.—A State Com-
4 mission or grantmaking entity shall apply the criteria de-
5 scribed in subsection (b) in determining whether to ap-
6 prove an application under section 117C(c) and to make
7 a grant under section 117A(b)(1) to the applicant on the
8 basis of the application.

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

10 “(a) FEDERAL SHARE.—

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

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

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

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

24 “(a) ADMINISTRATIVE COSTS.—Not more than 5 per-
25 cent of the amount of assistance provided to a State Com-

1 mission, grantmaking entity, or qualified organization that
2 is the original recipient of a grant under section 117A(a)
3 for a fiscal year may be used to pay for administrative
4 costs incurred by—

5 “(1) the original recipient; or

6 “(2) the entity carrying out the community-
7 based service programs supported with the assist-
8 ance.

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

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

13 “(2) that portion of the assistance available to
14 cover administrative costs should be distributed
15 between—

16 “(A) the original recipient; and

17 “(B) the entity carrying out the commu-
18 nity-based service programs supported with the
19 assistance.

20 **“Subpart C—Clearinghouse**

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

22 “(a) IN GENERAL.—The Corporation shall provide fi-
23 nancial assistance, from funds appropriated to carry out
24 subtitle H, to agencies described in subsection (b) to es-
25 tablish a clearinghouse, which shall carry out activities,

1 either directly or by arrangement with another such entity,
2 with respect to information about service-learning.

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

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

10 “(1) assist entities carrying out State or local
11 service-learning programs with needs assessments
12 and planning;

13 “(2) conduct research and evaluations concern-
14 ing service-learning;

15 “(3)(A) provide leadership development and
16 training to State and local service-learning program
17 administrators, supervisors, service sponsors, and
18 participants; and

19 “(B) provide training to persons who can pro-
20 vide the leadership development and training de-
21 scribed in subparagraph (A);

22 “(4) facilitate communication among entities
23 carrying out service-learning programs and partici-
24 pants in such programs;

1 “(5) provide information, curriculum materials,
2 and technical assistance relating to planning and op-
3 eration of service-learning programs, to States and
4 local entities eligible to receive financial assistance
5 under this title;

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

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

14 “(7) make recommendations to State and local
15 entities on quality controls to improve the quality of
16 service-learning programs;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

10 “(c) FEDERAL SHARE.—

11 “(1) SHARE.—

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

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

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

22 “(d) APPLICATION FOR GRANT.—

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

1 pare, submit to the Corporation, and obtain approval
2 of, an application at such time and in such manner
3 as the President may reasonably require.

4 “(2) CONTENTS.—An application submitted
5 under paragraph (1) shall contain—

6 “(A) such information as the President
7 may reasonably require, such as a description
8 of—

9 “(i) the proposed program to be es-
10 tablished with assistance provided under
11 the grant or contract;

12 “(ii) the human, educational, environ-
13 mental, or public safety service that par-
14 ticipants will perform and the community
15 need that will be addressed under such
16 program;

17 “(iii) whether or not students will re-
18 ceive academic credit for community serv-
19 ice projects under the program;

20 “(iv) the procedure for training super-
21 visors and participants and for supervising
22 and organizing participants in such pro-
23 gram;

24 “(v) the procedures to ensure that the
25 program provides an opportunity for par-

1 ticipants to reflect on their service experi-
2 ences and includes the age-appropriate
3 learning component described in section
4 114(d)(5)(B);

5 “(vi) the roles played by students and
6 community members, including service re-
7 cipients, in the design and implementation
8 of the program; and

9 “(vii) the budget for the program;

10 “(B) assurances that—

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

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

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

1 “(e) PRIORITY.—

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

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

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

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

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

23 “(i) the institution;

24 “(ii)(I) a community-based agency;

25 “(II) a local government agency; or

1 “(III) a not-for-profit entity that
2 serves or involves school-age youth or older
3 adults; and

4 “(iii) a student organization;

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

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

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

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

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

24 “(g) DEFINITION.—Notwithstanding section
25 101(30), as used in this part, the term ‘student’ means

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

3 **“PART III—GENERAL PROVISIONS**

4 **“SEC. 120. AVAILABILITY OF APPROPRIATIONS.**

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

7 “(1) a sum equal to 75 percent of such aggre-
8 gate amount shall be available to carry out part I,
9 of which—

10 “(A) 85 percent of such sum shall be avail-
11 able to carry out subpart A; and

12 “(B) 15 percent of such sum shall be avail-
13 able to carry out subpart B; and

14 “(2) a sum equal to 25 percent of such aggre-
15 gate amount shall be available to carry out part II.”.

16 (c) 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 B of title I of such Act and in-
20 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.

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“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.

“PART III—GENERAL PROVISIONS

“Sec. 120. Availability of appropriations.”.

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.

1 (c) INVESTMENT FOR QUALITY AND INNOVATION.—
2 Title I of the National and Community Service Act of
3 1990 (as amended by subsection (b) of this section) is
4 amended by adding at the end the following new subtitle:

5 **“Subtitle H—Investment for**
6 **Quality and Innovation**

7 **“SEC. 198. ADDITIONAL CORPORATION ACTIVITIES TO SUP-**
8 **PORT NATIONAL SERVICE.**

9 “(a) METHODS OF CONDUCTING ACTIVITIES.—The
10 Corporation may carry out this section directly or through
11 grants, contracts, and cooperative agreements with other
12 entities.

13 “(b) INNOVATION AND QUALITY IMPROVEMENT.—

14 “(1) ACTIVITIES.—The Corporation may under-
15 take activities to improve the quality of national
16 service programs and to support innovative and
17 model programs, including—

18 “(A) programs under subtitle B or C for
19 rural youth;

20 “(B) employer-based retiree programs;

21 “(C) intergenerational programs;

22 “(D) programs involving individuals with
23 disabilities as participants providing service;
24 and

25 “(E) programs sponsored by Governors.

1 “(2) INTERGENERATIONAL PROGRAM.—An
2 intergenerational program referred to in paragraph
3 (1)(C) may include a program in which older adults
4 provide services to children who participate in Head
5 Start programs.

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

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

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

1 national service laws, to conduct high-quality programs,
2 to evaluate such programs, and for other purposes.

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

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

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

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

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

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

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

12 “(m) PLANNING COORDINATION.—The Corporation
13 may coordinate community-wide planning among pro-
14 grams and projects.

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

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

1 “(p) SERVICE-LEARNING.—The Corporation shall
2 support innovative programs and activities that promote
3 service-learning.

4 “(q) NATIONAL YOUTH SERVICE DAY.—

5 “(1) DESIGNATION.—April 19, 1994, and April
6 18, 1995 are each designated as ‘National Youth
7 Service Day’. The President of the United States is
8 authorized and directed to issue a proclamation call-
9 ing on the people of the United States to observe the
10 day with appropriate ceremonies and activities.

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

15 “(3) ACTIVITIES.—The Corporation may make
16 grants to not-for-profit organizations with dem-
17 onstrated ability to carry out appropriate activities,
18 in order to support such activities on National Youth
19 Service Day.

20 **“SEC. 198A. CLEARINGHOUSES.**

21 “(a) ASSISTANCE.—The Corporation shall provide as-
22 sistance to appropriate entities to establish one or more
23 clearinghouses, including the clearinghouse described in
24 section 118.

1 “(b) APPLICATION.—To be eligible to receive assist-
2 ance under subsection (a), an entity shall submit an appli-
3 cation to the Corporation at such time, in such manner,
4 and containing such information as the Corporation may
5 require.

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

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

11 “(2) conduct research and evaluations concern-
12 ing community service;

13 “(3)(A) provide leadership development and
14 training to State and local community service pro-
15 gram administrators, supervisors, and participants;
16 and

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

20 “(4) facilitate communication among entities
21 carrying out community service programs and par-
22 ticipants;

23 “(5) provide information, curriculum materials,
24 technical assistance relating to planning and oper-

1 ation of community service programs, to States and
2 local entities eligible to receive funds under this title;

3 “(6)(A) gather and disseminate information on
4 successful community service programs, components
5 of such successful programs, innovative youth skills
6 curriculum, and community service projects; and

7 “(B) coordinate the activities of the clearing-
8 house with appropriate entities to avoid duplication
9 of effort;

10 “(7) make recommendations to State and local
11 entities on quality controls to improve the delivery of
12 community service programs and on changes in the
13 programs under this title; and

14 “(8) carry out such other activities as the
15 President determines to be appropriate.”.

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

17 “(a) PRESIDENTIAL AWARDS.—

18 “(1) IN GENERAL.—The President of the Unit-
19 ed States, acting through the Corporation, may
20 make Presidential awards for service to individuals
21 providing significant service, and to outstanding
22 service programs.

23 “(2) INDIVIDUALS AND PROGRAMS.—Notwith-
24 standing section 101(20)—

1 “(A) an individual receiving an award
2 under this subsection need not be a participant
3 in a program authorized under this Act; and

4 “(B) a program receiving an award under
5 this subsection need not be a program author-
6 ized under this Act.

7 “(3) NATURE OF AWARD.—In making an award
8 under this section to an individual or program, the
9 President of the United States, acting through the
10 Corporation—

11 “(A) is authorized to incur necessary ex-
12 penses for the honorary recognition of the indi-
13 vidual or program; and

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

16 “(b) INFORMATION.—The President of the United
17 States, acting through the Corporation, shall ensure that
18 information concerning individuals and programs receiving
19 awards under this section is widely disseminated.

20 **“SEC. 198C. MILITARY INSTALLATION CONVERSION DEM-**
21 **ONSTRATION PROGRAMS.**

22 “(a) PURPOSES.—The purposes of this section are
23 to—

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

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

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

6 “(4) foster a sense of community pride in the
7 youth in the community.

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

9 “(1) AFFECTED MILITARY INSTALLATION.—
10 The term ‘affected military installation’ means a
11 military installation described in section 325(e)(1) of
12 the Job Training Partnership Act (29 U.S.C.
13 1662d(e)(1)).

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

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

19 “(A) conversion of the installation or a
20 part of the installation to—

21 “(i) a park;

22 “(ii) a community center;

23 “(iii) a recreational facility; or

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

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

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

10 “(ii) a community located within such
11 distance of the installation as the Presi-
12 dent may determine by regulation to be ap-
13 propriate.

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

17 “(c) DEMONSTRATION PROGRAMS.—

18 “(1) GRANTS.—The Corporation may make
19 grants to communities and community-based agen-
20 cies to pay for the Federal share of establishing and
21 carrying out military installation conversion dem-
22 onstration programs, to assist in converting to com-
23 munity use affected military installations located—

24 “(A) within the community; or

1 “(B) within such distance from the com-
2 munity as the President may by regulation de-
3 termine to be appropriate.

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

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

9 “(B) a full-time summer program.

10 “(d) USE OF FUNDS.—

11 “(1) SALARY.—A community or community-
12 based agency that receives a grant under subsection
13 (c) to establish and carry out a project through a
14 demonstration program may use the funds made
15 available through such grant to pay for a portion of
16 the salary of the participants in the project.

17 “(2) LIMITATION ON AMOUNT OF SALARY.—
18 The amount of the salary provided to a participant
19 under paragraph (1) that may be paid using assist-
20 ance provided under this section and using any other
21 Federal funds shall not exceed the lesser of—

22 “(A) 85 percent of the total average an-
23 nual subsistence allowance provided to VISTA
24 volunteers under section 105 of the Domestic

1 Volunteer Service Act of 1973 (42 U.S.C.
2 4955); and

3 “(B) 85 percent of the salary established
4 by the demonstration program involved.

5 “(3) TREATMENT OF SALARY.—The provisions
6 of section 140(a)(5) shall apply with respect to such
7 salary in the same manner, and to the same extent,
8 as such provisions apply to a living allowance de-
9 scribed in such section.

10 “(e) PARTICIPANTS.—

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

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

16 “(B)(i) a person described in section
17 153(b);

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

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

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

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

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

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

7 “(f) APPLICATION.—

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

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

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

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

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

1 “(ii) conduct an appropriate evalua-
2 tion of the program; and

3 “(iii) provide for appropriate commu-
4 nity involvement in the program;

5 “(C) information indicating the duration of
6 the program; and

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

12 “(g) LIMITATION ON GRANT.—In making a grant
13 under subsection (c) with respect to a demonstration pro-
14 gram to assist in converting an affected military installa-
15 tion, the Corporation shall not make a grant for more than
16 25 percent of the total cost of the conversion.”.

17 (d) TABLE OF CONTENTS.—

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

“Subtitle E—Civilian Community Corps

“Sec. 151. Purpose.

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

“Sec. 153. National service program.

“Sec. 154. Summer national service program.

“Sec. 155. Civilian Community Corps.

“Sec. 156. Training.
“Sec. 157. Service projects.
“Sec. 158. Authorized benefits for Corps 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.”.

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

“Subtitle H—Investment for Quality and Innovation

“Sec. 198. Additional corporation activities to support national service.
“Sec. 198A. Clearinghouses.
“Sec. 198B. Presidential awards for service.
“Sec. 198C. Military installation conversion demonstration programs.”.

6 (e) TECHNICAL AND CONFORMING AMENDMENTS.—

7 (1) NATIONAL DEFENSE AUTHORIZATION ACT
8 FOR FISCAL YEAR 1993.—

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

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

1 (C) Sections 1091(f)(2), 1092(b)(1), and
2 1094(a), and subsections (a) and (c) of section
3 1095 of such Act are amended by striking
4 “subtitle H” and inserting “subtitle E”.

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

10 (2) NATIONAL AND COMMUNITY SERVICE ACT
11 OF 1990.—

12 (A) Section 153(a) of such Act (as redesign-
13 nated in subsection (b)(3) of this section) (42
14 U.S.C. 12653b(a)) is amended by striking
15 “195A(a)” and inserting “152(a)”.

16 (B) Section 154(a) of such Act (as redesign-
17 nated in subsection (b)(3) of this section) (42
18 U.S.C. 12653c(a)) is amended by striking
19 “195A(a)” and inserting “152(a)”.

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

23 (i) in subsection (a), by striking
24 “195H(c)(1)” and inserting “159(c)(1)”;

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

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

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

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

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

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

17 (i) in subsection (a)—

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

20 (II) by striking “195” and in-
21 serting “151”; and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3 **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 designated by the
24 Corporation as a position that includes 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 that is representative of a com-
16 munity and that is engaged in meeting human, edu-
17 cational, environmental, or public safety community
18 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:

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

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

5 “(1) a participant has provided service for the
6 period required by section 101(2)(A)(i) (29 U.S.C.
7 2611(2)(A)(i)), and has met the hours of service re-
8 quirement of section 101(2)(A)(ii), of such Act with
9 respect to a project; and

10 “(2) the service sponsor of the project is an em-
11 ployer described in section 101(4) of such Act (other
12 than an employing agency within the meaning of
13 subchapter V of chapter 63 of title 5, United States
14 Code),

15 the participant shall be considered to be an eligible em-
16 ployee of the service sponsor.

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

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

23 “(2) the service sponsor of the project is an em-
24 ploying agency within the meaning of such sub-
25 chapter,

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

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

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

8 **SEC. 114. REPORTS.**

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

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

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

16 **SEC. 115. NONDISCRIMINATION.**

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

20 **“SEC. 175. NONDISCRIMINATION.**

21 “(a) IN GENERAL.—

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

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

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

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

18 “(c) RELIGIOUS DISCRIMINATION.—

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

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

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

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

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

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

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

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

5 (c) GRIEVANCE PROCEDURE.—Section 176(f) of such
6 Act is amended to read as follows:

7 “(f) GRIEVANCE PROCEDURE.—

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

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

21 “(3) DEADLINE FOR HEARING AND DECI-
22 SION.—

23 “(A) HEARING.—A hearing on any griev-
24 ance conducted under this subsection shall be

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

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

6 “(4) ARBITRATION.—

7 “(A) IN GENERAL.—

8 “(i) JOINTLY SELECTED ARBITRA-
9 TOR.—In the event of a decision on a
10 grievance that is adverse to the party who
11 filed such grievance, or 60 days after the
12 filing of such grievance if no decision has
13 been reached, such party shall be per-
14 mitted to submit such grievance to binding
15 arbitration before a qualified arbitrator
16 who is jointly selected and independent of
17 the interested parties.

18 “(ii) APPOINTED ARBITRATOR.—If
19 the parties cannot agree on an arbitrator,
20 the President shall appoint an arbitrator
21 from a list of qualified arbitrators within
22 15 days after receiving a request for such
23 appointment from one of the parties to the
24 grievance.

1 “(B) DEADLINE FOR PROCEEDING.—An
2 arbitration proceeding shall be held not later
3 than 45 days after the request for such arbitra-
4 tion proceeding, or, if the arbitrator is ap-
5 pointed by the President in accordance with
6 subparagraph (A)(ii), not later than 30 days
7 after the appointment of such arbitrator.

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

12 “(D) COST.—

13 “(i) IN GENERAL.—Except as pro-
14 vided in clause (ii), the cost of an arbitra-
15 tion proceeding shall be divided evenly be-
16 tween the parties to the arbitration.

17 “(ii) EXCEPTION.—If a participant,
18 labor organization, or other interested indi-
19 vidual described in paragraph (1) prevails
20 under a binding arbitration proceeding, the
21 State, local agency, public or private not-
22 for-profit organization, or partnership of
23 such agencies and organizations, that is a
24 party to such grievance shall pay the total
25 cost of such proceeding and the attorneys’

1 fees of such participant, labor organiza-
2 tion, or individual, as the case may be.

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

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

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

13 “(B) termination of such payments;

14 “(C) prohibition of the placement described
15 in paragraph (5); and

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

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

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

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

4 “(iv) such equitable relief as is nec-
5 essary to correct any violation of sub-
6 section (a) or (b) of section 177 or to
7 make the displaced employee whole.

8 “(7) ENFORCEMENT.—Suits to enforce arbitra-
9 tion awards under this section may be brought in
10 any district court of the United States having juris-
11 diction of the parties, without regard to the amount
12 in controversy and without regard to the citizenship
13 of the parties.”.

14 **SEC. 117. NONDISPLACEMENT.**

15 Section 177(b)(3) of the National and Community
16 Service Act of 1990 (42 U.S.C. 12637(b)(3)) is
17 amended—

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

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

23 “(i) will supplant the hiring of em-
24 ployed workers; or

1 “(ii) are services, duties, or activities
2 with respect to which an individual has re-
3 call rights pursuant to a collective bargain-
4 ing agreement or applicable personnel pro-
5 cedures.”; and

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

7 “(iii) employee who—

8 “(I) is subject to a reduction in
9 force; or

10 “(II) has recall rights pursuant
11 to a collective bargaining agreement
12 or applicable personnel procedures;”.

13 **SEC. 118. EVALUATION.**

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

16 (1) in subsection (a)—

17 (A) in the matter preceding paragraph (1),
18 by striking “this title” and inserting “the na-
19 tional service laws”; and

20 (B) in paragraph (2)—

21 (i) in the matter preceding subpara-
22 graph (A), by striking “for purposes of the
23 reports required by subsection (j),” and in-
24 serting “with respect to the programs au-
25 thorized under subtitle C”; and

1 (ii) in subparagraph (A), by striking
2 “older American volunteer programs” and
3 inserting “National Senior Volunteer
4 Corps programs”;

5 (2) in subsection (g)—

6 (A) in the matter preceding paragraph (1),
7 by striking “subtitle D” and inserting “subtitle
8 C”; and

9 (B) in paragraphs (3) and (9), by striking
10 “older American volunteer programs” and in-
11 serting “National Senior Volunteer Corps pro-
12 grams”;

13 (3) by striking subsections (i) and (j); and

14 (4) by adding at the end the following:

15 “(i) INDEPENDENT EVALUATION AND REPORT OF
16 DEMOGRAPHICS OF NATIONAL SERVICE PARTICIPANTS
17 AND COMMUNITIES.—

18 “(1) INDEPENDENT EVALUATION.—

19 “(A) IN GENERAL.—The Corporation shall,
20 on an annual basis, arrange for an independent
21 evaluation of the programs assisted under sub-
22 title C.

23 “(B) PARTICIPANTS.—

24 “(i) IN GENERAL.—The entity con-
25 ducting such evaluation shall determine the

1 demographic characteristics of the partici-
2 pants in such programs.

3 “(ii) CHARACTERISTICS.—The entity
4 shall determine, for the year covered by the
5 evaluation, the total number of partici-
6 pants in the programs, and the number of
7 participants within the programs in each
8 State, by sex, age, economic background,
9 education level, ethnic group, disability
10 classification, and geographic region.

11 “(iii) CATEGORIES.—The Corporation
12 shall determine appropriate categories for
13 analysis of each of the characteristics re-
14 ferred to in clause (ii) for purposes of such
15 an evaluation.

16 “(C) COMMUNITIES.—In conducting the
17 evaluation, the entity shall determine the
18 amount of assistance provided under section
19 121 during the year that has been expended for
20 projects conducted under the programs in areas
21 described in section 133(c)(6).

22 “(2) REPORT.—The entity conducting the eval-
23 uation shall submit a report to the President, Con-
24 gress, the Corporation, and each State Commission
25 containing the results of the evaluation—

1 “(A) with respect to the evaluation cover-
2 ing the year beginning on the date of enactment
3 of this subsection, not later than 18 months
4 after such date; and

5 “(B) with respect to the evaluation cover-
6 ing each subsequent year, not later than 18
7 months after the first day of each such year.”.

8 **SEC. 119. ENGAGEMENT OF PARTICIPANTS.**

9 Section 180 of the National and Community Service
10 Act of 1990 (42 U.S.C. 12640) is amended by striking
11 “post-service benefits” and inserting “national service
12 educational awards”.

13 **SEC. 120. CONTINGENT EXTENSION.**

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

17 **“SEC. 181. CONTINGENT EXTENSION.**

18 “Section 414 of the General Education Provisions
19 Act (20 U.S.C. 1226a) shall apply to this Act.”.

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

 “Sec. 181. Contingent extension.”.

1 **SEC. 121. AUDITS.**

2 (a) IN GENERAL.—Section 183 of the National and
3 Community Service Act of 1990 (42 U.S.C. 12643) is
4 amended to read as follows:

5 **“SEC. 183. AUDITS.**

6 “For purposes of the application of chapter 75 of title
7 31, United States Code (commonly known as the ‘Single
8 Audit Act of 1984’) to State and local governments that
9 receive financial assistance under this Act—

10 “(1) each program through which the State or
11 local government receives such assistance shall be
12 deemed to be a major Federal assistance program;

13 “(2) each audit conducted under such chapter
14 with respect to a program shall be conducted annu-
15 ally;

16 “(3) each audit conducted under such chapter
17 shall be conducted in accordance with the require-
18 ments of such chapter and the requirements of the
19 regulations prescribed pursuant to section 7505 of
20 such title, and with such requirements as the Comp-
21 troller General may specify; and

22 “(4) the provisions of section 422 of the Do-
23 mestic Volunteer Service Act of 1973 (42 U.S.C.
24 5062) shall apply with respect to maintenance of
25 books, documents, papers, and records for such au-
26 dits, in the same manner and to the same extent as

1 such provisions apply to books, documents, papers,
2 and records maintained for audits under such Act.”.

3 (b) TABLE OF CONTENTS.—Section 1(b) of the Na-
4 tional and Community Service Act of 1990 (Public Law
5 101–610; 104 Stat. 3127) is amended by striking the
6 items relating to section 183 of such Act and inserting
7 the following:

“Sec. 183. Audits.”.

8 **SEC. 122. REPEALS.**

9 (a) IN GENERAL.—Subtitle F of title I of the Na-
10 tional and Community Service Act of 1990 (42 U.S.C.
11 12631 et seq.) is amended by repealing sections 185 and
12 186.

13 (b) TABLE OF CONTENTS.—Section 1(b) of the Na-
14 tional and Community Service Act of 1990 (Public Law
15 101–610; 104 Stat. 3127) is amended by striking the
16 items relating to sections 185 and 186 of such Act.

17 **TITLE II—ORGANIZATION**

18 **SEC. 201. STATE COMMISSIONS ON NATIONAL AND COMMU-**
19 **NITY SERVICE.**

20 (a) COMPOSITION AND DUTIES OF STATE COMMIS-
21 SIONS.—Subtitle F of title I of the National and Commu-
22 nity Service Act of 1990 is amended by striking section
23 178 (42 U.S.C. 12638) and inserting the following new
24 section:

1 **“SEC. 178. STATE COMMISSIONS ON NATIONAL AND COM-**
2 **MUNITY SERVICE.**

3 “(a) **EXISTENCE REQUIRED.—**

4 “(1) **STATE COMMISSION.—**Except as provided
5 in paragraph (2), to be eligible to receive a grant or
6 allotment under subtitle B or C or to receive a dis-
7 tribution of approved national service positions
8 under subtitle C, a State shall maintain a State
9 Commission on National and Community Service
10 that satisfies the requirements of this section.

11 “(2) **ALTERNATIVE ADMINISTRATIVE ENTITY.—**

12 The chief executive officer of a State may apply to
13 the Corporation for approval to use an alternative
14 administrative entity to carry out the duties other-
15 wise entrusted to a State Commission under this
16 Act. The chief executive officer shall ensure that any
17 alternative administrative entity used in lieu of a
18 State Commission still provides for the individuals
19 described in paragraph (1), and some of the individ-
20 uals described in paragraph (2), of subsection (c) to
21 play a significant policy-making role in carrying out
22 the duties otherwise entrusted to a State Commis-
23 sion, including the submission of applications on be-
24 half of the State under sections 117B and 130.

25 “(b) **APPOINTMENT AND SIZE.—**Except as provided
26 in subsection (c)(3), the members of a State Commission

1 for a State shall be appointed by the chief executive officer
2 of the State. A State Commission shall consist of not less
3 than 7 voting members and not more than 25 voting
4 members.

5 “(c) COMPOSITION AND MEMBERSHIP.—

6 “(1) REQUIRED MEMBERS.—The State Com-
7 mission for a State shall include as voting members
8 at least one representative from each of the follow-
9 ing categories:

10 “(A) Individuals between the ages of 16
11 and 25 who are participants or supervisors in
12 programs.

13 “(B) National service programs, such as
14 youth corps programs.

15 “(C) School-based or community-based
16 programs for school-age youth.

17 “(D) Programs in which older adults are
18 participants.

19 “(E) Local and State governmental enti-
20 ties in the State, including the State edu-
21 cational agency (from which at least one such
22 member shall be appointed).

23 “(F) Local labor organizations.

1 “(2) SOURCES OF OTHER MEMBERS.—The
2 State Commission for a State may include as voting
3 members the following:

4 “(A) Representatives of community-based
5 organizations or community-based agencies, in-
6 cluding community action agencies.

7 “(B) Members selected from among par-
8 ticipants in service programs who are youths.

9 “(C) Members selected from among local
10 educators.

11 “(D) Members selected from among ex-
12 perts in the delivery of human, educational, en-
13 vironmental, or public safety services to commu-
14 nities and persons.

15 “(E) Representatives of businesses and
16 business groups.

17 “(F) Representatives of Indian tribes.

18 “(G) Representatives of groups serving
19 economically disadvantaged individuals.

20 “(H) Members selected from among out-of-
21 school youth or other at-risk youth.

22 “(I) Members selected from among older
23 adults who are volunteers or participants in na-
24 tional service programs.

1 “(3) CORPORATION REPRESENTATIVE.—The
2 representative of the Corporation designated under
3 section 195(b) for a State shall be a voting member
4 of the State Commission for that State.

5 “(4) EX OFFICIO STATE REPRESENTATIVES.—
6 The chief executive officer of a State shall appoint,
7 as an ex officio nonvoting member of the State Com-
8 mission for the State, the Corporation employee re-
9 sponsible for volunteer service programs in the
10 State, if such employee is not the representative de-
11 scribed in paragraph (3). The chief executive officer
12 may appoint, as ex officio nonvoting members of the
13 State Commission for the State, representatives se-
14 lected from among officers and employees of State
15 agencies operating community service, youth service,
16 education, social service, senior service, and job
17 training programs.

18 “(5) LIMITATION ON NUMBER OF STATE EM-
19 PLOYEES AS MEMBERS.—The number of voting
20 members of a State Commission selected under
21 paragraph (1) or (2) who are officers or employees
22 of the State may not exceed 25 percent (reduced to
23 the nearest whole number) of the total membership
24 of the State Commission.

25 “(d) MISCELLANEOUS MATTERS.—

1 “(1) MEMBERSHIP BALANCE.—The chief execu-
2 tive officer of a State shall ensure, to the maximum
3 extent practicable, that the membership of the State
4 Commission for the State is diverse with respect to
5 race, ethnicity, age, gender, and disability character-
6 istics. Not more than 50 percent of the voting mem-
7 bers of a State Commission, plus one additional
8 member, may be from the same political party.

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

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

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

1 in lieu of subsistence, in the same manner as other
2 employees serving intermittently in the service of the
3 State.

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

8 “(e) DUTIES OF A STATE COMMISSION.—The State
9 Commission for a State shall be responsible for the follow-
10 ing duties:

11 “(1) Preparation of a national service plan for
12 the State that—

13 “(A) covers a 3-year period;

14 “(B) is updated annually;

15 “(C) contains such information as the
16 State Commission considers to be appropriate
17 or as the Corporation may require; and

18 “(D) ensures outreach to diverse commu-
19 nity-based agencies that serve underrepresented
20 populations, by—

21 “(i) using established networks, and
22 registries, at the State level; or

23 “(ii) establishing such networks and
24 registries.

1 “(2) Preparation of the applications of the
2 State under sections 117B and 130 for financial as-
3 sistance, in such a manner as to ensure that any de-
4 cision regarding whether to include a program in the
5 application shall be made on the basis of the criteria
6 described in section 133(c), applied in a fair and eq-
7 uitable manner by an impartial decisionmaker.

8 “(3) Assistance in the preparation of the appli-
9 cation of the State educational agency for assistance
10 under section 113.

11 “(4) Preparation of the application of the State
12 under section 130 for the approval of service posi-
13 tions that include the national service educational
14 award described in subtitle D.

15 “(5) Assistance in the provision of health care
16 and child care benefits under section 140 to partici-
17 pants in national service programs that receive as-
18 sistance under section 121.

19 “(6) Development of a State system for the re-
20 cruitment and placement of participants in national
21 service programs that receive assistance under sec-
22 tion 121 and dissemination of information concern-
23 ing national service programs that receive assistance
24 and approved national service positions.

1 “(7) Administration of the grant program in
2 support of national service programs that is con-
3 ducted by the State using assistance provided to the
4 State under section 121, including selection, over-
5 sight, and evaluation of grant recipients.

6 “(8) Development of projects, training methods,
7 curriculum materials, and other materials and activi-
8 ties related to national service programs that receive
9 assistance directly from the Corporation (to be made
10 available in a case in which such a program requests
11 such a project, method, material, or activity) or from
12 the State using assistance provided under section
13 121, for use by programs that request such projects,
14 methods, materials, and activities.

15 “(f) ACTIVITY INELIGIBLE FOR ASSISTANCE.—A
16 State Commission may not directly carry out any national
17 service program that receives assistance under section
18 121.

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

23 “(h) APPROVAL OF STATE COMMISSION OR ALTER-
24 NATIVE.—

1 “(1) SUBMISSION TO CORPORATION.—The chief
2 executive officer for a State shall notify the Corpora-
3 tion of the establishment or designation of the State
4 Commission for the State. The notification shall in-
5 clude a description of—

6 “(A) the composition and membership of
7 the State Commission; and

8 “(B) the authority of the State Commis-
9 sion regarding national service activities carried
10 out by the State.

11 “(2) APPROVAL OF ALTERNATIVE ADMINISTRA-
12 TIVE ENTITY.—Any use of an alternative adminis-
13 trative entity to carry out the duties of a State Com-
14 mission shall be subject to the approval of the Cor-
15 poration.

16 “(3) REJECTION.—The Corporation may reject
17 a State Commission if the Corporation determines
18 that the composition, membership, or duties of the
19 State Commission do not comply with the require-
20 ments of this section. The Corporation shall reject a
21 request to use an alternative administrative entity in
22 lieu of a State Commission if the Corporation deter-
23 mines that use of the alternative administrative en-
24 tity does not allow the individuals described in para-
25 graph (1), and some of the individuals described in

1 paragraph (2), of subsection (c) to play a significant
2 policy-making role in carrying out the duties other-
3 wise entrusted to a State Commission. If the Cor-
4 poration rejects a State Commission or alternative
5 administrative entity under this paragraph, the Cor-
6 poration shall promptly notify the State of the rea-
7 sons for the rejection.

8 “(4) RESUBMISSION AND RECONSIDERATION.—
9 The Corporation shall provide a State notified under
10 paragraph (3) with a reasonable opportunity to re-
11 vise the rejected State Commission or alternative ad-
12 ministrative entity. At the request of the State, the
13 Corporation shall provide technical assistance to the
14 State as part of the revision process. The Corpora-
15 tion shall promptly reconsider any resubmission of a
16 notification under paragraph (1) or application to
17 use an alternative administrative entity under para-
18 graph (2).

19 “(5) SUBSEQUENT CHANGES.—This subsection
20 shall also apply to any change in the composition or
21 duties of a State Commission or an alternative ad-
22 ministrative entity made after approval of the State
23 Commission or the alternative administrative entity.

24 “(i) COORDINATION.—

1 “(1) COORDINATION WITH OTHER STATE AGEN-
2 CIES.—The State Commission or alternative admin-
3 istrative entity for a State shall coordinate the ac-
4 tivities of the Commission or entity under this Act
5 with the activities of other State agencies that ad-
6 minister Federal financial assistance programs
7 under the Community Services Block Grant Act (42
8 U.S.C. 9901 et seq.) or other appropriate Federal fi-
9 nancial assistance programs.”.

10 “(2) COORDINATION WITH VOLUNTEER SERV-
11 ICE PROGRAMS.—

12 “(A) IN GENERAL.—The State Commis-
13 sion or alternative administrative entity for a
14 State shall coordinate functions of the Commis-
15 sion or entity (including recruitment, public
16 awareness, and training activities) with such
17 functions of any division of ACTION, or of the
18 Corporation, that carries out volunteer service
19 programs in the State.

20 “(B) AGREEMENT.—In coordinating func-
21 tions under this paragraph, such Commission or
22 entity, and such division, may enter into an
23 agreement to—

24 “(i) carry out such a function jointly;

1 “(ii) to assign responsibility for such
2 a function to the Commission or entity; or

3 “(iii) to assign responsibility for such
4 a function to the division.

5 “(C) INFORMATION.—The State Commis-
6 sion or alternative entity for a State, and the
7 head of any such division, shall exchange infor-
8 mation about—

9 “(i) the programs carried out in the
10 State by the Commission, entity, or divi-
11 sion, as appropriate; and

12 “(ii) opportunities to coordinate ac-
13 tivities.

14 “(j) LIABILITY.—

15 “(1) LIABILITY OF STATE.—Except as provided
16 in paragraph (2)(B), a State shall agree to assume
17 liability with respect to any claim arising out of or
18 resulting from any act or omission by a member of
19 the State Commission of the State, within the scope
20 of the service of the member on the State Commis-
21 sion.

22 “(2) OTHER CLAIMS.—

23 “(A) IN GENERAL.—A member of the
24 State Commission shall have no personal liabil-
25 ity with respect to any claim arising out of or

1 resulting from any act or omission by such per-
2 son, within the scope of the service of the mem-
3 ber on the State Commission.

4 “(B) LIMITATION.—This paragraph shall
5 not be construed to limit personal liability for
6 criminal acts or omissions, willful or malicious
7 misconduct, acts or omissions for private gain,
8 or any other act or omission outside the scope
9 of the service of such member on the State
10 Commission.

11 “(3) EFFECT ON OTHER LAW.—This subsection
12 shall not be construed—

13 “(A) to affect any other immunities and
14 protections that may be available to such mem-
15 ber under applicable law with respect to such
16 service;

17 “(B) to affect any other right or remedy
18 against the State under applicable law, or
19 against any person other than a member of the
20 State Commission; or

21 “(C) to limit or alter in any way the im-
22 munities that are available under applicable law
23 for State officials and employees not described
24 in this subsection.”.

1 (b) TABLE OF CONTENTS.—Section 1(b) of the Na-
2 tional and Community Service Act of 1990 (Public Law
3 101–610; 104 Stat. 3127) is amended by striking the item
4 relating to section 178 and inserting the following new
5 item:

“Sec. 178. State Commissions on National and Community Service.”.

6 (c) EFFECTIVE DATE.—The amendments made by
7 this section shall take effect on the date of the enactment
8 of this Act.

9 (d) TRANSITIONAL PROVISIONS.—

10 (1) USE OF ALTERNATIVES TO STATE COMMIS-
11 SION.—If a State does not have a State Commission
12 on National and Community Service that satisfies
13 the requirements specified in section 178 of the Na-
14 tional and Community Service Act of 1990, as
15 amended by subsection (a), the Corporation for Na-
16 tional and Community Service may authorize the
17 chief executive of the State to use an existing agency
18 of the State to perform the duties otherwise reserved
19 to a State Commission under subsection (e) of such
20 section.

21 (2) APPLICATION OF SUBSECTION.—This sub-
22 section shall apply only during the 1-year period be-
23 ginning on the date of the enactment of this Act.

1 **SEC. 202. INTERIM AUTHORITIES OF THE CORPORATION**
2 **FOR NATIONAL SERVICE AND ACTION**
3 **AGENCY.**

4 (a) NATIONAL AND COMMUNITY SERVICE ACT OF
5 1990.—Subtitle G of title I of the National and Commu-
6 nity Service Act of 1990 (42 U.S.C. 12651) is amended
7 to read as follows:

8 **“Subtitle G—Corporation for**
9 **National and Community Service**

10 **“SEC. 191. CORPORATION FOR NATIONAL AND COMMUNITY**
11 **SERVICE.**

12 “There is established a Corporation for National and
13 Community Service that shall administer the programs es-
14 tablished under this Act. The Corporation shall be a Gov-
15 ernment corporation, as defined in section 103 of title 5,
16 United States Code.

17 **“SEC. 192. BOARD OF DIRECTORS.**

18 “(a) COMPOSITION.—

19 “(1) IN GENERAL.—There shall be in the Cor-
20 poration a Board of Directors (referred to in this
21 subtitle as the ‘Board’) that shall be composed of—

22 “(A) 15 members, including an individual
23 between the ages of 16 and 25 who—

24 “(i) has served in a school-based or
25 community-based service-learning program;
26 or

1 “(ii) is a participant or a supervisor
2 in a program,
3 to be appointed by the President of the United
4 States, by and with the advice and consent of
5 the Senate;

6 “(B) the President of the Corporation, who
7 shall serve as an ex officio nonvoting member;
8 and

9 “(C) the ex officio nonvoting members de-
10 scribed in paragraph (3).

11 “(2) QUALIFICATIONS.—To the maximum ex-
12 tent practicable, the President of the United States
13 shall appoint members—

14 “(A) who have extensive experience in vol-
15 unteer or service activities, such as—

16 “(i) activities funded under the na-
17 tional service laws; and

18 “(ii) Federal financial assistance ac-
19 tivities, such as—

20 “(I) activities under the Head
21 Start Act (42 U.S.C. 9831 et seq.);

22 “(II) activities under the Com-
23 munity Services Block Grant Act (42
24 U.S.C. 9901 et seq.); or

1 “(III) antipoverty activities under
2 other Federal law;

3 that have a volunteer or service focus;

4 “(B) who represent a broad range of view-
5 points;

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

9 “(D) that include at least one representa-
10 tive of local educators and at least one rep-
11 resentative of community-based agencies;

12 “(E) so that the Board shall be diverse
13 with respect to race, ethnicity, age, gender, and
14 disability characteristics; and

15 “(F) so that no more than 8 appointed
16 members of the Board are from a single politi-
17 cal party.

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

1 Environmental Protection Agency shall serve as ex
2 officio nonvoting members of the Board.

3 “(b) OFFICERS.—

4 “(1) CHAIRPERSON AND VICE CHAIRPERSON.—

5 The Board shall elect a Chairperson and a Vice
6 Chairperson from among its membership.

7 “(2) OTHER OFFICERS.—The Board may elect
8 from among its membership such additional officers
9 of the Board as the Board determines to be appro-
10 priate.

11 “(c) TERMS.—Each appointed member of the Board
12 shall serve for a term of 3 years, except that 5 of the mem-
13 bers first appointed to the Board after the date of enact-
14 ment of this section shall serve for a term of 1 year and
15 5 shall serve for a term of 2 years, as designated by the
16 President of the United States.

17 “(d) VACANCIES.—As vacancies occur on the Board,
18 new members shall be appointed by the President of the
19 United States, by and with the advice and consent of the
20 Senate, and serve for the remainder of the term for which
21 the predecessor of such member was appointed. The va-
22 cancy shall not affect the power of the remaining members
23 to execute the duties of the Board.

1 **"SEC. 192A. AUTHORITIES AND DUTIES OF THE BOARD OF**
2 **DIRECTORS.**

3 “(a) MEETINGS.—The Board shall meet not less than
4 3 times each year. The Board shall hold additional meet-
5 ings at the call of the Chairperson of the Board, or if 6
6 members of the Board request such meetings in writing.

7 “(b) QUORUM.—A majority of the appointed mem-
8 bers of the Board shall constitute a quorum.

9 “(c) AUTHORITIES OF OFFICERS.—

10 “(1) CHAIRPERSON.—The Chairperson of the
11 Board may call and conduct meetings of the Board.

12 “(2) VICE CHAIRPERSON.—The Vice Chair-
13 person of the Board may conduct meetings of the
14 Board in the absence of the Chairperson.

15 “(d) EXPENSES.—While away from their homes or
16 regular places of business on the business of the Board,
17 members of such Board shall be allowed travel expenses,
18 including per diem in lieu of subsistence, at rates author-
19 ized for employees of agencies under subchapter I of chap-
20 ter 57 of title 5, United States Code, for persons employed
21 intermittently in the Government service.

22 “(e) SPECIAL GOVERNMENT EMPLOYEES.—For pur-
23 poses of the provisions of chapter 11 of part I of title 18,
24 United States Code, and any other provision of Federal
25 law, a member of the Board (to whom such provisions

1 would not otherwise apply except for this subsection) shall
2 be a special Government employee.

3 “(f) STATUS OF MEMBERS.—

4 “(1) TORT CLAIMS.—For the purposes of the
5 tort claims provisions of chapter 171 of title 28,
6 United States Code, a member of the Board shall be
7 considered to be a Federal employee.

8 “(2) OTHER CLAIMS.—A member of the Board
9 shall have no personal liability under Federal law
10 with respect to any claim arising out of or resulting
11 from any act or omission by such person, within the
12 scope of the service of the member on the Board, in
13 connection with any transaction involving the provi-
14 sion of financial assistance by the Corporation. This
15 paragraph shall not be construed to limit personal li-
16 ability for criminal acts or omissions, willful or mali-
17 cious misconduct, acts or omissions for private gain,
18 or any other act or omission outside the scope of the
19 service of such member on the Board.

20 “(3) EFFECT ON OTHER LAW.—This subsection
21 shall not be construed—

22 “(A) to affect any other immunities and
23 protections that may be available to such mem-
24 ber under applicable law with respect to such
25 transactions;

1 “(B) to affect any other right or remedy
2 against the Corporation, against the United
3 States under applicable law, or against any per-
4 son other than a member of the Board partici-
5 pating in such transactions; or

6 “(C) to limit or alter in any way the im-
7 munities that are available under applicable law
8 for Federal officials and employees not de-
9 scribed in this subsection.

10 “(g) DUTIES.—The Board shall—

11 “(1) review and approve the strategic plan de-
12 scribed in section 193A(b)(1), and annual updates of
13 the plan;

14 “(2) review and approve the proposal described
15 in section 193A(b)(2)(A), with respect to the grants,
16 allotments, contracts, financial assistance, payment,
17 and positions referred to in such section;

18 “(3) review and approve the proposal described
19 in section 193A(b)(3)(A), regarding the regulations,
20 standards, policies, procedures, programs, and initia-
21 tives referred to in such section;

22 “(4) review and approve the evaluation plan de-
23 scribed in section 193A(b)(4)(A);

24 “(5)(A) review, and advise the President re-
25 garding, the actions of the President with respect to

1 the personnel of the Corporation, and with respect
2 to such standards, policies, procedures, programs,
3 and initiatives as are necessary or appropriate to
4 carry out this Act; and

5 “(B) inform the President of any aspects of the
6 actions of the President that are not in compliance
7 with the annual strategic plan referred to in para-
8 graph (1), the proposals referred to in paragraphs
9 (2) and (3), or the plan referred to in paragraph
10 (4), or are not consistent with the objectives of this
11 Act;

12 “(6) receive, and act on, the reports issued by
13 the Inspector General of the Corporation;

14 “(7) make recommendations relating to a pro-
15 gram of research for the Corporation with respect to
16 national and community service programs, including
17 service-learning programs;

18 “(8) advise the President of the United States
19 and the Congress concerning developments in na-
20 tional and community service that merit the atten-
21 tion of the President of the United States and the
22 Congress; and

23 “(9) ensure effective dissemination of informa-
24 tion regarding the programs and initiatives of the
25 Corporation.

1 “(h) ADMINISTRATION.—The Federal Advisory Com-
2 mittee Act (5 U.S.C. App.) shall not apply with respect
3 to the Board.

4 **“SEC. 193. PRESIDENT.**

5 “(a) APPOINTMENT.—The Corporation shall be head-
6 ed by an individual who shall serve as President of the
7 Corporation, and who shall be appointed by the President
8 of the United States, by and with the advice and consent
9 of the Senate.

10 “(b) COMPENSATION.—The President shall be com-
11 pensated at the rate provided for level III of the Executive
12 Schedule under section 5314 of title 5, United States
13 Code.

14 “(c) REGULATIONS.—The President shall prescribe
15 such rules and regulations as are necessary or appropriate
16 to carry out this Act.

17 **“SEC. 193A. AUTHORITIES AND DUTIES OF THE PRESIDENT.**

18 “(a) GENERAL POWERS AND DUTIES.—The Presi-
19 dent shall be responsible for the exercise of the powers
20 and the discharge of the duties of the Corporation that
21 are not reserved to the Board, and shall have authority
22 and control over all personnel of the Corporation.

23 “(b) DUTIES.—In addition to the duties conferred on
24 the President under any other provision of this Act, the
25 President shall—

1 “(1) prepare and submit to the Board a strate-
2 gic plan every 3 years, and annual updates of the
3 plan, for the Corporation with respect to the major
4 functions and operations of the Corporation;

5 “(2)(A) prepare and submit to the Board a pro-
6 posal with respect to such grants and allotments,
7 contracts, other financial assistance, and designation
8 of positions as approved national service positions,
9 as are necessary or appropriate to carry out this
10 Act; and

11 “(B) after receiving and reviewing an approved
12 proposal under section 192A(g)(2), make such
13 grants and allotments, enter into such contracts,
14 award such other financial assistance, make such
15 payments (in lump sum or installments, and in ad-
16 vance or by way of reimbursement, and in the case
17 of financial assistance otherwise authorized under
18 this Act, with necessary adjustments on account of
19 overpayments and underpayments), and designate
20 such positions as approved national service positions
21 as are necessary or appropriate to carry out this
22 Act;

23 “(3)(A) prepare and submit to the Board a pro-
24 posal regarding, the regulations established under
25 section 195(a)(4)(B)(i), and such other standards,

1 policies, procedures, programs, and initiatives as are
2 necessary or appropriate to carry out this Act; and

3 “(B) after receiving and reviewing an approved
4 proposal under section 192A(g)(3)—

5 “(i) establish such standards, policies, and
6 procedures as are necessary or appropriate to
7 carry out this Act; and

8 “(ii) establish and administer such pro-
9 grams and initiatives as are necessary or appro-
10 priate to carry out this Act;

11 “(4)(A) prepare and submit to the Board a
12 plan for the evaluation of programs established
13 under this Act, in accordance with section 179; and

14 “(B) after receiving an approved proposal
15 under section 192A(g)(4)—

16 “(i) establish measurable performance
17 goals and objectives for such programs, in ac-
18 cordance with section 179; and

19 “(ii) provide for periodic evaluation of such
20 programs to assess the manner and extent to
21 which the programs achieve the goals and objec-
22 tives, in accordance with such section;

23 “(5) consult with appropriate Federal agencies
24 in administering the programs and initiatives;

1 “(6) suspend or terminate payments and posi-
2 tions described in paragraph (2)(B), in accordance
3 with section 176;

4 “(7) prepare and submit to the Board an an-
5 nual report, and such interim reports as may be nec-
6 essary, describing the major actions of the President
7 with respect to the personnel of the Corporation,
8 and with respect to such standards, policies, proce-
9 dures, programs, and initiatives;

10 “(8) inform the Board of, and provide an expla-
11 nation to the Board regarding, any substantial dif-
12 ferences between—

13 “(A) the actions of the President; and

14 “(B)(i) the strategic plan approved by the
15 Board under section 192A(g)(1);

16 “(ii) the proposals approved by the Board
17 under paragraph (2) or (3) of section 192A(g);
18 or

19 “(iii) the evaluation plan approved by the
20 Board under section 192A(g)(4); and

21 “(9) prepare and submit to the appropriate
22 committees of Congress an annual report, and such
23 interim reports as may be necessary, describing—

24 “(A) the services referred to in paragraph
25 (1), and the money and property referred to in

1 paragraph (2), of section 196(a) that have been
2 accepted by the Corporation;

3 “(B) the manner in which the Corporation
4 used or disposed of such services, money, and
5 property; and

6 “(C) information on the results achieved
7 by the programs funded under this Act during
8 the year preceding the year in which the report
9 is prepared.

10 “(c) POWERS.—In addition to the authority conferred
11 on the President under any other provision of this Act,
12 the President may—

13 “(1) establish, alter, consolidate, or discontinue
14 such organizational units or components within the
15 Corporation as the President considers necessary or
16 appropriate, consistent with Federal law, and shall,
17 to the maximum extent practicable, consolidate such
18 units or components of the division of the Corpora-
19 tion that carries out volunteer service programs and
20 the division of the Corporation that carries out fi-
21 nancial assistance programs as may be appropriate
22 to enable the two divisions to coordinate common
23 support functions, such as recruiting, public aware-
24 ness, or training functions;

1 “(2) with the approval of the President of the
2 United States—

3 “(A) arrange with and reimburse the heads
4 of other Federal agencies for the performance
5 of any of the provisions of this Act; and

6 “(B) as necessary or appropriate—

7 “(i) delegate any of the functions of
8 the President under this Act, or, with the
9 permission of the Board, any of the func-
10 tions of the Board under this Act, to such
11 heads of Federal agencies; and

12 “(ii) authorize the redelegation of
13 such functions,

14 subject to provisions to assure the maximum
15 possible liaison between the Corporation and
16 such other agencies at all operating levels;

17 “(3) with their consent, utilize the services and
18 facilities of Federal agencies with or without reim-
19 bursement, and, with the consent of any State, or
20 political subdivision of a State, accept and utilize the
21 services and facilities of the agencies of such State
22 or subdivisions without reimbursement;

23 “(4) allocate and expend, or transfer to other
24 Federal agencies for expenditure, funds made avail-

1 able under this Act, including expenditure for con-
2 struction, repairs, and capital improvements;

3 “(5) disseminate, without regard to the provi-
4 sions of section 3204 of title 39, United States
5 Code, data and information, in such form as the
6 President shall determine to be appropriate to public
7 agencies, private organizations, and the general pub-
8 lic;

9 “(6) collect or compromise all obligations to or
10 held by the President and all legal or equitable
11 rights accruing to the President in connection with
12 the payment of obligations in accordance with chap-
13 ter 37 of title 31, United States Code (commonly
14 known as the ‘Federal Claims Collection Act of
15 1966’);

16 “(7) expend funds made available for purposes
17 of this Act, without regard to any other law or regu-
18 lation, for rent of buildings and space in buildings
19 and for repair, alteration, and improvement of build-
20 ings and space in buildings rented by the President;

21 “(8) file a civil action in any court of record of
22 a State having general jurisdiction or in any district
23 court of the United States, with respect to a claim
24 arising under this Act;

1 “(9) exercise the authorities of the Corporation
2 under section 196; and

3 “(10) generally perform such functions and
4 take such steps consistent with the objectives and
5 provisions of this Act, as the President determines
6 to be necessary or appropriate to carry out such pro-
7 visions.

8 “(d) DELEGATION.—

9 “(1) DEFINITION.—As used in this subsection,
10 the term ‘function’ means any duty, obligation,
11 power, authority, responsibility, right, privilege, ac-
12 tivity, or program.

13 “(2) IN GENERAL.—Except as otherwise pro-
14 hibited by law or provided in this Act, the President
15 may delegate any function under this Act, and au-
16 thorize such successive redelegations of such func-
17 tion as may be necessary or appropriate. No delega-
18 tion of a function by the President under this sub-
19 section or under any other provision of this Act shall
20 relieve such President of responsibility for the ad-
21 ministration of such function.

22 “(3) FUNCTION OF BOARD.—The President
23 may not delegate a function of the Board without
24 the permission of the Board.

1 “(e) ACTIONS.—In an action described in subsection
2 (c)(8)—

3 “(1) a district court referred to in such sub-
4 section shall have jurisdiction of such a civil action
5 without regard to the amount in controversy;

6 “(2) such an action brought by the President
7 shall survive notwithstanding any change in the per-
8 son occupying the office of President or any vacancy
9 in that office;

10 “(3) no attachment, injunction, garnishment, or
11 other similar process, mesne or final, shall be issued
12 against the President or the Board or property
13 under the control of the President or the Board; and

14 “(4) nothing in this section shall be construed
15 to except litigation arising out of activities under
16 this Act from the application of sections 509, 517,
17 547, and 2679 of title 28, United States Code.

18 **“SEC. 194. OFFICERS.**

19 “(a) MANAGING DIRECTORS.—

20 “(1) IN GENERAL.—There shall be in the Cor-
21 poration 2 Managing Directors, who shall be ap-
22 pointed by the President of the United States, by
23 and with the advice and consent of the Senate, and
24 who shall report to the President.

1 “(2) COMPENSATION.—The Managing Direc-
2 tors shall be compensated at the rate provided for
3 level IV of the Executive Schedule under section
4 5315 of title 5, United States Code.

5 “(3) DUTIES.—

6 “(A) VOLUNTEER SERVICE PROGRAMS.—

7 One of the Managing Directors shall be pri-
8 marily responsible for the volunteer service pro-
9 grams carried out by the Corporation.

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

14 “(b) INSPECTOR GENERAL.—

15 “(1) OFFICE.—There shall be in the Corpora-
16 tion an Office of the Inspector General.

17 “(2) APPOINTMENT.—The Office shall be head-
18 ed by an Inspector General, appointed in accordance
19 with the Inspector General Act of 1978.

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

24 “(c) CHIEF FINANCIAL OFFICER.—

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1 “(1) OFFICE.—There shall be in the Corpora-
2 tion a Chief Financial Officer, who shall be ap-
3 pointed by the President of the United States, by
4 and with the advice and consent of the Senate.

5 “(2) COMPENSATION.—The Chief Financial Of-
6 ficer shall be compensated at the rate provided for
7 level IV of the Executive Schedule under section
8 5315 of title 5, United States Code.

9 “(3) DUTIES.—The Chief Financial Officer
10 shall—

11 “(A) report directly to the President re-
12 garding financial management matters;

13 “(B) oversee all financial management ac-
14 tivities relating to the programs and operations
15 of the Corporation;

16 “(C) develop and maintain an integrated
17 accounting and financial management system
18 for the Corporation, including financial report-
19 ing and internal controls;

20 “(D) develop and maintain any joint finan-
21 cial management systems with the Department
22 of Education necessary to carry out the pro-
23 grams of the Corporation; and

24 “(E) direct, manage, and provide policy
25 guidance and oversight of the financial manage-

1 ment personnel, activities, and operations of the
2 Corporation.

3 **“SEC. 195. EMPLOYEES, CONSULTANTS, AND OTHER PER-**
4 **SONNEL.**

5 “(a) EMPLOYEES.—

6 “(1) IN GENERAL.—The President may appoint
7 and determine the compensation of such employees
8 as the President determines to be necessary to carry
9 out the duties of the Corporation.

10 “(2) CIVIL SERVICE PROTECTIONS.—The provi-
11 sions of title 5, United States Code, shall apply with
12 respect to the Corporation and the employees of the
13 Corporation, except that the President may appoint
14 and determine the compensation of employees under
15 this subsection without regard to the provisions of
16 title 5, United States Code, governing appointments
17 in the competitive service, and without regard to the
18 provisions of chapter 51 and subchapter III of chap-
19 ter 53 of such title relating to classification and
20 General Schedule pay rates (other than the provi-
21 sions described in clauses (iii) and (iv) of paragraph
22 (4)(B)).

23 “(3) APPOINTMENT IN THE COMPETITIVE
24 SERVICE AFTER EMPLOYMENT IN THE CORPORA-
25 TION.—

1 “(A) EMPLOYEES WITH NOT LESS THAN 3
2 YEARS OF EMPLOYMENT.—If an employee,
3 other than a representative described in sub-
4 section (b), is separated from the Corporation
5 (other than by removal for cause), and has been
6 continuously employed by the Corporation for a
7 period of not less than 3 years, such period
8 shall be treated as a period of service in the
9 competitive service for purposes of chapter 33
10 of title 5, United States Code.

11 “(B) EMPLOYEES WITH NOT LESS THAN 1
12 BUT LESS THAN 3 YEARS OF EMPLOYMENT.—
13 If an employee, other than a representative de-
14 scribed in subsection (b), is separated from the
15 Corporation (other than by removal for cause),
16 and has been continuously employed by the
17 Corporation for a period of not less than 1
18 year, but less than 3 years, such period shall be
19 treated as a period of service in the competitive
20 service for purposes of chapter 33 of title 5,
21 United States Code, until the date that is 3
22 years after the date of separation.

23 “(C) DEFINITION.—As used in this para-
24 graph, the term ‘competitive service’ has the

1 meaning given the term in section 2102 of title
2 5, United States Code.

3 “(4) APPOINTMENT AND COMPENSATION.—

4 “(A) IN GENERAL.—The Chairperson shall
5 appoint and determine the compensation of em-
6 ployees referred to in paragraph (1), in accord-
7 ance with the appointment and compensation
8 systems referred to in subparagraph (B).

9 “(B) CORPORATION APPOINTMENT AND
10 COMPENSATION SYSTEMS.—

11 “(i) ESTABLISHMENT OF SYSTEM.—

12 The President, after reviewing the ap-
13 proved proposal of the Board under section
14 192A(g)(3) and after obtaining the ap-
15 proval of the Director of the Office of Per-
16 sonnel Management, shall issue regulations
17 establishing appointment and compensa-
18 tion systems for the Corporation.

19 “(ii) CONTENT AND CONSIDER-
20 ATIONS.—In issuing such regulations, the
21 President shall—

22 “(I) establish appropriate ap-
23 pointment and compensation mecha-
24 nisms for the representatives de-
25 scribed in subsection (b); and

1 “(II) take into consideration the
2 need for flexibility in such a system.

3 “(iii) APPOINTMENT SYSTEM.—The
4 appointment system shall require that the
5 appointment of such an employee be—

6 “(I) on the basis of the qualifica-
7 tions of applicants and the require-
8 ments of the position, in accordance
9 with the merit system principles set
10 forth in section 2301(b) of title 5,
11 United States Code; and

12 “(II) through a competitive proc-
13 ess.

14 “(iv) COMPENSATION SYSTEM.—

15 “(I) IN GENERAL.—The com-
16 pensation system shall include a
17 scheme for the classification of posi-
18 tions in the Corporation. The system
19 shall require that the compensation of
20 such an employee be determined based
21 in part on the job performance of the
22 employee, and in a manner consistent
23 with the principles described in sec-
24 tion 5301 of title 5, United States
25 Code.

1 “(II) LIMITATION ON EMPLOYEE
2 COMPENSATION.—The rate of com-
3 pensation for each employee com-
4 pensated through the system shall not
5 exceed the annual rate of basic pay
6 payable for level IV of the Executive
7 Schedule under section 5315 of title
8 5, United States Code.

9 “(III) LIMITATION ON COM-
10 PENSATION OF REPRESENTATIVE.—
11 The rate of pay for a representative
12 described in subsection (b) shall not
13 exceed the maximum rate of basic pay
14 payable for grade GS-13 of the Gen-
15 eral Schedule under section 5332 of
16 title 5, United States Code.

17 “(b) CORPORATION REPRESENTATIVE IN EACH
18 STATE.—

19 “(1) DESIGNATION OF REPRESENTATIVE.—The
20 Corporation shall designate 1 employee of the Cor-
21 poration for each State or group of States to serve
22 as the representative of the Corporation in the State
23 or States and to assist the Corporation in carrying
24 out the activities described in this Act in the State
25 or States.

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

4 “(A) the Corporation and the State Com-
5 mission that is established in the State or
6 States;

7 “(B) the Corporation and any subdivision
8 of a State, Indian tribe, public or private non-
9 profit organization, or institution of higher edu-
10 cation, in the State or States, that is awarded
11 a grant under section 121 directly from the
12 Corporation; and

13 “(C) the State Commission and the Cor-
14 poration employee responsible for volunteer
15 service programs in the State, if the employee
16 is not the representative described in paragraph
17 (1) for the State.

18 “(3) MEMBER OF STATE COMMISSION.—The
19 representative designated under this subsection for a
20 State or group of States shall also serve as a voting
21 member of the State Commission established in the
22 State or States.

23 “(c) CONSULTANTS.—The President may procure the
24 temporary and intermittent services of experts and con-
25 sultants and compensate the experts and consultants in

1 accordance with section 3109(b) of title 5, United States
2 Code.

3 “(d) DETAILS OF PERSONNEL.—The head of any
4 Federal department or agency may detail on a reimburs-
5 able basis, or on a nonreimbursable basis for not to exceed
6 180 calendar days during any fiscal year, as agreed upon
7 by the President and the head of the Federal agency, any
8 of the personnel of that department or agency to the Cor-
9 poration to assist the Corporation in carrying out the du-
10 ties of the Corporation under this Act. Any detail shall
11 not interrupt or otherwise affect the civil service status
12 or privileges of the Federal employee.

13 “(e) ADVISORY COMMITTEES.—

14 “(1) ESTABLISHMENT.—The President, acting
15 upon the recommendation of the Board, may estab-
16 lish advisory committees in the Corporation to advise
17 the Board with respect to national service issues,
18 such as the type of programs to be established or as-
19 sisted under the national service laws, priorities and
20 criteria for such programs, and methods of conduct-
21 ing outreach for, and evaluation of, such programs.

22 “(2) COMPOSITION.—Such an advisory commit-
23 tee shall be composed of members appointed by the
24 President, with such qualifications as the President
25 may specify.

1 “(3) EXPENSES.—Members of such an advisory
2 committee may be allowed travel expenses as de-
3 scribed in section 192A(d).

4 “(4) STAFF.—The President is authorized to
5 appoint and fix the compensation of such staff as
6 the President determines to be necessary to carry
7 out the functions of the advisory committee, in ac-
8 cordance with subsection (a)(2), and without regard
9 to the selection and compensation systems described
10 in subsection (a)(4)(B). Such compensation shall not
11 exceed the rate described in subsection
12 (a)(4)(B)(iv)(III).

13 **“SEC. 196. ADMINISTRATION.**

14 “(a) DONATIONS.—

15 “(1) SERVICES.—

16 “(A) VOLUNTEERS.—Notwithstanding sec-
17 tion 1342 of title 31, United States Code, the
18 Corporation may solicit and accept the vol-
19 untary services of individuals to assist the Cor-
20 poration in carrying out the duties of the Cor-
21 poration under this Act, and may provide to
22 such individuals the travel expenses described in
23 section 192A(d).

24 “(B) LIMITATION.—Such a volunteer shall
25 not be considered to be a Federal employee and

1 shall not be subject to the provisions of law re-
2 lating to Federal employment, including those
3 relating to hours of work, rates of compensa-
4 tion, leave, unemployment compensation, and
5 Federal employee benefits, except that—

6 “(i) for the purposes of the tort
7 claims provisions of chapter 171 of title
8 28, United States Code, a volunteer under
9 this subtitle shall be considered to be a
10 Federal employee; and

11 “(ii) for the purposes of subchapter I
12 of chapter 81 of title 5, United States
13 Code, relating to compensation to Federal
14 employees for work injuries, volunteers
15 under this subtitle shall be considered to
16 be employees, as defined in section
17 8101(1)(B) of title 5, United States Code,
18 and the provisions of such subchapter shall
19 apply.

20 “(C) INHERENTLY GOVERNMENTAL FUNC-
21 TION.—

22 “(i) IN GENERAL.—Such a volunteer
23 shall not carry out an inherently govern-
24 mental function.

1 “(ii) REGULATIONS.—The President
2 shall promulgate regulations to carry out
3 this subparagraph.

4 “(iii) INHERENTLY GOVERNMENTAL
5 FUNCTION.—As used in this subparagraph,
6 the term ‘inherently governmental func-
7 tion’ means any activity that is so inti-
8 mately related to the public interest as to
9 mandate performance by an officer or em-
10 ployee of the Federal Government, includ-
11 ing an activity that requires either the ex-
12 ercise of discretion in applying the author-
13 ity of the Government or the use of value
14 judgment in making a decision for the
15 Government.

16 “(2) PROPERTY.—

17 “(A) IN GENERAL.—The Corporation may
18 solicit, accept, hold, administer, use, and dis-
19 pose of, in furtherance of the purposes of this
20 Act, donations of any money or property, real,
21 personal, or mixed, tangible or intangible, re-
22 ceived by gift, devise, bequest, or otherwise. Do-
23 nations accepted under this subparagraph shall
24 be used as nearly as possible in accordance with
25 the terms, if any, of such donation.

1 “(B) TAX.—For purposes of Federal in-
2 come, estate, and gift taxes, money or property
3 accepted under subparagraph (A) shall be con-
4 sidered to be a gift, devise, or bequest to, or for
5 the use of, the United States.

6 “(C) RULES.—The Corporation shall es-
7 tablish written rules to ensure that the solici-
8 tation, acceptance, holding, administration, and
9 use of property described in subparagraph
10 (A)—

11 “(i) will not reflect unfavorably upon
12 the ability of the Corporation, or of any of-
13 ficer or employee of the Corporation, to
14 carry out the responsibilities or official du-
15 ties of the Corporation in a fair and objec-
16 tive manner; and

17 “(ii) will not compromise the integrity
18 of the programs of the Corporation or any
19 official or employee of the Corporation in-
20 volved in such programs.

21 “(D) DISPOSITION.—Upon completion of
22 the use by the Corporation of any property ac-
23 cepted pursuant to subparagraph (A) (other
24 than money or monetary proceeds from sales of
25 property so accepted), such completion shall be

1 reported to the General Services Administration
2 and such property shall be disposed of in ac-
3 cordance with title II of the Federal Property
4 and Administrative Services Act of 1949 (40
5 U.S.C. 481 et seq.).

6 “(3) VOLUNTEER.—As used in this subsection,
7 the term ‘volunteer’ does not include a participant.

8 “(b) CONTRACTS.—Subject to the Federal Property
9 and Administrative Services Act of 1949, the Corporation
10 may enter into contracts, and cooperative and interagency
11 agreements, with Federal and State agencies, private
12 firms, institutions, and individuals to conduct activities
13 necessary to assist the Corporation in carrying out the du-
14 ties of the Corporation under this Act.

15 “(c) OFFICE OF MANAGEMENT AND BUDGET.—Ap-
16 propriate circulars of the Office of Management and
17 Budget shall apply to the Corporation.”.

18 (b) DOMESTIC VOLUNTEER SERVICE ACT OF
19 1973.—Section 401 of the Domestic Volunteer Service Act
20 of 1973 (42 U.S.C. 5041) is amended by inserting after
21 the second sentence the following: “The Director shall re-
22 port directly to the President of the Corporation for Na-
23 tional and Community Service.”.

24 (c) TRANSFER OF FUNCTIONS OF COMMISSION ON
25 NATIONAL AND COMMUNITY SERVICE.—

1 (1) DEFINITIONS.—For purposes of this sub-
2 section, unless otherwise provided or indicated by
3 the context, each term specified in section 203(c)(1)
4 shall have the meaning given the term in such sec-
5 tion.

6 (2) TRANSFER OF FUNCTIONS.—There are
7 transferred to the Corporation the functions that the
8 Board of Directors or Executive Director of the
9 Commission on National and Community Service ex-
10 ercised before the effective date of this subsection
11 (including all related functions of any officer or em-
12 ployee of the Commission).

13 (3) APPLICATION.—The provisions of para-
14 graphs (3) through (10) of section 203(c) shall
15 apply with respect to the transfer described in para-
16 graph (2), except that—

17 (A) for purposes of such application, ref-
18 erences to the term “ACTION Agency” shall be
19 deemed to be references to the Commission on
20 National and Community Service; and

21 (B) paragraph (10) of such section shall
22 not preclude the transfer of the members of the
23 Board of Directors of the Commission to the
24 Corporation if, on the effective date of this sub-

1 section, the Board of Directors of the Corpora-
2 tion has not been confirmed.

3 (d) CONTINUING PERFORMANCE OF CERTAIN FUNC-
4 TIONS.—The individuals who, on the day before the date
5 of enactment of **this Act**, are performing any of the func-
6 tions required by section 190 of the National and Commu-
7 nity Service Act of 1990 (42 U.S.C. 12651), as in effect
8 on such date, to be performed by the members of the
9 Board of Directors of the Commission on National and
10 Community Service may, subject to section 193A of the
11 National and Community Service Act of 1990, as added
12 by subsection (a) of this section, continue to perform such
13 functions until the date on the Board of Directors of the
14 Corporation for National and Community Service con-
15 ducts the first meeting of the Board. The service of such
16 individuals as members of the Board of Directors of such
17 Commission, and the employment of such individuals as
18 special government employees, shall terminate on such
19 date.

20 (e) JOB SEARCH ASSISTANCE.—The President of the
21 Corporation shall establish a program to provide, or shall
22 seek to enter into a memorandum of understanding with
23 the Director of the Office of Personnel Management to
24 provide, job search and related assistance to employees of
25 the ACTION agency who are not transferred to the Cor-

1 poration for National and Community Service under sec-
2 tion 203(c). The President of the Corporation shall make
3 available funds appropriated under section 501(a)(3) of
4 the National and Community Service Act of 1990 in order
5 to provide such assistance.

6 (f) GOVERNMENT CORPORATION CONTROL.—

7 (1) WHOLLY OWNED GOVERNMENT CORPORA-
8 TION.—Section 9101(3) of title 31, United States
9 Code, is amended by inserting after subparagraph
10 (D) the following:

11 “(E) the Corporation for National and
12 Community Service.”.

13 (2) AUDITS.—Section 9105(a)(1) of title 31,
14 United States Code, is amended by inserting “, or
15 under other Federal law,” before “or by an inde-
16 pendent”.

17 (g) DISPOSAL OF PROPERTY.—Section 203(k) of the
18 Federal Property and Administrative Services Act of 1949
19 (40 U.S.C. 484(k)) is amended by adding at the end the
20 following:

21 “(5)(A) Under such regulations as the Administrator
22 may prescribe, the Administrator is authorized, in the dis-
23 cretion of the Administrator, to assign to the President
24 of the Corporation for National and Community Service
25 for disposal such surplus property as is recommended by

1 the President as being needed for national service activi-
2 ties.

3 “(B) Subject to the disapproval of the Administrator,
4 within 30 days after notice to the Administrator by the
5 President of the Corporation for National and Community
6 Service of a proposed transfer of property for such activi-
7 ties, the President, through such officers or employees of
8 the Corporation as the President may designate, may sell,
9 lease, or donate such property to any entity that receives
10 financial assistance under the National and Community
11 Service Act of 1990 for such activities.

12 “(C) In fixing the sale or lease value of such property,
13 the President of the Corporation for National and Com-
14 munity Service shall comply with the requirements of
15 paragraph (1)(C).”.

16 (h) INSPECTOR GENERAL.—Section 11 of the Inspec-
17 tor General Act of 1978 (5 U.S.C. App.) is amended—

18 (1) in paragraph (1), by inserting “; the Board
19 of Directors of the Corporation for National and
20 Community Service;” after “Thrift Depositor Pro-
21 tection Oversight Board”; and

22 (2) in paragraph (2), by inserting “, the Cor-
23 poration for National and Community Service,”
24 after “United States Information Agency”.

1 (i) TABLE OF CONTENTS.—Section 1(b) of the Na-
2 tional and Community Service Act of 1990 (Public Law
3 101–610; 104 Stat. 3127) is amended by striking the
4 items relating to subtitle G of title I of such Act and in-
5 serting the following:

“Subtitle G—Corporation for National and Community Service

“Sec. 191. Corporation for National and Community Service.

“Sec. 192. Board of Directors.

“Sec. 192A. Authorities and duties of the Board of Directors.

“Sec. 193. President.

“Sec. 193A. Authorities and duties of the President.

“Sec. 194. Officers.

“Sec. 195. Employees, consultants, and other personnel.

“Sec. 196. Administration.”.

6 (j) EFFECTIVE DATES.—

7 (1) IN GENERAL.—Except as provided in para-
8 graph (2), the amendments made by this section
9 shall take effect on October 1, 1993.

10 (2) ESTABLISHMENT AND APPOINTMENT AU-
11 THORITIES.—Sections 191, 192, and 193 of the Na-
12 tional and Community Service Act of 1990, as added
13 by subsection (a), shall take effect on the date of en-
14 actment of this Act.

15 **SEC. 203. FINAL AUTHORITIES OF THE CORPORATION FOR**
16 **NATIONAL AND COMMUNITY SERVICE.**

17 (a) NATIONAL AND COMMUNITY SERVICE ACT OF
18 1990.—

19 (1) APPLICATION.—Subtitle I of the National
20 and Community Service Act of 1990 (as amended by
21 section 202 of this Act) is amended in section 191,

1 section 192A(g)(5), section 193(c), subsections (b),
2 (c) (other than paragraph (8)), and (d) of section
3 193A, subsections (b) and (d) of section 195, and
4 subsections (a) and (b) of section 196, by striking
5 “this Act” each place the term appears and insert-
6 ing “the national service laws”.

7 (2) GRANTS.—Section 192A(g) of the National
8 and Community Service Act of 1990 (as added by
9 section 202 of this Act) is amended—

10 (A) by striking “and” at the end of para-
11 graph (9);

12 (B) by redesignating paragraph (10) as
13 paragraph (11); and

14 (C) by inserting after paragraph (9) the
15 following:

16 “(10) notwithstanding any other provision of
17 law, make grants to or contracts with Federal or
18 other public departments or agencies and private
19 nonprofit organizations for the assignment or refer-
20 ral of volunteers under the provisions of the Domes-
21 tic Volunteer Service Act of 1973 (except as pro-
22 vided in section 108 of the Domestic Volunteer Serv-
23 ice Act of 1973), which may provide that the agency
24 or organization shall pay all or a part of the costs
25 of the program; and”.

1 (3) ASSISTANT DIRECTORS.—Section 194 of
2 the National and Community Service Act of 1990
3 (as added by section 202 of this Act) is amended by
4 adding at the end the following:

5 “(d) ASSISTANT DIRECTORS.—

6 “(1) IN GENERAL.—There shall be in the Cor-
7 poration four Assistant Directors, each of whom
8 shall be appointed by the President, and who shall
9 report directly to the Managing Director described
10 in subsection (a)(3)(A).

11 “(2) DUTIES.—

12 “(A) VISTA AND OTHER ANTIPOVERTY
13 PROGRAMS.—One of the Assistant Directors
14 shall be primarily responsible for the VISTA
15 and other antipoverty programs under title I of
16 the Domestic Volunteer Service Act of 1973.

17 “(B) RETIRED AND SENIOR VOLUNTEER
18 PROGRAMS.—One of the Assistant Directors
19 shall be primarily responsible for the Retired
20 and Senior Volunteer Program established
21 under part A of title II of such Act.

22 “(C) FOSTER GRANDPARENT PROGRAM.—
23 One of the Assistant Directors shall be pri-
24 marily responsible for the Foster Grandparent

1 Program established under part B of title II of
2 such Act.

3 “(D) SENIOR COMPANION PROGRAM.—One
4 of the Assistant Directors shall be primarily re-
5 sponsible for the Senior Companion Program
6 established under part C of title II of such
7 Act.”.

8 (b) AUTHORITIES OF ACTION AGENCY.—Sections
9 401 and 402 of the Domestic Volunteer Service Act of
10 1973 (42 U.S.C. 5041 and 5042) are repealed.

11 (c) TRANSFER OF FUNCTIONS FROM ACTION
12 AGENCY.—

13 (1) DEFINITIONS.—For purposes of this sub-
14 section, unless otherwise provided or indicated by
15 the context—

16 (A) the term “Corporation” means the
17 Corporation for National and Community Serv-
18 ice, established under section 191 of the Na-
19 tional and Community Service Act of 1990;

20 (B) the term “Federal agency” has the
21 meaning given to the term “agency” by section
22 551(1) of title 5, United States Code;

23 (C) the term “function” means any duty,
24 obligation, power, authority, responsibility,
25 right, privilege, activity, or program;

1 (D) the term "office" includes any office,
2 administration, agency, institute, unit, organi-
3 zational entity, or component thereof; and

4 (E) the term "President", except as used
5 as part of the term "President of the United
6 States", means the President of the Corpora-
7 tion.

8 (2) TRANSFER OF FUNCTIONS.—There are
9 transferred to the Corporation such functions as the
10 President of the United States determines to be ap-
11 propriate that the Director of the ACTION Agency
12 exercised before the effective date of this subsection
13 (including all related functions of any officer or em-
14 ployee of the ACTION Agency).

15 (3) DETERMINATIONS OF CERTAIN FUNCTIONS
16 BY THE OFFICE OF MANAGEMENT AND BUDGET.—
17 If necessary, the Office of Management and Budget
18 shall make any determination of the functions that
19 are transferred under paragraph (2).

20 (4) REORGANIZATION.—The President is au-
21 thorized to allocate or reallocate any function trans-
22 ferred under paragraph (2) among the officers of the
23 Corporation.

24 (5) TRANSFER AND ALLOCATIONS OF APPRO-
25 PRIATIONS AND PERSONNEL.—Except as otherwise

1 provided in this subsection, the personnel employed
2 in connection with, and the assets, liabilities, con-
3 tracts, property, records, and unexpended balances
4 of appropriations, authorizations, allocations, and
5 other funds employed, used, held, arising from,
6 available to, or to be made available in connection
7 with the functions transferred by this subsection,
8 subject to section 1531 of title 31, United States
9 Code, shall be transferred to the Corporation. Unex-
10 pended funds transferred pursuant to this paragraph
11 shall be used only for the purposes for which the
12 funds were originally authorized and appropriated.

13 (6) INCIDENTAL TRANSFER.—The Director of
14 the Office of Management and Budget,^r at such time
15 or times as the Director shall provide,⁷ is authorized
16 ^r to make such determinations as may be necessary
17 with regard to the functions transferred by this sub-
18 section, and ⁷ to make such additional incidental dis-
19 positions of personnel, assets, liabilities, grants, con-
20 tracts, property, records, and unexpended balances
21 of appropriations, authorizations, allocations, and
22 other funds held, used, arising from, available to, or
23 to be made available in connection with such func-
24 tions, as may be necessary to carry out the provi-
25 sions of this subsection. The Director of the Office

1 of Management and Budget shall provide for the ter-
2 mination of the affairs of all entities terminated by
3 this subsection and, for such further measures and
4 dispositions as may be necessary to effectuate the
5 purposes of this subsection.

6 (7) EFFECT ON PERSONNEL.—

7 (A) IN GENERAL.—Except as otherwise
8 provided by this subsection, the transfer pursu-
9 ant to this subsection of full-time personnel (ex-
10 cept special Government employees) and part-
11 time personnel holding permanent positions
12 shall not cause any such employee to be sepa-
13 rated or reduced in grade or compensation, or
14 to have the benefits of the employee reduced,
15 for 1 year after the date of transfer of such em-
16 ployee under this subsection.

17 (B) EXECUTIVE SCHEDULE POSITIONS.—
18 Except as otherwise provided in this subsection,
19 any person who, on the day preceding the effec-
20 tive date of this subsection, held a position com-
21 pensated in accordance with the Executive
22 Schedule prescribed in chapter 53 of title 5,
23 United States Code, and who, without a break
24 in service, is appointed in the Corporation to a
25 position having duties comparable to the duties

1 performed immediately preceding such appoint-
2 ment shall continue to be compensated in such
3 new position at not less than the rate provided
4 for such previous position, for the duration of
5 the service of such person in such new position.

6 (C) TERMINATION OF CERTAIN POSI-
7 TIONS.—Positions whose incumbents are ap-
8 pointed by the President of the United States,
9 by and with the advice and consent of the Sen-
10 ate, the functions of which are transferred by
11 this subsection, shall terminate on the effective
12 date of this subsection.

13 (8) SAVINGS PROVISIONS.—

14 (A) CONTINUING EFFECT OF LEGAL DOCU-
15 MENTS.—All orders, determinations, rules, reg-
16 ulations, permits, agreements, grants, contracts,
17 certificates, licenses, registrations, privileges,
18 and other administrative actions—

19 (i) that have been issued, made,
20 granted, or allowed to become effective by
21 the President of the United States, any
22 Federal agency or official thereof, or by a
23 court of competent jurisdiction, in the per-
24 formance of functions that are transferred
25 under this subsection; and

1 (ii) that are in effect at the time this
2 subsection takes effect, or were final before
3 the effective date of this subsection and
4 are to become effective on or after the ef-
5 fective date of this subsection,
6 shall continue in effect according to their terms
7 until modified, terminated, superseded, set
8 aside, or revoked in accordance with law by the
9 President of the United States, the President of
10 the Corporation, or other authorized official, a
11 court of competent jurisdiction, or by operation
12 of law.

13 (B) PROCEEDINGS NOT AFFECTED.—The
14 provisions of this subsection shall not affect any
15 proceedings, including notices of proposed rule-
16 making, or any application for any license, per-
17 mit, certificate, or financial assistance pending
18 before the ACTION Agency at the time this
19 subsection takes effect, with respect to func-
20 tions transferred by this subsection. Such pro-
21 ceedings and applications shall be continued.
22 Orders shall be issued in such proceedings, ap-
23 peals shall be taken therefrom, and payments
24 shall be made pursuant to such orders, as if
25 this subsection had not been enacted, and or-

1 ders issued in any such proceedings shall con-
2 tinue in effect until modified, terminated, su-
3 perseded, or revoked by a duly authorized offi-
4 cial, by a court of competent jurisdiction, or by
5 operation of law. Nothing in this subparagraph
6 shall be deemed to prohibit the discontinuance
7 or modification of any such proceeding under
8 the same terms and conditions and to the same
9 extent that such proceeding could have been
10 discontinued or modified if this subsection had
11 not been enacted.

12 (C) SUITS NOT AFFECTED.—The provi-
13 sions of this subsection shall not affect suits
14 commenced before the effective date of this sub-
15 section, and in all such suits, proceedings shall
16 be had, appeals taken, and judgments rendered
17 in the same manner and with the same effect
18 as if this subsection had not been enacted.

19 (D) NONABATEMENT OF ACTIONS.—No
20 suit, action, or other proceeding commenced by
21 or against the ACTION Agency, or by or
22 against any individual in the official capacity of
23 such individual as an officer of the ACTION
24 Agency, shall abate by reason of the enactment
25 of this subsection.

1 (E) ADMINISTRATIVE ACTIONS RELATING
2 TO PROMULGATION OF REGULATIONS.—Any ad-
3 ministrative action relating to the preparation
4 or promulgation of a regulation by the AC-
5 TION Agency relating to a function transferred
6 under this subsection may be continued by the
7 Corporation with the same effect as if this sub-
8 section had not been enacted.

9 (9) SEVERABILITY.—If a provision of this sub-
10 section or its application to any person or cir-
11 cumstance is held invalid, neither the remainder of
12 this subsection nor the application of the provision
13 to other persons or circumstances shall be affected.

14 (10) TRANSITION.—Prior to, or after, any
15 transfer of a function under this subsection, the
16 President is authorized to utilize—

17 (A) the services of such officers, employ-
18 ees, and other personnel of the ACTION Agen-
19 cy with respect to functions that will be or have
20 been transferred to the Corporation by this sub-
21 section; and

22 (B) funds appropriated to such functions
23 for such period of time as may reasonably be
24 needed to facilitate the orderly implementation
25 of this subsection.

1 (d) DEVELOPMENT OF TRANSFER SCHEDULE.—The
2 President of the Corporation for National and Community
3 Service, in consultation with the Director of ACTION,
4 shall, not later than 9 months after the date of enactment
5 of this Act, prepare a schedule that specifies the date on
6 which the employees of ACTION will be notified about—

7 (1) whether their functions will be transferred
8 to the Corporation; and

9 (2) if such functions will be transferred, the
10 date on which the transfer will occur.

11 (e) APPOINTMENT OF ACTION EMPLOYEES.—Dur-
12 ing the period beginning on October 1, 1993 and ending
13 on the effective date of subsection (c)(2), in making ap-
14 pointments to the Corporation under the appointment sys-
15 tem described in section 195(a)(4)(B)(iii) of the National
16 and Community Service Act of 1990, the President of the
17 Corporation for National and Community Service shall en-
18 sure that individuals who are employees of ACTION shall
19 receive fair and equitable treatment.

20 (f) EFFECTIVE DATE.—

21 (1) IN GENERAL.—Except as provided in para-
22 graph (2), this section, and the amendments made
23 by this section, shall take effect—

24 (A) 18 months after the date of enactment
25 of this Act; or

1 (B) on such earlier date (which shall be
2 not earlier than 12 months after the date of the
3 enactment of this Act) as the President of the
4 United States shall determine to be appropriate
5 and announce by proclamation published in the
6 Federal Register.

7 (2) TRANSITION.—Subsections (c)(10), (d), and
8 (e) shall take effect on the date of enactment of this
9 Act.

10 **TITLE III—REAUTHORIZATION**
11 **Subtitle A—National and**
12 **Community Service Act of 1990**

13 **SEC. 301. AUTHORIZATION OF APPROPRIATIONS.**

14 Section 501 of the National and Community Service
15 Act of 1990 (42 U.S.C. 12681) is amended to read as
16 follows:

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

18 “(a) TITLE I.—

19 “(1) SUBTITLE B.—There are authorized to be
20 appropriated to provide financial assistance under
21 subtitle B of title I, \$45,000,000 for fiscal year
22 1994, and such sums as may be necessary for each
23 of the fiscal years 1995 through 1998.

24 “(2) SUBTITLES C, D, AND H.—There are au-
25 thorized to be appropriated to provide financial as-

1 sistance under subtitles C and H of title I, and to
2 provide national service educational awards under
3 subtitle D of title I, \$389,000,000 for fiscal year
4 1994, and such sums as may be necessary for each
5 of the fiscal years 1995 through 1998. Of the funds
6 appropriated under this paragraph for a fiscal year,
7 not more than 15 percent of such funds may be
8 made available to provide financial assistance for ac-
9 tivities in subtitle H, section 125, or section 126.

10 “(3) ADMINISTRATION.—There are authorized
11 to be appropriated for the administration of this Act
12 such sums as may be necessary for each of the fiscal
13 years 1994 through 1998.

14 “(b) TITLE III.—There are authorized to be appro-
15 priated to carry out title III \$5,000,000 for each of the
16 fiscal years 1994 through 1998.

17 “(c) AVAILABILITY OF APPROPRIATIONS.—Funds ap-
18 propriated under this section shall remain available until
19 expended.”.

20 **Subtitle B—Domestic Volunteer**
21 **Service Act of 1973**

22 **SEC. 311. SHORT TITLE; REFERENCES.**

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

1 (b) REFERENCES.—Except as otherwise specifically
2 provided, whenever in this subtitle an amendment or re-
3 peal is expressed in terms of an amendment to, or repeal
4 of, a section or other provision, the reference shall be con-
5 sidered to be made to a section or other provision of the
6 Domestic Volunteer Service Act of 1973 (42 U.S.C. 4950
7 et seq.).

8 **CHAPTER 1—VISTA AND OTHER ANTI-**
9 **POVERTY PROGRAMS**

10 **SEC. 321. PURPOSE OF THE VISTA PROGRAM.**

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

17 **SEC. 322. SELECTION AND ASSIGNMENT OF VISTA VOLUN-**
18 **TEERS.**

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

21 (1) in the matter preceding paragraph (1), by
22 striking “a public” and inserting “public”;

23 (2) in paragraph (2), by striking “and” at the
24 end;

1 (3) in paragraph (3), by striking “illiterate or
2 functionally illiterate youth and other individuals,”;

3 (4) in paragraph (5), by striking “and” at the
4 end;

5 (5) in paragraph (6)—

6 (A) by striking “or the Community Eco-
7 nomic” and inserting “the Community Eco-
8 nomic”;

9 (B) by inserting “or other similar Acts,”
10 after “1981,”; and

11 (C) by striking the period and inserting “;
12 and”; and

13 (6) by adding at the end the following new
14 paragraph:

15 “(7) in strengthening, supplementing, and ex-
16 panding efforts to address the problem of illiteracy
17 throughout the United States.”.

18 (b) RECRUITMENT PROCEDURES.—Section 103(b)
19 (42 U.S.C. 4953(b)) is amended—

20 (1) by striking paragraphs (2), (4), (5) and (6);

21 (2) by redesignating paragraphs (3) and (7) as
22 paragraphs (2) and (3), respectively;

23 (3) in paragraph (2) (as redesignated in para-
24 graph (2) of this subsection), by striking “paragraph
25 (7)” and inserting “paragraph (3)”; and

1 (4) in paragraph (3) (as redesignated in para-
2 graph (2) of this subsection)—

3 (A) in subparagraph (A), by striking
4 “paragraph (4)” and inserting “paragraph
5 (2)”;

6 (B) by striking subparagraphs (B), (C),
7 and (E);

8 (C) by redesignating subparagraphs (D)
9 and (F) as subparagraphs (C) and (D), respec-
10 tively; and

11 (D) by inserting after subparagraph (A)
12 the following new subparagraph:

13 “(B) A sponsoring organization may recruit volun-
14 teers for service under this part, subject to final approval
15 by the Director.”.

16 (c) PUBLIC AWARENESS AND RECRUITMENT.—Sub-
17 section (c) of section 103 (42 U.S.C. 4953(c)) is
18 amended—

19 (1) in paragraph (1), to read as follows:

20 “(1)(A) The Director shall conduct national and local
21 public awareness and recruitment activities in order to
22 meet the volunteer goals of the program. In conducting
23 such activities, the Director shall place special emphasis
24 on recruiting volunteers for local, community-based pro-
25 grams that serve underrepresented populations, in situa-

1 tions in which volunteers might not otherwise learn about
2 the programs. Such activities shall be coordinated with re-
3 cruitment authorized under subtitle C or E of the National
4 and Community Service Act of 1990 and may include pub-
5 lic service announcements, advertisements, publicity on
6 loan deferments and cancellations available to VISTA vol-
7 unteers, maintenance of a toll-free telephone system, and
8 provision of technical assistance for the recruitment of vol-
9 unteers to programs and projects receiving assistance
10 under this part.

11 “(B) The Director shall take steps to recruit individ-
12 uals 18 through 27 years of age, 55 years of age and older,
13 recent graduates of institutions of higher education, and
14 special skilled volunteers and to promote diverse participa-
15 tion in the program.”;

16 (2) in paragraph (3), by adding at the end the
17 following new sentence: “In addition, the Director
18 shall take steps to provide opportunities for returned
19 Peace Corps volunteers to serve in the VISTA pro-
20 gram.”;

21 (3) by striking paragraphs (4), (5), and (6);
22 and

23 (4) by adding at the end the following new
24 paragraph:

1 “(4) From the amounts appropriated under section
2 501(a) for fiscal year 1994 and each subsequent fiscal
3 year, the Director shall obligate such sums as may be nec-
4 essary for the purpose of carrying out this subsection in
5 such fiscal year.”.

6 (d) COORDINATION WITH OTHER FEDERAL AGEN-
7 CIES.—Section 103 (42 U.S.C. 4953) is amended by add-
8 ing at the end the following new subsection:

9 “(h) The Director is encouraged to enter into agree-
10 ments with other Federal agencies to use VISTA volun-
11 teers in furtherance of program objectives that are consist-
12 ent with the purposes described in section 101.”.

13 **SEC. 323. TERMS AND PERIODS OF SERVICE.**

14 (a) CLARIFICATION AND PERIODS OF SERVICE.—
15 Subsection (b) of section 104 (42 U.S.C. 4954(b)) is
16 amended to read as follows:

17 “(b)(1) Volunteers serving under this part may be en-
18 rolled initially for periods of service of not less than 1 year,
19 nor more than 2 years, except as provided in paragraph
20 (2) or subsection (e).

21 “(2) Volunteers serving under this part may be en-
22 rolled for periods of service of less than 1 year if the Direc-
23 tor determines, on an individual basis, that a period of
24 service of less than 1 year is necessary to meet a critical
25 scarce skill need.

1 “(3) Volunteers serving under this part may be
2 reenrolled for periods of service in a manner to be deter-
3 mined by the Director. No volunteer shall serve for more
4 than a total of 5 years under this part.”.

5 (b) SUMMER PROGRAM.—Section 104 (42 U.S.C.
6 4954) is amended by adding at the end the following new
7 subsection:

8 “(e)(1) Notwithstanding any other provision of this
9 part, the Director may enroll full-time VISTA summer as-
10 sociates in a program for the summer months only, under
11 such terms and conditions as the Director shall determine
12 to be appropriate. Such individuals shall be assigned to
13 projects that meet the criteria set forth in section 103(a).

14 “(2) In preparing reports relating to programs under
15 this Act, the Director shall report on participants, costs,
16 and accomplishments under the summer program sepa-
17 rately.

18 “(3) The limitation on funds appropriated for grants
19 and contracts, as contained in section 108, shall not apply
20 to the summer program.”.

21 **SEC. 324. SUPPORT FOR VISTA VOLUNTEERS.**

22 (a) POSTSERVICE STIPEND.—Section 105(a)(1) (42
23 U.S.C. 4955(a)(1)) is amended—

24 (1) by inserting “(A)” after “(a)(1)”; and

1 (2) by striking the second sentence and insert-
2 ing the following:

3 “(B) Such stipend shall not exceed \$95 per month
4 in fiscal year 1994, but shall be set at a minimum of \$125
5 per month during the service of the volunteer after Octo-
6 ber 1, 1994, assuming the availability of funds to accom-
7 plish this increase. The Director may provide a stipend
8 of a minimum of \$200 per month in the case of persons
9 who have served as volunteers under this part for at least
10 1 year and who, in accordance with standards established
11 in such regulations as the Director shall prescribe, have
12 been designated volunteer leaders on the basis of experi-
13 ence and special skills and a demonstrated leadership
14 among volunteers.

15 “(C) The Director shall not provide a stipend under
16 this subsection to an individual who elects to receive a na-
17 tional service education award under subtitle D of title I
18 of the National and Community Service Act of 1990.”.

19 (b) SUBSISTENCE ALLOWANCE.—Section 105(b) (42
20 U.S.C. 4955(b)) is amended—

21 (1) in paragraph (3)—

22 (A) by striking subparagraph (A);

23 (B) in subparagraph (B), by striking the
24 subparagraph designation; and

1 (C) by adding at the end the following new
2 sentence: "The Director shall review such ad-
3 justments on an annual basis to ensure that the
4 adjustments are current."; and
5 (2) by striking paragraph (4).

6 (c) CHILD CARE.—Section 105 (42 U.S.C. 4955) is
7 amended by adding at the end the following:

8 "(c)(1) The Director shall—

9 "(A) make child care available for children of
10 each volunteer enrolled under this part, including
11 volunteers who need such child care in order to par-
12 ticipate as volunteers; or

13 "(B) provide a child care allowance to each
14 such volunteer who needs such assistance in order to
15 participate as volunteers.

16 "(2) The Corporation shall establish guidelines re-
17 garding the circumstances under which child care shall be
18 made available under this subsection and the value of any
19 allowance to be provided."

20 **SEC. 325. PARTICIPATION OF YOUNGER AND OLDER PER-**
21 **SONS.**

22 Section 107 (42 U.S.C. 4957) is amended to read as
23 follows:

1 **“SEC. 107. PARTICIPATION OF YOUNGER AND OLDER PER-**
2 **SONS.**

3 “In carrying out this part and part C, the Director
4 shall take necessary steps, including the development of
5 special projects, where appropriate, to encourage the full-
6 est participation of individuals 18 through 27 years of age,
7 and individuals 55 years of age and older, in the various
8 programs and activities authorized under such parts.”.

9 **SEC. 326. LITERACY ACTIVITIES.**

10 Section 109 (42 U.S.C. 4959) is amended—

11 (1) in subsection (g)—

12 (A) by striking paragraph (1); and

13 (B) by striking the paragraph designation
14 of paragraph (2); and

15 (2) in subsection (h), by striking paragraph (3).

16 **SEC. 327. APPLICATIONS FOR ASSISTANCE.**

17 Section 110 (42 U.S.C. 4960) is amended to read as
18 follows:

19 **“SEC. 110. APPLICATIONS FOR ASSISTANCE.**

20 “In reviewing an application for assistance under this
21 part, the Director shall not deny such assistance to any
22 project or program, or any public or private nonprofit or-
23 ganization, solely on the basis of the duration of the assist-
24 ance such project, program, or organization has received
25 under this part prior to the date of submission of the ap-
26 plication. The Director shall grant assistance under this

1 part on the basis of merit and to accomplish the goals
2 of the VISTA program, and shall consider the needs and
3 requirements of projects in existence on such date as well
4 as potential new projects.”.

5 **SEC. 328. REPEAL OF AUTHORITY FOR STUDENT COMMU-**
6 **NITY SERVICE PROGRAMS.**

7 Part B of title I (42 U.S.C. 4971 et seq.) is amended
8 by repealing section 114 (42 U.S.C. 4974).

9 **SEC. 329. UNIVERSITY YEAR FOR VISTA.**

10 (a) PROGRAM TITLE.—Part B of title I (42 U.S.C.
11 4971 et seq.) is amended—

12 (1) in the part heading to read as follows:

13 “PART B—UNIVERSITY YEAR FOR VISTA”;

14 (2) by striking “University Year for ACTION”
15 each place that such term appears in such part and
16 inserting “University Year for VISTA”;

17 (3) by striking “UYA” each place that such
18 term appears in such part and inserting “UYV”;
19 and

20 (4) in section 112 (42 U.S.C. 4972) by striking
21 the section heading and inserting the following new
22 section heading:

23 “AUTHORITY TO OPERATE UNIVERSITY YEAR FOR VISTA
24 PROGRAM”.

25 (b) SPECIAL CONDITIONS.—Section 113(a) (42
26 U.S.C. 4973(a)) is amended—

1 (1) by striking “of not less than the duration
2 of an academic year” and inserting “of not less than
3 the duration of an academic semester or its equiva-
4 lent”; and

5 (2) by adding at the end the following new sen-
6 tence: “Volunteers may receive a living allowance
7 and such other support or allowances as the Director
8 determines to be appropriate.”.

9 **SEC. 330. AUTHORITY TO ESTABLISH AND OPERATE SPE-**
10 **CIAL VOLUNTEER AND DEMONSTRATION**
11 **PROGRAMS.**

12 Section 122 (42 U.S.C. 4992) is amended to read as
13 follows:

14 **“SEC. 122. AUTHORITY TO ESTABLISH AND OPERATE SPE-**
15 **CIAL VOLUNTEER AND DEMONSTRATION**
16 **PROGRAMS.**

17 “(a) IN GENERAL.—The Director is authorized to
18 conduct special volunteer programs for demonstration pro-
19 grams, or award grants to or enter into contracts with
20 public or nonprofit organizations to carry out such pro-
21 grams. Such programs shall encourage wider volunteer
22 participation on a full-time, part-time, or short-term basis
23 to further the purpose of this part, and identify particular
24 segments of the poverty community that could benefit
25 from volunteer and other antipoverty efforts.

1 “(b) ASSIGNMENT AND SUPPORT OF VOLUNTEERS.—

2 The assignment of volunteers under this section, and the
3 provision of support for such volunteers, including any
4 subsistence allowances and stipends, shall be on such
5 terms and conditions as the Director shall determine to
6 be appropriate, but shall not exceed the level of support
7 provided under section 105. Projects using volunteers who
8 do not receive stipends may also be supported under this
9 section.

10 “(c) CRITERIA AND PRIORITIES.—In carrying out
11 this section and section 123, the Director shall establish
12 criteria and priorities for awarding grants and entering
13 into contracts under this part in each fiscal year. No grant
14 or contract exceeding \$100,000 shall be made under this
15 part unless the recipient of the grant or contractor has
16 been selected by a competitive process that includes public
17 announcement of the availability of funds for such grant
18 or contract, general criteria for the selection of recipients
19 or contractors, and a description of the application process
20 and application review process.”.

21 **SEC. 331. TECHNICAL AND FINANCIAL ASSISTANCE.**

22 Section 123 (42 U.S.C. 4993) is amended to read as
23 follows:

1 **“SEC. 123. TECHNICAL AND FINANCIAL ASSISTANCE.**

2 “The Director may provide technical and financial as-
3 sistance to Federal agencies, State and local governments
4 and agencies, private nonprofit organizations, employers,
5 and other private organizations that utilize or desire to
6 utilize volunteers in carrying out the purpose of this
7 part.”.

8 **SEC. 332. ELIMINATION OF SEPARATE AUTHORITY FOR**
9 **DRUG ABUSE PROGRAMS.**

10 Section 124 (42 U.S.C. 4994) is repealed.

11 **CHAPTER 2—NATIONAL SENIOR**
12 **VOLUNTEER CORPS**

13 **SEC. 341. NATIONAL SENIOR VOLUNTEER CORPS.**

14 (a) TITLE HEADING.—The heading for title II is
15 amended to read as follows:

16 **“TITLE II—NATIONAL SENIOR**
17 **VOLUNTEER CORPS”**

18 (b) REFERENCES.—

19 (1) Section 200(1) (42 U.S.C. 5000(1)) is
20 amended by striking “Older America Volunteer Pro-
21 grams” and inserting “National Senior Volunteer
22 Corps”.

23 (2) The heading for section 221 (42 U.S.C.
24 5021) is amended by striking “OLDER AMERICAN
25 VOLUNTEER PROGRAMS” and inserting “NATIONAL
26 SENIOR VOLUNTEER CORPS”.

1 (3) Section 224 (42 U.S.C. 5024) is amended—

2 (A) in the section heading by striking
3 “OLDER AMERICAN VOLUNTEER PROGRAMS”
4 and inserting “NATIONAL SENIOR VOLUNTEER
5 CORPS”; and

6 (B) by striking “volunteer projects for
7 Older Americans” and inserting “National Sen-
8 ior Volunteer Corps projects”.

9 (4) Section 205(c) of the Older Americans
10 Amendments of 1975 (Public Law 94–135; 89 Stat.
11 727; 42 U.S.C. 5001 note) is amended by striking
12 “national older American volunteer programs” each
13 place the term appears and inserting “National Sen-
14 ior Volunteer Corps programs”.

15 **SEC. 342. THE RETIRED AND SENIOR VOLUNTEER PRO-**
16 **GRAM.**

17 (a) PART HEADING.—The heading for part A of title
18 II is amended by striking “RETIRED SENIOR VOLUNTEER
19 PROGRAM” and inserting “RETIRED AND SENIOR VOLUN-
20 TEER PROGRAM”.

21 (b) REFERENCES.—Section 200 (42 U.S.C. 5000) is
22 amended by striking “retired senior volunteer program”
23 each place that such term appears in such section and the
24 Act and inserting “Retired and Senior Volunteer Pro-
25 gram”.

1 **SEC. 343. OPERATION OF THE RETIRED AND SENIOR VOL-**
2 **UNTEER PROGRAM.**

3 (a) ELIGIBILITY FOR PARTICIPANTS IN THE PRO-
4 GRAM.—Section 201(a) (42 U.S.C. 5001(a)) is
5 amended—

6 (1) in the matter preceding paragraph (1), by
7 inserting “and older working persons” after “retired
8 persons”; and

9 (2) in paragraph (2), by striking “aged sixty”
10 and inserting “age 55”.

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

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

14 (2) by redesignating subsection (d) as sub-
15 section (c).

16 **SEC. 344. SERVICES UNDER THE FOSTER GRANDPARENT**
17 **PROGRAM.**

18 Section 211(a) (42 U.S.C. 5011(a)) is amended by
19 striking “, including services” and all that follows through
20 “with special needs.” and inserting a period and the fol-
21 lowing: “Such services may include services by individuals
22 serving as foster grandparents to children who are individ-
23 uals with disabilities, who have chronic health conditions,
24 who are receiving care in hospitals, who are residing in
25 homes for dependent and neglected children, or who are
26 receiving services provided by day care centers, schools,

240

1. early intervention programs under part II of the Individuals with Disabilities Education Act (20 U.S.C. 1471) or

2.

1 “(f) Individuals who are not low-income persons may
2 serve as volunteers under parts B and C, in accordance
3 with such regulations as the Director shall issue, at the
4 discretion of the local project. Such individuals shall not
5 receive any allowance, stipend, or other financial support
6 for such service except reimbursement for transportation,
7 meals, and out-of-pocket expenses related to such serv-
8 ice.”.

9 **SEC. 347. CONDITIONS OF GRANTS AND CONTRACTS.**

10 Section 212 (42 U.S.C. 5012) is repealed.

11 **SEC. 348. EVALUATION OF THE SENIOR COMPANION PRO-**
12 **GRAM.**

13 Section 213(c) (42 U.S.C. 5013(c)) is amended by
14 striking paragraph (3).

15 **SEC. 349. AGREEMENTS WITH OTHER FEDERAL AGENCIES.**

16 Section 221(a) (42 U.S.C. 5021(a)) is amended—

17 (1) by striking “(1)” and inserting “(1)(A)”;
18 and

19 (2) by adding at the end the following:
20 “(2) The Director is encouraged to enter into
21 agreements with—

22 “(A) the Department of Health and
23 Human Services to—

1 “(i) involve retired or senior volun-
2 teers and foster grandparents in Head
3 Start projects; and

4 “(ii) promote in-home care in coopera-
5 tion with the Administration on Aging;

6 “(B) the Department of Education to pro-
7 mote intergenerational tutoring and mentoring
8 for at-risk children; and

9 “(C) the Environmental Protection Agency
10 to support conservation efforts.”.

11 **SEC. 350. PROGRAMS OF NATIONAL SIGNIFICANCE.**

12 Section 225 (42 U.S.C. 5025) is amended—

13 (1) in subsection (a)—

14 (A) by striking paragraph (1) and insert-
15 ing the following new paragraph:

16 “(1) The Director is authorized to make grants under
17 parts A, B, and C to support programs that address na-
18 tional problems that are also of local concern. The Direc-
19 tor may, in any fiscal year, determine which programs of
20 national significance will receive priority in that year. In
21 determining the priority of programs to address problems
22 of local concern in a particular area, the Director shall
23 solicit and consider the views of representatives of local
24 groups serving the area.”;

1 (B) in paragraph (2)(B), by striking
2 “paragraph (10)” and inserting “paragraphs
3 (10) and (12)”; and

4 (C) in paragraph (2)(C), by striking “and
5 (10)” and inserting “(10), (12), (15), and
6 (16)”;

7 (2) in subsection (b), by adding at the end the
8 following new paragraphs:

9 “(12) Programs that address environmental
10 needs.

11 “(13) Programs that reach out to organizations
12 not previously involved in addressing local needs,
13 such as labor unions and profit-making organiza-
14 tions.

15 “(14) Programs that provide for ethnic out-
16 reach.

17 “(15) Programs that support criminal justice
18 activities.

19 “(16) Programs that involve older volunteers
20 working with young people in apprenticeship pro-
21 grams.

22 “(17) Programs that support the integration of
23 individuals with disabilities into the community.”;
24 and

1 (3) in subsection (d), by striking paragraph (1)
2 and inserting the following new paragraph:

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

8 **SEC. 351. ADJUSTMENTS TO FEDERAL FINANCIAL ASSIST-**
9 **ANCE.**

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

11 (1) in subsection (a)(1)—

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

13 “(A)”; and

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

15 (2) in subsection (b)—

16 (A) in paragraph (1)—

17 (i) by striking “(1)”; and

18 (ii) by striking “annually” and insert-

19 ing “, once every 2 years”; and

20 (B) by striking paragraph (2).

21 **SEC. 352. DEMONSTRATION PROGRAMS.**

22 Title II is amended by adding at the end the following
23 new part:

1 “PART E—DEMONSTRATION PROGRAMS

2 **“SEC. 231. AUTHORITY OF DIRECTOR.**

3 “(a) IN GENERAL.—The Director is authorized to
4 make grants to or enter into contracts with public or non-
5 profit organizations, including organizations funded under
6 part A, B, or C, for the purposes of demonstrating innova-
7 tive activities involving older Americans as volunteers. The
8 Director may support under this part both volunteers re-
9 ceiving stipends and volunteers not receiving stipends.

10 “(b) ACTIVITIES.—An organization that receives a
11 grant or enters into a contract under subsection (a) may
12 use funds made available through the grant or contract
13 for activities such as—

14 “(1) linking youth groups and older American
15 organizations in volunteer activities;

16 “(2) involving older volunteers in programs and
17 activities different from those currently supported in
18 the community; and

19 “(3) testing whether older American volunteer
20 programs may contribute to new objectives or cer-
21 tain national priorities.

22 **“SEC. 232. PROHIBITION.**

23 “The Director may not reduce the activities, projects,
24 or volunteers funded under the other parts of this title
25 in order to support projects under this part.”.

1 **CHAPTER 3—ADMINISTRATION**

2 **SEC. 361. PURPOSE OF AGENCY.**

3 Section 401 (42 U.S.C. 5041) is amended—

4 (1) by inserting after the first sentence the fol-
5 lowing: “This Agency shall also promote the coordi-
6 nation of volunteer efforts among Federal, State,
7 and local agencies and organizations, exchange tech-
8 nical assistance information among them, and pro-
9 vide technical assistance to other nations concerning
10 domestic volunteer programs within their coun-
11 tries.”; and

12 (2) by striking “Older American Volunteer Pro-
13 grams” each place the term appears and inserting
14 “National Senior Volunteer Corps”.

15 **SEC. 362. AUTHORITY OF THE DIRECTOR.**

16 Section 402 (42 U.S.C. 5042) is amended in para-
17 graphs (5) and (6) by inserting “solicit and” before “ac-
18 cept” in each such paragraph.

19 **SEC. 363. COMPENSATION FOR VOLUNTEERS.**

20 Section 404 (42 U.S.C. 5044) is amended—

21 (1) in subsection (c), by inserting “from such
22 volunteers or from beneficiaries” after “compensa-
23 tion”;

24 (2) by striking subsection (f); and

1 (3) by redesignating subsection (g) as sub-
2 section (f).

3 **SEC. 364. REPEAL OF REPORT.**

4 Section 407 (42 U.S.C. 5047) is repealed.

5 **SEC. 365. APPLICATION OF FEDERAL LAW.**

6 Section 415(b)(4)(A) (42 U.S.C. 5055(b)(4)(A)) is
7 amended by striking “a grade GS-7 employee” and insert-
8 ing “an employee at grade GS-5 of the General Schedule
9 under section 5332 of title 5, United States Code”.

10 **SEC. 366. EVALUATION OF PROGRAMS.**

11 Section 416 (42 U.S.C. 5056) is amended—

12 (1) in subsection (a)—

13 (A) in the first sentence, by striking “(in-
14 cluding the VISTA Literacy Corps which shall
15 be evaluated as a separate program at least
16 once every 3 years)”;

17 (B) in the second sentence, by striking “at
18 least once every 3 years” and inserting “peri-
19 odically”;

20 (2) in subsection (b) to read as follows:

21 “(b) In carrying out evaluations of programs under
22 this Act, the Director shall create appropriate manage-
23 ment information systems that will summarize informa-
24 tion on volunteer activities and accomplishments across
25 the programs supported under this Act. The Director shall

1 periodically prepare and submit to the appropriate com-
2 mittees of Congress a report containing such informa-
3 tion.”; and

4 (3) by striking subsections (d), (e), (f), and (g).

5 **SEC. 367. NONDISCRIMINATION PROVISIONS.**

6 Section 417 (42 U.S.C. 5057) is amended to read as
7 follows:

8 **“SEC. 417. NONDISCRIMINATION PROVISIONS.**

9 “(a) IN GENERAL.—

10 “(1) BASIS.—An individual with responsibility
11 for the operation of a program that receives assist-
12 ance under this Act shall not discriminate against a
13 participant in, or member of the staff of, such pro-
14 gram on the basis of race, color, national origin, sex,
15 age, or political affiliation of such participant or
16 member, or on the basis of disability, if the partici-
17 pant or member is a qualified individual with a dis-
18 ability.

19 “(2) DEFINITION.—As used in paragraph (1),
20 the term ‘qualified individual with a disability’ has
21 the meaning given the term in section 101(8) of the
22 Americans with Disabilities Act of 1990 (42 U.S.C.
23 12111(8)).

24 “(b) FEDERAL FINANCIAL ASSISTANCE.—Any assist-
25 ance provided under this Act shall constitute Federal fi-

1 nancial assistance for purposes of title VI of the Civil
2 Rights Act of 1964 (42 U.S.C. 2000d et seq.), title IX
3 of the Education Amendments of 1972 (20 U.S.C. 1681
4 et seq.), section 504 of the Rehabilitation Act of 1973 (29
5 U.S.C. 794), and the Age Discrimination Act of 1975 (42
6 U.S.C. 6101 et seq.).

7 “(c) RELIGIOUS DISCRIMINATION.—

8 “(1) IN GENERAL.—Except as provided in para-
9 graph (2), an individual with responsibility for the
10 operation of a program that receives assistance
11 under this Act shall not discriminate on the basis of
12 religion against a participant in such program or a
13 member of the staff of such program who is paid
14 with funds received under this Act.

15 “(2) EXCEPTION.—Paragraph (1) shall not
16 apply to the employment, with assistance provided
17 under this Act, of any member of the staff, of a pro-
18 gram that receives assistance under this Act, who
19 was employed with the organization operating the
20 program on the date the grant under this Act was
21 awarded.

22 “(d) RULES AND REGULATIONS.—The Director shall
23 promulgate rules and regulations to provide for the en-
24 forcement of this section that shall include provisions for
25 summary suspension of assistance for not more than 30

1 days, on an emergency basis, until notice and an oppor-
2 tunity to be heard can be provided.”.

3 **SEC. 368. ELIMINATION OF SEPARATE REQUIREMENTS FOR**
4 **SETTING REGULATIONS.**

5 Section 420 (42 U.S.C. 5060) is repealed.

6 **SEC. 369. CLARIFICATION OF ROLE OF INSPECTOR GEN-**
7 **ERAL.**

8 Section 422 (42 U.S.C. 5062) is amended—

9 (1) in subsection (a), by inserting “or the In-
10 spector General” after “Director”; and

11 (2) in subsection (b), by inserting “, the Inspec-
12 tor General,” after “Director” each place that such
13 term appears.

14 **SEC. 370. COPYRIGHT PROTECTION.**

15 Title IV is amended by adding at the end, the follow-
16 ing new section:

17 **“SEC. 425. PROTECTION AGAINST IMPROPER USE.**

18 “Whoever falsely—

19 “(1) advertises or represents; or

20 “(2) publishes or displays any sign, symbol, or
21 advertisement, reasonably calculated to convey the
22 impression,

23 that an entity is affiliated with, funded by, or operating
24 under the authority of ACTION, VISTA, or any of the
25 programs of the National Senior Volunteer Corps may be

1 enjoined under an action filed by the Attorney General,
2 on a complaint by the Director.”.

3 **SEC. 371. CENTER FOR RESEARCH AND TRAINING.**

4 Title IV (as amended by section 370 of this Act) is
5 further amended by adding at the end the following new
6 section:

7 **“SEC. 426. CENTER FOR RESEARCH AND TRAINING.**

8 “The Director may establish, directly or by grant or
9 contract, a Center for Research and Training on Vol-
10 unteerism to carry out research concerning the impact of
11 volunteerism on individuals, organizations, and commu-
12 nities, provide training at a State, regional, or local level
13 to help improve programs across the United States, and
14 carry out such other functions as the Director determines
15 to be appropriate.”.

16 **SEC. 372. DEPOSIT REQUIREMENT CREDIT FOR SERVICE AS**
17 **A VOLUNTEER.**

18 (a) CIVIL SERVICE RETIREMENT SYSTEM.—

19 (1) CREDITABLE SERVICE.—Section 8332(j) of
20 title 5, United States Code, is amended—

21 (A) in paragraph (1)—

22 (i) in the first sentence, by inserting
23 “the period of an individual’s services as a
24 full-time volunteer enrolled in a program of
25 at least 1 year in duration under part A,

1 B, or C of title I of the Domestic Volun-
2 teen Service Act of 1973,” after “Economic
3 Opportunity Act of 1964,”;

4 (ii) in the second sentence, by insert-
5 ing “, as a full-time volunteer enrolled in
6 a program of at least 1 year in duration
7 under part A, B, or C of title I of the Do-
8 mestic Volunteer Service Act of 1973,”
9 after “Economic Opportunity Act of
10 1964,”; and

11 (iii) in the last sentence—

12 (I) by inserting “or under the
13 Domestic Volunteer Service Act of
14 1973” after “Economic Opportunity
15 Act of 1964”; and

16 (II) by inserting “or the Director
17 of ACTION, as appropriate,” after
18 “Director of the Office of Economic
19 Opportunity”; and

20 (B) by adding at the end the following new
21 paragraph:

22 “(3) The provisions of paragraph (1) relating to
23 credit for service as a volunteer or volunteer leader
24 under the Economic Opportunity Act of 1964 or the
25 Domestic Volunteer Service Act of 1973 shall not

1 apply to any period of service as a volunteer or vol-
2 unteer leader of an employee or Member with re-
3 spect to which the employee or Member has made
4 the deposit with interest, if any, required by section
5 8334(1).”.

6 (2) DEDUCTIONS, CONTRIBUTIONS, AND DEPOS-
7 ITS.—

8 (A) IN GENERAL.—Section 8334 of title 5,
9 United States Code, is amended by adding at
10 the end the following new subsection:

11 “(1)(1) Each employee or Member who has performed
12 service as a volunteer or volunteer leader under part A
13 of title VIII of the Economic Opportunity Act of 1964,
14 or as a full-time volunteer enrolled in a program of at least
15 1 year in duration under part A, B, or C of title I of the
16 Domestic Volunteer Service Act of 1973, before the date
17 of the separation from service on which the entitlement
18 to any annuity under this subchapter is based may pay,
19 in accordance with such regulations as the Office of Per-
20 sonnel Management shall issue, to the agency by which
21 the employee is employed or, in the case of a Member or
22 a congressional employee, to the Secretary of the Senate
23 or the Clerk of the House of Representatives, as appro-
24 priate, an amount equal to 7 percent of the readjustment
25 allowance paid to the employee or Member under title VIII

1 of the Economic Opportunity Act of 1964 or title I of the
2 Domestic Volunteer Service Act of 1973 for each period
3 of service as such a volunteer or volunteer leader.

4 “(2) Any deposit made under paragraph (1) more
5 than 2 years after the later of—

6 “(A) the date of enactment of this subsection;

7 or

8 “(B) the date on which the employee or Mem-
9 ber making the deposit first becomes an employee or
10 Member,

11 shall include interest on such amount, computed and
12 compounded annually beginning on the date of the expira-
13 tion of the 2-year period. The interest rate that is applica-
14 ble in computing interest in any year under this paragraph
15 shall be equal to the interest rate that is applicable for
16 such year under subsection (e).

17 “(3) Any payment received by an agency, the Sec-
18 retary of the Senate, or the Clerk of the House of Rep-
19 resentatives under this subsection shall be immediately re-
20 mitted to the Office of Personnel Management for deposit
21 in the Treasury of the United States to the credit of the
22 Fund.

23 “(4) The Director shall furnish such information to
24 the Office of Personnel Management as the Office may

1 determine to be necessary for the administration of this
2 subsection.”.

3 (B) CONFORMING AMENDMENT.—Section
4 8334(e) of title 5, United States Code, is
5 amended in paragraphs (1) and (2) by striking
6 “or (k)” each place that such term appears and
7 inserting “(k), or (l)”.

8 (b) FEDERAL EMPLOYEES RETIREMENT SYSTEM.—

9 (1) CREDITABLE SERVICE.—Section 8411 of
10 title 5, United States Code, is amended—

11 (A) in subsection (b)(3), by striking “sub-
12 section (f)” and inserting “subsection (f) or
13 (h)”; and

14 (B) by adding at the end the following new
15 subsection:

16 “(h) An employee or Member shall be allowed credit
17 for service as a volunteer or volunteer leader under part
18 A of title VIII of the Economic Opportunity Act of 1964,
19 or as a full-time volunteer enrolled in a program of at least
20 1 year in duration under part A, B, or C of title I of the
21 Domestic Volunteer Service Act of 1973, performed at any
22 time prior to the separation from service on which the en-
23 titlement to any annuity under this subchapter is based
24 if the employee or Member has made a deposit with inter-

1 est, if any, with respect to such service under section
2 8422(f).”.

3 (2) DEDUCTIONS, CONTRIBUTIONS.—Section
4 8422 of title 5, United States Code, is amended by
5 adding at the end the following new subsection:

6 “(f)(1) Each employee or Member who has performed
7 service as a volunteer or volunteer leader under part A
8 of title VIII of the Economic Opportunity Act of 1964,
9 or as a full-time volunteer enrolled in a program of at least
10 1 year in duration under part A, B, or C of title I of the
11 Domestic Volunteer Service Act of 1973, before the date
12 of the separation from service on which the entitlement
13 to any annuity under this subchapter, or subchapter V of
14 this chapter, is based may pay, in accordance with such
15 regulations as the Office of Personnel Management shall
16 issue, to the agency by which the employee is employed
17 or, in the case of a Member or a congressional employee,
18 to the Secretary of the Senate or the Clerk of the House
19 of Representatives, as appropriate, an amount equal to 3
20 percent of the readjustment allowance paid to the em-
21 ployee or Member under title VIII of the Economic Oppor-
22 tunity Service Act of 1964 or title I of the Domestic Vol-
23 unteer Service Act of 1973 for each period of service as
24 such a volunteer or volunteer leader.

1 “(2) Any deposit made under paragraph (1) more
2 than 2 years after the later of—

3 “(A) the date of enactment of this subsection,
4 or

5 “(B) the date on which the employee or Mem-
6 ber making the deposit first becomes an employee or
7 Member,

8 shall include interest on such amount computed and
9 compounded annually beginning on the date of the expira-
10 tion of the 2-year period. The interest rate that is applica-
11 ble in computing interest in any year under this paragraph
12 shall be equal to the interest rate that is applicable for
13 such year under section 8334(e).

14 “(3) Any payment received by an agency, the Sec-
15 retary of the Senate, or the Clerk of the House of Rep-
16 resentatives under this subsection shall be immediately re-
17 mitted to the Office of Personnel Management for deposit
18 in the Treasury of the United States to the credit of the
19 Fund.

20 “(4) The Director shall furnish such information to
21 the Office of Personnel Management as the Office may
22 determine to be necessary for the administration of this
23 subsection.”.

24 (c) APPLICABILITY AND OTHER PROVISIONS.—

25 (1) APPLICABILITY.—

1 (A) TIMING.—The amendments made by
2 subsections (a) and (b) shall apply with respect
3 to credit for service as a volunteer or volunteer
4 leader under the Economic Opportunity Act of
5 1964 or the Domestic Volunteer Service Act of
6 1973 to individuals who are entitled to an an-
7 nuity on the basis of a separation from service
8 occurring before, on, or after the effective date
9 of this Act.

10 (B) SEPARATION.—In the case of any indi-
11 vidual whose entitlement to an annuity is based
12 on a separation from service occurring before
13 the date of enactment of this Act, any increase
14 in such individual's annuity on the basis of a
15 deposit made pursuant to section 8334(1) or
16 section 8442(f) of title 5, United States Code,
17 as amended by this Act, shall be effective only
18 with respect to annuity payments payable for
19 calendar months beginning after the date of en-
20 actment of this Act.

21 (2) ACTION TO INFORM INDIVIDUALS.—The Di-
22 rector of the Office of Personnel Management shall
23 take such action as may be necessary and appro-
24 priate to inform individuals entitled to credit under
25 this section for service as a volunteer or volunteer

1 leader, or to have any annuity recomputed, or to
2 make a deposit under this section, of such entitle-
3 ment.

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

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

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

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

12 “(a) AUTHORIZATIONS.—

13 “(1) VOLUNTEERS IN SERVICE TO AMERICA.—

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

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

23 “(3) LITERACY ACTIVITIES.—There are author-
24 ized to be appropriated to carry out section 109,

1 \$5,600,000 as may be necessary for each of the fis-
2 cal years 1994 through 1998.

3 “(4) UNIVERSITY YEAR FOR VISTA.—There are
4 authorized to be appropriated to carry out part B of
5 title I, such sums as may be necessary for each of
6 the fiscal years 1994 through 1998.

7 “(5) SPECIAL VOLUNTEER PROGRAMS.—There
8 are authorized to be appropriated to carry out part
9 C of title I, excluding section 125, such sums as may
10 be necessary for each of the fiscal years 1994
11 through 1998.

12 “(6) LITERACY CHALLENGE GRANTS.—There
13 are authorized to be appropriated to carry out sec-
14 tion 125, such sums as may be necessary for each
15 of the fiscal years 1994 through 1998.

16 “(b) SUBSISTENCE.—The minimum level of an
17 allowance for subsistence required under section
18 105(b)(2), to be provided to each volunteer under title I,
19 may not be reduced or limited in order to provide for an
20 increase in the number of volunteer service years under
21 part A of title I.

22 “(c) LIMITATION.—No part of the funds appro-
23 priated to carry out part A of title I may be used to pro-
24 vide volunteers or assistance to any program or project
25 authorized under part B or C of title I, or under title II,

1 unless the program or project meets the antipoverty cri-
2 teria of part A of title I.

3 “(d) AVAILABILITY.—Amounts appropriated for part
4 A of title I shall remain available for obligation until the
5 end of the fiscal year following the fiscal year for which
6 the amounts were appropriated.

7 “(e) VOLUNTEER SERVICE REQUIREMENT.—

8 “(1) VOLUNTEER SERVICE YEARS.—Of the
9 amounts appropriated under this section for parts A,
10 B, and C of title I, including section 125, there shall
11 first be available for part A of title I, including sec-
12 tions 104(e) and 109, an amount not less than the
13 amount necessary to provide 3,700 volunteer service
14 years in fiscal year 1994, 4,000 volunteer service
15 years in fiscal year 1995, 4,500 volunteer service
16 years in fiscal year 1996, 5,500 volunteer service
17 years in fiscal year 1997, and 7,500 volunteer serv-
18 ice years in fiscal year 1998.

19 “(2) PLAN.—If the Director determines that
20 funds appropriated to carry out part A, B, or C of
21 title I are insufficient to provide for the years of vol-
22 unteer service required by paragraph (1), the Direc-
23 tor shall submit a plan to the relevant authorizing
24 and appropriations committees of Congress that will

1 detail what is necessary to fully meet this require-
2 ment.”.

3 **SEC. 382. AUTHORIZATION OF APPROPRIATIONS FOR**
4 **TITLE II.**

5 Section 502 (42 U.S.C. 5082) is amended to read as
6 follows:

7 **“SEC. 502. NATIONAL SENIOR VOLUNTEER CORPS.**

8 “(a) **RETIRED AND SENIOR VOLUNTEER PRO-**
9 **GRAM.**—There are authorized to be appropriated to carry
10 out part A of title II, \$37,054,000 for fiscal year 1994,
11 and such sums as may be necessary for each of the fiscal
12 years 1995 through 1998.

13 “(b) **FOSTER GRANDPARENT PROGRAM.**—There are
14 authorized to be appropriated to carry out part B of title
15 II, \$71,284,000 for fiscal year 1994, and such sums as
16 may be necessary for each of the fiscal years 1995 through
17 1998.

18 “(c) **SENIOR COMPANION PROGRAM.**—There are au-
19 thorized to be appropriated to carry out part C of title
20 II, \$32,509,000 for fiscal year 1994, and such sums as
21 may be necessary for each of the fiscal years 1995 through
22 1998.

23 “(d) **DEMONSTRATION PROGRAMS.**—There are au-
24 thorized to be appropriated to carry out part E of title

1 II, such sums as may be necessary for each of the fiscal
2 years 1994 through 1998.”.

3 **SEC. 383. AUTHORIZATION OF APPROPRIATIONS FOR**
4 **TITLE IV.**

5 Section 504 (42 U.S.C. 5084) is amended to read as
6 follows:

7 **“SEC. 504. ADMINISTRATION AND COORDINATION.**

8 “(a) IN GENERAL.—For each of the fiscal years 1994
9 through 1998, there are authorized to be appropriated for
10 the administration of this Act as provided for in title IV,
11 20 percent of the total amount appropriated under sec-
12 tions 501 and 502 with respect to such year.

13 “(b) EVALUATION AND CENTER FOR RESEARCH AND
14 TRAINING.—For each of the fiscal years 1994 through
15 1998, the Director is authorized to expend not less than
16 one-half of 1 percent, and not more than 1 percent, from
17 the amounts appropriated under sections 501 and 502, for
18 the purposes prescribed in sections 416 and 426.”.

19 **SEC. 384. CONFORMING AMENDMENTS; COMPENSATION**
20 **FOR VISTA FECA CLAIMANTS.**

21 Section 8143(b) of title 5, United States Code, is
22 amended by striking “GS-7” and inserting “GS-5 of the
23 General Schedule under section 5332 of title 5, United
24 States Code”.

1 **SEC. 385. REPEAL OF AUTHORITY.**

2 Title VII (42 U.S.C. 5091 et seq.) is repealed.

3 **CHAPTER 5—GENERAL PROVISIONS**

4 **SEC. 391. TECHNICAL AND CONFORMING AMENDMENTS.**

5 The Domestic Volunteer Service Act of 1973 (42
6 U.S.C. 4950 et seq.) is amended by striking “That this
7 Act” and all that follows through the end of the table of
8 contents and inserting the following:

9 **“SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

10 “(a) SHORT TITLE.—This Act may be cited as the
11 ‘Domestic Volunteer Service Act of 1973’.

12 “(b) TABLE OF CONTENTS.—The table of contents
13 is as follows:

“Sec. 1. Short title; table of contents.

“Sec. 2. Volunteerism policy.

“TITLE I—NATIONAL VOLUNTEER ANTIPOVERTY PROGRAMS

“PART A—VOLUNTEERS IN SERVICE TO AMERICA

“Sec. 101. Statement of purpose.

“Sec. 102. Authority to operate VISTA program.

“Sec. 103. Selection and assignment of volunteers.

“Sec. 104. Terms and periods of service.

“Sec. 105. Support service.

“Sec. 106. Participation of beneficiaries.

“Sec. 107. Participation of younger and older persons.

“Sec. 108. Limitation.

“Sec. 109. VISTA Literacy Corps.

“Sec. 110. Applications for assistance.

“PART B—UNIVERSITY YEAR FOR VISTA

“Sec. 111. Statement of purpose.

“Sec. 112. Authority to operate University Year for VISTA program.

“Sec. 113. Special conditions.

“PART C—SPECIAL VOLUNTEER PROGRAMS

“Sec. 121. Statement of purpose.

“Sec. 122. Authority to establish and operate special volunteer and demonstra-
tion programs.

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“Sec. 123. Technical and financial assistance for improvement of volunteer programs.

“Sec. 125. Literacy challenge grants.

“TITLE II—NATIONAL SENIOR VOLUNTEER CORPS

“Sec. 200. Statement of purposes.

“PART A—RETIRED AND SENIOR VOLUNTEER PROGRAM

“Sec. 201. Grants and contracts for volunteer service projects.

“PART B—FOSTER GRANDPARENT PROGRAM

“Sec. 211. Grants and contracts for volunteer service projects.

“PART C—SENIOR COMPANION PROGRAM

“Sec. 213. Grants and contracts for volunteer service projects.

“PART D—GENERAL PROVISIONS

“Sec. 221. Promotion of National Senior Volunteer Corps.

“Sec. 222. Payments.

“Sec. 223. Minority group participation.

“Sec. 224. Use of locally generated contributions in National Senior Volunteer Corps.

“Sec. 225. Programs of national significance.

“Sec. 226. Adjustments to Federal financial assistance.

“Sec. 227. Multiyear grants or contracts.

“PART E—DEMONSTRATION PROGRAMS

“Sec. 231. Authority of Director.

“Sec. 232. Prohibition.

“TITLE IV—ADMINISTRATION AND COORDINATION

“Sec. 403. Political activities.

“Sec. 404. Special limitations.

“Sec. 406. Labor standards.

“Sec. 408. Joint funding.

“Sec. 409. Prohibition of Federal control.

“Sec. 410. Coordination with other programs.

“Sec. 411. Prohibition.

“Sec. 412. Notice and hearing procedures for suspension and termination of financial assistance.

“Sec. 414. Distribution of benefits between rural and urban areas.

“Sec. 415. Application of Federal law.

“Sec. 416. Evaluation.

“Sec. 417. Nondiscrimination provisions.

“Sec. 418. Eligibility for other benefits.

“Sec. 419. Legal expenses.

“Sec. 421. Definitions.

“Sec. 422. Audit.

“Sec. 423. Reduction of paperwork.

“Sec. 424. Review of project renewals.

“Sec. 425. Protection against improper use.

“Sec. 426. Center for Research and Training.

“TITLE V—AUTHORIZATION OF APPROPRIATIONS

“Sec. 501. National volunteer antipoverty programs.

“Sec. 502. National Senior Volunteer Corps.

“Sec. 504. Administration and coordination.

“Sec. 505. Availability of appropriations.

“TITLE VI—AMENDMENTS TO OTHER LAWS AND REPEALERS

“Sec. 601. Supersedence of Reorganization Plan No. 1 of July 1, 1971.

“Sec. 602. Creditable service for civil service retirement.

“Sec. 603. Repeal of title VIII of the Economic Opportunity Act.

“Sec. 604. Repeal of title VI of the Older Americans Act.”.

1 **SEC. 392. EFFECTIVE DATE.**

2 This subtitle shall become effective on October 1,
3 1993.

4 **Subtitle C—Youth Conservation**
5 **Corps Act of 1970**

6 **SEC. 399. PUBLIC LANDS CORPS.**

7 Public Law 91–378 (16 U.S.C. 1701–1706; com-
8 monly known as the “Youth Conservation Corps Act of
9 1970”) is amended—

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

11 **“TITLE I—YOUTH**
12 **CONSERVATION CORPS”;**

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

15 (3) by redesignating sections 1 through 6 as
16 sections 101 through 106, respectively;

17 (4) in subsection (a) of section 102 (as so re-
18 designated), by inserting “in this title” after “here-
19 inafter”;

1 (5) in subsection (d) of section 104 (as so re-
2 designated), by striking “section 6” and inserting
3 “section 106”; and

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

5 **“TITLE II—PUBLIC LANDS**
6 **CORPS**

7 **“SEC. 201. SHORT TITLE.**

8 “This title may be cited as the “Public Lands Corps
9 Act of 1993”.

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

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

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

24 “(2) Many facilities and natural resources lo-
25 cated on public lands and on Indian lands are in dis-

1 repair or degraded and in need of labor intensive re-
2 habilitation, restoration, and enhancement work that
3 cannot be carried out by Federal agencies at existing
4 personnel levels.

5 “(3) Youth conservation corps have established
6 a good record of restoring and maintaining these
7 kinds of facilities and resources in a cost effective
8 and efficient manner, especially when the corps have
9 worked in partnership arrangements with govern-
10 ment land management agencies.

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

12 “(1) perform, in a cost-effective manner, appro-
13 priate conservation projects on public lands and In-
14 dian lands where such projects will not be performed
15 by existing employees;

16 “(2) assist governments and Indian tribes in
17 performing research and public education tasks asso-
18 ciated with natural and cultural resources on public
19 lands and Indian lands;

20 “(3) expose young men and women to public
21 service while furthering their understanding and ap-
22 preciation of the Nation’s natural and cultural re-
23 sources;

24 “(4) expand educational opportunities by re-
25 warding individuals who participate in national serv-

1 ice with an increased ability to pursue higher edu-
2 cation or job training; and

3 “(5) stimulate interest among the Nation’s
4 young men and women in conservation careers by
5 exposing them to conservation professionals in land
6 managing agencies.

7 **“SEC. 203. DEFINITIONS.**

8 “For purposes of this title:

9 “(1) APPROPRIATE CONSERVATION PROJECT.—

10 The term ‘appropriate conservation project’ means
11 any project for the conservation, restoration, con-
12 struction, or rehabilitation of natural, cultural, his-
13 toric, archaeological, recreational, or scenic re-
14 sources.

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

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

1 ices provided by the United States under Federal
2 law to Indians because of their status as Indians.

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

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

7 “(A) any Indian reservation;

8 “(B) any public domain Indian allotments;

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

11 “(D) any land held by incorporated Native
12 groups, regional corporations, and village cor-
13 porations under the Alaska Native Claims Set-
14 tlement Act (43 U.S.C. 1601 et seq.); and

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

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

24 “(7) QUALIFIED YOUTH OR CONSERVATION
25 CORPS.—The term ‘qualified youth or conservation

1 corps' means any program established by a State or
2 local government, by the governing body of any In-
3 dian tribe, or by a nonprofit organization, that—

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

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

11 “(C) provides participants with the oppor-
12 tunity to develop citizenship values and skills
13 through service to their community and the
14 United States.

15 “(8) RESOURCE ASSISTANT.—The term ‘re-
16 source assistant’ means a resource assistant selected
17 under section 206.

18 “(9) STATE.—The term ‘State’ means any
19 State of the United States, the District of Columbia,
20 the Commonwealth of Puerto Rico, Guam, the Vir-
21 gin Islands, American Samoa, and the Common-
22 wealth of the Northern Mariana Islands.

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

24 “(a) ESTABLISHMENT OF PUBLIC LANDS CORPS.—
25 There is hereby established in the Department of the Inte-

rior and the Department of Agriculture a Public Lands
Corps.

“(b) PARTICIPANTS.—The Corps shall consist of individuals between the ages of 16 and 25, inclusive, who are enrolled as participants in the Corps by the Secretary of the Interior or the Secretary of Agriculture. To be eligible for enrollment in the Corps, an individual shall satisfy the criteria specified in section 137(b) of the National and Community Service Act of 1990. The Secretaries may enroll such individuals in the Corps without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates. The Secretaries may establish a preference for the enrollment in the Corps of individuals who are economically, physically, or educationally disadvantaged.

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

1 “(d) PROJECTS TO BE CARRIED OUT.—The Sec-
2 retary of the Interior and the Secretary of Agriculture
3 may each utilize the Corps or any qualified youth or con-
4 servation corps to carry out appropriate conservation
5 projects that such Secretary is authorized to carry out
6 under other authority of law on public lands. Appropriate
7 conservation projects may also be carried out under this
8 title on Indian lands with the approval of the Indian tribe
9 involved.

10 “(e) PREFERENCE FOR CERTAIN PROJECTS.—In se-
11 lecting appropriate conservation projects to be carried out
12 under this title, the Secretary of the Interior and the Sec-
13 retary of Agriculture shall give preference to those
14 projects that—

15 “(1) will provide long-term benefits to the pub-
16 lic;

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

19 “(3) will be labor intensive;

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

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

23 “(f) CONSISTENCY.—Each appropriate conservation
24 project carried out under this title on any public lands
25 or Indian lands shall be consistent with the provisions of

1 law and policies relating to the management and adminis-
2 tration of such lands, with all other applicable provisions
3 of law, and with all management, operational, and other
4 plans and documents that govern the administration of the
5 area.

6 **“SEC. 205. CONSERVATION CENTERS.**

7 “(a) ESTABLISHMENT AND USE.—The Secretary of
8 the Interior and the Secretary of Agriculture are each au-
9 thorized to provide such quarters, board, medical care,
10 transportation, and other services, facilities, supplies, and
11 equipment as such Secretary determines to be necessary
12 in connection with the Public Lands Corps and appro-
13 priate conservation projects carried out under this title
14 and to establish and use conservation centers owned and
15 operated by such Secretary for purposes of the Corps and
16 such projects. The Secretaries shall establish basic stand-
17 ards of health, nutrition, sanitation, and safety for all con-
18 servation centers established under this section and shall
19 assure that such standards are enforced. Where necessary
20 or appropriate, the Secretaries may enter into contracts
21 and other appropriate arrangements with State and local
22 government agencies and private organizations for the
23 management of such conservation centers.

24 “(b) LOGISTICAL SUPPORT.—The Secretary of the
25 Interior and the Secretary of Agriculture may make ar-

1 rangements with the Secretary of Defense to have
2 logistical support provided by the Armed Forces to the
3 Corps and any conservation center established under this
4 section, where feasible. Logistical support may include the
5 provision of temporary tent shelters where needed, trans-
6 portation, and residential supervision.

7 “(c) USE OF MILITARY INSTALLATIONS.—The Sec-
8 retary of the Interior and the Secretary of Agriculture
9 may make arrangements with the Secretary of Defense to
10 identify military installations and other facilities of the
11 Department of Defense and, in consultation with the adju-
12 tant generals of the State National Guards, National
13 Guard facilities that may be used, in whole or in part,
14 by the Corps for training or housing Corps participants.
15 **“SEC. 206. RESOURCE ASSISTANTS.**

16 “(a) AUTHORIZATION.—The Secretary of the Interior
17 and the Secretary of Agriculture are each authorized to
18 provide individual placements of resource assistants with
19 any Federal land managing agency under the jurisdiction
20 of such Secretary to carry out research or resource protec-
21 tion activities on behalf of the agency. To be eligible for
22 selection as a resource assistant, an individual must be
23 at least 17 years of age. The Secretaries may select re-
24 source assistants without regard to the provisions of title
25 5, United States Code, governing appointments in the

1 competitive service, and without regard to the provisions
2 of chapter 51 and subchapter III of chapter 53 of such
3 title relating to classification and General Schedule pay
4 rates. The Secretaries shall give a preference to the selec-
5 tion of individuals who are enrolled in an institution of
6 higher education or are recent graduates from an institu-
7 tion of higher education, as defined in section 1201(a) of
8 the Higher Education Act of 1965 (20 U.S.C. 1141(a))
9 with particular attention given to ensure full representa-
10 tion of women and participants from historically black,
11 Hispanic, and Native American schools.

12 “(b) USE OF EXISTING NONPROFIT ORGANIZA-
13 TIONS.—Whenever one or more existing nonprofit organi-
14 zations can provide, in the judgment of the Secretary of
15 the Interior or the Secretary of Agriculture, appropriate
16 recruitment and placement services to fulfill the require-
17 ments of this section, the Secretary may implement this
18 section through such existing organizations. Participating
19 nonprofit organizations shall contribute to the expenses of
20 providing and supporting the resource assistants, through
21 private sources of funding, at a level equal to 25 percent
22 of the total costs of each participant in the Resource As-
23 sistant program who has been recruited and placed
24 through that organization. Any such participating non-
25 profit conservation service organization shall be required,

1 by the respective land managing agency, to submit an an-
2 nual report evaluating the scope, size, and quality of the
3 program, including the value of work contributed by the
4 Resource Assistants, to the mission of the agency.

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

6 “(a) LIVING ALLOWANCES.—The Secretary of the In-
7 terior and the Secretary of Agriculture shall provide each
8 participant in the Public Lands Corps and each resource
9 assistant with a living allowance in an amount not to ex-
10 ceed the maximum living allowance authorized by section
11 140(a)(3) of the National and Community Service Act of
12 1990 for participants in a national service program as-
13 sisted under subtitle C of title I of such Act.

14 “(b) TERMS OF SERVICE.—Each participant in the
15 Corps and each resource assistant shall agree to partici-
16 pate in the Corps or serve as a resource assistant, as the
17 case may be, for such term of service as may be estab-
18 lished by the Secretary enrolling or selecting the individ-
19 ual.

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

21 “(a) EDUCATIONAL BENEFITS AND AWARDS.—If a
22 participant in the Public Lands Corps or a resource assist-
23 ant also serves in an approved national service position
24 designated under subtitle C of title I of the National and
25 Community Service Act of 1990, the participant or re-

1 source assistant shall be eligible for a national service edu-
2 cational award in the manner prescribed in subtitle D of
3 such title upon successfully complying with the require-
4 ments for the award. The period during which the national
5 service educational award may be used, the purposes for
6 which the award may be used, and the amount of the
7 award shall be determined as provided under such subtitle.

8 “(b) FORBEARANCE IN THE COLLECTION OF STAF-
9 FORD LOANS.—For purposes of section 428 of the Higher
10 Education Act of 1965, in the case of borrowers who are
11 either participants in the Corps or resource assistants,
12 upon written request, a lender shall grant a borrower for-
13 bearance on such terms as are otherwise consistent with
14 the regulations of the Secretary of Education, during peri-
15 ods in which the borrower is serving as such a participant
16 or a resource assistant.

17 **“SEC. 209. NONDISPLACEMENT.**

18 “The nondisplacement requirements of section 177 of
19 the National and Community Service Act of 1990 shall
20 be applicable to all activities carried out by the Public
21 Lands Corps, to all activities carried out under this title
22 by a qualified youth or conservation corps, and to the se-
23 lection and service of resource assistants.

24 **“SEC. 210. FUNDING.**

25 “(a) COST SHARING.—

1 “(1) PROJECTS BY QUALIFIED YOUTH OR CON-
2 SERVATION CORPS.—The Secretary of the Interior
3 and the Secretary of Agriculture are each authorized
4 to pay not more than 75 percent, and shall collec-
5 tively pay 75 percent, of the costs of any appropriate
6 conservation project carried out pursuant to this
7 title on public lands by a qualified youth or con-
8 servations corps. The remaining 25 percent of the
9 costs of such a project may be provided from non-
10 Federal sources in the form of funds, services, facili-
11 ties, materials, equipment, or any combination of the
12 foregoing. No cost sharing shall be required in the
13 case of any appropriate conservation project carried
14 out on Indian lands under this title.

15 “(2) PUBLIC LANDS CORPS PROJECTS.—The
16 Secretary of the Interior and the Secretary of Agri-
17 culture are each authorized to accept donations of
18 funds, services, facilities, materials, or equipment for
19 the purposes of operating the Public Lands Corps
20 and carrying out appropriate conservation projects
21 by the Corps. The Department of Agriculture and
22 the Department of the Interior shall comply with the
23 Federal share requirements of section 129(d)(2)(B).

24 “(b) FUNDS AVAILABLE UNDER NATIONAL AND
25 COMMUNITY SERVICE ACT.—In order to carry out the

1 Public Lands Corps or to support resource assistants and
2 qualified youth or conservation corps under this title, the
3 Secretary of the Interior and the Secretary of Agriculture
4 shall be eligible to apply for and receive assistance de-
5 scribed in section 121(b) of the National and Community
6 Service Act of 1990, from funds available under section
7 129(d)(2).”.

8 **TITLE IV—TECHNICAL AND** 9 **CONFORMING AMENDMENTS**

10 **SEC. 401. DEFINITION OF DIRECTOR.**

11 Section 421 of the Domestic Volunteer Service Act
12 of 1973 (42 U.S.C. 5061) is amended by striking para-
13 graph (1) and inserting the following new paragraph:

14 “(1) the term ‘Director’ means the President of
15 the Corporation for National Service appointed
16 under section 193 of the National and Community
17 Services Act of 1990;”.

18 **SEC. 402. REFERENCES TO ACTION AND THE ACTION** 19 **AGENCY.**

20 (a) DOMESTIC VOLUNTEER SERVICE ACT OF
21 1973.—

22 (1) Section 2(b) of the Domestic Volunteer
23 Service Act of 1973 (42 U.S.C. 4950(b)) is
24 amended—

1 (A) by striking “ACTION, the Federal do-
2 mestic volunteer agency,” and inserting “this
3 Act”; and

4 (B) by striking “ACTION” and inserting
5 “the Corporation for National and Community
6 Service”.

7 (2) Section 125(b) of such Act (42 U.S.C.
8 4995(b)) is amended by striking “the ACTION
9 Agency” and inserting “the Corporation”.

10 (3) Section 225(e) of such Act (42 U.S.C.
11 5025(e)) is amended by striking “the ACTION
12 Agency” and inserting “the Corporation”.

13 (4) Section 403(a) of such Act (42 U.S.C.
14 5043(a) is amended—

15 (A) by striking “the ACTION Agency” the
16 first place it appears and inserting “the Cor-
17 poration under this Act”; and

18 (B) by striking “the ACTION Agency” the
19 second place it appears and inserting “the Cor-
20 poration”.

21 (5) Section 408 of such Act (42 U.S.C. 5048)
22 is amended by striking “the ACTION Agency” and
23 inserting “the Corporation”.

(6) Section 421(12) of such Act (as added by section 403 of this Act) is further amended by striking “ACTION” and inserting “the Corporation”.

(7) Section 425 of such Act (as added by section 370 of this Act) is further amended by striking “ACTION” and inserting “the Corporation”.

(b) CIVIL SERVICE RETIREMENT SYSTEM.—Section 8332(j)(1) of title 5, United States Code (as amended by section 372(a)(1)(A)(iii)(II) of this Act) is amended by striking “the Director of ACTION” and inserting “the President of the Corporation for National and Community Service”.

13 (c) INSPECTOR GENERAL.—

14 (1) TERMINATION OF STATUS AS DESIGNATED
15 FEDERAL ENTITY.—Section 8E(a)(2) of the Inspec-
16 tor General Act of 1978 (5 U.S.C. App.) is amended
17 by striking “ACTION,”.

(2) TRANSFER.—Section 9(a)(1) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

21 (A) in subparagraph (T), by striking
22 “and” at the end; and

23 (B) by adding at the end the following:

1 “(V) of the Corporation for National and
2 Community Service, the Office of Inspector
3 General of ACTION; and”.

4 (d) PUBLIC HOUSING SECURITY.—Section 207(c) of
5 the Public Housing Security Demonstration Act of 1978
6 (Public Law 95-557; 92 Stat. 2093; 12 U.S.C. 1701z-
7 6 note) is amended—

8 (1) in paragraph (3)(ii), by striking “ACTION”
9 and inserting “the Corporation for National and
10 Community Service”; and

11 (2) in paragraph (4), by striking “ACTION”
12 and inserting “the Corporation for National and
13 Community Service”.

14 (e) NATIONAL FOREST VOLUNTEERS.—Section 1 of
15 the Volunteers in the National Forests Act of 1972 (16
16 U.S.C. 558a) is amended by striking “ACTION” and in-
17 serting “the Corporation for National and Community
18 Service”.

19 (f) PEACE CORPS.—Section 2A of the Peace Corps
20 Act (22 U.S.C. 2501-1) is amended by inserting after
21 “the ACTION Agency” the following: “, the successor to
22 the ACTION Agency,”.

23 (g) INDIAN ECONOMIC DEVELOPMENT.—Section 502
24 of the Indian Financing Act of 1974 (25 U.S.C. 1542)

1 is amended by striking “ACTION Agency” and inserting
2 “the Corporation for National and Community Service”.

3 (h) OLDER AMERICANS.—The Older Americans Act
4 of 1965 is amended—

5 (1) in section 202(c)(1) (42 U.S.C. 3012(c)(1)),
6 by striking “the Director of the ACTION Agency”
7 and inserting “the Corporation for National and
8 Community Service”;

9 (2) in section 203(a)(1) (42 U.S.C.
10 3013(a)(1)), by striking “the ACTION Agency” and
11 inserting “the Corporation for National and Com-
12 munity Service”; and

13 (3) in section 422(b)(12)(C) (42 U.S.C.
14 3035a(b)(12)(C)), by striking “the ACTION Agen-
15 cy” and inserting “the Corporation for National and
16 Community Service”.

17 (i) VISTA SERVICE EXTENSION.—Section 101(c)(1)
18 of the Domestic Volunteer Service Act Amendments of
19 1989 (Public Law 101–204; 103 Stat. 1810; 42 U.S.C.
20 4954 note) is amended by striking “Director of the AC-
21 TION Agency” and inserting “President of the Corpora-
22 tion for National and Community Service”.

23 (j) AGING RESOURCE SPECIALISTS.—Section 205(c)
24 of the Older Americans Amendments of 1975 (Public Law
25 94–135; 89 Stat. 727; 42 U.S.C. 5001 note) is amended—

1 (1) in paragraph (1)—

2 (A) by striking “the ACTION Agency,”
3 and inserting “the Corporation for National
4 and Community Service,”; and

5 (B) by striking “the Director of the AC-
6 TION Agency” and inserting “the President of
7 the Corporation”;

8 (2) in paragraph (2)(A), by striking “ACTION
9 Agency” and inserting “Corporation”; and

10 (3) in paragraph (3), by striking subparagraph
11 (A) and inserting the following new subparagraph:

12 “(A) the term ‘Corporation’ means the Cor-
13 poration for National and Community Service estab-
14 lished by section 191 of the National and Commu-
15 nity Service Act of 1990.”.

16 (k) PROMOTION OF PHOTOVOLTAIC ENERGY.—Sec-
17 tion 11(a) of the Solar Photovoltaic Energy Research, De-
18 velopment, and Demonstration Act of 1978 (42 U.S.C.
19 5590) is amended by striking “the Director of ACTION,”.

20 (l) COORDINATING COUNCIL ON JUVENILE JUS-
21 TICE.—Section 206(a)(1) of the Juvenile Justice and De-
22 linquency Prevention Act of 1974 (42 U.S.C. 5616(a)(1))
23 is amended by striking “the Director of the ACTION
24 Agency” and inserting “the President of the Corporation
25 for National and Community Service”.

1 (m) ENERGY CONSERVATION.—Section 413(b)(1) of
2 the Energy Conservation and Production Act (42 U.S.C.
3 6863(b)(1)) is amended by striking “the Director of the
4 ACTION Agency,”.

5 (n) INTERAGENCY COUNCIL ON THE HOMELESS.—
6 Section 202(a) of the Stewart B. McKinney Homeless As-
7 sistance Act (42 U.S.C. 11312(a)) is amended by striking
8 paragraph (12) and inserting the following new para-
9 graph:

10 “(12) The President of the Corporation for Na-
11 tional and Community Service, or the designee of
12 the President.”.

13 (o) ANTI-DRUG ABUSE.—Section 3601 of the Anti-
14 Drug Abuse Act of 1988 (42 U.S.C. 11851) is amended
15 by striking paragraph (5) and inserting the following new
16 paragraph:

17 “(5) the term ‘Director’ means the President of
18 the Corporation for National and Community Serv-
19 ice,”.

20 (p) ADMINISTRATION ON CHILDREN, YOUTH, AND
21 FAMILIES.—Section 916(b) of the Claude Pepper Young
22 Americans Act of 1990 (42 U.S.C. 12312(b)) is amended
23 by striking “the Director of the ACTION Agency” and
24 inserting “the President of the Corporation for National
25 and Community Service”.

1 **SEC. 403. DEFINITIONS.**

2 Section 421 of the Domestic Volunteer Service Act
3 of 1973 (42 U.S.C. 5061) is amended—

4 (1) by striking “and” at the end of paragraph
5 (6);

6 (2) by striking the period at the end of para-
7 graph (7) and inserting a semicolon; and

8 (3) by adding at the end the following new
9 paragraphs:

10 “(8) the term ‘Corporation’ means the Corpora-
11 tion for National and Community Service established
12 under section 191 of the National and Community
13 Service Act of 1990;

14 “(9) the term ‘foster grandparent’ means a vol-
15 unteer in the Foster Grandparent Program;

16 “(10) the term ‘Foster Grandparent Program’
17 means the program established under part B of title
18 II;

19 “(11) except as provided in section 417, the
20 term ‘individual with a disability’ has the meaning
21 given the term in section 7(8) of the Rehabilitation
22 Act of 1973 (29 U.S.C. 706(8));

23 “(12) the term ‘Inspector General’ means the
24 Inspector General of ACTION;

1 “(13) the term ‘national senior volunteer’
2 means a volunteer in the National Senior Volunteer
3 Corps;

4 “(14) the term ‘National Senior Volunteer
5 Corps’ means the programs established under parts
6 A, B, C, and E of title II;

7 “(15) the term ‘Retired and Senior Volunteer
8 Program’ means the program established under part
9 A of title II;

10 “(16) the term ‘retired or senior volunteer’
11 means a volunteer in the Retired and Senior Volun-
12 teer Program;

13 “(17) the term ‘senior companion’ means a vol-
14 unteer in the Senior Companion Program;

15 “(18) the term ‘Senior Companion Program’
16 means the program established under part C of title
17 II;

18 “(19) the terms ‘VISTA’ and ‘Volunteers in
19 Service to America’ mean the program established
20 under part A of title I; and

21 “(20) the term ‘VISTA volunteer’ means a vol-
22 unteer in VISTA.”.

1 **SEC. 404. REFERENCES TO THE COMMISSION ON NATIONAL**
2 **AND COMMUNITY SERVICE.**

3 (a) NATIONAL DEFENSE AUTHORIZATION ACT FOR
4 FISCAL YEAR 1993.—

5 (1) Section 1092(b) of the National Defense
6 Authorization Act for Fiscal Year 1993 (42 U.S.C.
7 12653a note) is amended—

8 (A) in paragraph (1)—

9 (i) by striking “Commission on Na-
10 tional Community Service” and inserting
11 “Corporation for National and Community
12 Service”; and

13 (ii) by striking “Commission shall pre-
14 pare” and inserting “Board of Directors of
15 the Corporation shall prepare”; and

16 (B) in paragraph (2), by striking “Board
17 of Directors of the Commission on National and
18 Community Service” and inserting “Board of
19 Directors of the Corporation for National and
20 Community Service”.

21 (2) Section 1093(a) of such Act (42 U.S.C.
22 12653a note) is amended by striking “the Board of
23 Directors and Executive Director of the Commission
24 on National and Community Service” and inserting
25 “the Board of Directors and President of the Cor-
26 poration for National and Community Service”.

(3) Section 1094 of such Act (Public Law 102–484; 106 Stat. 2535) is amended—

3 (A) in the title, by striking “COMMISSION
4 ON NATIONAL AND COMMUNITY SERVICE”
5 and inserting “CORPORATION FOR NA-
6 TIONAL AND COMMUNITY SERVICE”;

7 (B) in subsection (a)—

8 (i) in the heading, by striking “COM-
9 MISSION” and inserting “CORPORATION”;

(ii) in the first sentence, by striking
“Commission on National and Community
Service” and inserting “Corporation for
National and Community Service”; and

14 (iii) in the second sentence, by strik-
15 ing “The Commission” and inserting “The
16 President of the Corporation”; and

17 (C) in subsection (b)—

(i) in paragraph (1), by striking
“Board of Directors of the Commission on
National and Community Service” and in-
serting “President of the Corporation for
National and Community Service”; and

23 (ii) in paragraph (2), by striking “the
24 Commission” and inserting “the President

1 of the Corporation for National and Com-
2 munity Service”.

3 (4) Section 1095 of such Act (Public Law 102-
4 484; 106 Stat. 2535) is amended in the heading for
5 subsection (b) by striking “COMMISSION ON NA-
6 TIONAL AND COMMUNITY SERVICE” and inserting
7 “CORPORATION FOR NATIONAL AND COMMUNITY
8 SERVICE”.

9 (5) Section 2(b) of such Act (Public Law 102-
10 484; 106 Stat. 2315) is amended by striking the
11 item relating to section 1094 of such Act and insert-
12 ing the following:

“Sec. 1094. Other programs of the Corporation for National and Community
Service.”.

13 (b) NATIONAL AND COMMUNITY SERVICE ACT OF
14 1990.—

15 (1) Sections 159(b)(2) (as redesignated in sec-
16 tion 104(b)(3) of this Act) and 165 (as redesignated
17 in section 104(b)(3) of this Act), subsections (a) and
18 (b) of section 172, sections 176(a) and 177(c), and
19 subsections (a), (b), and (d) through (h) of section
20 179, of the National and Community Service Act of
21 1990 (42 U.S.C. 12653h(b)(2), 12653n, 12632 (a)
22 and (b), 12636(a), 12637(c), and 12639 (a), (b),
23 and (d) through (h)) are each amended by striking

1 the term “Commission” each place the term appears
2 and inserting “Corporation”.

3 (2) Sections 152, 157(b)(2), 159(b),
4 162(a)(2)(C), 164, and 166(1) of such Act (in each
5 case, as redesignated in section 104(b)(3) of this
6 Act) (42 U.S.C. 12653a, 12653f(b)(2), 12653h(b),
7 12653k(a)(2)(C), 12653m, and 12653o(1)) are each
8 amended by striking “Commission on National and
9 Community Service” and inserting “Corporation”.

10 (3) Section 163(b)(9) of such Act (as redesign-
11 nated in section 104(b)(3) of this Act) (42 U.S.C.
12 12635l(b)(9)) is amended by striking “Chair of the
13 Commission on National and Community Service”
14 and inserting “President”.

15 (4) Section 303(a) of such Act (42 U.S.C.
16 12662(a)) is amended—

17 (A) by striking “The President” and in-
18 serting “The President of the United States,
19 acting through the Corporation,”;

20 (B) by inserting “in furtherance of activi-
21 ties under section 302” after “section 501(b)”;
22 and

23 (C) by striking “the President” both places
24 it appears and inserting “the Corporation”.

1 **SEC. 405. REFERENCES TO DIRECTORS OF THE COMMIS-**
2 **SION ON NATIONAL AND COMMUNITY SERV-**
3 **ICE.**

4 (a) **PRESIDENT.**—

5 (1) Section 159(a) of such Act (as redesignated
6 in section 104(b)(3) of this Act) (42 U.S.C.
7 12653h(b)) is amended—

8 (A) by striking “BOARD.—The Board”
9 and inserting “SUPERVISION.—The President”;

10 (B) by striking “the Board” in the matter
11 preceding the paragraphs and in paragraph (1)
12 and inserting “the President”; and

13 (C) by striking “the Director” in para-
14 graph (1) and inserting “the Board”.

15 (2) Section 159(b) of such Act (as redesignated
16 in section 104(b)(3) of this Act) (42 U.S.C.
17 12653h(b)) is amended by striking “(b)” and all
18 that follows through “Commission on National and
19 Community Service” and inserting “(b) MONITOR-
20 ING AND COORDINATION.—The President”.

21 (3) Section 159(c)(1) (as redesignated in sec-
22 tion 104(b)(3) of this Act) (12653h(c)(1)) is
23 amended—

24 (A) in subparagraph (A), by striking “the
25 Board, in consultation with the Executive Di-
26 rector,” and inserting “President”; and

1 (B) in subparagraph (B)(iii), by striking
2 “the Board through the Executive Director”.

3 (4) Section 166(6) (as redesignated in section
4 104(b)(3) of this Act) (42 U.S.C. 12653o(6)) is
5 amended—

6 (A) by striking paragraph (6); and

7 (B) by redesignating paragraphs (7)
8 through (11) as paragraphs (6) through (10),
9 respectively.

10 (b) DIRECTOR OF CIVILIAN COMMUNITY CORPS.—
11 Sections 155(a), 157(b)(1)(A), 158(a), 159(c)(1)(A), and
12 163(a) (in each case, as redesignated in section 104(b)(3)
13 of this Act) of the National and Community Service Act
14 of 1990 (42 U.S.C. 12653d(a), 12653f(b)(1)(A),
15 12653g(a), 12653h(c)(1)(A), and 12653l(a)) are amended
16 by striking “Director of Civilian Community Corps” each
17 place the term appears and inserting “Director”.

18 **SEC. 406. EFFECTIVE DATE.**

19 (a) ACTION.—The amendments made by sections
20 401 and 402 shall take effect on the effective date of sec-
21 tion 203(c)(2).

22 (b) COMMISSION.—The amendments made by sec-
23 tions 403 through 405 will take effect on October 1, 1993.

2 ways - State, Corp - most from India
 who applies to Corp -
 IF State does not apply
 no forum shopping
 P.S.
 Planning
 or
 ex-ante
 Challenge
 G.P.T.

How are programs
 funded?

How is quality + accountability
 maintained?
 T/TA P.24

Diversity

minimum 3 beneficiaries
 local problems to be addressed
 program design
 participant recruitment + selection
 Sample for young person or other potential
 participant - may be recruited by program in
 community - but
 State / Nat'l will provide info or
 after selected, ~~then~~ program will place them
 in a team of individuals, will
 perform service training + supervision
 OED
 When complete the program after
 a 9 mo if ft, 2-3 yrs
 if pt, program will be
 Trust + participant has
 5 yrs to use ed
 award for training
 or ed.