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[National and Community Service Trust Act of 1993 Discussion Draft] [3] [loose]

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1 Subtitle F of title I of the National and Community
2 Service Act of 1990 is amended by striking section 178
3 (42 U.S.C. 12638) and inserting the following new sec-
4 tions:

5 **"SEC. 178. ESTABLISHMENT OF STATE COMMISSIONS ON**
6 **NATIONAL SERVICE.**

7 "(a) ESTABLISHMENT REQUIRED.—To be eligible to
8 receive a grant or allotment under subtitles B, C, or E,
9 or to receive a distribution of approved national service
10 positions under subtitle D, a State shall establish a State
11 Commission on National Service that satisfies the require-
12 ments of this section.

13 "(b) APPOINTMENT AND SIZE.—Except as provided
14 in subsection (c)(2), the members of a State Commission
15 shall be appointed by the chief executive officer of the
16 State. A State Commission shall consist of ____ [number]
17 of members.

18 "(c) COMPOSITION AND MEMBERSHIP.—

19 "(1) IN GENERAL.—____ [number] of the mem-
20 bers of a State Commission shall be appointed from
21 among the following: [what follows are the require-
22 ments for the existing advisory boards]

23 "(A) Representatives of State agencies
24 [administering] community service, youth serv-
25 ice, education, social service, senior service, and

1 job training programs. **[Note: Should ‘ad-**
2 **ministering’ be changed to something**
3 **else since the Commission is now**
4 **going to be the State agency admin-**
5 **istering a program receiving assist-**
6 **ance under at least subtitle C?]**

7 “(B) Representatives of labor, business,
8 agencies working with youth, community-based
9 organizations (such as community action agen-
10 cies), students, teachers, Older American Vol-
11 unteer Programs established under title II of
12 the Domestic Volunteer Act of 1973 (42 U.S.C.
13 5001 et seq.), full-time youth corps programs,
14 school-based community service programs, high-
15 er education institutions, local educational
16 agencies, volunteer public safety organizations,
17 educational partnership programs, and other or-
18 ganizations working with volunteers.

19 “(2) CORPORATION REPRESENTATIVE.—The
20 representative of the Corporation designated under
21 section 134 for the State shall be a full voting mem-
22 ber of the State Commission.

23 “(3) MEMBERSHIP BALANCE.—To the extent
24 practicable, the chief executive officer of a State
25 shall ensure that the membership of the State Com-

1 mission is balanced according to race, ethnic back-
2 ground, age, and gender.

3 “(4) CHAIRPERSON.—The members of a State
4 Commission shall select one of the members to serve
5 as chairperson of the State Commission.

6 “(d) DUTIES OF A STATE COMMISSION.—The State
7 Commission shall be responsible for the following duties:

8 “(1) Preparation of the national service plan
9 for the State.

10 “(2) Preparation of the applications of the
11 State for assistance under subtitles C and E.

12 “(3) Assisting in the preparation of the applica-
13 tion of the State educational agency for assistance
14 under part I of subtitle B.

15 “(4) Preparation of the applications of the
16 State for the designation or allotment of national
17 service positions which include the post-service edu-
18 cational benefit under subtitle D as one the benefits
19 to be provided for service in the positions and dis-
20 tribution of any allotment of such positions received.

21 “(5) Administration of any national service pro-
22 grams proposed to be planned, established, operated,
23 expanded, or replicated directly by the State using
24 assistance provided under subtitles C or E.

1 “(6) Selection and placement of participants in
2 approved national service positions associated with
3 the programs described in paragraph (5).

4 “(7) Administration of any grant program pro-
5 posed to be conducted by the State using assistance
6 provided under subtitles C and E, including over-
7 sight and evaluation of grant recipients.

8 “(8) Coordination of the activities described in
9 paragraphs (5) and (7) with similar national service
10 programs within the State.

11 “(8) Dissemination of information concerning
12 national service programs that receive assistance and
13 available approved national service positions.

14 “(9) Development of programs, training meth-
15 ods, curriculum materials, and other materials and
16 activities related to national service programs that
17 receive assistance.

18 “(e) APPROVAL OF STATE COMMISSION.—

19 “(1) SUBMISSION TO CORPORATION.—The ap-
20 plication of a State for a grant under section 121,
21 whether submitted to obtain the allotment of the
22 State under section 122(a) or a competitive grant,
23 shall include a description of—

1 “(A) the composition and membership of
2 the State Commission submitting the applica-
3 tion; and

4 “(B) the authority of the State Commis-
5 sion to administer any national service program
6 proposed to be planned, established, operated,
7 expanded, or replicated directly by the State or
8 any grant program proposed to be conducted by
9 the State using assistance provided under sec-
10 tion 121.

11 “(2) REJECTION.—The Corporation may reject
12 a State Commission and the application describing
13 the State Commission if the Corporation determines
14 that the composition and membership of the State
15 Commission does not comply with the requirements
16 of subsection (c) or that the State Commission is
17 not given sufficient authority to adequately admin-
18 ister the assistance provided under suction 121. If
19 the Corporation rejects a State Commission or appli-
20 cation under this paragraph, the Corporation shall
21 promptly notify the State of the reasons for the re-
22 jection.

23 “(3) SUBSEQUENT CHANGES.—This subsection
24 shall also apply to any change in the composition or

1 duties of a State Commission made after approval of
2 the Commission.

3 **"SEC. 178A. NATIONAL SERVICE PLAN FOR A STATE.**

4 "(a) **PLAN REQUIRED.**—In order for a State to be
5 eligible to receive a grant or allotment under subtitles B,
6 C, or E, or to receive a distribution of approved national
7 service positions under subtitle D, the State Commission
8 on National Service for that State shall prepare and sub-
9 mit to the Corporation a national service plan that satis-
10 fies the requirements of this section.

11 "(b) **PURPOSE OF PLAN.**—The purpose of the na-
12 tional service plan of a State is to describe—

13 "(1) the manner in which the National Service
14 Commission of the State will use assistance provided
15 to the State under subtitles C or E or to the State
16 Commission under subtitle B; and

17 "(2) the manner in which the National Service
18 Commission of the State will distribute those na-
19 tional service positions including the post-service
20 educational benefit under subtitle D that are award-
21 ed or allotted to the State under subtitle D.

22 "(c) **SPECIFIC CONTENTS OF PLAN.**—**[These con-**
23 **tents are derived from subsections (c) and (d)**
24 **of section 123 and section 142(f), except the**
25 **first four paragraphs are derived from Shir-**

1 **ley's early draft.]**The national service plan shall in-
2 clude the following:

3 “(1) A description of the number and type of
4 national service positions that the State Commission
5 proposes for designation as national service positions
6 which include the post-service educational benefit
7 under subtitle D,

8 “(2) A description of the manner in which the
9 State Commission proposes to distribute national
10 service positions which include the post-service edu-
11 cational benefit under subtitle D. including the per-
12 centage of such positions that will be retained by the
13 State and the percentage of such positions that will
14 be awarded to other entities.

15 “(3) A description of the system for ensuring
16 that recipients of grants from the State Commission
17 under subtitles B, C, D, or E comply with the provi-
18 sions of the applicable subtitle.

19 “(4) A description of the extent to which the
20 State proposes to make child care available for chil-
21 dren of individuals participating in national service
22 programs supported by the State using assistance
23 provided under subtitles C or E.

24 “(5) A description of the objectives and per-
25 formance goals for the national service programs

1 proposed to be planned, established, operated, ex-
2 panded, or replicated directly by the State.

3 “(6) A proposal for the certification of the
4 training skills acquired by participants, the awarding
5 of academic credit to participants for competency
6 developed through training programs or work experi-
7 ence obtained under the programs, and the inclusion
8 of an age-appropriate learning component for par-
9 ticipants that includes procedures that permit par-
10 ticipants to reflect on service experiences.

11 “(7) A description of the geographical areas
12 within such State in which service will be performed
13 to provide the optimum match between the need for
14 services and the anticipated supply of participants.

15 “(8) A description of the facilities, quarters and
16 board (in the case of residential facilities), limited
17 and emergency medical care, transportation from ad-
18 ministrative facilities to work sites, accommodations
19 for individuals with disabilities, and other appro-
20 priate services, supplies, and equipment that will be
21 provided by the State.

22 “(9) A description of the basic standards of
23 work requirements, health, nutrition, sanitation, and
24 safety, and the manner that such standards shall be
25 enforced.

1 “(10) An assurance that, prior to the placement
2 of a participant with a national service program
3 planned, established, operated, expanded, or rep-
4 licated using assistance provided to the State under
5 subtitles C or E or to the State Commission under
6 subtitle B, the State Commission will consult with
7 any local labor organization representing employees
8 in the area who are engaged in the same or similar
9 work as that proposed to be carried out by the pro-
10 gram.

11 “(11) A description of formal social counseling
12 arrangements to be made available to participants.

13 “(12) A plan for ensuring that individuals do
14 not drop out of school for the purpose of participat-
15 ing in a national service program planned, estab-
16 lished, operated, expanded, or replicated using as-
17 sistance provided to the State under subtitles C or
18 E or to the State Commission under subtitle B.

19 “(13) A description of the procedures to be
20 used to assure that entities that do not receive as-
21 sistance or approved national service positions are
22 provided with information concerning the VISTA
23 program, the Civilian Community Corps, and the
24 programs established under title II of the Domestic

1 Volunteer Service Act of 1973 (42 U.S.C. 5001 et
2 seq.).

3 “(14) A description of the amount of State
4 funds to be expended in support of national service.

5 “(15) A plan for evaluating the success and ef-
6 ficiency of those national service programs proposed
7 to be planned, established, operated, expanded, or
8 replicated directly by the State or supported by
9 grants from the State using funds provided under
10 subtitles B, C, and E.

11 “(d) SPECIAL REQUIREMENTS FOR STATE PRO-
12 GRAMS.—With respect to each national service program
13 proposed to be planned, established, operated, expanded,
14 or replicated directly by the State, the national service
15 plan shall include the following:

16 “(1) A description of the management and
17 funding the program, the types of projects to be car-
18 ried out, and the types and duration of training and
19 work experience to be provided.

20 “(2) An estimate of the number of participants
21 and supervisory staff necessary for the program, the
22 length of time that the services of such participants
23 and supervisory staff will be required, and the sup-
24 port services that will be required for such partici-
25 pants and supervisory staff.

1 “(3) A plan for the appointment and training
2 of the supervisory staff (including participants who
3 have displayed exceptional leadership qualities) and
4 to ensure the on-site presence of supervisory staff at
5 projects.

6 “(4) A plan for recruiting such participants, in-
7 cluding educationally and economically dis-
8 advantaged youth, youth with limited basic skills or
9 learning disabilities, homeless youth, youth with dis-
10 abilities, youth who are in foster care who are be-
11 coming too old for foster care, and youth of limited
12 English proficiency.

13 “(5) A plan to assign participants to projects as
14 near to the homes of such participants as is reason-
15 able and practicable.

16 “(e) SPECIAL REQUIREMENTS FOR GRANT PRO-
17 GRAMS.—With respect to any program to make grants to
18 applicants within the State under subtitles B, C, and E,
19 or to distribute approved national service positions to ap-
20 plicants within the State under subtitle D, the national
21 service plan shall include the following:

22 “(1) A description of the manner in which local
23 applicants will be selected, coordinated, and evalu-
24 ated.

1 “(2) A plan for recruiting participants by such
2 local applicants, including participants who are edu-
3 cationally and economically disadvantaged youth,
4 youth with limited basic skills or learning disabil-
5 ities, homeless youth, youth with disabilities, youth
6 who are in foster care who are becoming too old for
7 foster care, and youth of limited English proficiency.

8 “(3) A plan under which the State will encour-
9 age cooperation among local applicants that are
10 awarded assistance or approved national service po-
11 sitions and the appropriate State job training coordi-
12 nating council established under the Job Training
13 and Partnership Act (29 U.S.C. 1501 et seq.).

14 “(4) An assurance that, prior to the placement
15 of a participant by a local applicant assisted by a
16 grant, the State will ensure that the local applicant
17 consults with each local labor organization rep-
18 resenting employees in the area who are engaged in
19 the same or similar work as the work that is pro-
20 posed to be carried out by participants.

21 “(f) REVIEW AND APPROVAL OF PLAN.—The Cor-
22 poration shall review each national service plan submitted
23 under this section as part of its review of the grant or
24 allotment applications accompanying the plan. The Cor-
25 poration may reject a plan, and the applications accom-

1 panying the plan, if the Corporation determines that the
2 plan is insufficient in any of the descriptions or proposals
3 required to be included in the plan under subsections (c),
4 (d), and (e). The Corporation shall promptly notify the
5 applicant of the reasons for the rejection of the plan.”.

§ 32 Insert A

Such programs ~~may~~ ^{shall} include, but not be limited to:

- Programs training participants to serve as service-learning coordinators and placing them in education institutions;
 - Public safety ^[police?] corps, in which ~~service volunteers~~ ^{participants} work in ~~community health centers~~ the areas of drug education, mediation, and crime prevention;
 - ~~Health~~ Health corps, in which participants assist professional health care providers in delivering health care services to low-income individuals; and
 - ~~College, or other~~ School-age child care programs, in which ~~college students~~ participants ~~must~~ provide supervision after-school and summer ~~programs~~ for school-age children. ~~providing supervision~~
- and arrange activities, including community service projects,

Insert B p. 45

12624 Professional Corps.

The Commission is authorized to provide funding to States, institutions of higher education, ~~public or private~~ or non-profit organizations ~~to~~ for professional corps programs in which qualified participants are recruited, trained, and placed in ~~various positions~~ ~~in~~ ~~positions~~ hard to fill ~~in the State of Kentucky~~ professional positions, as teachers, nurses, ~~all the State of Kentucky~~ ~~early childhood development~~ police officers, early childhood development ~~staff~~ staff, or other professionals ^{providing} educational, human service, environmental, or public safety ~~services~~ services. Such positions shall be sponsored by public or private ~~non-profit employers~~ non-profit employers who shall pay the ~~cost of funds~~ ~~cost of funds~~ ~~cost of funds~~

Salaries and benefit ~~of~~ participants. ~~shall be paid by~~

Training. ~~Required training may be provided for~~ ~~participants~~ ~~participants~~

to participants

~~Preservice and inservice training shall be provided.~~ Preservice and inservice training shall be provided. Inservice training may ~~be~~ be provided by an institution of higher education ~~during~~ while participants attend such institution, and may include coursework, ~~and~~ internships, community service, and summer employment placements. Higher education institutions are encouraged to use college workstudy and other sources of funding to support

Team Activities. Where possible, participants shall ~~be~~ participate in team activities, such as, training, support groups, ~~and~~ and ^{group} group projects. Such activities

12625 Public ^{Interest} ~~State~~ Entrepreneurs.

The Commission is authorized to provide ^{modest} start-up grants ~~of up to \$10,000~~ ~~to public & interest entrepreneurs~~ ~~who shall be individuals not at~~ to enable them to implement self-designed projects or create non-profit organizations that will ^{community service} ~~provide~~ ^{meet} ~~public~~ educational, human service, environmental or public safety needs.

Authority to contract.

The Commission may contract with, or provide a grant to, a non-profit organization to ~~conduct~~ administer the public interest entrepreneur program.

Authorization of appropriations (This should probably be kept ~~in the Act~~ with other appropriations for the Act)

Programs eligible for funding under this subtitle include full-time and part-time programs through which participants provide service needed in the community. Such programs include, but are not limited to:

(a) Youth Corps, including conservation corps and youth service corps programs, that offer full-time, productive work with visible community benefits in a natural resource or human service setting and that give participants aged 16 through 25 a mix of work experience, basic and life skills, leadership training, education using service-learning methods (including education enabling all participants who have not yet earned a high school diploma to earn such a diploma or its equivalent), career guidance and counseling, employment training, and support services. Participants who have served for a term as corpsmembers may serve for a second term on the staff of a youth corps program.

(b) Youth Build,

(c) Programs that Train and Place Service-Learning Coordinators, who receive specialized training in service-learning and are placed in programs eligible for funding under subtitle B. Responsibilities of such participants may include coordinating service-learning activities, recruiting and assisting community organizations where service will take place, provision of training and technical assistance to teachers in using service-learning methods, and other activities.

(d) Specialized Service Programs, *that recruit individuals of special skills and/or provide specialized preservice training*

(e) Community Corps, *diverse based on age, economics etc.*

(f) Individualized Placement Programs, *that include group activities*

(g) Campus-based Programs,

(h) Pre-professional Training Programs, (ROTC model)

(i) Professional Corps,

(j) Public Interest Entrepreneurs,

103D CONGRESS
1ST SESSION

S. _____

IN THE SENATE OF THE UNITED STATES

_____ introduced the following bill; which was read twice and
referred to the Committee on _____

A BILL

To amend the National and Community Service Act of 1990
to establish a Corporation for National Service, to im-
prove service-learning programs and national and com-
munity service programs, to establish a National Service
Trust ~~Fund~~, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "National Service Trust
5 ~~Fund~~ Act of 1993".

1 **SEC. ____ CORPORATION FOR NATIONAL SERVICE.**

2 (a) IN GENERAL.—Section 190 of the National and
3 Community Service Act of 1990 (42 U.S.C. 12651) is
4 amended to read as follows:

5 **“SEC. 190. CORPORATION FOR NATIONAL SERVICE.**

6 “(a) ESTABLISHMENT.—There is established a Cor-
7 poration for National Service that shall administer the ^{this Act}
8 ~~programs established under this title and under titles I,~~
9 ~~II, and VII~~ of the Domestic Volunteer Service Act of 1973
10 (42 U.S.C. 4951 et seq., 5001 et seq., and 5091 et seq.).
11 The Corporation shall be an independent establishment, ?
12 as defined in section 104 of title 5, United States Code.

13 “(b) OFFICERS.—

14 “(1) DIRECTOR.—

15 “(A) IN GENERAL.—The Corporation shall
16 be headed by a ^{Chair} Director (referred to in this sec-
17 tion as the “Director”), who shall be appointed
18 by the President by and with the advice and
19 consent of the Senate. The Director shall be
20 compensated at the rate provided for level III
21 of the Executive Schedule under section 5314
22 of title 5, United States Code.

23 “(B) GENERAL POWERS AND DUTIES.—

24 The Director shall be responsible for the exer-
25 cise of all powers and the discharge of all duties
26 of the Corporation, and shall have authority

1 and control over all personnel and activities of
2 the Corporation.

3 “(C) SPECIFIC AUTHORITIES.—In addition
4 to the authority conferred on the Director
5 under the Domestic Volunteer Service Act of
6 1973, the Director—

7 “(i) shall design, administer, and dis-
8 seminate information regarding the pro-
9 grams and initiatives of the Corporation;

10 “(ii) shall consult with appropriate
11 Federal agencies in administering such
12 programs;

13 “(iii) shall provide, directly or through
14 contract with public or private nonprofit
15 organizations that have extensive experi-
16 ence in service programs, training and
17 technical assistance to States, school and
18 community-based service programs, full-
19 time youth service corps, and national
20 service demonstration programs;

21 “(iv) shall arrange for the evaluation
22 of programs established under this title, in
23 accordance with section 179;

24 “(v) shall coordinate with the Sec-
25 retary of Defense in evaluating the effect

16?

1 of the program authorized by subtitle D on
2 the recruitment efforts of the active and
3 reserve components of the Armed Forces;

4 “(vi) may establish, alter, consolidate,
5 or discontinue such organizational units or
6 components within the Corporation as the
7 Director considers necessary or appro-
8 priate;

9 “(vii) may, with the approval of the
10 President, arrange with and reimburse the
11 heads of other Federal agencies for the
12 performance of any of the provisions of
13 this Act, or ~~of title I, II, or VII~~ of the Do-
14 mestic Volunteer Service Act of 1973, and,
15 as necessary or appropriate, delegate any
16 of the functions of the Director under this
17 Act or the Domestic Volunteer Service Act
18 of 1973 and authorize the redelegation
19 thereof subject to provisions to assure the
20 maximum possible liaison between the Cor-
21 poration and such other agencies at all op-
22 erating levels, which shall include the fur-
23 nishing of complete operational informa-
24 tion by such other agencies to the Corpora-

1 tion and the furnishing of such information
2 by the Corporation to such other agencies;

3 “(viii) with their consent, may utilize
4 the services and facilities of Federal agen-
5 cies without reimbursement, and, with the
6 consent of any State or a political subdivi-
7 sion of a State, may accept and utilize the
8 services and facilities of the agencies of
9 such State or subdivisions without reim-
10 bursement;

11 “(ix) may allocate and expend, or
12 transfer to other Federal agencies for ex-
13 penditure, such funds made available
14 under this Act or the Domestic Volunteer
15 Service Act of 1973 as the Director deter-
16 mines to be necessary to carry out the pro-
17 visions of such Acts, including expenditure
18 for construction, repairs, and capital im-
19 provements;

20 “(x) may disseminate, without regard
21 to the provisions of section 3204 of title
22 39, United States Code, data and informa-
23 tion, in such form as the Director shall de-
24 termine to be appropriate to public agen-

1 cies, private organizations, and the general
2 public;

3 “(xi) may adopt an official seal, which
4 shall be judicially noticed;

5 “(xii) may collect or compromise all
6 obligations to or held by the Director and
7 all legal or equitable rights accruing to the
8 Director in connection with the payment of
9 obligations in accordance with the Federal
10 Claims Collection Act of 1966;

11 “(xiii) may expend funds made avail-
12 able for purposes of this Act, or ~~of title I,~~
13 ~~II, or VII of~~ the Domestic Volunteer Serv-
14 ice Act of 1973, for printing and binding,
15 in accordance with applicable law and reg-
16 ulations; and

17 “(xiv) may expend funds made avail-
18 able for such purposes, without regard to
19 any other law or regulation, for rent of
20 buildings and space in buildings and for
21 repair, alteration, and improvement of
22 buildings and space in buildings rented by
23 the Director, except that the Director shall
24 not utilize the authority contained in this
25 clause—

1 “(I) except when necessary to ob-
2 tain an item, service, or facility, that
3 is required in the proper administra-
4 tion of this Act or the Domestic Vol-
5 unteer Service Act of 1973, and that
6 otherwise could not be obtained, or
7 could not be obtained in the quantity
8 or quality needed, or at the time, in
9 the form, or under the conditions in
10 which, the item, service, or facility is
11 needed; or

12 “(II) prior to having given writ-
13 ten notification to the Administrator
14 of General Services (if the exercise of
15 such authority would affect an activity
16 which otherwise would be under the
17 jurisdiction of the General Services
18 Administration) of intention to exer-
19 cise such authority, the item, service,
20 or facility with respect to which such
21 authority is proposed to be exercised,
22 and the reasons and justifications for
23 the exercise of such authority;

24 “(xv) notwithstanding any other pro-
25 vision of law, may make grants to or con-

1 tracts with Federal or other public depart-
2 ments or agencies and private nonprofit or-
3 ganizations for the assignment or referral
4 of volunteers under the provisions of this
5 Act (except as provided in section 108) or
6 ~~title I, II, or VII of~~ 2 the Domestic Volun-
7 teer Service Act of 1973, which may pro-
8 vide that the agency or organization shall
9 pay all or a part of the costs of the pro-
10 gram;

11 “(xvi) may establish such policies,
12 standards, criteria, and procedures, pre-
13 scribe such rules and regulations, enter
14 into such contracts and agreements with
15 public agencies and private organizations
16 and persons, and make such payments (in
17 lump sum or installments, and in advance
18 or by way of reimbursement, and in the
19 case of grants otherwise authorized under
20 such provisions, with necessary adjust-
21 ments on account of overpayments and un-
22 derpayments) as are necessary or appro-
23 priate to carry out such provisions; and

24 “(xvii) generally perform such func-
25 tions and take such steps consistent with

1 the purposes and provisions of this Act, or
2 title I, II, or VII of the Domestic Volun-
3 teer Service Act of 1973, as the Director
4 determines to be necessary or appropriate
5 to carry out such provisions.

6 “(2) DEPUTY DIRECTOR.—

Exec Dir

7 “(A) IN GENERAL.—There shall be in the
8 Administration a Deputy Director. The Deputy
9 Director shall be compensated at the rate pro-
10 vided for level IV of the Executive Schedule
11 under section 5315 of title 5, United States
12 Code.

13 “(B) DUTIES.—The Deputy Director shall
14 carry out operational responsibility for all pro-
15 grams described in paragraph (3)(B)(i).
16 [Former duties of Associate Director of
17 VISTA] The Deputy Director shall advise the
18 Corporation concerning developments in volun-
19 teer or national service that the Deputy Direc-
20 tor determines merit the attention of the Cor-
21 poration, identify promising service initiatives,
22 and coordinate the work of the Corporation
23 with the work of other Federal agencies in-
24 volved in service activities and in the design of
25 a competitive grant to provide assistance as au-

1 thorized under the programs described in para-
2 graph (3)(B)(ii). **【Former duties of Executive**
3 **Director of Commission】**

4 “(3) ~~ASSISTANT~~ DIRECTORS.— *Deputy*

5 “(A) IN GENERAL.—There shall be in the
6 Administration two Assistant Directors. The
7 Assistant Directors shall be compensated at the
8 rate provided for level IV of the Executive
9 Schedule under section 5315 of title 5, United
10 States Code. **【In VISTA, the Assistant Direc-**
11 **tors would have reported to the Associate Di-**
12 **rector.】**

13 “(B) DUTIES.—

14 “(i) VISTA; CIVILIAN COMMUNITY
15 CORPS.—One of the Assistant Directors
16 shall be primarily responsible for the pro-
17 grams under title I of the Domestic Volun-
18 teer Service Act of 1973 and the programs
19 under subtitle H.

20 “(ii) GRANT PROGRAMS.—The other
21 Assistant Director shall be primarily re-
22 sponsible for the programs under titles II
23 and VII[?] of the Domestic Volunteer Service
24 Act of 1973 and the programs under sub-
25 titles B through E.

*Report organ-
Plan*

*May want to
describe
functions
generically*

1 “(4) INSPECTOR GENERAL.—There shall be in
2 the Corporation an Office of the Inspector General.
3 Such Office shall be headed by an Inspector General
4 appointed in accordance with the Inspector General
5 Act of 1978. The Inspector General shall be com-
6 pensated at the rate provided for level IV of the Ex-
7 ecutive Schedule under section 5315 of title 5, Unit-
8 ed States Code.

9 “(c) BOARD OF DIRECTORS.—

10 “(1) COMPOSITION.—

11 “(A) IN GENERAL.—There shall be in the
12 Corporation a Board of Directors (referred to
13 in this section as the ‘Board’) that shall be
14 composed of 11 members, to be appointed by
15 the President with the advice and consent of
16 the Senate.

17 “(B) QUALIFICATIONS.—To the maximum
18 extent practicable, the President shall appoint
19 members—

20 “(i) who have extensive experience in
21 volunteer and service opportunity programs
22 and who represent a broad range of view-
23 points; and

1 “(ii) so that the Board shall be di-
2 verse according to race, ethnicity, age, gen-
3 der, and ^{include bipartisan} ~~political party~~ membership.

4 “(C) INITIAL MEMBERS.—The members
5 first appointed to the Board after the date of
6 enactment of this section shall be appointed
7 from among individuals who served on the
8 Board of Directors of the Commission on Na-
9 tional and Community Service.

10 “(D) EX OFFICIO MEMBERS.—The Sec-
11 retary of Education, Secretary of Health and
12 Human Services, Secretary of Labor, Secretary
13 of Interior, Secretary of Agriculture, and the
14 ~~Director of the Office of National Drug Control~~
15 ~~Policy~~ shall serve as ex officio ~~[nonvoting]~~
16 members of the Board.

Defense
HUD

17 “(2) TERMS.—Each member of the Board shall
18 serve for a term of 3 years, except that four of the
19 members first appointed to the Board after the date
20 of enactment of this section shall serve for a term
21 of 1 year and four shall serve for a term of 2 years,
22 as designated by the President.

23 “(3) VACANCIES.—As vacancies occur on the
24 Board, new members shall be appointed by the
25 President, with the advice and consent of the Sen-

1 ate, and serve for the remainder of the term for
2 which the predecessor of such member was ap-
3 pointed. ~~The~~ vacancy shall not affect the power of
4 the remaining members to execute the duties of the
5 Board.

6 ^{vice}“(4) CHAIRPERSON.—The ^{President} ~~Board~~ shall ^{appoint} ~~elect~~ a
7 chairperson and vice-chairperson from among its
8 membership. *of the Board*

9 “(5) MEETINGS.—The Board shall meet not
10 less than three times each year. The Board shall
11 hold additional meetings if six members of the
12 Board request such meetings in writing. A majority
13 of the Board shall constitute a quorum.

14 ^{appointed members of the}“(6) EXPENSES.—While away from their homes
15 or regular places of business on the business of the
16 Board, members of such Board may be allowed trav-
17 el expenses, including per diem in lieu of subsist-
18 ence, as is authorized under section 5703 of title 5,
19 United States Code, for persons employed intermit-
20 tently in the Government service.

21 “(7) SPECIAL GOVERNMENT EMPLOYEES.—
22 Members of the Board shall be considered to be spe-
23 cial Government employees, as defined in section
24 202(a) of title 18, United States Code.

1 “(8) DUTIES.—The Board shall— [most cur-
2 rent duties of the Board now duties of the Direc-
3 tor?]

4 “(A) advise the Director with respect to
5 policies, programs, and procedures for carrying
6 out the Director’s functions, duties, or respon-
7 sibilities under this Act and the Domestic Vol-
8 unteer Service Act of 1973; [from National
9 Council on the Arts, in the National Endow-
10 ment for the Arts]

11 “(B) advise the Director and the Congress
12 concerning developments in national and com-
13 munity service that merit the attention of the
14 Director and the Congress; and

15 “(C) carry out any other activities deter-
16 mined to be appropriate by the Director.

17 “(d) EMPLOYEES, CONSULTANTS, AND OTHER PER-
18 SONNEL.—

19 “(1) EMPLOYEES.—

20 “(A) IN GENERAL.—The Director may ap-
21 point and determine the compensation of such
22 employees as the Director determines to be nec-
23 essary to carry out the duties of the Corpora-
24 tion.

IG ~~fx~~
Strategic
Planning Committee
fx

1 “(B) TERMS.—Such employees shall be ap-
2 pointed for terms that shall not exceed 5 years.

3 “(C) APPOINTMENT AND COMPENSA-
4 TION.—

5 “(i) IN GENERAL.—Except as pro-
6 vided in clauses (ii) and (iii), the Director
7 may appoint and determine the compensa-
8 tion of employees under this paragraph
9 without regard to the provisions of title 5,
10 United States Code, governing appoint-
11 ments in the competitive service, and with-
12 out regard to the provisions of chapter 51
13 and subchapter III of chapter 53 of such
14 title relating to classification and General
15 Schedule pay rates.

16 “(ii) LIMIT ON COMPENSATION.—The
17 rate of compensation for each employee ap-
18 pointed under this paragraph shall not ex-
19 ceed the [annual rate of basic pay payable
20 for level V of the Executive Schedule under
21 section 5316 of title 5, United States
22 Code] or [maximum annual rate of basic
23 pay payable for GS-15s under the General
24 Schedule under section 5332 of title 5,
25 United States Code].

renewable?

*Should we
do this differently -
i.e. a set #
that may be
linked up
regards?*

SES?

“(iii) PREVIOUS EMPLOYEES.—Employees appointed under this Act or the Domestic Volunteer Service Act of 1973 in accordance with the provisions of title 5, United States Code, governing appointments in the competitive service, shall be classified and compensated in accordance with the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, and shall be considered to be employees, as defined in section 2105 of such title.

“(3) CONSULTANTS.—The Director may procure the temporary and intermittent services of experts and consultants and compensate the experts and consultants in accordance with section 3109(b) of title 5, United States Code. [More flexible than VISTA language.]

“(4) DETAILS OF PERSONNEL.—The head of any Federal department or agency may detail on a reimbursable basis, or on a nonreimbursable basis for not to exceed 180 calendar days during any fiscal year, as agreed upon by the Director and the head of the Federal agency, any of the personnel of

1 that department or agency to the Corporation to as-
2 sist the Corporation in carrying out the duties of the
3 Corporation under this Act. Any detail shall not in-
4 terrupt or otherwise affect the civil service status or
5 privileges of the Federal employee.

6 “(e) ADMINISTRATION.—

7 “(1) DONATIONS.—

8 “(A) SERVICES.—

*solicit
donation*

9 “(i) VOLUNTEERS.—Notwithstanding
10 any other provision of Federal law, the
11 Corporation may accept the voluntary serv-
12 ices of individuals, and provide to such in-
13 dividuals the travel expenses described in
14 subsection (c)(6).

*make sure
this does
not include
participants*

15 “(ii) LIMITATION.—Such a volunteer
16 shall not be considered to be a Federal em-
17 ployee and shall not be subject to the pro-
18 visions of law relating to Federal employ-
19 ment including those relating to hours of
20 work, rates of compensation, leave, unem-
21 ployment compensation, and Federal em-
22 ployee benefits, except as follows:

23 “(I) TORT CLAIMS.—For the
24 purposes of the tort claims provisions
25 of chapter 171 of title 28, United

1 States Code, a volunteer under this
2 subtitle shall be considered to be a
3 Federal employee.

4 “(II) CIVIL EMPLOYEE.—For the
5 purposes of subchapter I of chapter
6 81 of title 5, United States Code, re-
7 lating to compensation to Federal em-
8 ployees for work injuries, volunteers
9 under this subtitle shall be considered
10 to be employees, as defined in section
11 8101(1)(B) of title 5, United States
12 Code, and the provisions of such sub-
13 chapter shall apply.

14 “(B) PROPERTY.—The Corporation may
15 accept, use, and dispose of, in furtherance of
16 the purposes of this Act, donations of any
17 money or property, real, personal, or mixed,
18 tangible or intangible, received by gift, devise,
19 bequest, or otherwise.

20 “(C) RULES.—The Director shall establish
21 written rules setting forth the criteria to be
22 used in determining whether the acceptance of
23 contributions of money or property, real, per-
24 sonal, or mixed, tangible or intangible, received
25 by gift, devise, bequest, or otherwise (pursuant

1 to subparagraph (B)) would reflect unfavorably
2 upon the ability of the Corporation or any em-
3 ployee of the Corporation to carry out the re-
4 sponsibilities or official duties of the Corpora-
5 tion in a fair and objective manner, or would
6 compromise the integrity of the programs of the
7 Corporation or any official involved in such pro-
8 grams.

9 “(D) DISPOSITION.—Upon completion of
10 the use by the Corporation of any affected
11 property, such completion shall be reported to
12 the General Services Administration and such
13 property shall be disposed in accordance with
14 title II of the Federal Property and Administra-
15 tive Services Act of 1949 (40 U.S.C. 471 et
16 seq.).

17 “(2) TECHNICAL ASSISTANCE.—On the request
18 of the Director, the heads of other pertinent Federal
19 agencies shall provide, without reimbursement, such
20 technical assistance and administrative support serv-
21 ices to the Corporation as the Director determines to
22 be necessary to carry out the duties of the Corpora-
23 tion.

24 “(3) OBTAINING INFORMATION.—The Corpora-
25 tion may secure directly from an officer, department,

1 agency, establishment, or instrumentality of the
2 Federal Government such information and statistics
3 as the Corporation may require to carry out the du-
4 ties of the Corporation under this Act, if the infor-
5 mation may be disclosed under section 552 of title
6 5, United States Code. Subject to the previous sen-
7 tence, on the request of the Director, each such offi-
8 cer, department, agency, establishment, or instru-
9 mentality may furnish, to the extent permitted by
10 law, such information and statistics directly to the
11 Corporation.

12 “(4) CONTRACTS.—Subject to the Federal
13 Property and Administrative Services Act of 1949,
14 the Corporation may enter into contracts, and coop-
15 erative and interagency agreements, with Federal
16 and State agencies, private firms, institutions, and
17 individuals to conduct activities necessary to carry
18 out the duties of the Corporation under this Act.”.

19 (b) CONFORMING AMENDMENTS.—

20 (1) AUTHORITIES OF COMMISSION.—Section
21 190 of the National and Community Service Act of
22 1990 (42 U.S.C. 12651) is amended by striking sub-
23 sections (h) through (j).

1 (2) AUTHORITIES OF ACTION.—Sections 401
2 and 402 of the Domestic Volunteer Service Act of
3 1972 (42 U.S.C. 5041 and 5042) are repealed.

4 (3) COMMISSION.—【To be supplied.】

5 (4) ACTION.—【To be supplied.】

6 (c) EFFECTIVE DATE.—The amendments made by
7 this section shall take effect 1 year after the date of enact-
8 ment of this Act.

9 **SEC. ____.** **TRANSITION.**

10 (a) ACTION.—Section 401 of the Domestic Volunteer
11 Service Act of 1973 (42 U.S.C. 5041) is amended by strik-
12 ing the first and second sentences and inserting the follow-
13 ing: “There is established in the Corporation for National
14 Service an office to be known as the ACTION Agency in
15 order to provide a focal point for volunteerism at the na-
16 tional, State, and local level. Such Agency shall be headed
17 by a Director, who shall be appointed by the President,
18 by and with the advice and consent of the Senate, and
19 shall be compensated at the rate provided for level III of
20 the Executive Schedule under section 5314 of title 5, Unit-
21 ed States Code. Such Director shall report directly to the
22 Director of the Corporation for National Service.”.

23 (b) COMMISSION.—

24 (1) AUTHORITY OF CORPORATION AND DIREC-
25 TOR.—Section 190 of the National and Community

1 Service Act of 1990 (42 U.S.C. 12651) is amended
2 by striking subsection (a) and inserting the follow-
3 ing:

4 “(a) ESTABLISHMENT.—

5 “(1) IN GENERAL.—There is established a Cor-
6 poration for National Service that shall administer
7 the programs established under this title and under
8 titles I, II, and VII of the Domestic Volunteer Serv-
9 ice Act of 1973 (42 U.S.C. 4951 et seq., 5001 et
10 seq., and 5091 et seq.). The Corporation shall be an
11 independent establishment, as defined in section 104
12 of title 5, United States Code.

13 “(2) DIRECTOR.—

14 “(A) IN GENERAL.—The Corporation shall
15 be headed by a Director (referred to in this sec-
16 tion as the “Director”), who shall be appointed
17 by the President by and with the advice and
18 consent of the Senate. The Director shall be
19 compensated at the rate provided for level III
20 of the Executive Schedule under section 5314
21 of title 5, United States Code.

22 “(B) GENERAL POWERS AND DUTIES.—

23 The Director shall be responsible for the exer-
24 cise of all powers and the discharge of all duties
25 of the Corporation, and shall have authority

1 and control over all personnel and activities of
2 the Corporation.”.

3 (2) AUTHORITY OF COMMISSION.—Section
4 190(b) of the National and Community Service Act
5 of 1990 (42 U.S.C. 12651(b)) is amended—

6 (A) by striking the subsection heading and
7 inserting “COMMISSION; BOARD OF DIREC-
8 TORS.—”; and

9 (B) in paragraph (1), to read as follows:

10 “(1) COMPOSITION.—

11 “(A) COMMISSION.—There is established
12 in the Corporation for National Service a Com-
13 mission on National and Community Service
14 that shall administer the programs established
15 under this title.

16 “(B) BOARD OF DIRECTORS.—The Com-
17 mission shall be administered by a Board of Di-
18 rectors (hereinafter referred to in this section
19 as the “Board”) that shall be composed of 21
20 members, to be appointed by the President with
21 the advice and consent of the Senate. To the
22 maximum extent practicable, an effort should
23 be made to appoint members—

24 “(i) who have extensive experience in
25 volunteer and service opportunity programs

1 and who represent a broad range of view-
2 points; and

3 “(ii) so that the Board shall be di-
4 verse according to race, ethnicity, age, gen-
5 der, and political party membership.

6 “(C) EX-OFFICIO MEMBERS.—The Sec-
7 retary of Education, Secretary of Health and
8 Human Services, Secretary of Labor, Secretary
9 of Interior, Secretary of Agriculture, Director of
10 the Office of National Drug Control Policy, and
11 the Director of the ACTION agency shall serve
12 as ex-officio members of the Board.”.

13 (c) FUNCTIONS.—There are transferred to the Cor-
14 poration for National Service all functions carried out by
15 the Commission on National and Community Service with
16 respect to the programs and activities the administration
17 of which is vested in the Corporation for National Service
18 by reason of this Act and the amendments made thereby.
19 The Director of the Corporation for National Service shall
20 allocate such functions in accordance with section 190 of
21 the National and Community Service Act of 1990.

22 (d) PERSONNEL, ASSETS, ETC.—

23 (1) IN GENERAL.—There are transferred from
24 the Commission on National and Community Serv-
25 ice, and from the ACTION Agency, to the Corpora-

1 tion for National Service, for appropriate allocation
2 by the Director of the Corporation for National
3 Service—

4 (A) the personnel employed in connection
5 with the functions transferred by this Act and
6 the amendments made thereby; and

7 (B) the assets, liabilities, contracts, prop-
8 erty, records, and unexpended balance of appro-
9 priations, authorizations, allocations, and other
10 funds employed, held, or used in connection
11 with such functions, arising from such func-
12 tions, or available, or to be made available, in
13 connection with such functions.

14 (2) FUNDS.—Unexpended funds transferred
15 pursuant to this subsection shall be used only for
16 the purposes for which the funds were originally au-
17 thorized and appropriated.

18 (e) INTERIM AUTHORITY FOR APPOINTMENT AND
19 COMPENSATION.—【To be supplied.】

20 (f) CONTINUATION OF ORDERS, DETERMINATIONS,
21 RULES, REGULATIONS, ETC.—All orders, determinations,
22 rules, regulations, permits, contracts, collective bargaining
23 agreements (and ongoing negotiations relating to such col-
24 lective bargaining agreements), recognitions of labor orga-
25 nizations, certificates, licenses, and privileges—

1 (1) which have been issued, made, promulgated,
2 granted, or allowed to become effective, in the exer-
3 cise of functions that—

4 (A) were exercised by the Commission on
5 National and Community Service or the AC-
6 TION Agency (or the delegate of the Commis-
7 sion or Agency); and

8 (B) relate to functions that, by reason of
9 this Act, the amendments made thereby, and
10 regulations prescribed thereunder, are vested in
11 the Director of the Corporation for National
12 Service; and

13 (2) that are in effect immediately before the
14 date that is 1 year after the date of enactment of
15 this Act,

16 shall (to the extent that they relate to functions described
17 in paragraph (1)(B)) continue in effect according to their
18 terms until modified, terminated, suspended, set aside, or
19 repealed by such Director.

20 (g) CONTINUATION OF PROCEEDINGS.—The provi-
21 sions of this Act (including the amendments made there-
22 by) shall not affect any proceeding pending before the
23 Commission on National and Community Service or the
24 ACTION Agency immediately before the date that is 1
25 year after the date of enactment of this Act, with respect

1 to functions vested (by reason of this Act, the amendments
2 made thereby, and regulations prescribed thereunder) in
3 the Director of the Corporation for National Service, ex-
4 cept that such proceedings, to the extent that such pro-
5 ceedings relate to such functions, shall continue before
6 such Director. Orders shall be issued under any such pro-
7 ceeding, appeals taken therefrom, and payments shall be
8 made pursuant to such orders, in like manner as if this
9 Act had not been enacted, and orders issued in any such
10 proceeding shall continue in effect until modified, termi-
11 nated, superseded, or repealed by such Director, by a
12 court of competent jurisdiction, or by operation of law.

13 (h) CONTINUATION OF SUITS.—Except as provided
14 in this subsection—

15 (1) the provisions of this Act shall not affect
16 suits commenced prior to the date that is 1 year
17 after the date of enactment of this Act; and

18 (2) in all such suits proceedings shall be had,
19 appeals taken, and judgments rendered, in the same
20 manner and effect as if this Act had not been en-
21 acted.

22 No cause of action, and no suit, action, or other proceed-
23 ing commenced by or against any officer in such officer's
24 official capacity as an officer of the Commission on Na-
25 tional and Community Service or the ACTION Agency,

1 shall abate by reason of the enactment of this Act. Causes
2 of action, suits, actions, or other proceedings may be as-
3 serted by or against the United States and the Corpora-
4 tion for National Service, or such official of such Corpora-
5 tion as may be appropriate, and, in any litigation pending
6 immediately before the date that is 1 year after the date
7 of enactment of this Act, the court may at any time, on
8 the court's own motion or that of a party, enter an order
9 which will give effect to the provisions of this subsection
10 (including, where appropriate, an order for substitution of
11 parties).

12 (i) CONTINUATION OF PENALTIES.—This Act shall
13 not have the effect of releasing or extinguishing any crimi-
14 nal prosecution, penalty, forfeiture, or liability incurred as
15 a result of any function which (by reason of this Act, the
16 amendments made thereby, and regulations prescribed
17 thereunder) is vested in the Director of the Corporation
18 for National Service.

19 (j) JUDICIAL REVIEW.—Orders and actions of the
20 Director of the Corporation for National Service in the
21 exercise of functions vested in such Director under this
22 Act (and the amendments made thereby) shall be subject
23 to judicial review to the same extent and in the same man-
24 ner as if such orders had been made and such actions had
25 been taken by the Commission on National and Commu-

1 nity Service or the ACTION Agency in the exercise of such
2 functions immediately before the date that is 1 year after
3 the date of enactment of this Act. Any statutory require-
4 ments relating to notice, hearings, action upon the record,
5 or administrative review that apply to any function so
6 vested in such Director shall continue to apply to the exer-
7 cise of such function by such Director.

8 (k) EXERCISE OF FUNCTIONS.—In the exercise of the
9 functions vested in the Director of the Corporation for Na-
10 tional Service under this Act, the amendments made
11 thereby, and regulations prescribed thereunder, such Di-
12 rector shall have the same authority as that vested in the
13 Commission on National and Community Service or the
14 ACTION Agency with respect to the exercise of such func-
15 tions immediately preceding the vesting of such functions
16 in such Director, and actions of such Director shall have
17 the same force and effect as when exercised by such Com-
18 mission or Agency.

19 (l) EFFECTIVE DATE.—This section, and the amend-
20 ments made by this section, shall take effect on the date
21 of enactment of this Act.

§ 101. General Authority

The Commission may make grants on a competitive basis to States, Indian tribes, public and private nonprofit organizations, and institutions of higher education, and may transfer funds to Federal agencies for the planning, demonstration, operation, and replication of full-, part-time and summer national service programs.

§ 201. Program Requirements

Programs that receive assistance under this subtitle shall ---

a. perform service that addresses unmet human, educational, **health**, environmental or public safety needs, especially those needs relating to poverty. **Such service must specifically--**

1. Build an ethic of service among participants of the program;

2. Produce positive change in the lives of participants and of persons served; and

3. Perform service that is not otherwise being provided.

b. provide training to participants that --

1. builds an ethic of civic responsibility through training in citizenship and the ethic of national and community service;

2. orients each participant in the nature, philosophy and purpose of the program; and

3. provides the skills and knowledge necessary for the type of service that participants will be called upon to perform.

c. contain a service-learning component that provides participants with an opportunity to reflect on their service experiences.

d. involve youth in the design of the program, and provide leadership positions to youth in implementing and evaluating the program.

e. provide for broad-based input from the community in the design, recruitment, and operation of the program.

f. prior to the placement of participants, the program will consult with any local labor organization representing employees in the area who are engaged in the same or similar work as that proposed to be carried out by such program.

- g. provide living allowances pursuant to §
- h. provide post-service benefits pursuant to §
- i. meet the unique needs of the state or community in which they operate, which may include limiting the type of service participants may perform or limiting the age of participants to a narrower age subgroup.**

§ 301. Ineligible service categories. To be eligible to receive assistance under this subtitle, the activities conducted through programs to be funded shall not be conducted by any--

- (1) business organized for profit;
- (2) labor union;
- (3) partisan political organization;
- (4) organization engaged in religious activities, unless such activities do not involve the use of funds provided under this title by program participants and program staff to give religious instruction, conduct worship services, or engage in any form of proselytization; or
- (5) domestic or personal service company or organization.

§ 401 Grants authorized by this subtitle shall be for the planning, demonstration, operation and replication of full-time, part-time, and summer national service programs.

§ 501 Type of Grants

- a. Planning grants - Grants may be made to qualified applicants for the planning of national service programs.
 - i The 5% administrative cost limit shall not apply to planning grants.
 - ii Planning grants may cover a period of up to one year.
- b. . Demonstration grants - Grants may be made to qualified applicants for the **creation and** demonstration of innovative national service programs. Demonstration grants may cover a period of up to three years.
- c. Operation grants- Grants may be made to qualified applicants for the operation of national service programs. Operation grants may cover a period of up to three years.

d. Replication grants- Grants may be made to qualified applicants for the replication of national service programs. Replication grants may cover a period of up to three years.

§ 901 Conservation and Youth Service Corps.

a. A youth corps program, as defined in §12511 (30), is one type of national service program eligible for funding under §501.

§ Grants

a. The Commission shall ensure that programs receiving assistance under this subtitle are geographically diverse and include programs in both urban and rural States.

b. In selecting programs for funding under this subtitle, the Commission shall give preference to programs that recruit an ethnically and socioeconomically diverse group of participants.

§1001 Terms of service

(a) Length of service.

(1) Part-time. An individual performing part-time national service under this subtitle [42 USCS §§ 12571 et seq.] shall agree to perform community service for not less than 2 years.

(2) Full-time. An individual performing full-time national service under this subtitle [42 USCS §§ 12571 et seq.] shall agree to perform community service for not less than **9 months** nor more than 2 years.

(3) Special senior service. A special senior service participant performing national service under this subtitle [42 USCS §§ 12571 et seq.] shall serve for a period of time as determined by the Commission.

(b) Partial completion of service. Programs receiving assistance under this subtitle may pro-rate the financial benefits provided to participants described in §___ only when the participant has completed at least fifty percent of the term of service as defined in §___, and can demonstrate compelling personal circumstances for terminating participation.

(c) Terms of service.

1.. full-time. An individual performing full time national service under this subtitle shall agree to perform community service for at least nine months per year for a total of at least 1500 hours per year. Programs that operate nine

months per year must demonstrate that they are coordinated with the academic schedules operating in the state or community in which they are located.

2. Part-time - Part-time programs shall operate at least 9 hours per week.

3. Special senior service. A special senior service participant performing national service under this subtitle [42 USCS §§ 12571 et seq.] shall serve either part- or full-time as permitted by the Commission.

§ 12575. Eligibility

(a) Part-time.

(1) Requirements. An individual may serve in a part-time national service program under this subtitle [42 USCS §§ 12571 et seq.] if such individual--

(A) is **16** years of age or older; and

(B) is a citizen of the United States or lawfully admitted for permanent residence.

(2) Priority. In selecting applicants for a part-time program, States shall give priority to applicants who are currently employed.

(b) Full-time. An individual may serve in a full-time national service program under this subtitle [42 USCS §§ 12571 et seq.] if such individual--

(1) is **16** years of age or older, **or, for participants of summer programs, 14 years of age or older.**

(2) has received a high school diploma or the equivalent of such diploma, or agrees to achieve a high school diploma or the equivalent of such diploma while participating in the program; and

(3) is a citizen of the United States or lawfully admitted for permanent residence.

(c) Special senior service. An individual may serve as a special senior service participant under this subtitle [42 USCS §§ 12571 et seq.] if such individual--

(1) is 60 years of age or older; and

(2) meets the eligibility criteria for special senior service participation established by the Commission.

§ 12577. Living allowance

(a) Full-time service.

(1) In general. From assistance provided under this subtitle [42 USCS §§ 12571 et seq.], each participant in a full-time national service program receiving assistance under this subtitle [42 USCS §§ 12571 et seq.] shall receive a living allowance of not more than an amount equal to 100 percent of the poverty line for a family of two (as defined in section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))).

(2) Non-Federal sources. Notwithstanding paragraph (1), a program agency may provide participants with additional amounts that are made available from non-Federal sources.

(b) Reduction in existing program benefits. Nothing in this section shall be construed to require a program in existence on the date of enactment of this Act [enacted Nov. 16, 1990] to decrease any stipends, salaries, or living allowances provided to participants under such program.

(c) Health insurance. In addition to the living allowance provided under subsection (a), grantees are encouraged to provide health insurance to each participant in a full-time national service program who does not otherwise have access to health insurance.

(d) Child care. The Commission shall encourage grantees to make adequate child care accommodations available to participants enrolled in a full-time national service program.

(e) Special senior service participant.

(1) Full-time. Each full-time special senior service participant shall receive a living allowance equal to the living allowance provided to full-time participants under subsection (a), and such other assistance as the Commission considers necessary and appropriate for a special senior service participant to carry out the service obligation of such participant.

(2) Part-time. Each part-time special senior service participant shall receive a living allowance equal to a share of such allowance offered to a full-time special senior service participant under paragraph (1), that has been prorated according to the number of hours such part-time participant serves in the program, and such other assistance that the Commission considers necessary and appropriate for a special senior service participant to carry out the service obligation of such participant.

§ 12576. Post-service benefits

(a) Part-time.

(1) Each part-time participant shall earn a nontransferable post-service benefit that is equal in value to \$ 2,000 for each year of service that such participant provides to the program.

(2) Construction. Nothing in this subsection shall be construed to prevent a program from using funds made available from non-Federal sources to increase the amount of post-service benefits provided under paragraph (1) to an amount in excess of that described in such paragraph.

(b) Full-time.

(1) Each full-time participant shall earn a nontransferable post-service benefit that is equal in value to \$ 5,000 for each year of service that such participant provides to the program.

(2) Construction. Nothing in this subsection shall be construed to prevent a program from using funds made available from non-Federal sources to increase the amount of post-service benefits provided under paragraph (1) to an amount in excess of that described in such paragraph.

(c) Special senior service participant. A special senior service participant shall be ineligible to receive post-service benefits under this section.

(d) Indexing. The Commission shall increase the value of post-service benefits provided under this section in each fiscal year based on the increase in the costs associated with attending a 4-year institution of higher education during that fiscal year. The Commission shall determine such increases in costs based on information made available by the Bureau of Labor Statistics and the National Center for Education Statistics.

(e) Post-service benefit uses.

(1) Post service benefits provided under this subtitle shall only be used for--

(A) payment of a student loan from Federal or non-Federal sources;

(B) tuition, room and board, books and fees, and other costs associated with attendance (pursuant to section 472 of the Higher Education Act of 1965 (20 U.S.C. 10871l)) at an institution of higher education on a full-time or part-time basis, or to pay the expenses incurred in the full-time participation in an apprenticeship program approved by the appropriate State agency.

(2) Treatment of education and housing benefits. For purposes of determining eligibility for programs under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.) (hereafter in this section referred to as the "Act"), post-service

benefits received under this Act shall be considered as estimated financial assistance as defined in section 428(a)(2)(C)(i) of title IV of the Act (20 U.S.C. 1078(a)(2)(C)(i)), except that in no case shall such a post-service benefit be considered as--

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

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

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

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

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

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

§ ____ Criteria

(a) In providing assistance to States under this Part, if 2501.7(b) applies, the Commission will consider:

(1)(i) The quality of the program, based on the program's ability to offer valuable services in the communities where they are needed most and where programs do not exist or where existing volunteer service programs are too limited to meet community needs; to provide productive, meaningful, educational experiences for participants which incorporate service-learning methods; to involve the participants in the design and operation of the program; to involve individuals from diverse backgrounds (including economically disadvantaged youth), and to develop the leadership skills of participants;

(ii) The quality of leadership and management, as measured by the qualifications of the principal leaders of the program; and plans and processes for recruitment, training, supervision, participant support, evaluation, administration and other key activities;

(2) Innovative aspects of the program based on the:

(i) Ability of the program to advance knowledge about effective community service in ways that will be broadly applicable beyond the program location; and

(ii) Approach to evaluation and other means of learning from the experience of the program;

(3)(i) Replicability, based on the ability and willingness of the program to assist others in learning from the experience and replicating the approach of the program; and

(4) Sustainability, based on:

(i) Inclusion in a State Comprehensive Plan;

(ii) Strong and broad-based community support for and involvement in the program; and

(iii) Evidence that financial resources will be available to continue the program after the expiration of the grant.

§ ____ Treatment of Living Allowances and Post Service Benefits.

a. Living allowances and post-service benefits shall not be counted as income under the Internal Revenue Act.

b. Living allowances and post-service benefits shall not be counted in determining eligibility for means-tested Federal programs.

§ Training

(a) Program training.

(1) In general. The Commission, in collaboration with grantees, shall ensure that each participant is appropriately prepared, oriented and trained prior to placement in a service activity and, if necessary, during said placement.

(2) The Commission shall require, as a condition of funding, each applicant to document a training plan that ensures that participants, supervisors and host agencies (including, where applicable, host-site staff) are oriented to their role and to the overall objectives and mission of the program.

(3) The Commission shall require applicants to ensure that participants are appropriately trained in relevant skills and/or competencies necessary to carry out assigned tasks and projects.

(4) Where feasible and cost-effective, the Commission, in collaboration with grantees, shall provide common training sessions in areas relevant to all programs funded under this subtitle including --

(A) an orientation to the nature, philosophy and purpose of national service;

(B) general training in citizenship and civic awareness designed to build an ethic of community service ; and

(C) other subjects as deemed appropriate by the Commission.

(5) The Commission may provide financial, in-kind, technical or other assistance to programs receiving funding under this subtitle to achieve overall training objectives for national service.

(b) Accommodations for individuals with disabilities. In accordance with the nondiscrimination provisions of section 175 [42 USCS § 12635] each training program shall provide reasonable accommodations for individuals with disabilities.

§ ____Administrative costs. Programs receiving grants pursuant to this subtitle, other than a planning grant pursuant to §____, may use no more than 5% of the grant for administrative costs, including indirect costs.

§____Matching requirement. The Federal share of the cost of activities for which a grant is made under this subtitle shall not exceed 50 (?) 75 (?) percent of the total cost of such activities, excluding the value of the post service benefits awarded pursuant to §____.

§ ____Evaluation) Program objectives. The Commission shall ensure that programs that receive assistance under this subtitle are evaluated to determine their effectiveness in--

(1) recruiting and enrolling diverse participants in such programs based on economic background, race, ethnicity, age, marital status, education levels, and disability;

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

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

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

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

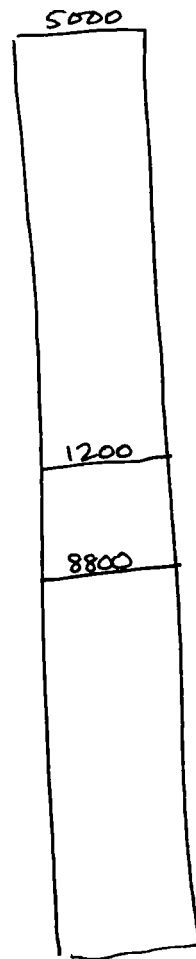
(6) providing services and projects that benefit the community;

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

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

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

Per Participant Costs exclusive of Post-Service Benefit



Program Costs

Match: 50 % of other Program Costs (in kind) and Benefits

Benefits

Living Allowance

Match: 15 % of living allowance (in cash)

Other: living Allowance above 8800 does not count toward required cash match

Greg Kosta	House Legislative Counsel	225-6060
Mark Synnes	House Legislative Counsel	225-6060
David Meade	House Legislative Counsel	225-6060
Steve Cope	House Legislative Counsel	225-6060
Ellen Guiney	Senate Labor and H.R.	
Gene Sofer	House Education & Labor	225-4527
Alan Lopatin	House Education & Labor	225-4527
Tom Sander	Senate Labor and H.R.	224-5501
Nick Littlefield	Senate Labor and H.R.	224-5461
Bill Baird	Senate Legislative Counsel	224-6461
Liz Aldridge	Senate Legislative Counsel	224-6461
Shirley Sagawa	Domestic Policy	456-2599
Jack Lew	Office of National Service	456-6444

Reauthorization Proposals of the National and Community Service Act Coalition

Title I, Subtitle A: General Provisions Proposals

The following changes are recommended to the list of definitions:

✓ All references to human service\service corps and conservation corps throughout the Act should be changed to youth corps.

X Add "capacity building" to the list of definitions which is defined as "activities which either strengthen a youth corps program by adding additional corpsmembers or by adding administrative and support services which will increase the ability of a corps to provide services to the corpsmembers and the community."

Add a definition of administrative expenses

Change references to summer program to "Seasonal program"-The term "seasonal program" means a youth corps program authorized under this title that operates during authorized school vacations." (This change would be reflected throughout the Act.)

Should clarify that activities can take place during the year too

Title I, Subtitle B-1: Serve-America Proposals

1. Types of grants.

The Act provides grants to three types of local programs:

Service-Learning programs for students and out-of-school youth sponsored by school-community organization partnerships (at least 60% of funds);

Community service programs for school-age youth, including out-of-school youth, sponsored by partnerships of youth community organizations and other community-based organizations (at least 15% of funds); and

Adult volunteer and partnership programs sponsored by schools and community organizations (up to 10% of funds).

These provisions could be strengthened in the following ways:

Already covered by the statute
State educational agencies should be required to ensure that community-based organizations that have demonstrated effectiveness in providing service programs in their communities, including youth corps, are given an equal opportunity to apply for and receive grants in all three categories as lead agencies in the local collaborative.

Clarify that local educational agencies and community-based youth service

✓ Clarify that local educational agencies and community-based youth service organizations that are representative of the community being served may apply for the 60% set-aside for service-learning and that either the LEA or CBO may be the lead applicant.

Strengthen intergenerational programming under all three categories.

2. Quality of Programming

State education agencies may currently use up to 10% of funds for capacity building activities, such as training and technical assistance and curriculum development.

A definition of service-learning is included in the Act, and Serve America requires that all programs involve preparation, meaningful service, and reflection.

Quality of programs could be strengthened in the following ways:

Increase training and technical assistance provided to state education agencies.

Modify the definition of service-learning by clarifying that it applies to both full- and part-time students, as well as out-of-school youth, and to programs in both formal and informal education institutions, and that the purpose of reflection is "to promote the students' acquisition of primary and secondary competencies, personal and social responsibility, and democratic participation."

Allow up to 5% of state funds to be used for establishing effective outreach and dissemination to ensure the broadest possible involvement of nonprofit community-based organizations and youth-service agencies with demonstrated effectiveness in their communities.

✓ **To create a pot of funds that could be used for leader states/programs and to provide incentives to states to improve programming, additional funds appropriated for Serve-America should not be allocated through the formula, but on a discretionary basis.**

3. Partnership with the Department of Education

✓ **Additional provisions should be included in both the NCSA and various education laws, including those under the Elementary and Secondary Education Act, to promote incorporation of service-learning principles into schools.**

In addition, the Office of Education Research and Improvement (OERI) in the Department of Education should be charged with conducting research on service-learning.

Title I, Subtitle B-2: Higher Education Proposals

1. Eligibility

Currently higher education institutions, public or private nonprofit organizations in partnership with higher education institutions, and consortia that include at least one higher education institution are eligible to apply for funds. No preference is given to any type of applicant. Applications may, but need not be, part of the state comprehensive plan (according to regulations, not statute).

The following modifications to this policy have been proposed:

✓ The application review process should provide an incentive for applications to be part of a state plan.

✓ Consortia proposals should have priority for a set percentage of B2 funds.

2. Student-initiated Proposals

Student organizations have had limited ability to receive funding under subtitle B2 for two primary reasons: lack of information about the availability of funds and limited ability to apply without going through the university, which may have different priorities.

To increase ability of student organizations to apply for funds, the following changes are proposed:

Universities should be required to notify student organizations about their plans to submit applications and invite comment.

✓ Student-initiated programs should be eligible for funding with a non-profit organization or higher education institution serving as fiscal agent, if necessary.

A set-aside should be made available for student-initiated proposals.

✓ Bonus points should be awarded for applications with substantial support for student-initiated projects.

3. Service-Learning

Although the definition of service-learning technically applies to the entire Act, not just the Serve-America subtitle, the term is not used in the higher education program statute.

✓ Service-learning programs should be added as an explicit permissible use of B2 funds.

✓ Programs involving linkages to programs authorized under other subtitles of the Act (such as service-learning programs for K-12-age students or youth corps) should be specifically encouraged under B2.

4. Linkages to Higher Education Act Funding Streams

✓ The authorizing statute should specifically mention that B2 funds may be used in combination with College-Work Study funds to support work study community service placements.

Title I, Subtitle C: American Conservation and Youth Service Corps Proposals

1. State Role

Currently, if a state applies to receive funds directly from the Commission, local corps within the state must apply to the state rather than the Commission. States are required to subgrant a reasonable portion of their grant to local corps within the state; however, they are not required in their applications to indicate which local corps would receive funding.

We propose to modify this system in the following ways:

✓ Existing local corps may apply directly to the Commission for funding, but the application must be consistent with the goals and principles of the comprehensive state plan and be supportive of the plan should the state receive funds.

✓ The Commission should require that each state submit an updated comprehensive plan and should mandate that existing local corps be included in the planning process for the state comprehensive plan. Existing local corps must also be included in the planning process for the state grant application. Where possible, a state should be required to detail in its application the process it has selected for the distribution of funds, to which groups the funds will be awarded and wherever possible, specify funds to be given to each program.

2. Program emphasis

The Act requires that all corps involve preparation, meaningful service, and reflection, as well as the provision of education, counseling, and skills training for participants.

The following additional requirements are suggested:

X The following criteria should be used to evaluate applications: competitiveness of the application, poverty, unemployment and population figures of localities from which the youth are to be recruited, clients to be served, capacity to deliver services, track record, experience, number of service hours, and match between services and service needs in the community.

✓ Programs should be required to use service-learning principles in their education programs.

✓ Programs should provide leadership training to participants.

✓ Programs should be encouraged to make linkages to other service programs, such as K-12 and Higher Education programs.

3. Participant Eligibility and Benefits

✓ Summer programs can include youth as young as 12 years old.

X Post-service benefits should also include a cash-out option at a lower amount and the ability to use benefits for part-time educational and training programs.

4. Administrative provisions

Administrative expenses for program agencies shall be increased from 5% to an amount not to exceed 20% or the amount authorized for indirect rates established by OMB Circular 121A, whatever rate is less.

Administrative expenses for the state shall be increased from 5% to an amount not to exceed 10% or the authorized amount for indirect rates established by OMB Circular 121A, whatever is less.

✓ The Commission on National and Community Service share of the cost of activities for which a grant is made to a State or local applicant under this subtitle shall not exceed 75 percent of the total cost of such activities. Other federal funds, however, may be used for the remaining 25 percent match.

The minimum 10 percent of total program funds required to provide pre-service and in-service training and educational materials and services can be provided with funding made available under this subtitle or with a 10 percent equivalent in cash or in-kind provided by the program agency or other sources.

The appeals process should be described in the Act and/or regulations.

5. Relationship to other laws

✓ Living allowances and post-service benefits should not be considered as income in determining eligibility for benefits under Social Security Act programs.

✓ The Act should be amended to exempt living allowances and post-service benefits from federal taxes and Social Security.

6. Other

? Grants can be made for capacity building.

Title I, Subtitle D: Demonstration Program Proposals

1. Eligibility and selection of models.

Currently, only states and Indian tribes may apply to the Commission for funding. In FY1992, the Commission funded one existing program and six new programs (including one sponsored by an Indian tribe), and awarded a planning grant to one state.

✓ In order to allow replication of model programs with established track records, the Commission should be authorized to make grants to established state and national organizations and community based organizations, including youth corps, for the creation of full-and part-time national and community service programs.

✓ The practice of awarding planning grants should continue and should be made explicit in the statute.

✓ In addition, in future years, funds should be made available to replicate successful models identified by the Commission.

2. Participant service and benefits

Under current law, full-time, part-time and special senior service participants are eligible; full-time participants receive living allowances, and both full-time and part-time participants receive post-service benefits.

However, increased flexibility is needed to take into account local program needs and designs.

pro rate benefits
The minimum amount of time that an individual must serve in order to be considered a participant should be decreased and for part-time participants from three years to one year.

hours for low
Minimum participation should be expressed in hours of service—830 hours for full-time, 200 hours for part time—over six calendar months.

X
The statute should explicitly authorize providing living allowances to part-time participants.

✓ Clearer guidelines should be provided regarding the provision of pro-rated post-service benefits to individuals who leave the program early (including the option of not providing any pro-rated benefits, at the option of the program).

✓ Clearer guidelines should be provided regarding how long a participant may take to claim post-service benefits after completion of the program.

Handwritten calculations:
$$\begin{array}{r} 20 \\ 40 \overline{) 800} \\ \underline{80} \\ 0 \end{array}$$
$$\begin{array}{r} 20 \\ 40 \overline{) 800} \\ \underline{80} \\ 0 \end{array}$$
$$\begin{array}{r} 37.5 \\ 40 \overline{) 1500} \\ \underline{120} \\ 300 \\ \underline{280} \\ 20 \end{array}$$

X Use of benefits should be made consistent between full-time and part-time participants and should be broadened to allow for other uses, including a cash-out option at a lower amount and ability to use benefits for part-time educational programs.

✓ Living allowances and post-service benefits should not be considered as income in determining eligibility for benefits under Social Security Act programs.

✓ The Act should be amended to exempt living allowances and post-service benefits from federal taxes and Social Security.

✓ Programs (not states) should be able to spend up to 10 percent of their grant on administrative costs (rather than 5 percent).

✓ The statute should allow funds to be used for the provision of support services including child care when necessary to involve diverse participants.

✓ Special senior service participants should be eligible for post-service benefits on an equitable basis with other participants.

3. Program requirements

The statute requires preparation, meaningful service, and reflection as essential program elements.

✓ In addition, applicants should be encouraged but not required to include an intergenerational component.

✓ In addition, applicants should demonstrate that community based organizations are an integral part of the program.

✓ In addition, applicants should discuss linkages to other service programs, including school- and higher education-based programs and youth service and conservation corps.

✓ All programs should be required to employ service-learning principles.

X The age limit for participation should be lowered from 17 to 9.

✓ All programs should provide roles for youth participants in the leadership and governance of the program.

4. Reconciliation with Subtitle C Requirements

✓ Youth corps should continue to receive funding under both subtitles C and D, and ~~it should be recognized that youth corps are an important national service model.~~

✓ Various provisions of subtitle C should be applied to subtitle D, including references to the Tort Claims Act and Workers Compensation.

5. Title

 **The name of the program authorized under subtitle D is the same as that of the Act. We therefore recommend that subtitle D be given a new name such as "National Service Model Programs."**

Title I, Subtitles E, F, G

Subtitle E: Innovative and Demonstration Programs and Projects

1. Subtitle E currently authorizes five programs. The statute requires that the Commission fund at least three of the five programs out of discretionary funds.

✓ The rural youth demonstration program, governor's innovative program, Peace Corps/VISTA training program, and retiree volunteer program should be merged into a demonstration program title that covers the themes of all of the existing programs (intergenerational service, rural youth service, governors innovative projects, etc.) as well as other models, and opens eligibility to any public or private nonprofit organization, including multi-site, multi-state national organizations, as well as states and Indian tribes.

2. Discretionary funds/Additional program authority

✓ Research on service-learning and other community service issues should be explicitly authorized as a permissible use of discretionary funds.

Subtitle F: Administrative Provisions

1. State Plans

Comprehensive state plans are required of all state applicants through regulation. They are not mentioned in the statute. States are encouraged, but not required, to appoint state advisory board.

✓ State plans should be required by statute and defined.

✓ If a state plan is highly rated, it should increase the chance that programs integrated into the plan will be funded.

✓ Efforts should be made to improve the inclusiveness of the state planning process, including increased involvement of:

Youth
Community-based organizations
Youth Corps
Aging organizations

✓ Technical assistance should be provided to youth to enable them to become involved in the state planning process.

✓ States should be required to report annually on how what they have funded advances the state plan.

✓ Funds should be made available to states for the state planning process and for the set-up of the state advisory board.

✓ State advisory boards or commissions should be required.

2. Funding

✓ Funds should be allocated to match locally raised funds to support a "community planning process," similar to the state planning process, for integrated program activities within the community.

✓ Federal funds from programs other than those authorized under the National and Community Service Act should be a permissible source of matching funds.

✓ Funding should be provided for "reverse matching programs" -- available to states or other applicants that use federal funds other than those authorized under the National and Community Service Act or Domestic Volunteer Service Act for community service programs.

3. Other Administrative Issues

The Tuesday during National Volunteer Week should be designated by statute as "National Youth Service Day," Wednesday should be designated "Intergenerational Volunteer Day," and Thursday should be designated "Senior Volunteer Day."

Sexual orientation should be added to nondiscrimination provisions.

X Local programs should ultimately be able to appeal to the Commission if their grievances are rejected by the state.

A portion of the funds should be set aside in the event that there are grievances.

Subtitle G: Commission on National and Community Service

The allowed number of Commission employees should be increased.

The amount of funds available for Commission operating/staff costs should be a percentage of total funds appropriated to the NCSA.

Title VII, Subtitle B: YouthBuild

✓ YouthBuild should be moved from ACTION's jurisdiction to the Commission on National and Community Service.

Support services should be provided for a period of not less than six months and not more than eighteen months after completion of training.

In addition to using funds for services, wages and administration, funds could also be used for staff development, recruitment, selection of participants, curriculum development and annual periods of planning and reflection.

YouthBuild participants should receive scholarship and housing vouchers not to exceed \$2,500 for each successfully completed year of participation.

✓ Opportunities to participate in YouthBuild should be provided to young adults who live in economically disadvantaged communities (currently participation is limited to economically disadvantaged young adults).

Title III, Points of Light Foundation

✓ A recruitment/visibility campaign, similar to military recruitment ads, for full-time programs in Title I, such as corps, subtitle D and VISTA, urging young people to "give a year" should be conducted through a major national advertising campaign and should come out of Points of Light Foundation funds.

*add: sep \$
Approved plan
allow for negotiation
to get plan into compliance
corporation may
accept or reject
if rejected, may
amend state law
amending plan*

DRAFT

January 21, 1993

NATIONAL SERVICE TRUST FUND ACT.

Short Title: National Service Trust Fund Act of 1993.

TITLE I. Purposes. The purposes of this Act are:

- to inspire in all Americans a new commitment to serving their country, their communities, and their fellow citizens;
- to provide access to higher education and job training for all young Americans, regardless of their economic background;
- to enable students to finance their education and job training by working in national and community service activities; and,
- to allow students to repay their loans as a percentage of their income and to consolidate and simplify the Federal student loan programs.

TITLE II. Amendments to the National and Community Service Act of 1990.

Part A: Creation of the National Service Trust Fund

The National and Community Service Act of 1990 is amended by adding the following new subtitle:

"Subtitle __. National Service Trust Fund.

There is created a National Service Trust Fund to provide educational benefits to participants performing qualified national service.

A. Eligibility of Individuals. Participants shall be eligible to receive educational benefits from the National Service Trust Fund if they:

January 21, 1993

16 or up + agree to get GED
--are a citizen of the United States or lawfully admitted for permanent residence;

--are an out-of-school youth, ~~or~~ graduated from an institution of higher education in the previous two years; and *or other?*

--are accepted into and serve for a term defined in section C in a qualified national service placement.

B. Term of Service. Participants shall serve:

--in the case of full-time service of not less than 40 hours ^{over} ~~per~~ week, for a period of not less than nine months;

--in the case of part-time service of more than ~~an average of~~ nine hours ^{over} ~~a week~~ for a period of not ~~less~~ ^{more} than three years.

Corporation
C. Qualified National Service. Individuals shall serve in positions meeting educational, human service, environmental or public safety needs. As provided in section 1, states or the ~~Commission on National and Community Service~~ may designate any of the following as qualified national service:

--service as a VISTA volunteer;

~~--service in the Peace Corps;~~

-- service in programs funded under parts C, D, or sections 6 and 7 of part E of this Act;

designate Homes program criteria
CHUP? NO
-- service in ^{consistent with} programs ~~comparable~~ to those funded under parts C, D, or sections 6 and 7 of part E of this Act that meet quality criteria established by the ~~Commission~~ *Corporation*;

--in the case of an individual who has completed one term of qualified national service, service on the staff of a qualified

national service program;

--service as a service-learning coordinator in a program eligible for funding under subtitle B of this Act; and,

~~--service, in positions determined by the Commission or the state, which provide health insurance to participants and which:~~
in employer-supported positions that
public or private non-profit

--meet human, educational, environmental or public safety needs; and,

--have been vacant for not less than [twelve months] and are unlikely to be filled in the next [six months] due to a shortage of qualified applicants; OR

? --are located in an *urban or rural enterprise zone*.

D. National Database. Qualified national service positions shall be listed in a national ~~computerized~~ database, accessible through college and high school placement offices, employment service centers, volunteer centers, and other entities.

E. Selection of Participants. Organizations sponsoring qualified national service positions shall ^{recruit and} select individuals to serve in such positions.

F. Educational Benefits. Participants successfully completing a term of qualified national service shall receive a certificate worth **\$5,000** in educational benefits for each such term, up to two terms. Educational benefits may be used for:

--repayment of a qualified federal student loan;

--payment of tuition, fees, room and board at an institution of higher education; or

State? Leadership list?
National Recruitment and Placement.
The Corporation shall establish a system to recruit and place participants.
Organizations may be required, as a condition of receipt of a grant under subtitle —, to select a percentage of funded positions with individuals recruited nationally.
not more than — %

College or private schools

to cover (art)
remittance

used 435C without act
1010m 2004?

January 21, 1993

--employment training, including apprenticeship.

Dep of 2007??

from the
Trust
Fund

compliance
with the terms
of this Act

All sources

Highway
state
general

allocate same
to grants
non-supplanting
of fed/state/
local/private
funds.

not
less
than

1/3 2/3

problem -
is it a pcc app?
to use
OS?

Corporate

G. Remittance of Certificates. The Commission shall remit a payment to eligible entities presenting a completed certificate. A completed certificate shall include a statement, signed by the participant and the eligible entity under penalty of perjury, declaring ~~that the funds are being used for the purposes intended,~~ and may include supporting documentation as required by the Commission. An eligible entity is the holder of a loan described in F (below), an institution of higher education (as defined in the Higher Education Act, section --), or any other entity approved by the Commission.

Corporate

H. Qualified Federal Student Loan. A qualified federal student loan is any loan issued or insured by the federal government under Title IV of the Higher Education Act or Title VII of the Public Health Service Act.

nurses?
338 + 338a

from

I. Designation of Qualified National Service Positions. ~~From funding authority appropriated pursuant to part L, the Commission shall allocate the authority to designate positions eligible for the education benefits certificate described in part F. Authority to designate the recipients of certificates shall be allocated as follows:~~ ~~the authority to designate~~ qualified national service positions

~~the authority to designate~~ ~~not less than one-third~~ of positions shall be given to qualified states based on [population];

~~the authority to designate~~ ~~up to one-third~~ of positions shall be awarded to qualified states on a competitive basis; and

~~the authority to designate~~ ~~not less than one-third~~ of positions shall be designated by the ~~Commission~~ ^{Corporate} or ~~delegated~~ ^{delegated} to public or private nonprofit organizations providing qualified national service opportunities.

-- not more than one-quarter of positions shall be designated by federal agencies selected by the Corporate on a competitive basis.

January 21, 1993

Such states and organizations shall use criteria established by the ~~Commission~~ in designating positions ~~offering education benefits~~ ~~certificates.~~ *qualified national service*

J. Qualified States. For a state to be eligible to designate positions under part I:

the chief executive officer of such state shall designate a state lead agency responsible for administering the program;

--the state shall have in place a state National Service Commission described in section 178;

--the state lead agency shall submit a plan, *must have* ~~shall submit~~ *approved by the* ~~approved by the~~ *Corps* state Community Service Commission, specifying proposed qualified national service positions within the state, describing a system for ensuring compliance with this subtitle, describing how the state will make child care available for children of participants to the maximum extent practicable, and describing how such positions will be coordinated with other service initiatives within the state; and

--the state shall arrange group activities for participants and make other efforts designed to promote the ethic of service.

corp nat K. ~~Commission on National and Community Service.~~ The ~~Commission~~ ~~on National and Community Service~~ shall administer the National Service Trust Fund. The ~~Commission~~ shall:

--in consultation with experts in the field of national service, establish criteria for qualified national service opportunities;

--monitor compliance with the provisions of this subtitle;

--arrange for the national database described in section D;

January 21, 1993

- arrange for a national visibility campaign promoting a national service ethic and participation ~~and~~ national service;
in
- provide a national training curriculum for participants to foster a national program identity;
- facilitate the creation of an alumni network of national service participants;
- coordinate this subtitle with other provisions of the Act; *and*
- provide training and technical assistance to states and programs offering qualified national service positions;

L. Authorization of Appropriations. There are authorized to be appropriated:

- to provide education benefits described in section F, [\$X00 million], which shall remain available until expended; and,
- to carry out other activities described in this subtitle, and to administer the National Service Trust Fund, [\$X million]. ”

Part B: Reauthorization and Expansion of the National and Community Service Act.

The National and Community Service Act of 1990 is amended to:

- continue and expand the funding authorization for the Youth Service and Conservation Corps, Serve America, and Model National Service Programs; and,
- add new authority for a Pre-Professional Corps and Public Interest Entrepreneurs.

*American
Higher Education
Innovative
Projects*

Part B. The NCSA is amended by ^{replacing} ~~striking~~ Subtitles C + D and with the following subtitle:

§ 101. General Authority

The ^{Corps} ~~Commission~~ may make grants on a competitive basis to States, Indian tribes, public and private nonprofit organizations, and institutions of higher education, and may transfer funds to Federal agencies for the planning, operation, and replication of full-, part-time ~~and summer~~ national service programs.

§ 201. Program Requirements

~~Participants in~~ ^{IP} programs that receive assistance under this subtitle shall ---

- a. ^{involve participants in meaningful} ~~perform~~ service that addresses unmet human, educational, environmental or public safety needs, especially those needs relating to poverty.
- b. provide training to participants that --
 1. build~~s~~ an ethic of civic responsibility through training in citizenship and the ethic of national and community service;
 2. orient~~s~~ each participant in the nature, philosophy and purpose of the program; and
 3. provide~~s~~ the skills and knowledge necessary for the type of service that participants will be called upon to perform.
- c. contain~~s~~ a service-learning component that provides participants with an opportunity to reflect on their service experiences.
- d. involve ^{participants} ~~youth~~ in the design of the program, and provide leadership positions to ~~youth~~ ^{participants} in implementing and evaluating the program.
- e. provide for broad-based input from the community ^{served} in the design, recruitment, and operation of the program.
- f. prior to the placement of participants, ~~the program will~~ consult with any local labor organization representing employees in the area who are engaged in the same or similar work as that proposed to be carried out by such program.
- g. Provide living allowances pursuant to §
- h. ^{arrange for an independent evaluation of the program.} ~~Provide post-service benefits pursuant to §~~

→ § 301. Ineligible service categories. To be eligible to receive assistance under this subtitle, the activities conducted through programs to be funded shall not be conducted by any--

- (1) business organized for profit;

Add §
Types 7
Nat'l
Service

- (2) labor union;
 (3) partisan political organization; or
 (4) organization engaged in religious activities, unless such activities do not involve the use of funds provided under this title by program participants and program staff to give religious instruction, conduct worship services, or engage in any form of proselytization; or
~~(5) domestic or personal service company or organization.~~

§ 401 Grants authorized by this subtitle shall be for the ~~planning, demonstration, planning~~ operation and replication of full-time, part-time, ~~and summer national service programs.~~ ~~and n.s. programs.~~ ~~operating, demonstration~~

§ 501 Type of Grants

a. Planning grants - Grants may be made to qualified applicants for the planning of national service programs.

i ~~The 5% administrative cost limit shall not apply to planning grants.~~

ii Planning grants may cover a period of up to one year.

b. Demonstration grants - Grants may be made to qualified applicants for the demonstration of innovative national service programs.

i Demonstration grants may cover a period of up to three years.

c. Operation grants - Grants may be made to qualified applicants for the operation of national service programs.

i Operation grants may cover a period of up to three years.

d. Replication grants - Grants may be made to qualified applicants for the replication of national service programs.

i Replication grants may cover a period of up to three years.

§ 901 Conservation and Youth Service Corps.

a. A youth corps program, as defined in § 12511 (30), is one type of national service program eligible for funding under § 501.

§ Grants

a. The Commission shall ensure that programs receiving assistance under this subtitle are geographically diverse and include programs in both urban and rural States.

§ 1001 Terms of service

(a) Length of service.

(1) Part-time. An individual performing part-time national service under this subtitle [42 USCS §§ 12571 et seq.] shall agree to perform community service ~~for~~ not less than 2 years.

not less than - hours 1

have representative allocations

Admin cap

Qualified applicants

Allocation of funds

Matching requirements over a period of

*a period of
nine
months.*

(2) Full-time. An individual performing full-time national service under this subtitle [42 USCS §§ 12571 et seq.] shall agree to perform community service for not less than ~~1 year nor more than 2 years~~, at the discretion of such individual.

*not less than
nine months*

~~(3) Special senior service. A special senior service participant performing national service under this subtitle [42 USCS §§ 12571 et seq.] shall serve for a period of time as determined by the Commission.~~

(b) Partial completion of service. If the State releases a participant from completing a term of service in a program receiving assistance under this subtitle [42 USCS §§ 12571 et seq.] for compelling personal circumstances as demonstrated by such participant, the ~~Commission~~ *Commission* may provide such participant with that portion of the financial assistance described in section 146 [42 USCS § 12576] that corresponds to the quantity of the service obligation completed by such individual.

~~(c) Terms of service.~~

1. full-time. An individual performing full time national service under this subtitle shall agree to perform community service for at least nine months per year for a total of at least 1500 hours per year.

b. Part-time - Part-time programs shall operate at least 9 hours per week.

(1) Part-time. A participant performing part-time national service under this subtitle [42 USCS §§ 12571 et seq.] shall serve for--

(3) Special senior service. A special senior service participant performing national service under this subtitle [42 USCS §§ 12571 et seq.] shall serve either part- or full-time as permitted by the Commission.

§ 12575. Eligibility

~~(a) Part-time.~~

(1) Requirements. An individual may serve in a ~~part-time~~ national service program under this subtitle [42 USCS §§ 12571 et seq.] if such individual--

(A) is 14 years of age or older; and

(B) is a citizen of the United States or lawfully admitted for permanent residence.

~~(2) Priority. In selecting applicants for a part-time program, States shall give priority to applicants who are currently employed.~~

~~(b) Full-time. An individual may serve in a full-time national service program under this subtitle [42 USCS §§ 12571 et seq.] if such individual--~~

~~(1) is 14 years of age or older;~~

~~(2) has received a high school diploma or the equivalent of such diploma, or agrees to achieve a high school diploma or the equivalent of such diploma while participating in the program; and~~

~~(3) is a citizen of the United States or lawfully admitted for permanent residence.~~

~~(c) Special senior service. An individual may serve as a special senior service participant under this subtitle [42 USCS §§ 12571 et seq.] if such individual--~~

~~(1) is 60 years of age or older; and~~

(2) meets the eligibility criteria for special senior service participation established by the Commission.

§ 12577. Living allowance

(a) Full-time service.

(1) In general. From assistance provided under this subtitle [42 USCS §§ 12571 et seq.], each participant in a full-time national service program receiving assistance under this subtitle [42 USCS §§ 12571 et seq.] shall receive a living allowance ~~of not more than an amount equal to 100 percent of the poverty line for a family of two (as defined in section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)))~~ *equal to the federal minimum wage.*

(2) Non-Federal sources. Notwithstanding paragraph (1), a program agency may provide participants with additional amounts that are made available from non-Federal sources. *Upper limit?*

~~(b) Reduction in existing program benefits. Nothing in this section shall be construed to require a program in existence on the date of enactment of this Act [enacted Nov. 16, 1990] to decrease any stipends, salaries, or living allowances provided to participants under such program.~~

(c) Health insurance. In addition to the living allowance provided under subsection (a), grantees ~~are encouraged to~~ *shall* provide health insurance to each participant in a full-time national service program who does not otherwise have access to health insurance.

~~(d) Special senior service participant.~~

~~(1) Full-time. Each full-time special senior service participant shall receive a living allowance equal to the living allowance provided to full-time participants under subsection (a), and such other assistance as the Commission considers necessary and appropriate for a special senior service participant to carry out the service obligation of such participant.~~

~~(2) Part-time. Each part-time special senior service participant shall receive a living allowance equal to a share of such allowance offered to a full-time special senior service participant under paragraph (1), that has been prorated according to the number of hours such part-time participant serves in the program, and such other assistance that the Commission considers necessary and appropriate for a special senior service participant to carry out the service obligation of such participant.~~

§ 12576. Post-service benefits

(a) Part-time.

(1) The Commission shall annually provide to each part-time participant a nontransferable post-service benefit that is equal in value to \$ 2,000 for each year of service that such participant provides to the program.

(2) Construction. Nothing in this subsection shall be construed to prevent a State from using funds made available from non-Federal sources to increase the amount of post-service benefits provided under paragraph (1) to an amount in excess of that described in such paragraph.

(b) Full-time.

(1) The Commission shall annually provide to each full-time participant a nontransferable post-service benefit that is equal in value to \$ 5,000 for each year of service that such participant provides to the program.

(2) Construction. Nothing in this subsection shall be construed to prevent a State from using funds made available from non-Federal sources to increase the amount of post-service benefits provided under paragraph (1) to an amount in excess of that described in such paragraph.

(c) Special senior service participant. A special senior service participant shall be ineligible to receive post-service benefits under this section.

(d) Indexing. The Commission shall increase the value of post-service benefits provided under this section in each fiscal year based on the increase in the costs associated with attending a 4-year institution of higher education during that fiscal year. The Commission shall determine such increases in costs based on information made available by the Bureau of Labor Statistics and the National Center for Education Statistics.

(e) Post-service benefit.

(1) Part-time. A post-service benefit provided under subsection (a) shall only be used for--

- (A) payment of a student loan from Federal or non-Federal sources;
- (B) downpayment or closing costs associated with purchasing a first home; or
- (C) tuition at an institution of higher education on a full-time basis, or to pay the expenses incurred in the full-time participation in an apprenticeship program approved by the appropriate State agency.

(2) Full-time. A post-service benefit provided under subsection (b) shall only be used for--

- (A) payment of a student loan from Federal or non-Federal sources; or
- (B) tuition, room and board, books and fees, and other costs associated with attendance (pursuant to section 472 of the Higher Education Act of 1965 (20 U.S.C. 108711)) at an institution of higher education on a full-time basis, or to pay the expenses incurred in the full-time participation in an apprenticeship program approved by the appropriate State agency.

§ ____ Criteria

The following criteria will be considered in

(a) ~~In providing assistance to States under this Part, if 12501.7(b) applies, the Commission will consider:~~ *the awarding of grants:*

(1)(i) The quality of the program, based on the program's ability to offer valuable services in the communities where they are needed most and where programs do not exist or where existing ~~volunteer service~~ programs are too limited to meet community needs; to provide productive, meaningful, educational experiences for participants which incorporate service-learning methods; to involve the participants in the design and operation of the program; to involve individuals from diverse backgrounds (including economically disadvantaged youth), and to develop the leadership skills of participants;

(ii) The quality of leadership and management, as measured by the qualifications of the principal leaders of the program; and plans and processes for recruitment, training, supervision, participant support, evaluation, administration and other key activities;

(2) Innovative aspects of the program based on the:

(i) Ability of the program to advance knowledge about effective community service in ways that will be broadly applicable beyond the program location; and

(ii) Approach to evaluation and other means of learning from the experience of the program;

(3)(i) Replicability, based on the ability and willingness of the program to assist others in learning from the experience and replicating the approach of the program; and

(4) Sustainability, based on:

(i) Inclusion in a State Comprehensive Plan;

(ii) Strong and broad-based community support for and involvement in the program; and

(iii) Evidence that financial resources will be available to continue the program after the expiration of the grant.

§ ____ Treatment of Living Allowances and Post Service Benefits.

a. Living allowances and post-service benefits shall not be counted as income under the Internal Revenue Act.

b. Living allowances and post-service benefits shall not be counted in determining eligibility for means-tested Federal programs.

*add criteria:
Community need,
as evidenced by
as an enterprise
zone or other
means
plan to
meet a need
designated as
a priority by the
Chair/President/
Board.*

§ ____ Administrative costs. Programs receiving grants pursuant to this subtitle, other than a planning grant pursuant to § ____, may use no more than 5% of the grant for administrative costs, including indirect costs.

§ ____ Evaluation) Program objectives. The Commission shall ensure that programs that receive assistance under this subtitle are evaluated to determine their effectiveness in—

(1) recruiting and enrolling diverse participants in such programs based on economic background, race, ethnicity, age, marital status, education levels, and disability;

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

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

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

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

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

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

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

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

meeting the goals of the program

Add: budget
7 delay
for purpose
of the statute

don't make
any thing/points
above

limit # of programs

DRAFT

~~January 21, 1993~~

March 11, 1992

NATIONAL SERVICE TRUST FUND ACT.

Short Title: National Service Trust Fund Act of 1993.

TITLE I. Purposes. The purposes of this Act are:

--to inspire in all Americans a new commitment to serving their country, their communities, and their fellow citizens;

--to provide access to higher education and job training for all young Americans, regardless of their economic background;

--to enable students to finance their education and job training by working in national and community service activities; and,

--to allow students to repay their loans as a percentage of their income and to consolidate and simplify the Federal student loan programs.

TITLE II. Amendments to the National and Community Service Act of 1990.

Part A: Creation of the National Service Trust Fund

The National and Community Service Act of 1990 is amended by adding the following new subtitle:

"Subtitle __. National Service Trust Fund.

There is created a National Service Trust Fund to provide educational benefits to participants performing qualified national service.

A. Eligibility of Individuals. Participants shall be eligible to receive educational benefits from the National Service Trust Fund if they:

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--are a citizen of the United States or lawfully admitted for permanent residence;

--are an out-of-school youth, ~~or~~ graduated from an institution of higher education in the previous two years; and

or other?

--are accepted into and serve for a term defined in section C in a qualified national service placement.

B. Term of Service. Participants shall serve:

--in the case of full-time service of not less than 40 hours ^{over} ~~per~~ week, for a period of not less than nine months;

--in the case of part-time service of more than ~~an average of~~ nine hours ~~a week for~~ ^{over} a period of not ~~less~~ ^{more} than three years.

C. Qualified National Service. Individuals shall serve in positions meeting educational, human service, environmental or public safety needs. As provided in section I, states or the ~~Commission on~~ *Corporation* ~~National and Community Service~~ may designate any of the following as qualified national service:

--service as a VISTA volunteer;

~~--service in the Peace Corps;~~ *2*

-- service in programs funded under parts C, D, or sections 6 and 7 of part E of this Act; *h*

service in ~~--programs comparable to those funded under parts~~ C, D, or sections 6 and 7 of part E of this Act that meet quality criteria established by the ~~Commission;~~ *h*

Corporation

--in the case of an individual who has completed one term of qualified national service, service on the staff of a qualified

national service program;

--service as a service-learning coordinator in a program eligible for funding under subtitle B of this Act; and,

~~--service, in positions determined by the Commission or the state, which provide health insurance to participants and which:~~
in employer-supported positions that

--meet human, educational, environmental or public safety needs; and,

--have been vacant for not less than [twelve months] and are unlikely to be filled in the next [six months] due to a shortage of qualified applicants; OR

--are located in an *urban or rural enterprise zone*.

D. National Database. Qualified national service positions shall be listed in a national ~~computerized~~ database, accessible through college and high school placement offices, employment service centers, volunteer centers, and other entities.

E. Selection of Participants. Organizations sponsoring qualified national service positions shall ^{recruit and} select individuals to serve in such positions.

F. Educational Benefits. Participants successfully completing a term of qualified national service shall receive a certificate worth **\$5,000** in educational benefits for each such term, up to two terms. Educational benefits may be used for:

--repayment of a qualified federal student loan;

--payment of tuition, fees, room and board at an institution of higher education; or

National Recruitment and Placement.

The Corporation shall establish a system to recruit and place participants.

Organizations may be required, as a condition of receipt of a grant under subtitle —,

to ~~set~~ ^{fill} a percentage of funded positions with individuals recruited nationally

January 21, 1993

--employment training, including apprenticeship.

G. Remittance of Certificates. The Commission shall remit a payment to eligible entities presenting ~~a~~ completed certificates. A completed certificate shall include a statement, signed by the participant and the eligible entity under penalty of perjury, declaring ~~that the funds are being used for the purposes intended,~~ and may include supporting documentation as required by the Commission. An eligible entity is the holder of a loan described in F (below), an institution of higher education (as defined in the Higher Education Act, section --), or any other entity approved by the Commission.

From the Trust Fund

~~compliance~~
compliance with the terms of this Act

H. Qualified Federal Student Loan. A qualified federal student loan is any loan issued or insured by the federal government under Title IV of the Higher Education Act or Title VII of the Public Health Service Act.

I. Designation of Qualified National Service Positions. ~~From funding authority appropriated pursuant to part L, the Commission shall allocate the authority to designate positions eligible for the education benefits certificate described in part F. Authority to designate the recipients of certificates shall be allocated as follows:~~ ~~qualified national service positions~~

~~the authority to designate~~ ~~not less than one-third~~ of positions shall be given to qualified states based on [population];
~~the authority to designate~~ ~~up to one-third~~ of positions shall be given to qualified states on a competitive basis;
and ~~the authority to designate~~ ~~not less than one-third~~ of positions shall be awarded to public or private nonprofit organizations providing qualified national service opportunities.

not less than

-- not more than one-fourth of positions shall be designated by federal agencies selected by the Corporation on a competitive basis.

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Corporate

Such states and organizations shall use criteria established by the ~~Commission~~ in designating positions ~~offering education benefits~~ ~~certificates.~~ *qualified national service*

J. Qualified States. For a state to be eligible to designate positions under part I:

[Signature]
--the chief executive officer of such state shall designate a state lead agency responsible for administering the program;

--the state shall have in place a state National Service Commission described in section 178;

shall submit a plan
--the ~~state lead agency~~ shall submit a plan, approved by the state Community Service Commission, specifying proposed qualified national service positions within the state, describing a system for ensuring compliance with this subtitle, describing how the state will make child care available for children of participants to the maximum extent practicable, and describing how such positions will be coordinated with other service initiatives within the state; and

--the state shall arrange group activities for participants and make other efforts designed to promote the ethic of service.

Corporate

Corporate
K. ~~Commission on National and Community Service.~~ The ~~Commission on National and Community Service~~ shall administer the National Service Trust Fund. The ~~Commission~~ shall: *Corporate*

--in consultation with experts in the field of national service, establish criteria for qualified national service opportunities;

--monitor compliance with the provisions of this subtitle;

--arrange for the national database described in section D;

January 21, 1993

--arrange for a national visibility campaign promoting a national service ethic and participation ~~and~~ national service;

in

--provide a national training curriculum for participants to foster a national program identity;

--facilitate the creation of an alumni network of national service participants;

--coordinate this subtitle with other provisions of the Act; *and*

--provide training and technical assistance to states and programs offering qualified national service positions;

L. Authorization of Appropriations. There are authorized to be appropriated:

--to provide education benefits described in section F, [\$X00 million], which shall remain available until expended; and,

--to carry out other activities described in this subtitle, and to administer the National Service Trust Fund, [\$X million]. *»*

Part B: Reauthorization and Expansion of the National and Community Service Act.

The National and Community Service Act of 1990 is amended to:

--continue and expand the funding authorization for the Youth Service and Conservation Corps, Serve America, and Model National Service Programs; and,

--add new authority for a Pre-Professional Corps and Public Interest Entrepreneurs.

*American
Higher Education
Innovative
projects*

Part B. The NCSA is amended by ~~striking~~ ^{replacing} Subtitle C + D ~~and~~ with the following subtitle:

§ 101. General Authority

The Commission may make grants on a competitive basis to States, Indian tribes, public and private nonprofit organizations, and institutions of higher education, and may transfer funds to Federal agencies for the planning, operation, and replication of full-^{and} part-time ~~and summer~~ national service programs.

§ 201. Program Requirements

~~Participants in~~ ^{Participants} programs that receive assistance under this subtitle shall ---

a. ~~perform~~ ^{involve participants in meaningful} service that addresses unmet human, educational, environmental or public safety needs, especially those needs relating to poverty.

b. provide training to participants that --

1. build~~s~~ an ethic of civic responsibility through training in citizenship and the ethic of national and community service;

2. orient~~s~~ each participant in the nature, philosophy and purpose of the program; and

3. provide~~s~~ the skills and knowledge necessary for the type of service that participants will be called upon to perform.

c. contain~~s~~ a service-learning component that provides participants with an opportunity to reflect on their service experiences.

d. involve ^{participants} youth in the design of the program, and provide leadership positions to ~~youth~~ ^{participants} in implementing and evaluating the program.

e. provide for broad-based input from the community ^{served} in the design, recruitment, and operation of the program.

f. prior to the placement of participants, ~~the program will~~ consult with any local labor organization representing employees in the area who are engaged in the same or similar work as that proposed to be carried out by such program.

g. Provide living allowances pursuant to §

~~h. arrange for an independent evaluation of the program.~~

~~i. Provide post-service benefits pursuant to §~~

§ 301. Ineligible service categories. To be eligible to receive assistance under this subtitle, the activities conducted through programs to be funded shall not be conducted by any--

(1) business organized for profit:

Add §
Types 7
Nat'l
Service

- (2) labor union;
- (3) partisan political organization; or
- (4) organization engaged in religious activities, unless such activities do not involve the use of funds provided under this title by program participants and program staff to give religious instruction, conduct worship services, or engage in any form of proselytization; or
- ~~(5) domestic or personal service company or organization.~~

§ 401 Grants authorized by this subtitle shall be for the ~~planning, demonstration, operation and replication of full-time, part-time, and summer national service programs.~~ *planning, demonstration, operation and replication of full-time, part-time, and summer national service programs.* ~~and n.s. programs.~~

§ 501 Type of Grants

a. Planning grants - Grants may be made to qualified applicants for the planning of national service programs.

~~i. The 5% administrative cost limit shall not apply to planning grants.~~

ii. Planning grants may cover a period of up to one year.

b. Demonstration grants - Grants may be made to qualified applicants for the demonstration of innovative national service programs.

i. Demonstration grants may cover a period of up to three years.

c. Operation grants - Grants may be made to qualified applicants for the operation of national service programs. *improvement*

i. Operation grants may cover a period of up to three years.

d. Replication grants - Grants may be made to qualified applicants for the replication of national service programs.

i. Replication grants may cover a period of up to three years.

§ 901 Conservation and Youth Service Corps.

a. A youth corps program, as defined in §12511 (30), is one type of national service program eligible for funding under §501.

§ Grants

a. The Commission shall ensure that programs receiving assistance under this subtitle are geographically diverse and include programs in both urban and rural States.

§1001 Terms of service

(a) Length of service.

(1) Part-time. An individual performing part-time national service under this subtitle [42 USCS §§ 12571 et seq.] shall agree to perform community service for not less than 2 years.

not less than - hours 1

Qualified applicants

Allocation of funds

Matching requirements over a period of

*a period of
here
number.*

(2) Full-time. An individual performing full-time national service under this subtitle [42 USCS §§ 12571 et seq.] shall agree to perform community service for not less than ~~1 year nor more than 2 years~~, at the discretion of such individual.

*not less than
here
number.*

~~(3) Special senior service. A special senior service participant performing national service under this subtitle [42 USCS §§ 12571 et seq.] shall serve for a period of time as determined by the Commission.~~

(b) Partial completion of service. If the State releases a participant from completing a term of service in a program receiving assistance under this subtitle [42 USCS §§ 12571 et seq.] for compelling ^{personal} ~~Commission~~ circumstances as demonstrated by such participant, the ~~Commission~~ may provide such participant with that portion of the financial assistance described in section 145 [42 USCS § 12576] that corresponds to the quantity of the service obligation completed by such individual.

~~(c) Terms of service.~~

1. full-time. An individual performing full time national service under this subtitle shall agree to perform community service for at least nine months per year for a total of at least 1500 hours per year.

b. Part-time - Part-time programs shall operate at least 9 hours per week.

(1) Part-time. A participant performing part-time national service under this subtitle [42 USCS §§ 12571 et seq.] shall serve for--

(3) Special senior service. A special senior service participant performing national service under this subtitle [42 USCS §§ 12571 et seq.] shall serve either part- or full-time as permitted by the Commission.

(Sustained above)

§ 12575. Eligibility

~~(a) Part-time.~~

(1) Requirements. An individual may serve in a ~~part-time~~ national service program under this subtitle [42 USCS §§ 12571 et seq.] if such individual--

(A) is 14 years of age or older; and

(B) is a citizen of the United States or lawfully admitted for permanent residence.

~~(2) Priority. In selecting applicants for a part-time program, States shall give priority to applicants who are currently employed.~~

~~(b) Full-time. An individual may serve in a full-time national service program under this subtitle [42 USCS §§ 12571 et seq.] if such individual--~~

~~(1) is 14 years of age or older;~~

~~(2) has received a high school diploma or the equivalent of such diploma, or agrees to achieve a high school diploma or the equivalent of such diploma while participating in the program; and~~

~~(3) is a citizen of the United States or lawfully admitted for permanent residence.~~

~~(c) Special senior service. An individual may serve as a special senior service participant under this subtitle [42 USCS §§ 12571 et seq.] if such individual--~~

~~(1) is 60 years of age or older; and~~

(2) meets the eligibility criteria for special senior service participation established by the Commission.

§ 12577. Living allowance

(a) Full-time service.

(1) In general. From assistance provided under this subtitle [42 USCS §§ 12571 et seq.], each participant in a full-time national service program receiving assistance under this subtitle [42 USCS §§ 12571 et seq.] shall receive a living allowance ~~of not more than an amount equal to 100 percent of the poverty line for a family of two (as defined in section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)))~~ *equal to the federal minimum wage.*

(2) Non-Federal sources. Notwithstanding paragraph (1), a program agency may provide participants with additional amounts that are made available from non-Federal sources.

~~(b) Reduction in existing program benefits. Nothing in this section shall be construed to require a program in existence on the date of enactment of this Act [enacted Nov. 16, 1990] to decrease any stipends, salaries, or living allowances provided to participants under such program.~~

(c) Health insurance. In addition to the living allowance provided under subsection (a), ~~grantees are encouraged to~~ *shall* provide health insurance to each participant in a full-time national service program who does not otherwise have access to health insurance.

~~(d) Special senior service participant.~~

(1) Full-time. Each full-time special senior service participant shall receive a living allowance equal to the living allowance provided to full-time participants under subsection (a), and such other assistance as the Commission considers necessary and appropriate for a special senior service participant to carry out the service obligation of such participant.

(2) Part-time. Each part-time special senior service participant shall receive a living allowance equal to a share of such allowance offered to a full-time special senior service participant under paragraph (1), that has been prorated according to the number of hours such part-time participant serves in the program, and such other assistance that the Commission considers necessary and appropriate for a special senior service participant to carry out the service obligation of such participant.

§ 12576. Post-service benefits

(a) Part-time.

(1) The Commission shall annually provide to each part-time participant a nontransferable post-service benefit that is equal in value to \$ 2,000 for each year of service that such participant provides to the program.

(2) Construction. Nothing in this subsection shall be construed to prevent a State from using funds made available from non-Federal sources to increase the amount of post-service benefits provided under paragraph (1) to an amount in excess of that described in such paragraph.

(b) Full-time.

(1) The Commission shall annually provide to each full-time participant a nontransferable post-service benefit that is equal in value to \$ 5,000 for each year of service that such participant provides to the program.

(2) Construction. Nothing in this subsection shall be construed to prevent a State from using funds made available from non-Federal sources to increase the amount of post-service benefits provided under paragraph (1) to an amount in excess of that described in such paragraph.

(c) Special senior service participant. A special senior service participant shall be ineligible to receive post-service benefits under this section.

(d) Indexing. The Commission shall increase the value of post-service benefits provided under this section in each fiscal year based on the increase in the costs associated with attending a 4-year institution of higher education during that fiscal year. The Commission shall determine such increases in costs based on information made available by the Bureau of Labor Statistics and the National Center for Education Statistics.

(e) Post-service benefit.

(1) Part-time. A post-service benefit provided under subsection (a) shall only be used for--

- (A) payment of a student loan from Federal or non-Federal sources;
- (B) downpayment or closing costs associated with purchasing a first home; or
- (C) tuition at an institution of higher education on a full-time basis, or to pay the expenses incurred in the full-time participation in an apprenticeship program approved by the appropriate State agency.

(2) Full-time. A post-service benefit provided under subsection (b) shall only be used for--

- (A) payment of a student loan from Federal or non-Federal sources; or
- (B) tuition, room and board, books and fees, and other costs associated with attendance (pursuant to section 472 of the Higher Education Act of 1965 (20 U.S.C. 10871)) at an institution of higher education on a full-time basis, or to pay the expenses incurred in the full-time participation in an apprenticeship program approved by the appropriate State agency.

§ ____ Criteria

The following criteria will be considered in

(a) ~~In providing assistance to States under this Part, if 12501.7(b) applies, the Commission will consider:~~ *the awarding of grants.*

(1)(i) The quality of the program, based on the program's ability to offer valuable services in the communities where they are needed most and where programs do not exist or where existing ~~volunteer service~~ programs are too limited to meet community needs; to provide productive, meaningful, educational experiences for participants which incorporate service-learning methods; to involve the participants in the design and operation of the program; to involve individuals from diverse backgrounds (including economically disadvantaged youth), and to develop the leadership skills of participants;

(ii) The quality of leadership and management, as measured by the qualifications of the principal leaders of the program; and plans and processes for recruitment, training, supervision, participant support, evaluation, administration and other key activities;

(2) Innovative aspects of the program based on the:

(i) Ability of the program to advance knowledge about effective community service in ways that will be broadly applicable beyond the program location; and

(ii) Approach to evaluation and other means of learning from the experience of the program;

(3)(i) Replicability, based on the ability and willingness of the program to assist others in learning from the experience and replicating the approach of the program; and

(4) Sustainability, based on:

(i) Inclusion in a State Comprehensive Plan;

(ii) Strong and broad-based community support for and involvement in the program; and

(iii) Evidence that financial resources will be available to continue the program after the expiration of the grant.

§ ____ Treatment of Living Allowances and Post Service Benefits.

a. Living allowances and post-service benefits shall not be counted as income under the Internal Revenue Act.

b. Living allowances and post-service benefits shall not be counted in determining eligibility for means-tested Federal programs.

*Add criteria:
Community need,
as evidenced by
as designated
as an enterprise
zone or other
means
plan to
meet a need
designated as
a priority by the
Chair/President/
Board.*

§ ____ Administrative costs. Programs receiving grants pursuant to this subtitle, other than a planning grant pursuant to § ____, may use no more than 5% of the grant for administrative costs, including indirect costs.

§ ____ Evaluation) Program objectives. The Commission shall ensure that programs that receive assistance under this subtitle are evaluated to determine their effectiveness in—

(1) ~~recruiting and enrolling~~ ^{gender} diverse participants in such programs based on economic background, race, ethnicity, age, marital status, education levels, and disability;

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

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

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

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

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

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

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

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

meeting
the goals
of the
program

Independent
Agency Corp
INDDUT

Rec app panel
Director

Board

~~Successor to the Commission~~

Action

VISA

OANP

K-12

1) closed Fed
grant program

2) shift infrastructure
around country
(elemental req)
keep shits

K-12

grants
to states
for coordinators
color

Teacher

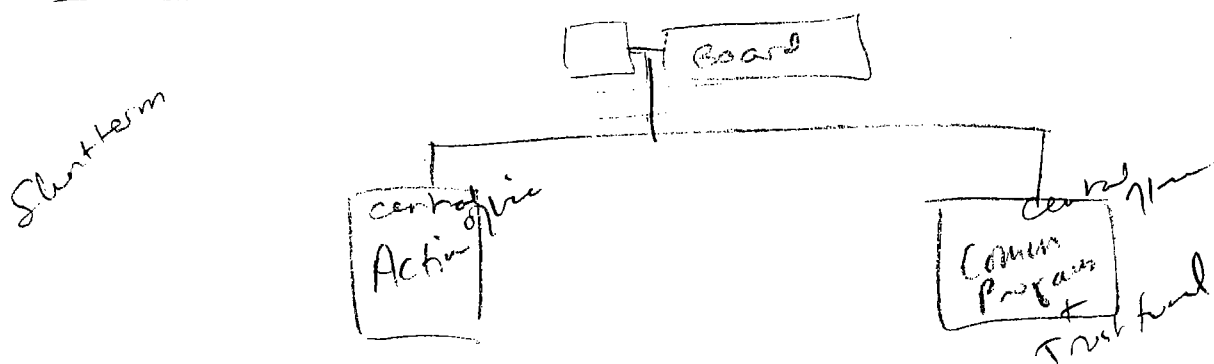
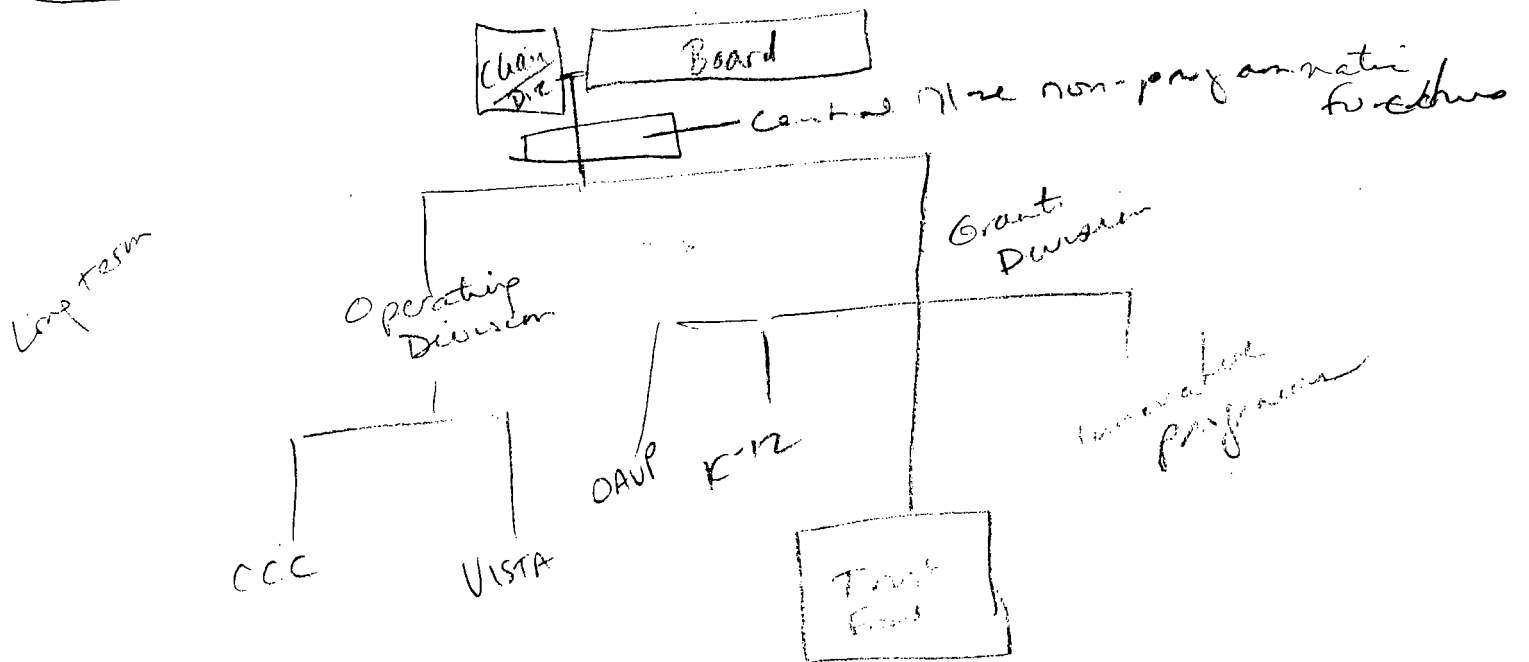
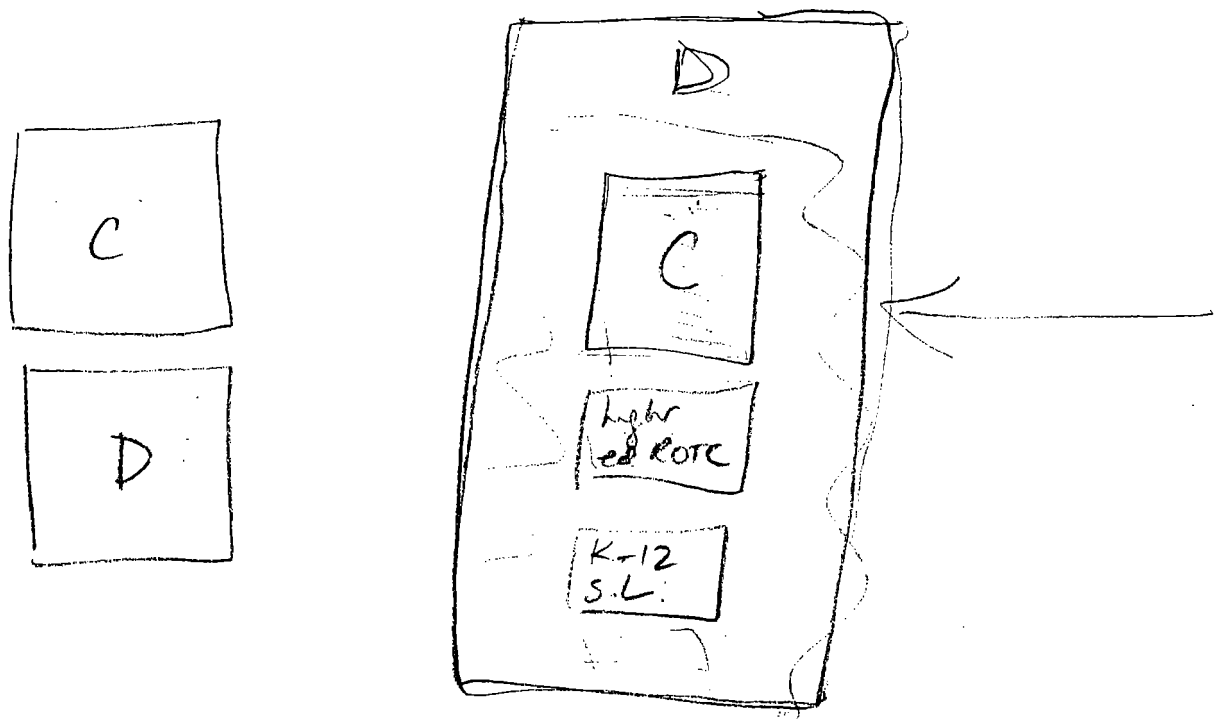
Coordinator

coordinating
corps / in
schools

research
service learning

College
demo

Bob Lachman
Post Office



QUESTIONS ABOUT NATIONAL SERVICE

- 1) Is there a possibility that entities will be certified, but that participants will receive only post-service benefits and no stipends? (Teacher Corps)**
- 2) Could Teach For America receive a grant for operations but not get any slots?**
- 3) Is income taxable?**
- 4) Is benefit included in the calculation for other student aid?**
- 5) Is benefit included in determination of eligibility for other benefit programs (AFDC)?**
- 6) There is a state role. Is there a local role?**
- 7) Is there a local match? a state match? Is it waiveable?**
- 8) Is the match cash or in-kind?**
- 9) Are recipients of slots recognized somehow as Federal Service Corps members?**
- 10) Are post-college and others identically identified?**
- 11) How do we ensure that states (and other certified entities) get appropriate technical assistance and capacity building?**
- 12) Are we contemplating grants to states to help them develop their plans?**
- 13) Are there two benefit tiers?**
- 14) Do we require diversity or just encourage it? Can we achieve diversity in some other way (transferring participants)?**
- 15) Do we have a mechanism for funding leadership training for those heading programs?**
- 16) Can certified entities apply for funds for capacity building to handle volunteers?**

- 17) Is there TA for "entrepreneurs"?
- 18) How do we handle the liability issue?
- 19) Is there a maximum grant amount?
- 20) Do we take a position on "franchising" of models (Youth Volunteer Corps)?
- 21) Would a "national" organization get slots to allocate among its franchises?
- 22) Would colleges get slots?

1. ESTABLISHMENT.

Establish Corporation for National Service as—

(1) nonprofit corporation but with Federal employees and officers (with advice and consent of Senate) (subject to suit, subject to ethical rules) (more like current commission than CPB); or

(2) (preferred) independent establishment with Federal officer as head and Board of Directors that may or may not include Federal employees and officers (if not, for what purposes are they Federal employees?) (S 2059, 102d Congress).

2. BOARD.

(a) ESTABLISHMENT.—Reappointment of entire Board (preferred), or maintenance of entire Board, or some very specific criterion (law degree) for maintaining specific

(b) TERM.—Length ____ years. Staggered terms?

(c) VACANCIES.—Appointed in same manner as predecessor.

(d) MEETINGS.—Not less often than ____ each year.

(e) QUORUM.—Majority of Board?

(f) COMPENSATION.—Pay equal to what level of Executive Schedule?

(g) EXPENSES.—Travel expenses and per diem under section 5703 of title 5, United States Code.

3. OFFICERS.

(a) CHAIRMAN.—Appointed by President with advice and consent of Senate, or appointed by Board (if Board is Federal officers) (CPB), or selected by Board from among its members (Commission). If appointed, at what level of Executive Schedule? ____

(b) EXECUTIVE DIRECTOR.—Level of Executive Schedule ____ or appointed without regard to provisions of title 5, United States Code? Limit on annual rate of basic pay?

(c) GENERAL COUNSEL.—Level of Executive Schedule ____ or appointed without regard to provisions of title 5, United States Code? Limit on annual rate of basic pay?

(d) EXISTING OFFICERS.—Abolish ACTION Deputy Directors, Assistant Directors, Associate Directors?

4. STAFF.

(a) VISTA; OAVP.—Staff carrying out VISTA and OAVP programs continue to be GS employees, with up to 8.5% schedule C employees.

(b) OTHER PROGRAMS.—Set number of employees (now 8) appointed without regard to GS provisions, other staff GS?

(c) CONSULTANTS AND EXPERTS.—Section 3109 of title 5, United States Code. Limit on annual rate of basic pay?

(d) PRESIDENTIAL DELEGATION OF FUNCTIONS.—Language similar to section 402(3) of Domestic Volunteer Service Act of 1973?

5. DUTIES AND FUNCTIONS.

(a) REGULATIONS.—General authority.

(b) **FUNCTIONS.**—Carry out programs under National and Community Service Act of 1990 and Domestic Volunteer Service Act of 1973.

6. OFFICES.

(a) **IN GENERAL.**—Six offices specified by statute, reporting directly to Chairman or Board. No need to specify operating and grants divisions.

(b) **DIRECTORS OF OFFICES.**—Level of Executive Schedule?

7. TRANSFERS.

(a) **FUNCTIONS.**—S.33, 102d Congress

(b) **PERSONNEL; ASSETS.**—S.33, 102d Congress

(c) **INTERIM AUTHORITY FOR APPOINTMENT AND COMPENSATION.**—S.33, 102d Congress

(d) **CONTINUATION OF ORDERS; DETERMINATIONS; AND REGULATIONS.**—S.33, 102d Congress

(e) **CONTINUATION OF PROCEEDINGS, SUITS, AND PENALTIES.**—S.33, 102d Congress

(f) **JUDICIAL REVIEW.**—S.33, 102d Congress

Existing Programs With State Involvement:

What will be the role of the State National Service Commission in the application for these programs and the administration of these programs in the State?

National and Community Service Act of 1990

Sec. 102. Authorizes grants to States (or local applicants) under subtitles B, C, D, E.

Subtitle B—Part 1 Serve America

112. Allotments to States.

113. State educational agency makes the application. [defined section 101(27)]

114. Local partnerships apply to State educational agency.

Subtitle C—Conservation and Youth Service Corps

122. Competitive grants to States and Indian tribes (also direct grants to public and private nonprofit organizations).

123. State submits application.

State may operate a youth corps program directly and may make grants to other entities to operate such corps.

Subtitle D—National and Community Service

141. Grants to States to create full- and part-time national and community service programs.

142(f). State submits application and plan to place participants.

Subtitle E—Demonstration Programs

156. Grants to States and Indian tribes.

157(b). Application submitted by States.

Subtitle F—Administration

171. States limited to one grant per year under section 102. Consolidation of applications under the various subtitles.

172. State reports on use of funds.

178. State Advisory Board—States “encouraged to establish” an advisory board. The advisory board assists “the State agency administering a program receiving assistance under this title”.

Also note that section 101(18) defines “program agency” to include a Federal or State agency designated to manage a youth corps program (which is defined in section 101(30)). The term program agen-

cy appears in sections 122(c), 123(c)(10), 127(a), 130(f), 132, 133, 135, 147, and 177(c).

Domestic Volunteer Service Act of 1973

Title I Part A—VISTA

103(g). VISTA volunteers not assigned to a program or project unless application for the program or project contains evidence of local support and has been submitted to the chief executive officer of the States concerned. The chief executive officer may disapprove of a program or project.

109. Various State agencies may be involved in VISTA Literacy Corps.

Title I Part C—Special Volunteer Programs

123. Director of ACTION may provide technical and financial assistance to States and local governments and agencies that desire to take part in special volunteer programs under part C of title I.

Title II—Older American

201. Grants to certain State agencies to carry out the Retired Senior Volunteer Program.

Title IV—Administration

424. Chief executive officer objections to project renewals under Act.

Title VII—Youthbuild Projects

710. Applications to participate are submitted by "eligible entities" which may include State and local housing development agencies and State and local youth service and conservation corps.

1 **FEDERAL AND STATE COOPERA-**
2 **TION IN NATIONAL SERVICE**

3 **SEC. __. ESTABLISHMENT OF STATE OFFICES OF THE COR-**
4 **PORATION.**

5 The State office of the ACTION Agency in each
6 State would become the new State office of the Cor-
7 poration. The regional offices of the ACTION Agency
8 would be eliminated. The offices will serve as the liaison
9 between the Corporation and the State Commission on
10 National Service. Note, neither the State nor regional of-
11 fices are established in the DVSAAct, but they are referred
12 to in several places in the Act.

13 **SEC. __. ESTABLISHMENT OF STATE COMMISSIONS ON NA-**
14 **TIONAL SERVICE.**

15 (a) ESTABLISHMENT REQUIRED.—To be eligible for
16 grants under _____[See accompanying list of
17 NCSAct and DVSAAct provisions dealing with grants to
18 States], a State shall establish a State Commission on Na-
19 tion Service that satisfies the requirements of this section.
20 Note, under section 178 of the NCSAct, States that apply
21 for assistance under that Act are currently “encouraged”
22 to establish a State Advisory Board for National and Com-
23 munity Service.

24 (b) APPOINTMENT.—Except as provided in sub-
25 section (c)(2), the members of a State Commission shall

1 be appointed by the chief executive officer of the State.
2 A State Commission shall consist of ____ [number] of
3 members.

4 (c) MEMBERS.—(1) ____ [number] of the members of
5 a State Commission shall be appointed from among the
6 following: [what follows are the requirements for the exist-
7 ing advisory boards]

8 (A) Representatives of State agencies admin-
9 istering community service, youth service, education,
10 social service, senior service, and job training pro-
11 grams.

12 (B) Representatives of labor, business, agencies
13 working with youth, community-based organizations
14 (such as community action agencies), students,
15 teachers, Older American Volunteer Programs as es-
16 tablished under title II of the Domestic Volunteer
17 Act of 1973 (42 U.S.C. 5001 et seq.), full-time
18 youth corps programs, school-based community serv-
19 ice programs, higher education institutions, local
20 educational agencies, volunteer public safety organi-
21 zations, educational partnership programs, and other
22 organizations working with volunteers.

23 (2) The ^{representative} Director? of the State office of the Cor-
24 poration in a State establishing a State Commission under
25 this section shall be a member of the State Commission.

1 Note, will this member be given any special authority as
2 a member?

3 (d) CHAIRPERSON.—The members of a State Com-
4 mission shall select one of the members to serve as chair-
5 person of the State Commission.

6 (e) APPROVAL OF STATE COMMISSION.—Will the
7 Corporation have the power to reject a State Commission
8 if the Corporation determines that its composition and ap-
9 pointments are inconsistent with this section?

10 **SEC. __. DUTIES OF A STATE COMMISSION.**

11 What are the anticipated duties of a State Commis-
12 sion?:

13 (1) Prepare the national service plan for the
14 State.

15 (2) Prepare and submit the applications of the
16 State for assistance under whatever grant programs
17 conducted by the Corporation.

18 (3) Carry out programs that receive assistance
19 and coordinate such programs with related programs
20 within the State.

21 (4) Oversight responsibilities.

22 (5) Disseminate information concerning na-
23 tional service programs that receive assistance.

24 (6) Recruit participants for programs that re-
25 ceive assistance.

1 (7) Place the participants in national service
2 positions consistent with the national service plan.

3 (8) Develop programs, training methods, cur-
4 riculum materials, and other materials and activities
5 related to programs that receive assistance.

6 **SEC. ____ NATIONAL SERVICE PLAN FOR A STATE.**

7 (a) **CONDITION FOR RECEIVING GRANTS.**—Is a na-
8 tional service plan going to be required before a State can
9 receive a grant under certain programs?. Currently, a plan
10 is required to be submitted by a State applying for a na-
11 tional and community service grant under subtitle D of
12 the NCSAct. [See section 142(f)]

13 (b) **CONTENTS OF PLAN.**—The plan would outline
14 how the State is going to participate in the national serv-
15 ice program, describing the kinds of programs it would
16 conduct directly or support through grants to local entities
17 and how participants would be recruited and placed.

18 (c) **REVIEW AND APPROVAL OF PLAN.**—Will the plan
19 be submitted to the Corporation for approval? It could be
20 a primary component of any application for assistance
21 under those programs which will be administered by the
22 Corporation.

23 **SEC. ____ SET-ASIDE OF ASSISTANCE FOR STATES.**

24 (a) **FUNDS APPROACH.**—It is anticipated that 25
25 percent of the funds available to the Corporation for

1 grants [as opposed to funds for those programs to be oper-
2 ated by the Corporation directly: CCC, VISTA] under all/
3 certain programs will be set-aside for States.

4 (b) NATIONAL SERVICE POSITION APPROACH.—Al-
5 ternatively, 25 percent of the total number of national
6 service “slots” for a fiscal year could be reserved to the
7 States.

Existing Programs With State Involvement:

What will be the role of the State National Service Commission in the application for these programs and the administration of these programs in the State?

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Domestic Volunteer Service Act of 1973

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Title IV—Administration

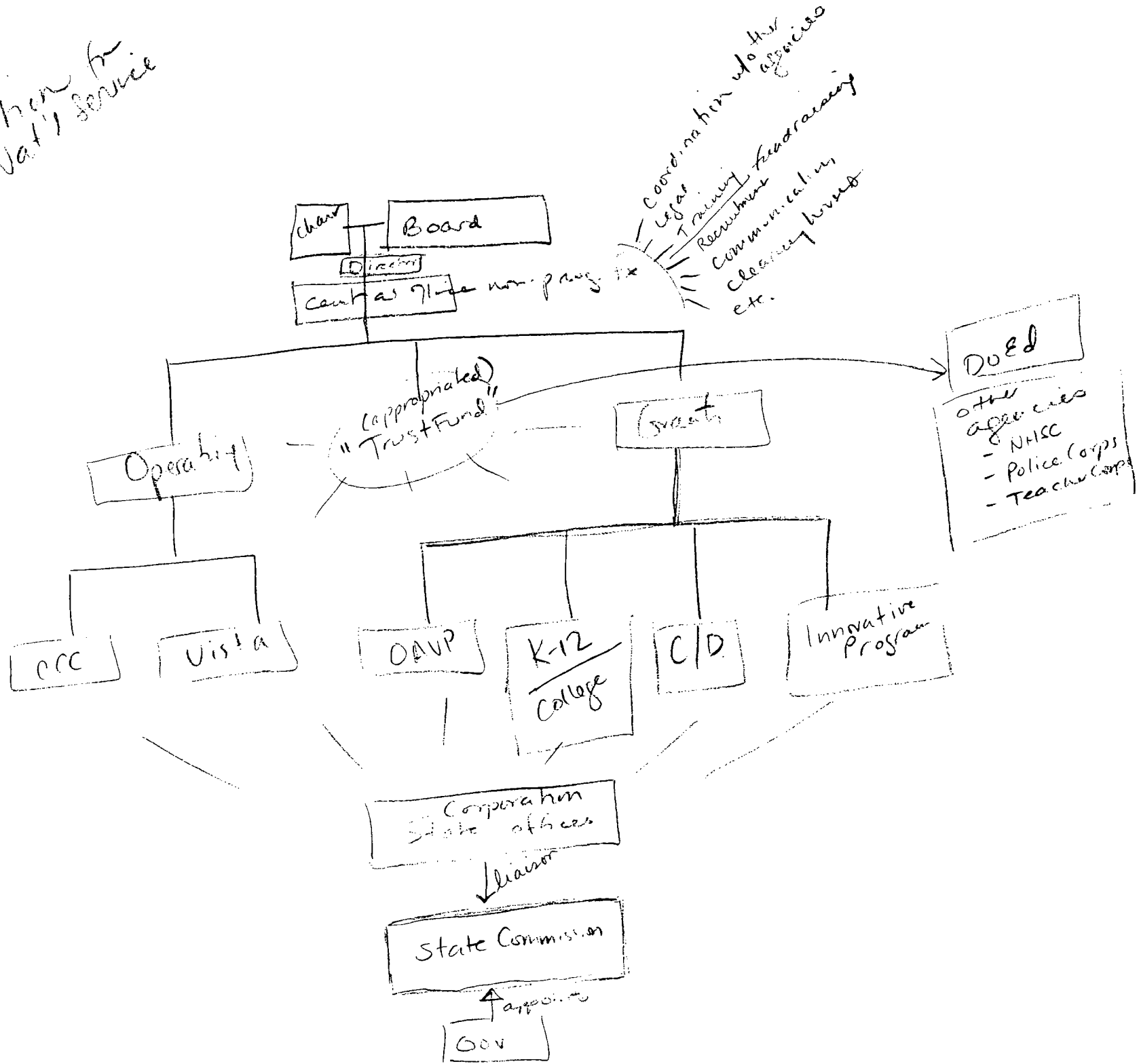
424. Chief executive officer objections to project renewals under Act.

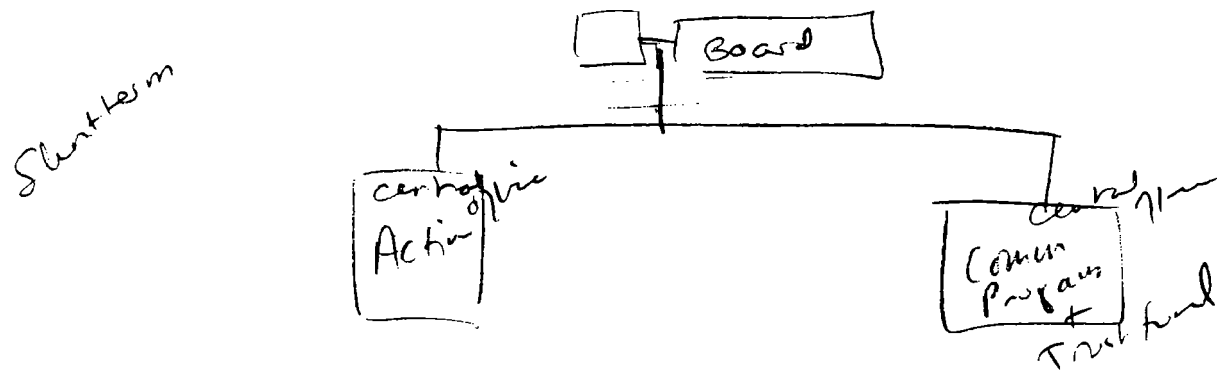
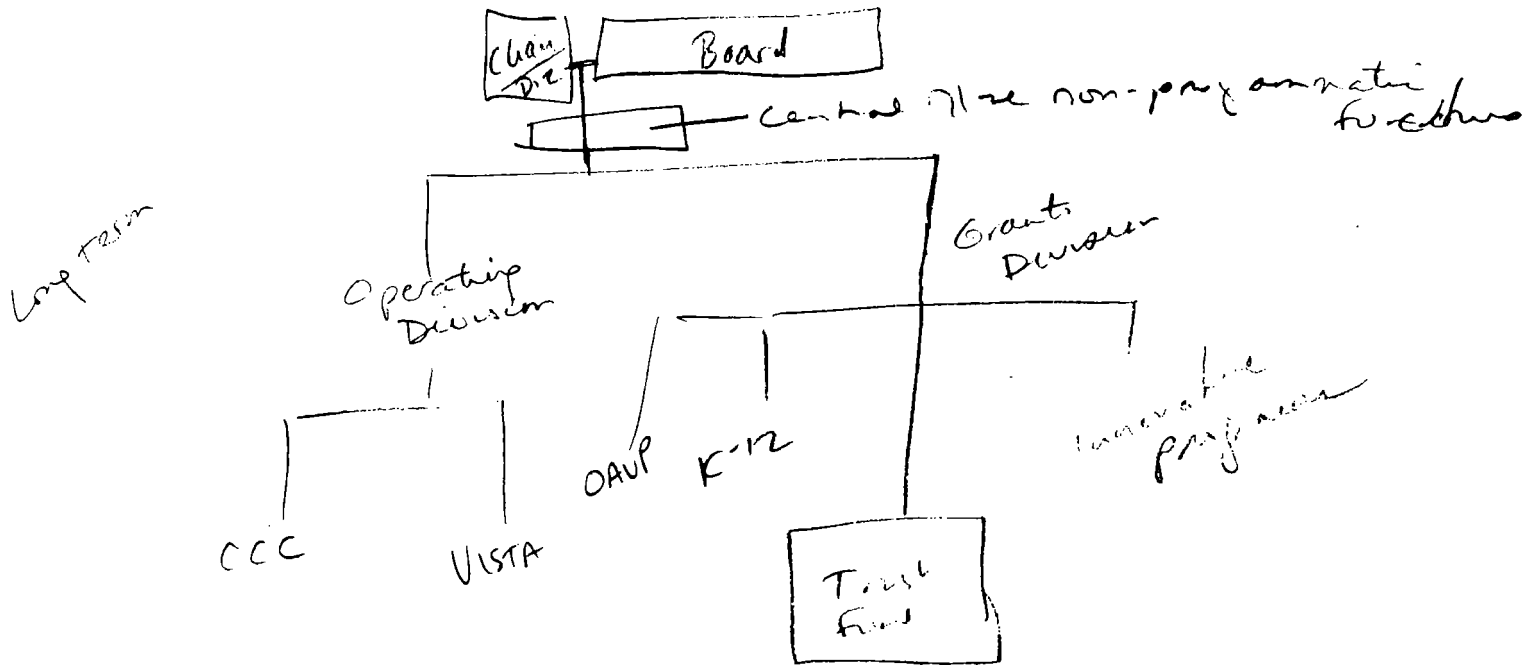
Title VII—Youthbuild Projects

710. Applications to participate are submitted by "eligible entities" which may include State and local housing development agencies and State and local youth service and conservation corps.

Corporation for Nat'l Service

civil service
issues questions





11

Outline

Trust Fund → new subtitle

Grants

— C/D

— B summer?

— Innovative E summer?

~~Discretionary Funds~~ Discretionary Funds (new subtitle? Part 1 G?)

Agency reorganization / State Role — G

CAVP reauth

CCC reauth?

POLF?

VISTA reauth

Youth build?

Higher Ed amendments (including confirming amendments)

Police, Teachers, Health etc.

Policy issues

- match

- fund allocation

- participant eligibility

Types of N.S. (C/D)

Youth Corps

use NCSA definition job.
(require education, training, counseling,
provision of appropriate support services)

Other Corps

Entrepreneurs

Specialized Service Corps / Individual Placement Program
specialized training

ROTC

hybrid coursework ~~for~~ service / leading to post-college
specialized service

Youth Build

College

Individual Placement

→ ie. service learning

K-12 issues

Formula

Hold Harmless

extra educational provision: eligibility

min. wage 1% of poverty

lot of programs that pay < min wage for stipend

→ have an explanation for this

suggestion: put fed. level as a ceiling

if you pay > 200% of m.w., then not eligible for 85% fed help

decision: set 200% ceiling, fed. govt will pay ^{max} 85% of m.w.

what about professional service corps: section 132

- we don't want them to get stipend, but do want them to get prog. \$
fed. benefits (200% m.w.)

- Jack: must be w/in limits to apply for stipend; if you're not, can only apply for prog. support

- problem: what if the stipend puts volunteers' salaries above regular workers?

- add a maximum of ~300% of min. wage for prog. \$ & educ. benefits

in D: if you couldn't apply under C, cd. you apply under D? probably not

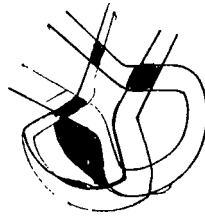
political problem - if we say 300%, Rep. will say everybody's getting paid \$25,000

⇒ get rid of 300% & leave everything to discretion of corp.

make applicants who don't fit in stipend requirement apply through Federal level

guy from Mich.: wants to give states 50%

put in ~~guidelines~~ a stipulation allowing the corp. to determine "what part-time reimbursement shd. be" ^{guidelines abt.}



labor unions

Liz

unclear when Corp. comes in & the commission goes out
essentially 3 transfer provisions.

what happens betw October (when new C&D are metit.) & December?

• old commission has it. to do of ants

Chairperson ⁱⁿ conflict w/ Board : who wins?

what happens if there isn't an acting chairperson?

problem if ~~the~~ 1

what kinds of problems cd arise b/c the former commission is more powerful than new Board of Directors?

want not to be insensitive to people on board of the commission

Do we still want to say that Board can carry out any activities they deem to be important?

↳ this will now be a fiction b/c of the new chairperson, so do we still want to repeat these fictions?

- Jack is concerned that there will be no chair

- Liz thinks there will have to be a chair

find out the rules →

Liz will write this presuming there will be a chair

bracket the 5-7yr limit

Inspector Gen'l : under both 4 & 5

Deputies sh be 4s

THE WHITE HOUSE
WASHINGTON

FAX COVER SHEET

Office of National Service
Room 145 - OEOP
Washington, D.C. 20500
(202) 456-6444 Phone

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5 NATIONAL AND COMMUNITY SERVICE ACT OF 1990 Sec. 2

Sec. 195D Civilian Community Corps.
 Sec. 195E Training.
 Sec. 195F Service projects.
 Sec. 195G Authorized benefits for Corps personnel under Federal law.
 Sec. 195H Administrative provisions.
 Sec. 195I Status of Corps members and Corps personnel under Federal law.
 Sec. 195J Contract and grant authority.
 Sec. 195K Responsibilities of other departments.
 Sec. 195L Advisory board.
 Sec. 195M Annual evaluation.
 Sec. 195N Funding limitation.
 Sec. 195O Definitions.

TITLE II—MODIFICATIONS OF EXISTING PROGRAMS**Subtitle A—Publication**

Sec. 201. Information for students.
 Sec. 202. Exit counseling for borrowers.
 Sec. 203. Department information on deferments and cancellations.
 Sec. 204. Data on deferments and cancellations.

Subtitle B—Youthbuild Projects

Sec. 211. Youthbuild projects.

Subtitle C—Amendments to Student Literacy Corps

Sec. 221. Amendments to Student Literacy Corps.

TITLE III—POINTS OF LIGHT FOUNDATION

Sec. 301. Short title.
 Sec. 302. Findings and purposes.
 Sec. 303. Authority.
 Sec. 304. Grants to the Foundation.
 Sec. 305. Eligibility of the Foundation for grants.

TITLE IV—FOOD DONATIONS

Sec. 401. Sense of Congress concerning enactment of Good Samaritan Food Donation Act.
 Sec. 402. Model Good Samaritan Food Donation Act.
 Sec. 403. Effect of section 402.

TITLE V—AUTHORIZATION OF APPROPRIATIONS

Sec. 501. Authorization of appropriations.

TITLE VI—MISCELLANEOUS PROVISIONS

Sec. 601. Amtrak waste disposal.
 Sec. 602. Exchange program with countries in transition from totalitarianism to Democracy.

SEC. 2. [42 U.S.C. 12501] PURPOSES.

It is the purpose of this Act to—

- (1) renew the ethic of civic responsibility in the United States;
- (2) ask citizens of the United States, regardless of age or income, to engage in full-time or part-time service to the Nation;
- (3) begin to call young people to serve in programs that will benefit the Nation and improve the life chances of the young through the acquisition of literacy and job skills;
- (4) enable young Americans to make a sustained commitment to service by removing barriers to service that have been created by high education costs, loan indebtedness, and the cost of housing;

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Sec. 101 NATIONAL AND COMMUNITY SERVICE ACT OF 1990

6

- (6) (5) build on the existing organizational framework of Federal, State, and local programs and agencies to expand full-time and part-time service opportunities for all citizens, particularly youth and older Americans;
- incorporated (1) (6) involve participants in activities that would not otherwise be performed by employed workers; and
- reduced/cut (1) (7) generate additional service hours each year to help meet human, educational, environmental, and public safety needs, particularly those needs relating to poverty.

(1) **TITLE I—NATIONAL AND COMMUNITY
SERVICE STATE GRANT PROGRAM
Subtitle A—General Provisions**

SEC. 101. [42 U.S.C. 12511] DEFINITIONS.

As used in this title:

(1) **ADULT VOLUNTEER.**—The term "adult volunteer" means—

(A) an individual who is beyond the age of compulsory schooling, including an older American, an individual with a disability, and a parent;

(B) an employee of a private business;

(C) an employee of a public or nonprofit agency; or

(D) any other individual working without financial remuneration in an education institution to assist students or out-of-school youth.

(2) **COMMISSION.**—The term "Commission" means the Commission on National and Community Service established under section 190.(3) **COMMUNITY-BASED AGENCY.**—The term "community-based agency" means a private nonprofit organization that is representative of a community or a significant segment of a community and that is engaged in meeting human, educational, or environmental community needs, including churches and other religious entities and community action agencies.(4) **CREW SUPERVISOR.**—The term "crew supervisor" means the adult staff individual who is responsible for supervising a crew of participants, including the crew leader.(5) **ECONOMICALLY DISADVANTAGED.**—The term "economically disadvantaged" with respect to youths has the same meaning given such term in section 4(8) of the Job Training Partnership Act (29 U.S.C. 1503(8)).(6) **ELEMENTARY SCHOOL.**—The term "elementary school" has the same meaning given such term in section 1471(8) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2891(8)).(7) **INDIAN.**—The term "Indian" means a person who is a member of an Indian tribe.(8) **INDIAN LANDS.**—The term "Indian lands" means any real property owned by an Indian tribe, any real property held in trust by the United States for an Indian or Indian tribes, and any real property held by an Indian or Indian tribes that

1 **SEC. 112. ADMINISTRATION.**

2 (a) IN GENERAL.—Subtitle F of title I of the Na-
3 tional and Community Service Act of 1990 (42 U.S.C.
4 12631 et seq.) is amended by adding at the end the follow-
5 ing new section:

6 **“SEC. 187. FAMILY AND MEDICAL LEAVE.**

7 “(a) EMPLOYER.—For purposes of this section, and
8 title I of the Family and Medical Leave Act of 1993 (29
9 U.S.C. 2611 et seq.), ~~any person who~~ *participants shall be considered*
~~employees of the service~~ *sponsor.*

10 “(1) receives financial assistance to carry out
11 an activity under this title; and

12 “(2) is not required to provide leave under title
13 V of such Act (2 U.S.C. 60m et seq.), or under
14 chapter 63 of title 5, United States Code,
15 shall be considered to be an employer, as defined in section
16 101(4) of such Act (29 U.S.C. 2611(4)).

17 “(b) ELIGIBLE EMPLOYEE.—For purposes of title I
18 of such Act, notwithstanding section 101(2)(B)(ii) of such
19 Act, an employee of an employer who—

20 “(1) has been employed ~~in a position with du-~~
21 ~~ties that relate to carrying out such activity]~~—

22 “(A) for at least 12 months by the em-
23 ployer; and

24 “(B) for at least 1,250 hours of service
25 ~~with such employer, and~~

2-20

1 “(1) establish, alter, consolidate, or discontinue
2 such organizational units or components within the
3 Corporation as the Chairperson considers necessary
4 or appropriate;

5 “(2) with the approval of the President—

6 “(A) arrange with and reimburse the heads
7 of other Federal agencies for the performance
8 of any of the provisions of this Act; and

9 “(B) as necessary or appropriate—

10 “(i) delegate any of the functions of
11 the Chairperson under this Act, or, with
12 the permission of the Board, any of the
13 functions of the Board under this Act, to
14 such heads of Federal agencies; and

15 “(ii) authorize the redelegation of
16 such functions,

17 subject to provisions to assure the maximum
18 possible liaison between the Corporation and
19 such other agencies at all operating levels;

20 “(3) with their consent, utilize the services and
21 facilities of Federal agencies ^{with or} without reimbursement,
22 and, with the consent of any State or a political sub-
23 division of a State, accept and utilize the services
24 and facilities of the agencies of such State or sub-
25 divisions without reimbursement;

2-21

1 “(4) allocate and expend, or transfer to other
2 Federal agencies for expenditure, such funds made
3 available under this Act ~~as the Chairperson deter-~~
4 ~~mines to be necessary to carry out the provisions of~~
5 ~~this Act,~~ including expenditure for construction, re-
6 pairs, and capital improvements;

7 “(5) disseminate, without regard to the provi-
8 sions of section 3204 of title 39, United States
9 Code, data and information, in such form as the
10 Chairperson shall determine to be appropriate to
11 public agencies, private organizations, and the gen-
12 eral public;

13 “(6) collect or compromise all obligations to or
14 held by the Chairperson and all legal or equitable
15 rights accruing to the Chairperson in connection
16 with the payment of obligations in accordance with
17 chapter 37 of title 31, United States Code (com-
18 monly known as the ‘Federal Claims Collection Act
19 of 1966’);

20 “(7) expend funds made available for purposes
21 of this Act, without regard to any other law or regu-
22 lation, for rent of buildings and space in buildings
23 and for repair, alteration, and improvement of build-
24 ings and space in buildings rented by the Chair-
25 person;

3-1

1 **TITLE III—HIGHER EDUCATION**

2 **SEC. 301. HIGHER EDUCATION.**

3 [To be supplied.]

4 **TITLE IV—~~RE~~AUTHORIZATION**

5 **Subtitle A—National and**
6 **Community Service Act of 1990**

7 **SEC. 401. AUTHORIZATION OF APPROPRIATIONS.**

8 Section 501 of the National and Community Service
9 Act of 1990 (42 U.S.C. 12681) is amended to read as
10 follows:

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

12 “(a) TITLE I.—

13 “(1) SUBTITLE B.—There are authorized to be *provide financial*
14 ~~appropriated to carry out~~ subtitle B of title I, *assistance*
15 \$45,000,000 for fiscal year 1994, and such sums as *under*
16 may be necessary for fiscal years 1995 through
17 1998.

18 “(2) SUBTITLES C, D, AND H.—There are au-
19 thorized to be appropriated to *provide financial assistance or*
20 D, and H of title I, \$387,000,000 for fiscal year *educational*
21 1994, and such sums as may be necessary for fiscal *awards under*
22 years 1995 through 1998.

23 “(3) ADMINISTRATION.—There are authorized
24 to be appropriated ~~for the administration of this~~
25 Act] ~~[to carry out subtitles F and G of title I]~~ such

1 “(2) is not entitled to leave under title V of
2 such Act, or under chapter 63 of title 5, United
3 States Code,
4 shall be considered to be an eligible employee, as defined
5 in section 101(2) of such Act.

6 “(c) DETERMINATION.—For purposes of determining
7 whether an employee meets the hours of service require-
8 ment specified in subsection (b)(1), the legal standards es-
9 tablished under section 7 of the Fair Labor Standards Act
10 of 1938 (29 U.S.C. 207) shall apply.

11 “(d) DEFINITIONS.—As used in this section, the
12 terms “person”, “employee”, and “employ” have the same
13 meanings given such terms in subsections (a), (e), and (g)
14 of section 3 of the Fair Labor Standards Act of 1938 (29
15 U.S.C. 203 (a), (e), and (g)).”.

16 (b) TABLE OF CONTENTS.—Section 1(b) of the Na-
17 tional and Community Service Act of 1990 (Public Law
18 101-610; 104 Stat. 3127) is amended by inserting after
19 the items relating to subtitle F of title I of such Act the
20 following:

“Sec. 186. Regulations.

“Sec. 187. Family and medical leave.”.

1 **SEC. 112. ADMINISTRATION.**

2 (a) IN GENERAL.—Subtitle F of title I of the Na-
3 tional and Community Service Act of 1990 (42 U.S.C.
4 12631 et seq.) is amended by adding at the end the follow-
5 ing new section:

6 **“SEC. 187. FAMILY AND MEDICAL LEAVE.**

7 “(a) EMPLOYER.—For purposes of this section, and
8 title I of the Family and Medical Leave Act of 1993 (29
9 U.S.C. 2611 et seq.), ^{participant shall be considered} ~~any person who~~ ^{employees of the service}
~~sponsor.~~

10 “(1) receives financial assistance to carry out
11 an activity under this title; and

12 “(2) is not required to provide leave under title
13 V of such Act (2 U.S.C. 60m et seq.), or under
14 chapter 63 of title 5, United States Code,
15 shall be considered to be an employer, as defined in section
16 101(4) of such Act (29 U.S.C. 2611(4)).

17 “(b) ELIGIBLE EMPLOYEE.—For purposes of title I
18 of such Act, notwithstanding section 101(2)(B)(ii) of such
19 Act, an employee of an employer who—

20 “(1) has been employed ~~in a position with du-~~
21 ~~ties that relate to carrying out such activity]~~—

22 “(A) for at least 12 months by the em-
23 ployer; and

24 “(B) for at least 1,250 hours of service
25 ~~with such employer, and~~

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

6 “(4) CHAIRPERSON.—The term ‘Chairperson’
7 means the Chairperson and Director of the Corpora-
8 tion appointed under section 193.

9 “(5) COMMUNITY-BASED AGENCY.—The term
10 ‘community-based agency’ means a private not-for-
11 profit organization that is representative of a com-
12 munity and that is engaged in meeting human, edu-
13 cational, environmental, or public safety community
14 needs.

15 “(6) CORPORATION.—The term ‘Corporation’
16 means the Corporation for National Service estab-
17 lished under section 191.

18 “(7) ECONOMICALLY DISADVANTAGED.—[The
19 term ‘economically disadvantaged’ has the same
20 meaning given such term in section 4(8) of the Job
21 Training Partnership Act (29 U.S.C. 1503(8)).]

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 ~~Secretary~~ to be low-income according

Chairperson

1 ed by striking “113(9)” and inserting
2 “113(b)(1)(C)(v)”.]

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

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

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

9 (1) by redesignating subtitle H (42 U.S.C.
10 12653 et seq.) as subtitle E;

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

14 (3) by redesignating sections 195 through 195O
15 as sections 151 through 166, respectively.

16 (c) INVESTMENT FUND FOR QUALITY AND INNOVA-
17 TION.—Title I of the National and Community Service Act
18 of 1990 (as amended by subsection (b) of this section)
19 is amended by adding at the end the following new sub-
20 title:

21 **“Subtitle H—Investment ~~Fund~~ for**
22 **Quality and Innovation**

23 ~~“Subtitle H—Investment Fund for~~

1 through organized programs, including, where
2 appropriate, clinical programs for students in
3 professional schools;

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

7 “(i) the institution;

8 “(ii)(I) a community-based agency;

9 “(II) a local government agency; or

10 “(III) a not-for-profit entity that
11 serves or involves school-age youth or older
12 adults; ^{and} ~~or~~

13 “(iii) a student organization;

14 “(E) demonstrate community involvement
15 in the development of the proposal;

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

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

22 “(2) DETERMINATION.—In giving priority to
23 applicants under paragraph (1), the Corporation
24 shall give increased priority to such an applicant for
25 each characteristic described in subparagraphs (A)

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

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

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

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

(P) SERVICE-LEARNING.—
The Corporation shall
support innovative
programs and
activities that
promote service-
learning.

18 **“SEC. 198A. CLEARINGHOUSES.**

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

23 “(b) APPLICATION.—To be eligible to receive assist-
24 ance under subsection (a), an entity shall submit an appli-
25 cation to the Corporation at such time, in such manner,

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~~experienced or will experience an economic hardship, regardless of the reason for such hardship.~~

"(f) FORBEARANCE.--(1) (A) A borrower of a loan made under this part shall be eligible for forbearance, as defined in subparagraph (B), which shall be granted by the Secretary if Secretary determines that the borrower is willing but unable to make scheduled loan payments.

"(B) The term "forbearance" means permitting the temporary cessation of payments, allowing an extension of time for making payments, or temporarily accepting smaller payments than previously scheduled. Interest shall continue to accrue on a loan for which a borrower receives forbearance and shall be capitalized or paid by the borrower.

"(2) (A) A borrower of a loan made under this part who is serving in a national service position, for which he or she receives a national service educational award under the National Service Trust Act of 1993, shall be eligible for forbearance granted by the Secretary during periods in which the borrower is serving in such position.

"(B) For purposes of this paragraph, 'forbearance' shall mean the temporary cessation of payments unless the borrower selects another option described in paragraph (1) (B).

"(g) FEDERAL DIRECT CONSOLIDATION LOANS.--A borrower of a loan made under this part may only consolidate such loan with the

World The Corporation have the ability to pay interest on educational award?

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~~1 experienced or will experience an economic hardship, regardless~~
~~2 of the reason for such hardship.~~

3 "(f) FORBEARANCE.--(1)(A) A borrower of a loan made under
 4 this part shall be eligible for forbearance, as defined in
 5 subparagraph (B), which shall be granted by the Secretary if
 6 Secretary determines that the borrower is willing but unable to *of Educat*
 7 make scheduled loan payments.

8 "(B) The term "forbearance" means permitting the
 9 temporary cessation of payments, allowing an extension of time
 10 for making payments, or temporarily accepting smaller payments
 11 than previously scheduled. Interest shall continue to accrue on
 12 a loan for which a borrower receives forbearance and shall be
 13 capitalized or paid by the borrower.

14 "(2)(A) A borrower of a loan made under this part who
 15 is serving in a national service position, for which he or she
 16 receives a national service educational award under the National
 17 Service Trust Act of 1993, shall be eligible for forbearance
 18 granted by the Secretary during periods in which the borrower is
 19 serving in such position.

20 "(B) For purposes of this paragraph,
 21 'forbearance' shall mean the temporary cessation of payments
 22 unless the borrower selects another option described in paragraph
 23 (1)(B).

24 "(g) FEDERAL DIRECT CONSOLIDATION LOANS.--A borrower of a
 25 loan made under this part may only consolidate such loan with the

Would the Corporation have the ability to repay interest
 on an educational award?

3-1

1 **TITLE III—HIGHER EDUCATION**

2 **SEC. 301. HIGHER EDUCATION.**

3 **[To be supplied.]**

4 **TITLE IV—REAUTHORIZATION**

5 **Subtitle A—National and**
6 **Community Service Act of 1990**

7 **SEC. 401. AUTHORIZATION OF APPROPRIATIONS.**

8 Section 501 of the National and Community Service
9 Act of 1990 (42 U.S.C. 12681) is amended to read as
10 follows:

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

12 **“(a) TITLE I.—**

13 **“(1) SUBTITLE B.—**There are authorized to be
14 appropriated to carry out subtitle B of title I,
15 \$45,000,000 for fiscal year 1994, and such sums as
16 may be necessary for fiscal years 1995 through
17 1998.

18 **“(2) SUBTITLES C, D, AND H.—**There are au-
19 thorized to be appropriated to carry out subtitles C,
20 D, and H of title I, \$38^a~~7~~,000,000 for fiscal year
21 1994, and such sums as may be necessary for fiscal
22 years 1995 through 1998.

23 **“(3) ADMINISTRATION.—**There are authorized
24 to be appropriated ~~for the administration of this~~
25 Act ~~to carry out subtitles F and G of title I~~ such

3-2

1 sums as may be necessary for fiscal years 1994
2 through 1998.

3 “(b) TITLE III.—There are authorized to be appro-
4 priated to carry out title III \$5,000,000 for each of the
5 fiscal years 1994 through 1998.

6 “(c) ADVANCE FUNDING.—

7 “(1) IN GENERAL.—[In order to afford the re-
8 sponsible State, local, and Federal officers concerned
9 adequate notice of available Federal financial assist-
10 ance for programs under the [national service
11 Acts], appropriations for grants, contracts, or other
12 payments under any applicable program under such
13 Acts are authorized to be included in the appropria-
14 tion Act for the fiscal year preceding the fiscal year
15 for which the appropriations are available for obliga-
16 tion.

17 “(2) APPLICATION.—In order to effect a transi-
18 tion to the method of timing appropriation action
19 described in paragraph (1), paragraph (1) shall
20 apply notwithstanding that the initial application of
21 the paragraph under such program will result in the
22 enactment in the same year (whether in the same
23 appropriation Act or otherwise) of two separate ap-
24 propriations, one for the then current fiscal year and
25 one for the succeeding fiscal year.

1 “(d) AVAILABILITY OF APPROPRIATIONS.—Funds
2 appropriated under this section shall remain available
3 [until expended].”.

4 **Subtitle B—Domestic Volunteer**
5 **Service Act of 1973**

6 **SEC. 411. SHORT TITLE; REFERENCES.**

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

9 (b) REFERENCES.—Except as otherwise specifically
10 provided, whenever in this subtitle an amendment or re-
11 peal is expressed in terms of an amendment to, or repeal
12 of, a section or other provision, the reference shall be con-
13 sidered to be made to a section or other provision of the
14 Domestic Volunteer Service Act of 1973 (42 U.S.C. 4950
15 et seq.).

16 **CHAPTER 1—VISTA AND OTHER ANTI-**
17 **POVERTY PROGRAMS**

18 **SEC. 421. PURPOSE OF THE VISTA PROGRAM.**

19 The last sentence of section 101 (42 U.S.C. 4951)
20 is amended to read as follows: “In addition, the objective
21 of this part is to generate the commitment of private sec-
22 tor resources, to encourage volunteer service at the local
23 level, and to strengthen local agencies and organizations
24 to carry out the purpose set forth in this part.”.

3-4

1 **SEC. 422. SELECTION AND ASSIGNMENT OF VISTA VOLUN-**
2 **TEERS.**

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

5 (1) in the matter preceding paragraph (1), by
6 striking “a”;

7 (2) in paragraph (2), by striking “and” at the
8 end;

9 (3) in paragraph (3), by striking “illiterate or
10 functionally illiterate youth and other individuals.”;

11 (4) in paragraph (5), by striking “and” at the
12 end;

13 (5) in paragraph (6)—

14 (A) by striking “or the Community Eco-
15 nomic” and inserting “the Community Eco-
16 nomic”;

17 (B) by inserting “or other similar Acts”
18 after “1981,”; and

19 (C) by striking the period and inserting “;
20 and”; and

21 (6) by adding at the end the following new
22 paragraph:

23 “(7) in strengthening, supplementing, and ex-
24 panding efforts to address the problem of illiteracy
25 throughout the United States.”.

3-5

1 (b) RECRUITMENT PROCEDURES.—Section 103(b)
2 (42 U.S.C. 4953(b)) is amended—

3 (1) by striking paragraphs (2), (4), (5) and (6);

4 (2) by redesignating paragraphs (3) and (7) as
5 paragraphs (2) and (3), respectively;

6 (3) in paragraph (2) (as so redesignated), by
7 striking “paragraph (7)” and inserting “paragraph
8 (3)”; and

9 (4) in paragraph (3) (as so redesignated)—

10 (A) by striking “paragraph (4)” in sub-
11 paragraph (A) and inserting “paragraph (2)”;

12 (B) by striking subparagraphs (B) and
13 (E);

14 (C) by redesignating subparagraphs (C),
15 (D) and (F) as subparagraphs (B), (C) and
16 (D), respectively; and

17 (D) by striking subparagraph (B) (as so
18 redesignated) and inserting the following new
19 subparagraph:

20 “(B) A sponsoring organization may recruit volun-
21 teers for service under this part subject to final selection
22 approval by the Director.”.

23 (c) PUBLIC AWARENESS AND RECRUITMENT.—Sub-
24 section (c) of section 103 (42 U.S.C. 4953(c)) is
25 amended—

3-6

1 (1) in paragraph (1), to read as follows:

2 "(1) The Director shall conduct national and local
3 public awareness and recruitment activities in order to
4 meet the volunteer goals of the program. Such activities
5 shall be coordinated with recruitment authorized under
6 subtitle C or E of the National and Community Service
7 Act of 1990 and may include public service announce-
8 ments, advertisements, publicity on loan deferments and
9 cancellations available to VISTA volunteers, maintenance
10 of a toll-free telephone system, and provision of technical
11 assistance for the recruitment of volunteers to programs
12 and projects receiving assistance under this part. Further,
13 the Director shall take steps to recruit individuals 18
14 through 27 years of age, 55 years of age and older, recent
15 graduates of institutions of higher education, and special
16 skilled volunteers and to promote diverse participation in
17 the program.";

18 (2) in paragraph (3), by adding at the end the
19 following new sentence: "In addition, the Director
20 shall take steps to provide opportunities for returned
21 Peace Corps volunteers to serve in VISTA.";

22 (3) by striking paragraphs (4) and (5);

23 (4) by redesignating paragraph (6) as para-
24 graph (4); and

3-7

1 (5) by striking paragraph (4) (as so redesignated), and inserting the following new paragraph:

2 “(4) Beginning in fiscal year 1994 and for each fiscal
3 year thereafter, for the purpose of carrying out this sub-
4 section, the Director shall obligate such sums as necessary
5 of the amounts appropriated for each fiscal year under
6 section 501(a).”.

7 (d) COORDINATION WITH OTHER FEDERAL AGEN-
8 CIES.—Section 103 (42 U.S.C. 4953) is amended by add-
9 ing at the end the following new subsection:

10 “(h) The Director is encouraged to enter into agree-
11 ments with other Federal agencies to use VISTA volun-
12 teers in furtherance of program objectives that are consist-
13 ent with the purposes described in section 101.”.

14 **SEC. 423. TERMS AND PERIODS OF SERVICE.**

15 (a) CLARIFICATION AND PERIODS OF SERVICE.—
16 Subsection (b) of section 104 (42 U.S.C. 4954(b)) is
17 amended to read as follows:

18 “(b) Volunteers serving under this part may be en-
19 rolled initially for not less than 1 year, nor more than 2
20 years, except as provided for under subsection (e), except
21 that volunteers serving under this part may be enrolled
22 for periods of service of less than 1 year when the Director
23 determines, on an individual basis, that a period of service
24 of less than 1 year is necessary to meet a critical scarce
25

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1 skill need. 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) Notwithstanding any other provision under this
9 part, the Director may enroll full-time VISTA summer as-
10 sociates for the summer months only, under the terms and
11 conditions to be set by the Director. Such individuals must
12 be assigned to projects that meet the criteria set forth in
13 section 103(a). The Agency shall report on participants,
14 costs, and accomplishments under the summer program
15 separately. The limitation on funds appropriated for
16 grants and contracts, as contained in section 108, shall
17 not apply to the summer program.”.

18 **SEC. 424. SUPPORT FOR VISTA VOLUNTEERS.**

19 (a) POSTSERVICE STIPEND.—Section 105(a)(1) (42
20 U.S.C. 4955(a)(1)) is amended—

21 (1) by inserting “(A)” after “(a)(1)”; and

22 (2) by striking the second sentence and insert-
23 ing the following:

24 “(B) Such stipend shall not exceed \$95 per month
25 in fiscal year 1994, but shall be set at a minimum of \$125

1 per month during the volunteer's service after October 1,
2 1994, assuming the availability of funds to accomplish this
3 increase. The Director may provide a stipend of a mini-
4 mum of \$200 per month in the case of persons who have
5 served for at least 1 year and who, in accordance with
6 standards established in regulations which the Director
7 shall prescribe, have been designated volunteer leaders on
8 the basis of experience and special skills and a dem-
9 onstrated leadership among volunteers.

10 “(C) The Director shall not provide a stipend under
11 this subsection to an individual who elects to receive a na-
12 tional service education award under subtitle D of title I
13 of the National and Community Service Act of 1990.”.

14 (b) SUBSISTENCE ALLOWANCE.—Section 105(b) (42
15 U.S.C. 4955(b)) is amended—

16 (1) in paragraph (3)—

17 (A) by striking subparagraph (A);

18 (B) in subparagraph (B), by striking the
19 subparagraph designation; and

20 (C) by adding at the end the following new
21 sentence: “The Director shall review such ad-
22 justments on an annual basis to ~~ensure~~ that
23 the adjustments are current.”; and

24 (2) by striking paragraph (4).

3-10

1 **SEC. 425. PARTICIPATION OF YOUNGER AND OLDER PER-**
2 **SONS.**

3 Section 107 (42 U.S.C. 4957) is amended to read as
4 follows:

5 **"SEC. 107. PARTICIPATION OF YOUNGER AND OLDER PER-**
6 **SONS.**

7 In carrying out this part and part C, the Director
8 shall take necessary steps, including the development of
9 special projects, where appropriate, to encourage the full-
10 est participation of individuals 18 through 27 years of age
11 and individuals 55 years of age and older in the various
12 programs and activities authorized under such parts."

13 **SEC. 426. LITERACY ACTIVITIES.**

14 Section 109 (42 U.S.C. 4959) is amended—

15 (1) in subsection (g)—

16 (A) by striking paragraph (1); and

17 (B) by striking the paragraph designation
18 of paragraph (2); and

19 (2) in subsection (h), by striking paragraph (3).

20 **SEC. 427. APPLICATIONS FOR ASSISTANCE.**

21 Section 110 (42 U.S.C. 4960) is amended to read as
22 follows:

23 **"SEC. 110. APPLICATIONS FOR ASSISTANCE.**

24 The Director shall not deny assistance under this
25 part to any project or program, or any public or private
26 nonprofit organization, solely on the basis of the duration

3-11

1 of the assistance such project, program, or organization
2 has previously received under this part. The Director shall
3 grant assistance under this part on the basis of merit and
4 to accomplish the goals of the VISTA program, and shall
5 consider the needs and requirements of existing projects
6 as well as potential new projects.”.

7 **SEC. 428. REPEAL OF AUTHORITY FOR STUDENT COMMU-**
8 **NITY SERVICE PROGRAMS.**

9 Part B of title I (42 U.S.C. 4971 et seq.) is amended
10 by repealing section 114 (42 U.S.C. 4974).

11 **SEC. 429. UNIVERSITY YEAR FOR VISTA.**

12 Part B of title I (42 U.S.C. 4971 et seq.) is
13 amended—

14 (1) in the part heading to read as follows:

15 “PART B—UNIVERSITY YEAR FOR VISTA”;

16 (2) by striking “University Year for ACTION”
17 each place that such appears in such part and in the
18 Act and inserting “University Year for VISTA”;

19 (3) by striking “UYA” each place that such ap-
20 pears in such part and in the Act and inserting
21 “UYV”;

22 (4) in section 112 (42 U.S.C. 4972) by striking
23 the section heading and inserting the following new
24 section heading:

3-12

1 "AUTHORITY TO OPERATE UNIVERSITY YEAR FOR VISTA
2 PROGRAM"; and

3 (5) in section 113(a) (42 U.S.C. 4973(a))—

4 (A) by striking "of not less than the dura-
5 tion of an academic year" and inserting "of not
6 less than the duration of an academic semester
7 or its equivalent"; and

8 (B) by adding at the end the following new
9 sentence: "Volunteers may receive a living al-
10 lowance and such other support or allowances
11 as the Director determines appropriate."

12 **SEC. 430. AUTHORITY TO ESTABLISH AND OPERATE SPE-**
13 **CIAL VOLUNTEER AND DEMONSTRATION**
14 **PROGRAMS.**

15 Section 122 (42 U.S.C. 4992) is amended to read as
16 follows:

17 **"SEC. 122. AUTHORITY TO ESTABLISH AND OPERATE SPE-**
18 **CIAL VOLUNTEER AND DEMONSTRATION**
19 **PROGRAMS.**

20 "(a) IN GENERAL.—The Director is authorized to
21 conduct or award grants or contracts to public and non-
22 profit organizations for special volunteer programs or
23 demonstration programs to encourage wider volunteer par-
24 ticipation on a full-time, part-time, or short-term basis to
25 further the purpose of this part, and to identify particular

3-13

1 segments of the poverty community which could benefit
2 from volunteer and other antipoverty efforts. The assign-
3 ment of volunteers under this section, and the provision
4 of support for such volunteers, including any subsistence
5 allowances and stipends, shall be on such terms and condi-
6 tions as the Director shall determine but shall not exceed
7 the level of support provided under section 105. Projects
8 using nonstipend volunteers may also be supported under
9 this section.

10 “(b) CRITERIA.—In carrying out the activities au-
11 thorized under this section and section 123, the Director
12 shall establish criteria and priorities to award grants and
13 enter into contracts in each fiscal year. No grant or con-
14 tract exceeding \$100,000 shall be made under this part
15 unless the grantee or contractor has been selected by a
16 competitive process which includes public announcement
17 of the availability of funds for such grant or contract, gen-
18 eral criteria for the selection of recipients or contractors,
19 and a description of the application process and applica-
20 tion review process.”.

21 **SEC. 431. TECHNICAL AND FINANCIAL ASSISTANCE.**

22 Section 123 (42 U.S.C. 4993) is amended to read as
23 follows:

3-14

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 which utilize or desire to
6 utilize volunteers in carrying out the purpose of this
7 part."

8 **SEC. 432. 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. 441. NATIONAL SENIOR VOLUNTEER CORPS.**

14 (a) REFERENCES.—The Act is amended by striking
15 "Older American Volunteer Programs" each place that
16 such appears and inserting "National Senior Volunteer
17 Corps."

18 (b) TITLE HEADING.—The heading for title II is
19 amended to read as follows:

20 **"TITLE II—NATIONAL SENIOR**
21 **VOLUNTEER CORPS".**

22 **SEC. 442. THE RETIRED AND SENIOR VOLUNTEER PRO-**
23 **GRAM.**

24 Section 200 (42 U.S.C. 5000) is amended by striking
25 "retired senior volunteer program" each place that such

1 appears in such section and the Act and inserting "retired
2 and senior volunteer program".

3 **SEC. 443. OPERATION OF THE RETIRED AND SENIOR VOL-**
4 **UNTEER PROGRAM.**

5 (a) ELIGIBILITY FOR PARTICIPANTS IN THE PRO-
6 GRAM.—Section 201(a) (42 U.S.C. 5001(a)) is
7 amended—

8 (1) in the matter preceding paragraph (1), by
9 inserting "and older working" after "retired"; and

10 (2) in paragraph (2), by striking "aged sixty"
11 and inserting "aged fifty-five".

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

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

15 (2) by redesignating subsection (d) as sub-
16 section (c).

17 **SEC. 444. SERVICES UNDER THE FOSTER GRANDPARENT**
18 **PROGRAM.**

19 Section 211(a) (42 U.S.C. 5011(a)) is amended—

20 (1) by striking "receiving care in hospitals,
21 homes for dependent and neglected children, or
22 other establishments providing care for children with
23 special needs" and inserting "receiving care in hos-
24 pitals; residing in homes for dependent and ne-
25 glected children; and participating in day care cen-

3-16

1 ters, schools, Head Start projects, and a variety of
2 other establishments and institutions providing serv-
3 ices for children with special or exceptional needs";
4 and

5 (2) by inserting after the first sentence the fol-
6 lowing new sentence: "Individual foster grand-
7 parents may provide person-to-person services to one
8 or more children depending upon the needs of the
9 project and local site."

10 **SEC. 445. STIPENDS FOR LOW-INCOME VOLUNTEERS.**

11 Section 211(d) (42 U.S.C. 5011(d)) is amended in
12 the second sentence by striking "Any stipend or allowance
13 provided under this subsection shall not be less than \$2.20
14 per hour until October 1, 1990, \$2.35 per hour during
15 fiscal year 1991, and \$2.50 per hour and after October
16 1, 1992," and inserting "Any stipend or allowance pro-
17 vided under this section shall not be less than \$2.45 per
18 hour on and after October 1, 1993, and shall be adjusted
19 once during the period of 1993 through 1997 to account
20 for inflation, as determined by the Director and rounded
21 to the nearest five cents,".

22 **SEC. 446. PARTICIPATION OF NON-LOW-INCOME PERSONS**
23 **UNDER PARTS B AND C.**

24 Subsection (f) of section 211(f) (42 U.S.C. 5011(f))
25 is amended to read as follows:

3-17

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 and without receiving any
5 allowance, stipend, or other financial support except reim-
6 bursement for transportation, meals, and out-of-pocket ex-
7 penses incident to serving.”

8 **SEC. 447. CONDITIONS OF GRANTS AND CONTRACTS.**

9 Section 212 (42 U.S.C. 5012) is repealed.

10 **SEC. 448. EVALUATION OF THE SENIOR COMPANION PRO-**
11 **GRAM.**

12 Paragraph (3) of section 213(c) (42 U.S.C.
13 5013(c)(3)) is repealed.

14 **SEC. 449. AGREEMENTS WITH OTHER FEDERAL AGENCIES.**

15 Section 221(a) (42 U.S.C. 5021) is amended by add-
16 ing at the end the following new sentence: “The Director
17 is encouraged to enter into agreements with the Depart-
18 ment of Health and Human Services to involve retired or
19 senior volunteers and foster grandparents in Head Start
20 projects, and to promote in-home care in cooperation with
21 the Administration on Aging, with the Department of
22 Education to promote intergenerational tutoring and
23 mentoring for at-risk children, and with the Environ-
24 mental Protection Agency to support conservation ef-
25 forts.”.

3-18

1 **SEC. 450. PROGRAMS OF NATIONAL SIGNIFICANCE.**

2 Section 225 (42 U.S.C. 5025) is amended—

3 (1) in subsection (a)—

4 (A) by striking paragraph (1) and insert-
5 ing the following new paragraph:

6 “(1) The Director is authorized to make grants under
7 the programs authorized in parts A, B, and C of this title
8 to support programs that address national problems that
9 are also of local concern. The Director may, in any fiscal
10 year, determine which programs of national significance
11 will receive priority in that year.”;

12 (B) by striking “paragraph (10)” in para-
13 graph (2)(B) and inserting “paragraphs (10)
14 and (12)”; and

15 (C) by striking “and (10)” in paragraph
16 (2)(C) and inserting “(10), (12), (15), and
17 (16)”;

18 (2) in subsection (b), by adding at the end the
19 following new paragraphs:

20 “(12) Programs that address environmental
21 needs.

22 “(13) Programs that reach out to organizations
23 not previously involved in addressing local needs,
24 such as labor unions and profit-making organiza-
25 tions.

3-19

1 “(14) Programs that provide for ethnic out-
2 reach.

3 “(15) Programs that support criminal justice
4 activities.

5 “(16) Programs that involve older volunteers
6 working with young people in apprenticeship pro-
7 grams.”; and

8 (3) in subsection (d), by striking paragraph (1)
9 and inserting the following new paragraph:

10 “(1) Except as provided in paragraph (2), in each
11 fiscal year there shall be available to the Director to make
12 grants under subsection (a) such sums as may be nec-
13 essary.”.

14 **SEC. 451. ADJUSTMENTS TO FEDERAL FINANCIAL ASSIST-**
15 **ANCE.**

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

17 (1) in subsection (a)(1)—

18 (A) in subparagraph (A), by striking
19 “(a)(1)(A)”; and

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

21 (2) in subsection (b)—

22 (A) in paragraph (1), by striking “(1)”;
23 and

24 (B) by striking paragraph (2).

3-20

1 **SEC. 452. DEMONSTRATION PROGRAMS.**

2 Title II is amended by adding at the end the following
3 new part:

4 "PART E—DEMONSTRATION PROGRAMS

5 **"SEC. 231. AUTHORITY OF DIRECTOR.**

6 "(a) IN GENERAL.—The Director is authorized to
7 make grants or contracts to public and nonprofit organiza-
8 tions, including the organizations funded under parts A,
9 B, and C, for the purposes of demonstrating innovative
10 activities involving older Americans as volunteers. The Di-
11 rector may support both nonstipend and stipended volun-
12 teers under this part.

13 "(b) ACTIVITIES.—Funding may be provided for ac-
14 tivities such as—

15 "(1) linking youth groups and older American
16 organizations in volunteer activities;

17 "(2) involving older volunteers in programs and
18 activities different from those currently supported in
19 the community; and

20 "(3) testing whether older American volunteer
21 programs may contribute to new objectives or cer-
22 tain national priorities.

23 **"SEC. 232. PROHIBITION.**

24 The Director may not reduce the activities, projects,
25 or volunteers funded under the other parts of this title
26 in order to support projects under this part."

3-21

1 CHAPTER 3—ADMINISTRATION**2 SEC. 461. PURPOSE OF AGENCY.**

3 Section 401 (42 U.S.C. 5041) is amended by insert-
4 ing after the first sentence the following: "This Agency
5 shall also promote the coordination of volunteer efforts
6 among Federal, State, and local agencies and organiza-
7 tions, exchange technical assistance information among
8 them, and provide technical assistance to other nations
9 concerning domestic volunteer programs within their coun-
10 tries."

11 SEC. 462. AUTHORITY OF THE DIRECTOR.

12 Section 402 (42 U.S.C. 5042) is amended—

13 (1) in paragraphs (5) and (6), by inserting "so-
14 licit and" before "accept" in each such paragraph;

15 (2) in paragraph (13), by striking "and" at the
16 end;

17 (3) by redesignating paragraph (14) as para-
18 graph (15); and

19 (4) by inserting after paragraph (13) the fol-
20 lowing new paragraph:

21 "(14) enter into arrangements with private,
22 profit-making organizations under terms and condi-
23 tions determined by the Director when such agree-
24 ~~ments will further the purposes of the Act, and"~~

3-22

1 SEC. 463. COMPENSATION FOR VOLUNTEERS.

2 Section 404 (42 U.S.C. 5044) is amended—

3 (1) in subsection (c), by inserting “from such
4 volunteers or beneficiaries” after “compensation”;

5 (2) by striking subsection (f); and

6 (3) by redesignating subsection (g) as sub-
7 section (f).

8 SEC. 464. REPEAL OF REPORT ~~ON FEDERAL RECRUITMENT~~

9 ~~REPORT~~

10 Section 407 (42 U.S.C. 5047) is repealed.

11 SEC. 465. APPLICATION OF FEDERAL LAW.

12 Section 415(b)(4)(A) (42 U.S.C. 5055(b)(4)(A)) is
13 amended by striking “grade GS-7” and inserting “grade
14 GS-5”.

15 SEC. 466. EVALUATION OF PROGRAMS.

16 Section 416 (42 U.S.C. 5056) is amended—

17 (1) in subsection (a)—

18 (A) by striking “(including the VISTA Lit-
19 eracy Corps which shall be evaluated as a sepa-
20 rate program at least once every 3 years)” in
21 the first sentence; and

22 (B) by striking “at least once every 3
23 years” in the second sentence and inserting
24 “periodically”;

25 (2) in subsection (b) to read as follows:

3-23

1 “(b) In carrying out evaluations of programs under
2 this Act, the Director shall create appropriate manage-
3 ment information systems that will summarize volunteer
4 activities and accomplishments across the programs sup-
5 ported under this Act. The Director shall report this infor-
6 mation on a periodic basis.”; and

7 (3) by striking subsections (d), (e), (f), and (g).

8 **SEC. 467. NONDISCRIMINATION PROVISIONS.**

9 Section 417 (42 U.S.C. 5057) is amended to read as
10 follows:

11 **“SEC. 417. NONDISCRIMINATION PROVISIONS.**

12 “(a) IN GENERAL.—An individual with responsibility
13 for the operation of a project that receives assistance
14 under this Act shall not discriminate against a participant
15 or member of the staff of such project on the basis of race,
16 color, national origin, sex, age, disability, or political affli-
17 ation of such participant or member.

18 “(b) FEDERAL FINANCIAL ASSISTANCE.—Any assist-
19 ance provided under this Act shall constitute Federal fi-
20 nancial assistance for purposes of title VI of the Civil
21 Rights Act of 1964 (42 U.S.C. 2000d et seq.), title IX
22 of the Education Amendments of 1972 (20 U.S.C. 1681
23 et seq.), the Rehabilitation Act of 1973 (29 U.S.C. 701
24 et seq.), the Age Discrimination Act of 1975 (42 U.S.C.
25 6101 et seq.), and the regulations issued under such Acts.

3-24

1 “(c) RELIGIOUS DISCRIMINATION.—

2 “(1) IN GENERAL.—Except as provided in para-
3 graph (2), an individual with responsibility for the
4 operation of a project that receives assistance under
5 this Act shall not discriminate on the basis of reli-
6 gion against a participant or a member of the
7 project staff who is paid with funds received under
8 this Act.

9 “(2) EXCEPTION.—Paragraph (1) shall not
10 apply to the employment, with assistance provided
11 under this Act, of any member of the staff of a
12 project that receives assistance under this Act who
13 was employed with the organization operating the
14 project on the date the grant under this Act was
15 awarded.

16 “(d) RULES AND REGULATIONS.—The Director shall
17 promulgate rules and regulations to provide for the en-
18 forcement of this section that shall include provisions for
19 summary suspension of assistance for not more than 30
20 days, on an emergency basis, until notice and an oppor-
21 tunity to be heard can be provided.”.

22 **SEC. 468. ELIMINATION OF SEPARATE REQUIREMENTS FOR**
23 **SETTING REGULATIONS.**

24 Section 420 (42 U.S.C. 5060) is repealed.

3-25

1 **SEC. 469. CLARIFICATION OF ROLE OF INSPECTOR GEN-**
2 **ERAL.**

3 Section 422 (42 U.S.C. 5062) is amended—

4 (1) in subsection (a), by inserting “and the In-
5 spector General” after “Director”; and

6 (2) in subsection (b), by inserting “, the Inspec-
7 tor General,” after “Director” each place that such
8 appears.

9 **SEC. 470. COPYRIGHT PROTECTION.**

10 Title IV is amended by adding at the end, the follow-
11 ing new section:

12 **“SEC. 426. PROTECTION AGAINST IMPROPER USE.**

13 “Whoever falsely—

14 “(1) advertises or represents; or

15 “(2) publishes or displays any sign, symbol, or
16 advertisement, reasonably calculated to convey the
17 impression,

18 that an entity is affiliated with, funded by, or operating
19 under the authority of ACTION, VISTA, or any of the
20 programs of the National Senior Volunteer Corps may be
21 enjoined under an action filed by the Attorney General,
22 on a complaint by the Director.”.

23 **SEC. 471. CENTER FOR RESEARCH AND TRAINING.**

24 Title IV (as amended by section 470) is further
25 amended by adding at the end the following new section:

3-26

1 **"SEC. 427. CENTER FOR RESEARCH AND TRAINING.**

2 The Director may establish, directly or by grant or
3 contract, a Center for Research and Training on Vol-
4 unteerism to carry out research concerning the impact of
5 volunteerism on individuals, organizations, and commu-
6 nities, provide training to help improve programs across
7 the country, and carry out such other functions as the Di-
8 rector determines to be appropriate."

9 **SEC. 472. DEPOSIT REQUIREMENT CREDIT FOR SERVICE AS**
10 **A VOLUNTEER.**

11 (a) CIVIL SERVICE RETIREMENT SYSTEM.—

12 (1) CREDITABLE SERVICE.—Section 8332(j) of
13 title 5, United States Code, is amended—

14 (A) in paragraph (1)—

15 (i) in the first sentence, by inserting
16 "the period of an individual's services as a
17 full-time volunteer enrolled in a program of
18 at least 1 year in duration under part A,
19 B, or C of title I of the Domestic Volun-
20 teer Service Act of 1973," after "Economic
21 Opportunity Act of 1964,";

22 (ii) in the second sentence, by insert-
23 ing " , as a full-time volunteer enrolled in
24 a program of at least 1 year in duration
25 under part A, B, or C of title I of the Do-
26 mestic Volunteer Service Act of 1973,"

3-27

1 after "Economic Opportunity Act of
2 1964."; and

3 (iii) in the last sentence—

4 (I) by inserting "or under the
5 Domestic Volunteer Service Act of
6 1973" after "Economic Opportunity
7 Act of 1964"; and

8 (II) by inserting "or the Director
9 of ACTION, as appropriate," after
10 "Director of the Office of Economic
11 Opportunity"; and

12 (B) by adding at the end the following new
13 paragraph:

14 "(3) The provisions of paragraph (1) relating to
15 credit for service as a volunteer or volunteer leader
16 under the Economic Opportunity Act of 1964 or the
17 Domestic Volunteer Service Act of 1973 shall not
18 apply to any period of service as a volunteer or vol-
19 unteer leader of an employee or Member with re-
20 spect to which the employee or Member has made
21 the deposit with interest, if any, required by section
22 8334(1).".

23 (2) DEDUCTIONS, CONTRIBUTIONS, AND DEPOS-
24 ITS.—

3-28

1 (A) IN GENERAL.—Section 8334 of title 5,
2 United States Code, is amended by adding at
3 the end the following new subsection:

4 “(1)(1) Each employee or Member who has performed
5 service as a volunteer or volunteer leader under part A
6 of title VIII of the Economic Opportunity Act of 1964 or
7 as a full-time volunteer enrolled in a program of at least
8 1 year’s duration under part A, B, or C of title I of the
9 Domestic Volunteer Service Act of 1973, before the date
10 of separation from service on which the entitlement to any
11 annuity under this subchapter is based may pay, in ac-
12 cordance with such regulations as the Office of Personnel
13 Management shall issue, to the agency by which the em-
14 ployee is employed or, in the case of a Member or a con-
15 gressional employee, to the Secretary of the Senate or the
16 Clerk of the House of Representatives, as appropriate, an
17 amount equal to 7 percent of the readjustment allowance
18 paid to the employee or Member under section 803 of the
19 Economic Opportunity Act of 1964 or section 105(a) or
20 the Domestic Volunteer Service Act of 1973 for each pe-
21 riod of service as such a volunteer or volunteer leader.

22 “(2) Any deposit made under paragraph (1) more
23 than 2 years after the later of—

24 “(A) the date of enactment of this subsection;
25 or

3-29

1 “(B) the date on which the employee or Mem-
2 ber making the deposit first becomes an employee or
3 Member,

4 shall include interest on such amount, computed and com-
5 puted annually beginning on the date of the expiration of
6 the 2-year period. The interest rate that is applicable in
7 computing interest in any year under this paragraph shall
8 be equal to the interest rate that is applicable for such
9 year under subsection (e).

10 “(3) Any payment received by an agency, the Sec-
11 retary of the Senate, or Clerk of the House of Representa-
12 tives under this subsection shall be immediately remitted
13 to the Office of Personnel Management for deposit in the
14 Treasury of the United States to the credit of the Fund.

15 “(4) The Director shall furnish such information to
16 the Office to the Personnel Management as the Office may
17 determine to be necessary for the administration of this
18 subsection.”.

19 (B) CONFORMING AMENDMENT.—Section
20 8334(e) of title 5, United States Code, is
21 amended in paragraphs (1) and (2) by striking
22 “or (k)” each place that such appears and in-
23 serting “(k), or (l)”.

24 (b) FEDERAL EMPLOYEES RETIREMENT SYSTEM.—

3-30

1 (1) CREDITABLE SERVICE.—[Specifications
2 from OMB and ACTION conflict.]Section 8411 of
3 title 5, United States Code, is amended—

4 (A) in subsection (b)(3), by striking “sub-
5 section (f)” and inserting “subsection (f) or
6 (h)”; and

7 (B) by adding at the end the following new
8 subsection:

9 “(h) An employee or Member shall be allowed credit
10 for service as a volunteer or volunteer leader under part
11 A of title VIII of the Economic Opportunity Act of 1964,
12 or as a full-time volunteer enrolled in a program of at least
13 1 year’s duration under part A, B, or C of title I of the
14 Domestic Volunteer Service Act of 1973, performed at any
15 time prior to the separation from service entitlement to
16 any annuity is based if the employee or Member has made
17 a deposit with interest, if any, with respect to such service
18 under section 8422(f).”.

19 (2) DEDUCTIONS, CONTRIBUTIONS.—Section
20 8422 of title 5, United States Code, is amended by
21 adding at the end the following new subsection:

22 “(f)(1) Each employee or Member who has performed
23 service as a volunteer or volunteer leader under part A
24 of title VIII of the Economic Opportunity Act of 1964,
25 or as a full-time volunteer enrolled in a program or at

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1 least 1 year's duration under part A, B, or C of title I
2 of the Domestic Volunteer Service Act of 1973, before the
3 date of the separation from service on which the entitle-
4 ment to any annuity under this subchapter, or subchapter
5 V of this chapter, is based may pay, in accordance with
6 such regulations as the Office of Personnel Management
7 shall issue, to the agency by which the employee is em-
8 ployed or, in the case of Member or a congressional em-
9 ployee, to the Secretary of the Senate or Clerk of the
10 House of Representatives, as appropriate, an amount
11 equal to 3 percent of the readjustment allowance paid to
12 the employee or Member under title VIII of the Economic
13 Opportunity Service Act of 1964 or title I of the Domestic
14 Volunteer Service Act of 1973 for each period of service
15 as such a volunteer or volunteer leader.

16 “(2) Any deposit made under paragraph (1) more
17 than 2 years after the later of—

18 “(A) the date of enactment of this subsection,
19 or

20 “(B) the date on which the employee or Mem-
21 ber making the deposit first becomes an employee or
22 Member,

23 shall include interest on such amount computed and
24 compounded annually beginning on the date of the expira-
25 tion of the 2-year period. The interest rate that is applica-

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1 ble in computing interest in any year under this paragraph
2 shall be equal to the interest rate that is applicable for
3 such year under section 8334(e).

4 “(3) Any payment received by an agency, the Sec-
5 retary of the Senate, or the Clerk of the House of Rep-
6 resentatives under this subsection shall be immediately re-
7 mitted to the Office of Personnel Management for deposit
8 in the Treasury of the United States to the credit of the
9 Fund.

10 “(4) The Director shall furnish such information to
11 the Office of Personnel Management as the Office may
12 determine to be necessary for the administration of this
13 subsection.”

14 (c) APPLICABILITY AND OTHER PROVISIONS.—

15 (1) APPLICABILITY.—

16 (A) TIMING.—The amendments made by
17 subsections (a) and (b) shall apply with respect
18 to credit for service as a volunteer or volunteer
19 leader under the Economic Opportunity Act of
20 1964 or the Domestic Volunteer Service Act of
21 1973 to individuals who are entitled to an an-
22 nuity on the basis of a separation from service
23 occurring before, on, or after the effective date
24 of this Act.

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1 (B) SEPARATION.—In the case of any indi-
2 vidual whose entitlement to an annuity is based
3 on a separation from service occurring before
4 the date of enactment of this Act, any increase
5 in such individual's annuity on the basis of a
6 deposit made pursuant to section 8334(l) or
7 section 8442(f) of title 5, United States Code,
8 as amended by this Act, shall be effective only
9 with respect to annuity payments payable for
10 calendar months beginning after the date of en-
11 actment of this Act.

12 (2) ACTION TO INFORM INDIVIDUALS.—The Di-
13 rector of the Office of Personnel Management shall
14 take such action as may be necessary and appro-
15 priate to inform individuals entitled to credit under
16 this section for service as a volunteer or volunteer
17 leader, or to have any annuity recomputed, or to
18 make a deposit under this section, of such entitle-
19 ment.

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

22 **SEC. 481. AUTHORIZATION OF APPROPRIATIONS FOR**
23 **TITLE I.**

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

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1 "SEC. 501. NATIONAL VOLUNTEER ANTIPOVERTY PRO-
2 GRAMS.

3 (a) AUTHORIZATIONS.—

4 "(1) VOLUNTEERS IN SERVICE TO AMERICA.—

5 There are authorized to be appropriated to carry out
6 part A of title I, excluding sections 104(e) and 109,
7 \$~~40,000,000~~ in fiscal year 1994, and such sums
8 as may be necessary for each of the fiscal years
9 1995 through 1998.

10 "(2) SUMMER PROGRAM.—There are authorized
11 to be appropriated to carry out section 104(e), such
12 sums as may be necessary for each of the fiscal
13 years 1994 through 1998.

14 "(3) LITERACY ACTIVITIES.—There are author-
15 ized to be appropriated to carry out section 109,
16 such sums as may be necessary for each of the fiscal
17 years 1994 through 1998.

18 "(4) UNIVERSITY YEAR FOR VISTA.—There are
19 authorized to be appropriated to carry out part B of
20 title I, such sums as may be necessary for each of
21 the fiscal years 1994 through 1998.

22 "(5) SPECIAL VOLUNTEER PROGRAMS.—There
23 are authorized to be appropriated to carry out part
24 C of title I, excluding section 125, such sums as may
25 be necessary for each of the fiscal years 1994
26 through 1998.

1 “(6) LITERACY CHALLENGE GRANTS.—There
2 are authorized to be appropriated to carry out sec-
3 tion 125, such sums as may be necessary for each
4 of the fiscal years 1994 through 1998.

5 “(b) SUBSISTENCE.—The minimum level of allow-
6 ances for subsistence required under section 105(b)(2), to
7 be provided to each volunteer under this Act may not be
8 reduced or limited in order to provide for an increase in
9 the number of volunteer service years under part A of title
10 I.

11 “(c) LIMITATION.—No part of the funds appro-
12 priated to carry out part A of title I may be used to pro-
13 vide volunteers or assistance to any program or project
14 authorized under part B or C of title I, or under title II,
15 unless the program or project meets the antipoverty cri-
16 teria of part A of title I.

17 “(d) AVAILABILITY.—Amounts appropriated for part
18 A of title I shall remain available for obligation for a 2-
19 year period.

20 “(e) VOLUNTEER SERVICE REQUIREMENT.—Of the
21 amounts appropriated under this section for parts A, B,
22 and C of title I, including section 125, there shall first
23 be available for part A of title I an amount not less than
24 the amount necessary to provide 3,700 volunteer service
25 years in fiscal year 1994, 4,000 volunteer service years

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1 in fiscal year 1995, 4,500 volunteer service years in fiscal
2 year 1996, 5,500 volunteer service years in fiscal year
3 1997, and 7,500 volunteer service years in fiscal year
4 1998. If funds are insufficient to meet this requirement,
5 the Director shall submit a plan to the relevant authoriz-
6 ing and appropriations committees of Congress that will
7 detail what is necessary to fully meet this requirement.”.

8 **SEC. 482. AUTHORIZATION OF APPROPRIATIONS FOR**
9 **TITLE II.**

10 Section 502 (42 U.S.C. 5082) is amended to read as
11 follows:

12 **“SEC. 502. NATIONAL SENIOR VOLUNTEER CORPS.**

13 (a) **RETIRED AND SENIOR VOLUNTEER PROGRAM.—**

14 There are authorized to be appropriated to carry out part
15 A of title II, \$35,900,000 for fiscal year 1994, and
16 such sums as may be necessary for each of the fiscal years
17 1995 through 1998.

18 “(b) **FOSTER GRANDPARENT PROGRAM.—**There are
19 authorized to be appropriated to carry out part B of title
20 II, \$68,800,000 for fiscal year 1994, and such sums
21 as may be necessary for each of the fiscal years 1995
22 through 1998.

23 “(c) **SENIOR COMPANION PROGRAM.—**There are au-
24 thorized to be appropriated to carry out part C of title
25 II, \$31,700,000 for fiscal year 1994, and such sums

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1 as may be necessary for each of the fiscal years 1995
2 through 1998.

3 “(d) DEMONSTRATION PROGRAMS.—There are au-
4 thorized to be appropriated to carry out part E of title
5 II, such sums as may be necessary for each of the fiscal
6 years 1994 through 1998.”

7 **SEC. 483. AUTHORIZATION OF APPROPRIATIONS FOR**
8 **TITLE IV.**

9 Section 504 (42 U.S.C. 5084) is amended to read as
10 follows:

11 **“SEC. 504. ADMINISTRATION AND COORDINATION.**

12 (a) IN GENERAL.—For each of the fiscal years 1994
13 through 1998, there are authorized to be appropriated for
14 the administration of this Act as provided for in title IV,
15 20 percent of the total amount appropriated under sec-
16 tions 501, 502, and title VII with respect to such year.

17 “(b) EVALUATION AND CENTER FOR RESEARCH AND
18 TRAINING.—For each of the fiscal years 1994 through
19 1998, the Director is authorized to expend not less than
20 one-half of 1 percent, nor more than 1 percent, from the
21 amounts appropriated under sections 501, 502, and title
22 VII for the purposes prescribed in sections 416 and 427.”

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1 **SEC. 484. CONFORMING AMENDMENTS; COMPENSATION**
2 **FOR VISTA FECA CLAIMANTS.**

3 Section 8143(b) of title 5, United States Code, is
4 amended by striking "GS-7" and inserting "GS-5".

5 **SEC. 485. REPEAL OF AUTHORITY.**

6 Title VII (42 U.S.C. 5091 et seq.) is repealed.

7 **SEC. 486. EFFECTIVE DATE.**

8 [This subtitle shall become effective on October 1,
9 1993, or on the date of enactment of this Act, whichever
10 is later.]

11 **TITLE V—TECHNICAL AND**
12 **CONFORMING AMENDMENTS**

13 **SEC. 501. DEFINITION OF DIRECTOR.**

14 Section 421 of the Domestic Volunteer Service Act
15 of 1973 (42 U.S.C. 5061) is amended by striking para-
16 graph (1) and inserting the following new paragraph:

17 "(1) the term 'Director' means the Chairperson
18 and Director of the Corporation for National Service
19 appointed under section 193 of the National and
20 Community Services Act of 1990;"

21 **SEC. 502. REFERENCES TO ACTION AND THE ACTION AGEN-**
22 **CY.**

23 (a) DOMESTIC VOLUNTEER SERVICE ACT OF 1973.—

24 (1) Section 2(b) of the Domestic Volunteer
25 Service Act of 1973 (42 U.S.C. 4950(b)) is
26 amended—

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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 Service".

6 (2) Section 125(b) of such Act (42 U.S.C.
7 4995(b)) is amended by striking "the ACTION
8 Agency" and inserting "the Corporation".

9 (3) Section 225(e) of such Act (42 U.S.C.
10 5025(e)) is amended by striking "the ACTION
11 Agency" and inserting "the Corporation".

12 (4) Section 403(a) of such Act (42 U.S.C.
13 5043(a) is amended—

14 (A) by striking "the ACTION Agency" the
15 first place it appears and inserting "the Cor-
16 poration under this Act"; and

17 (B) by striking "the ACTION Agency" the
18 second place it appears and inserting "the Cor-
19 poration".

20 (5) Section 408 of such Act (42 U.S.C. 5048)
21 is amended by striking "the ACTION Agency" and
22 inserting "the Corporation".

23 (6) Section 421(11) of such Act (as added by
24 section 503 of this Act) is further amended by strik-
25 ing "ACTION" and inserting "the Corporation".

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1 (7) Section 426 of such Act (as amended by
2 section 470 of this Act) is further amended by strik-
3 ing "ACTION" and inserting "the Corporation".

4 (b) CIVIL SERVICE RETIREMENT SYSTEM.—Section
5 8332(j)(1) of title 5, United States Code is amended by
6 striking "the Director of ACTION" and inserting "the
7 Chairperson of the Board of Directors of the Corporation
8 for National Service".

9 (c) INSPECTOR GENERAL.—Section 8E(a)(2) of the
10 Inspector General Act of 1978 (5 U.S.C. App.) is
11 amended—

12 (1) by striking "ACTION,"; and

13 (2) by inserting "the Corporation for National
14 Service," after "the Consumer Product Safety Com-
15 mission,".

16 (d) PUBLIC HOUSING SECURITY.—Section 207(c) of
17 the Public Housing Security Demonstration Act of 1978
18 (Public Law 95-557; 92 Stat. 2093; 12 U.S.C. 1701z-
19 6 note) is amended—

20 (1) in paragraph (3)(ii), by striking "ACTION"
21 and inserting "the Corporation for National Serv-
22 ice"; and

23 (2) in paragraph (4), by striking "ACTION"
24 and inserting "the Corporation for National Serv-
25 ice".

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1 (e) NATIONAL FOREST VOLUNTEERS.—Section 1 of
2 the Volunteers in the National Forests Act of 1972 (16
3 U.S.C. 558a) is amended by striking “ACTION” and in-
4 serting “the Corporation for National Service”.

5 (f) PEACE CORPS.—Section 2A of the Peace Corps
6 Act (22 U.S.C. 2501-1) is amended by inserting after
7 “the ACTION Agency” the following: “, the successor to
8 the ACTION Agency,”.

9 (g) INDIAN ECONOMIC DEVELOPMENT.—Section 502
10 of the Indian Financing Act of 1974 (25 U.S.C. 1542)
11 is amended by striking “ACTION Agency” and inserting
12 “the Corporation for National Service”.

13 (h) OLDER AMERICANS.—The Older Americans Act
14 of 1965 is amended—

15 (1) in section 202(c)(1) (42 U.S.C. 3012(c)(1)),
16 by striking “the Director of the ACTION Agency”
17 and inserting “the Corporation for National Serv-
18 ice”;

19 (2) in section 203(a)(1) (42 U.S.C.
20 3013(a)(1)), by striking “the ACTION Agency” and
21 inserting “the Corporation for National Service”;
22 and

23 (3) in section 422(b)(12)(C) (42 U.S.C.
24 3035a(b)(12)(C)), by striking “the ACTION Agen-

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1 cy” and inserting “the Corporation for National
2 Service”.

3 (i) VISTA SERVICE EXTENSION.—Section 101(c)(1)
4 of the Domestic Volunteer Service Act Amendments of
5 1989 (Public Law 101-204; 103 Stat. 1810; 42 U.S.C.
6 4954 note) is amended by striking “Director of the AC-
7 TION Agency” and inserting “Director of the Corporation
8 for National Service”.

9 (j) AGING RESOURCE SPECIALISTS.—Section 205(c)
10 of the Older American Amendments of 1975 (Public Law
11 94-135; 89 Stat. 727; 42 U.S.C. 5001 note) is amended—

12 (1) in paragraph (1)—

13 (A) by striking “the ACTION Agency,”
14 and inserting “the Corporation for National
15 Service,”; and

16 (B) by striking “the Director of the AC-
17 TION Agency” and inserting “the Director of
18 the Corporation”;

19 (2) in paragraph (2)(A), by striking “ACTION
20 Agency” and inserting “Corporation”; and

21 (3) in paragraph (3), by striking subparagraph
22 (A) and inserting the following new subparagraph:

23 “(A) the term ‘Corporation’ means the Cor-
24 poration for National Service established by section

1 191 of the National and Community Service Act of
2 1990.”.

3 (k) PROMOTION OF PHOTOVOLTAIC ENERGY.—Sec-
4 tion 11(a) of the Solar Photovoltaic Energy Research, De-
5 velopment, and Demonstration Act of 1978 (42 U.S.C.
6 5590) is amended by striking “the Director of ACTION,”.

7 (l) COORDINATING COUNCIL ON JUVENILE JUS-
8 TICE.—Section 206(a)(1) of the Juvenile Justice and De-
9 linquency Prevention Act of 1974 (42 U.S.C. 5616(a)(1))
10 is amended by striking “the Director of the ACTION
11 Agency” and inserting “the Director of the Corporation
12 for National Service”.

13 (m) ENERGY CONSERVATION.—Section 413(b)(1) of
14 the Energy Conservation and Production Act (42 U.S.C.
15 6863(b)(1)) is amended by striking “the Director of the
16 ACTION Agency,”.

17 (n) INTERAGENCY COUNCIL ON THE HOMELESS.—
18 Section 202(a) of the Stewart B. McKinney Homeless As-
19 sistance Act (42 U.S.C. 11312(a)) is amended by striking
20 paragraph (12) and inserting the following new para-
21 graph:

22 “(12) The Director of the Corporation for Na-
23 tional Service, or the designee of the Director.”.

24 (o) ANTI-DRUG ABUSE.—Section 3601 of the Anti-
25 Drug Abuse Act of 1988 (42 U.S.C. 11851) is amended

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1 by striking paragraph (6) and inserting the following new
2 paragraph:

3 “(6) the term ‘Director’ means the Chairperson
4 and Director of the Corporation for National Serv-
5 ice,”.

6 (p) ADMINISTRATION ON CHILDREN, YOUTH, AND
7 FAMILIES.—Section 916(b) of the Claude Pepper Young
8 Americans Act of 1990 (42 U.S.C. 12312(b)) is amended
9 by striking “the Director of the ACTION Agency” and
10 inserting “the Director of the Corporation for National
11 Service”.

12 **SEC. 503. DEFINITIONS.**

13 Section 421 of the Domestic Volunteer Service Act
14 of 1973 (42 U.S.C. 5061) is amended—

15 (1) by striking “and” at the end of paragraph
16 (6);

17 (2) by striking the period at the end of para-
18 graph (7) and inserting a semicolon; and

19 (3) by adding at the end the following new
20 paragraphs:

21 “(8) the term ‘Corporation’ means the Corpora-
22 tion for National Service established under section
23 191 of the National and Community Service Act of
24 1990;

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1 “(9) the term ‘foster grandparent’ means a vol-
2 unteer in the Foster Grandparent Program;

3 “(10) the term ‘Foster Grandparent Program’
4 means the program established under part B of title
5 II;

6 “(11) the term ‘Inspector General’ means the
7 Inspector General of ACTION;

8 “(12) the term ‘national senior volunteer’
9 means a volunteer in the National Senior Volunteer
10 Corps;

11 “(13) the term ‘National Senior Volunteer
12 Corps’ means the programs established under parts
13 A, B, C, and E of title II;

14 “(14) the term ‘Retired and Senior Volunteer
15 Program’ means the program established under part
16 A of title II;

17 “(15) the term ‘retired or senior volunteer’
18 means a volunteer in the Retired and Senior Volun-
19 teer Program;

20 “(16) the term ‘senior companion’ means a vol-
21 unteer in the Senior Companion Program;

22 “(17) the term ‘Senior Companion Program’
23 means the program established under part C of title
24 II;

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1 “(18) the terms ‘VISTA’ and ‘Volunteers in
2 Service to America’ mean the program established
3 under part A of title I; and

4 “(19) the term ‘VISTA volunteer’ means a vol-
5 unteer in VISTA.”.

6 **SEC. 504. REFERENCES TO THE COMMISSION ON NATIONAL**
7 **AND COMMUNITY SERVICE.**

8 (a) NATIONAL DEFENSE AUTHORIZATION ACT FOR
9 FISCAL YEAR 1993.—

10 (1) Section 1092(b) of the National Defense
11 Authorization Act for Fiscal Year 1993 (42 U.S.C.
12 12653a note) is amended—

13 (A) in paragraph (1)—

14 (i) by striking “Commission on Na-
15 tional Community Service” and inserting
16 “Corporation for National Service”; and

17 (ii) by striking “Commission shall pre-
18 pare” and inserting “Board of Directors of
19 the Corporation shall prepare” [Unneces-
20 sary if the report has already been submit-
21 ted.]; and

22 (B) in paragraph (2), by striking “Board
23 of Directors of the Commission on National and
24 Community Service” and inserting “Board of

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1 Directors of the Corporation for National Serv-
2 ice”.

3 (2) Section 1093(a) of such Act (42 U.S.C.
4 12653a note) is amended by striking “the Board of
5 Directors and Executive Director of the Commission
6 on National and Community Service” and inserting
7 “the **【Board of Directors and Chairperson】** of the
8 Corporation for National Service”.

9 (3) Section 1094 of such Act (Public Law 102-
10 484; 106 Stat. 2535) is amended—

11 (A) in the title, by striking “**COMMIS-**
12 **SION ON NATIONAL AND COMMU-**
13 **NITY SERVICE**” and inserting “**COR-**
14 **PORATION FOR NATIONAL SERV-**
15 **ICE**”;

16 (B) in subsection (a)—

17 (i) in the heading, by striking “**COM-**
18 **MISSION**” and inserting “**CORPORATION**”;

19 (ii) in the first sentence, by striking
20 “Commission on National and Community
21 Service” and inserting “Corporation for
22 National Service”; and

23 (iii) in the second sentence, by strik-
24 ing “The Commission” and inserting “The
25 **【Chairperson】** of the Corporation”; and

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1 (C) in subsection (b)—

2 (i) in paragraph (1), by striking
3 “Board of Directors of the Commission on
4 National and Community Service” and in-
5 serting “**【Chairperson】** of the Corporation
6 for National Service”; and

7 (ii) in paragraph (2), by striking “the
8 Commission” and inserting “the **【Chair-**
9 **person】** of the Corporation for National
10 Service”.

11 (4) Section 1095 of such Act (Public Law 102-
12 484; 106 Stat. 2535) is amended in the heading for
13 subsection (b) by striking “COMMISSION ON NA-
14 TIONAL AND COMMUNITY SERVICE” and inserting
15 “CORPORATION FOR NATIONAL SERVICE”.

16 (5) Section 2(b) of such Act (Public Law 102-
17 484; 106 Stat. 2315) is amended by striking the
18 item relating to section 1094 of such Act and insert-
19 ing the following:

“Sec. 1094. Other programs of the Corporation for National Service.”.

20 (b) NATIONAL AND COMMUNITY SERVICE ACT OF
21 1990.—

22 (1) Sections 102, 159(b)(2) (as redesignated in
23 section 104(b)(3) of this Act), 165 (as redesignated
24 in section 104(b)(3) of this Act) and 171(a), sub-
25 sections (a) and (b) of section 172, sections 175(d),

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1 176(a), and 177(c), subsections (a), (b), and (d)
2 through (j) of section 179, and section 186 (42
3 U.S.C. 12512, 12653h(b)(2), 12653n, 12631(a),
4 12632 (a) and (b), 12635(d), 12636(a), 12637(c),
5 12639 (a), (b), and (d) through (j), and 12645) are
6 each amended by striking the term "Commission"
7 each place the term appears and inserting "Corpora-
8 tion".

9 (2) Sections 152, 157(b)(2), 159(b),
10 162(a)(2)(C), 164, and 166(1) of such Act (in each
11 case, as redesignated in section 104(b)(3) of this
12 Act) (42 U.S.C. 12653a, 12653f(b)(2), 12653h(b),
13 12635k(a)(2)(C), 12653m, and 12653o(1)) are each
14 amended by striking "Commission on National and
15 Community Service" and inserting "Corporation".

16 (3) Section 163(b)(9) of such Act (as redesign-
17 nated in section 104(b)(3) of this Act) (42 U.S.C.
18 12635l(b)(9)) is amended by striking "Chair of the
19 Commission on National and Community Service"
20 and inserting "Chairperson".

21 **SEC. 505. REFERENCES TO DIRECTORS OF THE COMMIS-**
22 **SION ON NATIONAL AND COMMUNITY SERV-**
23 **ICE.**

24 (a) EXECUTIVE DIRECTOR.—

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1 (1) Section 159(b) of such Act (as redesignated
2 in section 104(b)(3) of this Act) (42 U.S.C.
3 12653h(b)) is amended by striking “(b)” and all
4 that follows through “Commission on National and
5 Community Service” and inserting the following “(b)
6 CHAIRPERSON.—The Chairperson”.

7 (2) Subparagraphs (A) and (B)(iii) of section
8 159(c)(1) (as redesignated in section 104(b)(3) of
9 this Act) (12653h(c)(1) (A) and (B)(iii)) are amend-
10 ed by striking “Executive Director” and inserting
11 “Chairperson”.

12 (3) Section 166(6) (as redesignated in section
13 104(b)(3) of this Act) (42 U.S.C. 12653o(6)) is
14 amended—

15 (A) by striking paragraph (6); and

16 (B) by redesignating paragraphs (7)
17 through (11) as paragraphs (6) through (10),
18 respectively.

19 (b) DIRECTOR OF CIVILIAN COMMUNITY CORPS.—
20 Sections 155(a), 157(b)(1)(A), 158(a), 159(c)(1)(A), and
21 163(a) (in each case, as redesignated in section 104(b)(3)
22 of this Act) of the National and Community Service Act
23 of 1990 (42 U.S.C. 12653d(a), 12653f(b)(1)(A),
24 12653g(a), 12653h(c)(1)(A), and 12653l(a)) are amended

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1 by striking "Director of Civilian Community Corps" each
2 place the term appears and inserting "Director".

3 **SEC. 506. EFFECTIVE DATE.**

4 (a) ACTION.—The amendments made by sections
5 501 and 502 shall take effect on the effective date of sec-
6 tion 203.

7 (b) COMMISSION.—The amendments made by sec-
8 tions 503 through 505 will take effect on October 1, 1993.

9 **【Other amendments to be supplied】**