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[National and Community Service Trust Act of 1993 Discussion Draft] [7] [loose]

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"(c) Forbearance Payments. - The Corporation ~~may~~ ~~shall~~ provide by regulation for the payment of interest that accrues during a period for which an eligible ~~and~~ individual ^{has} ~~qualified~~ ^{obtained} for forbearance ~~from~~ ⁱⁿ the repayment of a qualified student loan (as defined in subsection (b)(6)), if the eligible individual successfully completes the required term of service (as determined under ~~such~~ section 146 (b)). Such regulations shall be prescribed after consultation with the Secretary of Education. ~~In prescribing~~ Such regulations, ~~The Corporation~~ shall ~~be designed~~ be designed to provide an equitable distribution of the benefits under this subsection among eligible individuals, taking into account their relative need for such benefits.

~~(1) [conditions for regulations to be supplied on basis of labor initiatives].~~

~~“(e) GENERAL ADMINISTRATIVE PROVISIONS.—~~

~~[to be supplied - may already be located in general Corporation powers.]~~

~~“(f) [Additional Provisions - to be supplied].~~

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

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

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

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

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

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

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

1 (c) CONFORMING AMENDMENTS.—

2 (1) IMPACT ON ELIGIBILITY FOR SUBSIDIZED
3 STAFFORD LOANS.—Section 428(a)(2)(C)(i) of the
4 Higher Education Act of 1965 (20 U.S.C.

724-0600

Subtitle A—Programs

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

Subtitle B—Related Provisions

- Sec. 111. Definitions.
- Sec. 112. Administration.

TITLE II—ORGANIZATION

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

~~TITLE III—HIGHER EDUCATION~~~~Sec. 301. Higher education.~~

TITLE IV—REAUTHORIZATION

Subtitle A—National and Community Service Act of 1990

- Sec. 401. Authorization of appropriations.

Subtitle B—Domestic Volunteer Service Act of 1973

- Sec. 411. Short title; references.

CHAPTER 1—VISTA AND OTHER ANTI-POVERTY PROGRAMS

- Sec. 421. Purpose of the VISTA program.
- Sec. 422. Selection and assignment of VISTA volunteers.
- Sec. 423. Terms and periods of service.
- Sec. 424. Support for VISTA volunteers.
- Sec. 425. Participation of younger and older persons.
- Sec. 426. Literacy activities.
- Sec. 427. Applications for assistance. *specific*
- Sec. 428. Repeal of authority for student community service programs.
- Sec. 429. University year for VISTA.
- Sec. 430. Authority to establish and operate special volunteer and demonstration programs.
- Sec. 431. Technical and financial assistance.
- Sec. 432. Elimination of separate authority for drug abuse programs.

delete non-table of contents

CHAPTER 2—NATIONAL SENIOR VOLUNTEER CORPS

- Sec. 441. National Senior Volunteer Corps.
- Sec. 442. The Retired and Senior Volunteer Program.
- Sec. 443. Operation of the Retired and Senior Volunteer Program.
- Sec. 444. Services under the Foster Grandparent Program.
- Sec. 445. Stipends for low-income volunteers.
- Sec. 446. Participation of non-low-income persons under parts B and C.
- Sec. 447. Conditions of grants and contracts.

delete:

3

- Sec. 448. Evaluation of the Senior Companion Program.
- Sec. 449. Agreements with other Federal agencies.
- Sec. 450. Programs of national significance.
- Sec. 451. Adjustments to Federal financial assistance.
- Sec. 452. Demonstration programs.

CHAPTER 3—ADMINISTRATION

- delete*
- Sec. 461. Purpose of agency.
 - Sec. 462. Authority of the Director.
 - Sec. 463. Compensation for volunteers.
 - Sec. 464. Repeal of report on annual recruitment plan.
 - Sec. 465. Application of Federal law.
 - Sec. 466. Evaluation of programs.
 - Sec. 467. Nondiscrimination provisions.
 - Sec. 468. Elimination of separate requirements for setting regulations.
 - Sec. 469. Clarification of role of Inspector General.
 - Sec. 470. Copyright protection.
 - Sec. 471. Center for research and training.
 - Sec. 472. Deposit requirement credit for service as a volunteer.

CHAPTER 4—AUTHORIZATION OF APPROPRIATIONS AND OTHER
AMENDMENTS

- delete*
- Sec. 481. Authorization of appropriations for title I.
 - Sec. 482. Authorization of appropriations for title II.
 - Sec. 483. Authorization of appropriations for title IV.
 - Sec. 484. Conforming amendments; compensation for VISTA FECA claimants.
 - Sec. 485. Repeal of authority.
 - Sec. 486. Effective date.

TITLE V—TECHNICAL AND CONFORMING AMENDMENTS

- Sec. 501. Definition of Director.
- Sec. 502. References to ACTION and the ACTION Agency in the national service laws.
- Sec. 503. References to ACTION and the ACTION Agency in other laws.
- Sec. 504. Definition of Corporation.
- Sec. 505. References to Commission.
- Sec. 506. Effective date.

- 1 **TITLE I—PROGRAMS AND**
- 2 **RELATED PROVISIONS**
- 3 **Subtitle A—Programs**
- 4 **SEC. 101. FEDERAL INVESTMENT IN SUPPORT OF NA-**
- 5 **TIONAL SERVICE.**
- 6 (a) ASSISTANCE PROGRAM AUTHORIZED.—Subtitle C
- 7 of title I of the National and Community Service Act of

1 1990 (42 U.S.C. 12541 et seq.) is amended to read as
2 follows:

3 **“Subtitle C—National Service Trust**
4 **Program**

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

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

8 “(a) PROVISION OF ASSISTANCE.—The Corporation
9 for National Service may make grants to States, subdivi-
10 sions of States, Indian tribes, public and private not-for-
11 profit organizations, and institutions of higher education
12 for the purpose of assisting the recipients of the grants—

13 “(1) to carry out full- or part-time national
14 service programs, including summer programs, de-
15 scribed in section 122(a); and

16 “(2) to make grants in support of other na-
17 tional service programs described in such section
18 that are carried out by other entities ^{described in §122(a).} **[that are el-**
19 **igible to offer educational awards as a**
20 **benefit to participants who serve in such**
21 **program]** [Note: What does “that” modify
22 **in the bracketed material and what is the**
23 **purpose of this material? Is it sufficient**
24 **to simply refer to programs described in**

programs
to make
sure grants
go to eligible
programs.
not to
national service
programs
not to serve
in sub C

1 **section 122(a) since those programs are**
2 **eligible to offer the awards?]** *yes*

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

16 “(c) PROVISION OF APPROVED NATIONAL SERVICE
17 POSITIONS.—As part of the provision of assistance under
18 subsections (a) and (b), the Corporation ^{shall} ~~may~~ approve the
19 provision of national service educational awards described
20 in subtitle D for the participants who serve in national
21 service programs carried out using such assistance.

22 “(d) LIMITATION ON ADMINISTRATIVE COSTS.—The
23 recipient of a grant or transfer of assistance under sub-
24 section (a) or (b) may not use more than 5 percent of
25 the amount of the assistance to cover administrative costs

1 incurred by the recipient with respect to the assistance,
2 including costs to administer any grant program using the
3 assistance in support of other national service programs.
4 **[Note: This limitation applies only to the ini-**
5 **tial recipient of assistance under this section.**
6 **Each national service program that receives**
7 **a portion of such assistance through a**
8 **subgrant from the initial recipient is also sub-**
9 **ject to a 5 percent limitation specified in sec-**
10 **tion 124(d).]** *yes*

11 “(e) MATCHING FUNDS REQUIREMENTS.—

12 “(1) REQUIREMENTS.—Except as provided in
13 section 140, the Federal share of the cost of carry-
14 ing out a national service program that receives the
15 assistance under subsection (a), whether the assist-
16 ance is provided directly or as a subgrant from the
17 original recipient of the assistance, may not exceed
18 75 percent of such cost.

19 “(2) CALCULATION.—In providing for the re-
20 maining share of the cost of carrying out a national
21 service program, the program—

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

1 “(B) may provide for such share through
2 State sources, local sources, or other Federal
3 sources (other than the use of funds made
4 available under the national service laws).

5 “(3) WAIVER.—The Corporation may waive the
6 requirements of paragraph (1) *as well as the limitations on the Federal share in § 140*
7 tional service program in any fiscal year if the Cor-
8 poration determines that such a waiver would be eq-
9 uitable due to a lack of available financial resources
10 at the local level.

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

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

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

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

5 “(2) A youth corps program, such as a con-
6 servation corps or youth service corps (including a
7 conservation corps or youth service corps that per-
8 forms service on Federal or other public lands or on
9 Indian lands), that—

10 “(A) undertakes meaningful full-time serv-
11 ice projects with visible benefits to a commu-
12 nity, including natural resource, urban renova-
13 tion, or human services projects;

14 “(B) includes as participants youths and
15 young adults between the ages of 16 and 25, in-
16 clusive, including ^{age eligible} out-of-school youths **[Note:**
17 **out-of-school youth includes an indi-**
18 **vidual who is 26 years old and could**
19 **include individuals younger than 16]**
20 and other disadvantaged youths; and ^{who meet the}
^{age restrictions}

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

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

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

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

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

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

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

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

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

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

8 “(A) students who are attending an insti-
9 tution of higher education, including students
10 supported by work-study funds [**Do you**
11 **mean work-study programs under**
12 **part C of title IV of the Higher Edu-**
13 **cation Act of 1965 (42 U.S.C. 2751 et**
14 **seq.)? ~~Or is that reference to spe-~~**
15 **cific?];**

16 yes “(B) teams composed of such students; or

17 “(C) teams composed of a combination of
18 such students and community residents.

19 “(7) A preprofessional training program in
20 which students enrolled in an institution of higher
21 education—

22 “(A) receive training in specified fields,
23 which may include classes containing service-
24 learning;

1 “(B) perform service related to such train-
2 ing outside the classroom during the school
3 term and during summer or other vacation peri-
4 ods; and

5 “(C) agree to provide service upon gradua-
6 tion to meet unmet human, educational, envi-
7 ronmental, or public safety needs related to
8 such training.

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

11 “(A) as teachers, nurses, police officers,
12 early childhood development staff, or other pro-
13 fessionals providing service to meet educational,
14 human, environmental, or public safety needs in
15 communities with an inadequate number of
16 such professionals;

17 “(B) that may include a salary in excess of
18 the maximum living allowance authorized in
19 subsection (a)(3) of section 140, as provided in
20 subsection (b) of such section; and

21 “(C) that are sponsored by public or pri-
22 vate not-for-profit employers who agree to pay
23 100 percent of the salaries and ^{benefits}~~awards~~ (other
24 than any national service educational award
25 under subtitle D) of the participants.

1 “(9) A program in which economically dis-
2 advantaged individuals who are between the ages of
3 16 and 24 years of age, inclusive, are provided with
4 opportunities to perform service that, while enabling
5 such individuals to obtain the education and employ-
6 ment skills necessary to achieve economic self-suffi-
7 ciency, will help their communities meet—

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

10 “(B) the need for community facilities in
11 low-income areas.

12 “(10) A national service entrepreneur program
13 that identifies, recruits, and trains gifted young
14 adults of all backgrounds and assists them in de-
15 signing solutions to community problems.

16 “(11) An intergenerational program that com-
17 bines students, out-of-school youths, and older
18 adults as participants to provide needed community
19 services.

20 “(12) Such other national service programs ad-
21 dressing unmet human, educational, environmental,
22 or public safety needs as the Corporation may des-
23 ignate.

24 “(b) QUALIFICATION CRITERIA TO DETERMINE ELI-
25 GIBILITY.—

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

9 “(2) CONSULTATION.—In establishing qualifica-
10 tion criteria under paragraph (1), the Corporation
11 shall consult with individuals who are experts re-
12 garding national service or regarding the delivery of
13 human, educational, environmental, or public safety
14 services to communities or persons.

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

21 “(c) NATIONAL SERVICE PRIORITIES.—

22 “(1) ESTABLISHMENT BY CORPORATION.—In
23 order to concentrate national efforts on meeting cer-
24 tain unmet human, educational, environmental, or
25 public safety needs, the Corporation may establish,

1 and periodically alter, priorities regarding the types
2 of national service programs to be assisted under
3 section 121 and the purposes for which such assist-
4 ance may be used.

5 “(2) NOTICE TO APPLICANTS.—The Corpora-
6 tion shall provide advance notice to potential appli-
7 cants of any national service priorities to be in effect
8 under this subsection for a fiscal year. The notice
9 shall specifically include—

10 “(A) a description of any alteration made
11 in the priorities since the previous notice; and

12 “(B) a description of the national service
13 programs that are designated by the Corpora-
14 tion under section 133(d)(2) as eligible for pri-
15 ority consideration in the next competitive dis-
16 tribution of Corporation funds under section
17 121(a).

18 “(3) APPLICATION TO SUBGRANTS.—Any na-
19 tional service priorities established by the Corpora-
20 tion under this subsection shall also be used by each
21 recipient of funds under section 121(a) that uses
22 any portion of the assistance to conduct a grant pro-
23 gram to support other national service programs.

1 **"SEC. 123. TYPES OF NATIONAL SERVICE POSITIONS ELIGI-**
2 **BLE FOR APPROVAL FOR NATIONAL SERVICE**
3 **EDUCATIONAL AWARDS.**

4 "The Corporation may approve of any of the follow-
5 ing service positions as an approved national service posi-
6 tion that includes the national service educational award
7 described in subtitle D as one of the benefits to be pro-
8 vided for successful service in the position:

9 "(1) A position for a participant in a national
10 service program described in section 122(a) that re-
11 ceives assistance under section 121(a). ^{and 122(b)} **[Why just**
12 **121(a)? What about the programs carried**
13 **out by Federal agencies that receive as-**
14 **sistance under section 122(b)?]**

15 "(2) A position for a participant in a program
16 that—

17 "(A) is carried out by a State, a subdivi-
18 sion of a State, an Indian tribe, a public or pri-
19 vate not-for-profit organization, an institution
20 of higher education, or a Federal agency; and

21 "(B) would be eligible to receive assistance
22 under section 121(a), based on criteria estab-
23 lished by the Corporation, but has not applied
24 for such assistance.

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

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

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

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

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

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

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

22 “(b) **OPERATIONAL ASSISTANCE.**—The Corporation
23 may provide assistance under section 121 to a qualified
24 applicant that submits an application under section 130
25 for the establishment, operation, or expansion of a na-

1 tional service program. Assistance provided in accordance
2 with this subsection may cover a period of not more than
3 3 years, but may be renewed by the Corporation upon con-
4 sideration of a new application under section 130.

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

14 “(d) LIMITATION ON ADMINISTRATIVE COSTS.—Ex-
15 cept in the case of assistance described in subsection (a),
16 any national service program established, operated, ex-
17 panded, or replicated using assistance provided under sec-
18 tion 121 and any national service program supported by
19 a grant made using such assistance may not use more
20 than 5 percent of the amount of such assistance to cover
21 administrative costs. **[Do you want this removed? —no**
22 **This applies to a national service program**
23 **that gets a portion of the assistance directly**
24 **under section 121 or under a grant made by**
25 **a recipient of assistance under section 121.**

1 **The provision in section 121 just applies to**
2 **the State Commission, Federal agency, local**
3 **government, or other entity that initially gets**
4 **the assistance and may pass it on to other pro-**
5 **grams.]**

6 “(e) APPLICATION TO SUBGRANTS.—The require-
7 ments of this section shall apply to any State or other
8 applicant receiving assistance under section 121 that pro-
9 poses to conduct a grant program using the assistance to
10 support other national service programs.

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

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

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

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

20 “(B) where programs do not currently
21 exist or are currently too limited to meet com-
22 munity needs;

23 “(2) promote leadership development in such
24 programs;

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

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

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

8 “(b) TECHNICAL ASSISTANCE.—The Corporation
9 may make appropriate technical assistance available to
10 States, labor organizations, **[Note: this is the first**
11 **time labor organizations are mentioned as an**
12 **applicant. Are they not-for-profit organiza-**
13 **tions?]** organizations operated by young adults, and
14 other entities described in section 121 that desire—

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

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

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

20 “(a) SUPPORT FOR STATE COMMISSIONS.—

21 “(1) ASSISTANCE AUTHORIZED.—The Corpora-
22 tion may make assistance available to assist a State
23 to establish or operate the State Commission on Na-
24 tional Service required to be established by the State
25 under section 178.

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

6 “(A) 85 percent of the total cost to estab-
7 lish or operate the State Commission for the
8 first year for which the State Commission re-
9 ceives assistance under this subsection; and

10 “(B) such smaller percentage of such cost
11 as the Corporation may establish for the sec-
12 ond, third, and fourth years of such assistance
13 in order to ensure that the Federal share does
14 not exceed 50 percent of such costs for the fifth
15 year, and any subsequent year, for which the
16 State Commission receives assistance under this
17 subsection.

18 “(b) DISASTER SERVICE.—The Corporation may un-
19 dertake activities to involve youth corps programs de-
20 scribed in section 122(a)(2) and other programs that re-
21 ceive assistance under the national service laws in disaster
22 relief efforts.

23 “(c) CHALLENGE GRANTS FOR NATIONAL SERVICE
24 PROGRAMS.—

1 “(1) ASSISTANCE AUTHORIZED.—The Corpora-
2 tion may make challenge grants under this sub-
3 section to a national service program that receives
4 assistance under section 121. The Corporation shall
5 develop criteria for the selection of challenge grant
6 recipients so as to make the grants widely available
7 to a variety of high-quality national service pro-
8 grams.

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

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

20 **PROCESS**

21 **“SEC. 129. PROVISION OF ASSISTANCE AND APPROVED NA-**
22 **TIONAL SERVICE POSITIONS BY COMPETI-**
23 **TIVE AND OTHER MEANS.**

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

33'13 22

1 “(1) ~~30~~ PERCENT ALLOTMENT OF ASSIST-
2 ANCE.—Of the funds ^{allocated by} ~~appropriated to~~ the Corpora-
3 tion ^{for provision of} ~~to provide~~ assistance under subsections (a) and
4 (b) of section 121 for a fiscal year, the Corporation
5 shall make a grant under such section to each of the
6 several States, the District of Columbia, and the
7 Commonwealth of Puerto Rico that has an applica-
8 tion approved by the Corporation under section 133.
9 The amount allotted as a grant to each such State
10 under this paragraph for a fiscal year shall be equal
11 to the amount that bears the same ratio to 30 per-
12 cent of the funds appropriated to provide assistance
13 under such subsections for that fiscal year as the
14 population of the State bears to the total population
15 of the several States, the District of Columbia, and
16 the Commonwealth of Puerto Rico.

17 “(2) ONE PERCENT ALLOTMENT OF ASSIST-
18 ANCE.—Of the funds ^{allocated by} ~~appropriated to~~ the Corpora-
19 tion ^{for provision of} ~~to provide~~ assistance under subsections (a) and
20 (b) of section 121 for a fiscal year, the Corporation
21 shall reserve 1 percent of such appropriated funds
22 for grants under such section to Indian tribes, the
23 Virgin Islands, Guam, American Samoa, and the
24 Commonwealth of the Northern Mariana Islands, to
25 be allotted by the Corporation on a competitive basis

1 in accordance with their respective needs. Palau
2 shall also be eligible for a grant under this para-
3 graph from the 1 percent allotment until such time
4 as the Compact of Free Association with Palau is
5 ratified.

6 “(3) CORRESPONDING ALLOTMENT OF AP-
7 PROVED POSITIONS.—A State or Indian tribe that
8 receives an allotment under paragraph (1) or (2) for
9 a fiscal year shall also receive approved national
10 service positions in an amount that is sufficient to
11 make national service educational awards described
12 in subtitle D available for all service positions de-
13 scribed in the application submitted by the State or
14 Indian tribe under section 130 and approved by the
15 Corporation under section 133.

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

23 “(A) to make grants (and provide ap-
24 proved national service positions in connection
25 with such grants) to other eligible entities

1 under section 121 that propose to carry out na-
2 tional service programs in the State or on be-
3 half of the Indian tribe; and

4 “(B) after making grants under paragraph
5 (1), to make reallotments to other States and
6 Indian tribes with approved applications under
7 section 130. **[Note: Instructions are to**
8 **conform this provision to the reallot-**
9 **ment arrangements provided in sec-**
10 **tion 112(c), but that section refers to**
11 **first making grants under section**
12 **111A to local applicants in**
13 **nonparticipating States. I’ve tried to**
14 **do this without creating a new sec-**
15 **tion corresponding to section 111A.]** 

16 “(b) RESERVATION OF APPROVED POSITIONS.—

17 “(1) NUMBER RESERVED.—Except as provided
18 in paragraph (2), the Corporation shall ensure that
19 each individual selected during a fiscal year for as-
20 signment as a VISTA volunteer under title I of the
21 Domestic Volunteer Service Act of 1973 (42 U.S.C.
22 4951 et seq.) or as a participant in the Civilian
23 Community Corps Demonstration Program under
24 subtitle E shall receive the national service edu-
25 cational award described in subtitle D if the individ-

1 ual satisfies the eligibility requirements for the
2 award. The number of approved national service po-
3 sitions required by this paragraph for a fiscal year
4 shall be deducted from the total number of approved
5 national service positions to be available for distribu-
6 tion under subsections (a) and (d) for that fiscal
7 year.

8 “(2) EXCEPTION.—If the total number of ap-
9 proved national service positions to be available for
10 distribution [**under subsections (a) and (d)?**] *yes*
11 for a fiscal year does not exceed 200 percent of the
12 number of such positions that would be required to
13 satisfy paragraph (1) for that fiscal year, the Cor-
14 poration shall not reserve the national service edu-
15 cational award for individuals described in such
16 paragraph who are selected during that fiscal year.

17 “(c) RESERVATION FOR SPECIAL ASSISTANCE.—Of
18 the funds *allocated by* ~~appropriated to~~ the Corporation *for provision of* ~~to provide~~ as-
19 sistance under subsections (a) and (b) of section 121 for
20 a fiscal year, the Corporation may reserve such amount
21 as the Corporation considers to be appropriate for the pur-
22 pose of making assistance available under sections 125
23 and 126. However, the Corporation may not reserve more
24 than \$10,000,000 for a fiscal year for challenge grants
25 under section 126(c).

1 “(d) COMPETITIVE DISTRIBUTION OF REMAINING
2 FUNDS AND APPROVED POSITIONS.—

3 “(1) STATE COMPETITION.—Of the funds ^{allocated by} ~~ap-~~
4 ~~propriated to~~ the Corporation to provide assistance
5 under section 121 for a fiscal year, the Corporation
6 shall use not less than ^{33 1/3} ~~20~~ percent of such appro-
7 priated funds to make grants to States on a com-
8 petitive basis under section 121. Of the total number
9 of approved national service positions to be available
10 under this section for a fiscal year (excluding posi-
11 tions reserved for Corporation programs under sub-
12 section (b)), the Corporation shall distribute not less
13 than 20 percent of such positions to States on a
14 competitive basis.

15 “(2) FEDERAL AGENCIES AND OTHER APPLI-
16 CANTS.—The Corporation shall distribute on a com-
17 petitive basis to subdivisions of States, Indian tribes,
18 public and private not-for-profit organizations, ^{(including} ~~insti-~~ _{labor}
19 tutions of higher education, and Federal agencies— _{organizations)}

20 “(A) the remainder of the funds appro-
21 priated to provide assistance under section 121
22 for a fiscal year, after operation of paragraph
23 (1) and subsections (a) and (c); and

24 “(B) the remainder of the approved na-
25 tional service positions to be available under

1 this section for a fiscal year, after operation of
2 paragraph (1) and subsections (a) and (b).

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

8 “(e) APPLICATION REQUIRED.—The allotment of as-
9 sistance and approved national service positions to a State
10 or Indian tribe under subsection (a), and the competitive
11 distribution of assistance and approved national service
12 positions under subsection (d), shall be made by the Cor-
13 poration only pursuant to an application submitted by a
14 State or other applicant under section 130 and approved
15 by the Corporation under section 133.

16 “(f) DISTRIBUTION OF APPROVED POSITIONS SUB-
17 JECT TO AVAILABLE FUNDS.—The Corporation may not
18 distribute approved national service positions under this
19 section for a fiscal year in excess of the number of such
20 positions for which the Corporation has sufficient available
21 funds in the National Service Trust for that fiscal year
22 to satisfy the maximum possible obligations to be incurred
23 by the United States to provide the national service edu-
24 cational award corresponding to service in these positions.

1 “(g) SPONSORSHIP OF APPROVED NATIONAL SERV-
2 ICE POSITIONS.—

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

15 “(2) DEPOSIT OF CONTRIBUTION.—Funds pro-
16 vided pursuant to an agreement under paragraph
17 (1) and any other funds contributed to the Corpora-
18 tion to support the activities of the Corporation
19 under the national service laws shall be deposited in
20 the National Service Trust established in section
21 145 until such time as the funds are needed.

22 **“SEC. 130. APPLICATION FOR ASSISTANCE AND APPROVED**
23 **NATIONAL SERVICE POSITIONS.**

24 “(a) TIME, MANNER, AND CONTENT OF APPLICA-
25 TION.—To be eligible to receive assistance under section

1 121 and approved national service positions for partici-
2 pants who serve in the national service programs to be
3 carried out using the assistance, a State, subdivision of
4 a State, Indian tribe, public or private not-for-profit orga-
5 nization, institution of higher education, or Federal agen-
6 cy shall prepare and submit to the Corporation an applica-
7 tion at such time, in such manner, and containing such
8 information as the Corporation may reasonably require.

9 “(b) TYPES OF APPLICATION INFORMATION.—In
10 order to have adequate information upon which to consider
11 an application under section 133, the Corporation may re-
12 quire the following information to be provided in an appli-
13 cation submitted under subsection (a):

14 “(1) A description of the national service pro-
15 grams proposed to be carried out directly by the ap-
16 plicant using assistance provided under section 121.

17 “(2) A description of the national service pro-
18 grams, other than national service programs carried
19 out by a State agency, that are selected by the appli-
20 cant to receive a grant from assistance requested
21 under section 121 and a description of the process
22 and criteria by which the programs were selected.

23 “(3) A description of other funding sources to
24 be used, or sought to be used, for the national serv-
25 ice programs referred to in paragraphs (1) and (2),

1 and, if the application is submitted for the purpose
2 of seeking a renewal of assistance, a description of
3 the success of the programs in reducing their reli-
4 ance on Federal funds.

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

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

14 “(6) A description of the manner in which the
15 national service programs referred to in paragraphs
16 (1) and (2) build on existing programs, including
17 Federal programs;

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

21 “(A) in projects that build an ethic of civic
22 responsibility and produce a positive change in
23 the lives of participants through training and
24 participation in meaningful service experiences

1 and opportunities for reflection on such experi-
2 ences; and

3 “(B) in leadership positions in implement-
4 ing and evaluating the program.

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

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

11 “(B) the service experience to be provided
12 to participants in the programs.

13 “(9) A description of the manner and extent to
14 which the national service programs referred to in
15 paragraphs (1) and (2) conform to the national serv-
16 ice priorities established by the Corporation under
17 section 122(c).

18 “(10) A description of the past experience of
19 the applicant in operating a comparable program or
20 in conducting a grant program in support of other
21 comparable programs.

22 “(11) A description of the type and number of
23 proposed service positions in which participants will
24 receive the national service educational award de-
25 scribed in subtitle D and a description of the man-

1 ner in which approved national service positions will
2 be apportioned by the applicant.

3 “(12) A description of the manner and extent
4 to which participants, representatives of the commu-
5 nity served, community-based agencies with a dem-
6 onstrated record of experience in providing services,
7 and labor organizations contributed to the develop-
8 ment of the national service programs referred to in
9 paragraphs (1) and (2), including the identity of the
10 individual representing the labor organization who
11 was consulted and the nature of the consultation.

12 “(13) Such other information as the Corpora-
13 tion may reasonably require.

14 “(c) APPLICATION TO RECEIVE ONLY APPROVED NA-
15 TIONAL SERVICE POSITIONS.—

16 “(1) APPLICABILITY OF SUBSECTION.—This
17 subsection shall apply in the case of an application
18 in which—

19 “(A) the applicant is not seeking assist-
20 ance under subsection (a) or (b) of section 121,
21 but requests national service educational
22 awards for individuals serving in service posi-
23 tions described in section 123; or

24 “(B) the applicant requests national serv-
25 ice educational awards for service positions de-

1 scribed in section 123, but the positions are not
2 positions in a national service program de-
3 scribed in section 122(a) for which assistance
4 may be provided under subsection (a) or (b) of
5 section 121.

6 “(2) SPECIAL APPLICATION REQUIREMENTS.—
7 For the applications described in paragraph (1), the
8 Corporation shall establish special application re-
9 quirements in order to determine—

10 “(A) whether the service positions meet
11 unmet human, educational, environmental, or
12 public safety needs **[and meet the criteria**
13 **for assistance under ^{this subtitle} section ~~121~~]**
14 **[Note: about the proposed additional**
15 **language, what are the criteria in sec-**
16 **tion 121?]; and**

17 “(B) whether the Corporation should ap-
18 prove the positions as approved national service
19 positions that include the national service edu-
20 cational award described in subtitle D as one of
21 the benefits to be provided for successful service
22 in the position.

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

24 “(1) SUBMISSION BY STATE COMMISSION.—The
25 application of a State for approved national service

1 positions or for a grant under section 121(a) shall
2 be submitted by the State Commission.

3 “(2) COMPETITIVE SELECTION.—The applica-
4 tion of a State shall contain an assurance that all
5 assistance provided under section 121(a) to the
6 State will be used to support national service pro-
7 grams that were selected by the State on a competi-
8 tive basis.

9 “(3) ASSISTANCE TO NONSTATE ENTITIES.—
10 The application of a State shall also contain an as-
11 surance that not less than 60 percent of the assist-
12 ance will be used to make grants in support of na-
13 tional service programs other than national service
14 programs carried out by a State agency. The Cor-
15 poration may permit a State to deviate from the per-
16 centage specified by this subsection if the State has
17 not received a sufficient number of acceptable appli-
18 cations to comply with the percentage.

19 “(e) SPECIAL RULE ~~FOR PUBLIC APPLICANTS.~~—The
20 application of ^{an} ~~a State or other public~~ entity that proposes
21 to serve as a service sponsor shall include the written con-
22 currence of ^{any} ~~[any/each?]~~ local labor organization rep-
23 resenting employees of ^{such} ~~the State or other public~~ entity ~~em-~~
24 ~~ployer~~ ^{who are engaged in the same or similar}
work as that proposed to be carried out,

1 “(f) LIMITATION ON SAME PROJECT IN MULTIPLE
2 APPLICATIONS.—The Corporation shall reject an applica-
3 tion submitted under this section if a project proposed to
4 be conducted using assistance requested by the applicant
5 is already described in another application pending before
6 the Corporation.

7 “SEC. 131. NATIONAL SERVICE PROGRAM ASSISTANCE RE-
8 QUIREMENTS.

 [Note: The impact on communities lan-
guage that was originally in this section was
changed from required guarantees of positive
results to communities to more descriptive
language. Therefore, the language was no
longer suitable for inclusion here and be-
came section 130(b)(4).]

*see next
page for
insert*

9 “(a) IMPACT ON PARTICIPANTS.—An application
10 submitted under section 130 shall include an assurance
11 by the applicant that any national service program carried
12 out by the applicant using assistance provided under sec-
13 tion 121 and any national service program supported by
14 a grant made by the applicant using such assistance will—

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

1 “(9) The guarantees and information required
2 by sections 125, 126, and 131.

3 “(10) Such other information as the Commis-
4 sion may reasonably require.

5 “(c) SPECIAL RULE FOR STATE APPLICANTS.—The
6 application of a State for a grant under section 121,
7 whether submitted to obtain the allotment of the State
8 under section 123(a) or a competitive grant, shall be sub-
9 mitted by the State Commission on National Service re-
10 quired to be established under section 178 and shall in-
11 clude the national service plan for the State required
12 under section 178A.

13 “SEC. 125. NATIONAL SERVICE PROGRAM REQUIREMENTS.

14 “(a) IMPACT ON COMMUNITIES.—An application sub-
15 mitted to the Corporation under section 124 shall include
16 a guarantee by the applicant that any national service pro-
17 gram planned, established, operated, expanded, or rep-
18 licated using assistance provided to the applicant under
19 section 121 will involve participants in meaningful na-
20 tional service that—

21 ~~“(1) is not otherwise being provided;~~

22 “(2) addresses unmet human, educational, envi-
23 ronmental, or public safety needs, especially those
24 needs relating to poverty;

*include special
for federal aff*

1 “(2) provide support services to participants,
2 such as the provision of appropriate information and
3 support—

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

8 “(B) to those participants who are school
9 dropouts in order to assist those participants in
10 earning the equivalent of a high school diploma.

11 “(b) NONDUPLICATION AND NONDISPLACEMENT RE-
12 QUIREMENTS.—An application submitted under section
13 130 shall also include an assurance by the applicant that
14 the applicant will comply with the nonduplication and
15 nondisplacement requirements specified in subsections (a)
16 and (b) of section 177 in carrying out the national service
17 programs, including any grant program in support of na-
18 tional service programs.

19 “(c) CONSULTATION.—An application submitted
20 under section 130 shall also include an assurance by the
21 applicant that any national service program carried out
22 by the applicant using assistance provided under section
23 121 and any national service program supported by a
24 grant made by the applicant using such assistance will—

1 “(1) provide in the design, recruitment, and op-
2 eration of the program for broad-based input from
3 the community served, community-based agencies
4 with a demonstrated record of experience in provid-
5 ing services, and local labor organizations represent-
6 ing employees of service sponsors;

7 “(2) prior to the placement of participants, con-
8 sult with any local labor organization representing
9 employees in the area who are engaged in the same
10 or similar work as that proposed to be carried out
11 by such program to ensure compliance with the
12 nondisplacement requirements specified in section
13 177(a); and

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

18 “(d) EVALUATION AND PERFORMANCE GOALS.—

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

22 “(A) arrange for an independent evalua-
23 tion of any national service program carried out
24 using assistance provided to the applicant under
25 section 121;

1 “(B) develop measurable performance
2 goals and evaluation methods (such as the use
3 of surveys of participants and persons served),
4 which are to be used as part of such evaluation
5 to determine the impact of the program—

6 “(i) on communities and persons
7 served by the projects performed by the
8 program;

9 “(ii) on participants who take part in
10 the projects; and

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

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

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

24 “(e) LIVING ALLOWANCES AND OTHER INSERVICE
25 BENEFITS.—Except as provided in section 140(b), an ap-

1 plication submitted under section 124 shall also include
2 an assurance by the applicant that the applicant will—

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

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

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

1 tablished under section 138(d) and may vary the percent-
2 age for different types of national service programs.

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

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

11 “(1) business organized for profit;

12 “(2) labor union;

13 “(3) partisan political organization; or

14 “(4) organization engaged in religious activities,
15 unless such service does not involve the use of assist-
16 ance provided under section 121 or participants to
17 give religious instruction, conduct worship services,
18 or engage in any form of proselytization.

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

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

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

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

9 “(b) APPLICATION TO SUBGRANTS.—A State or
10 other entity that uses assistance provided under section
11 121(a) to support national service programs selected on
12 a competitive basis to receive a share of the assistance
13 shall use the criteria described in subsections (c) and (d)
14 when considering an application submitted by a national
15 service program to receive a portion of such assistance or
16 an approved national service position. The application of
17 the State or other entity under section 130 shall contain
18 a certification that the State or other entity complied with
19 these criteria in the selection of national service programs
20 to receive assistance.

**[Note: The following language appeared
in the margin of the last draft without a ref-
erence to where it should go. More impor-
tantly, there are no State plans. “In the case
of grants to applicants other than States, the**

*Put under
assistance
criteria
in (c)*

Corporation shall consider the consistency of such application with State ^{applications} plans submitted under section ____.”]

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

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

7 “(2) The innovative aspects of the national
8 service program, and the feasibility of replicating the
9 program.

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

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

14 “(B) of multiple funding sources or private
15 funding for the program.

16 “(4) The quality of the leadership of the na-
17 tional service program, the past performance of the
18 program, and the extent to which the program
19 builds on existing programs.

20 “(5) The extent to which participants of the na-
21 tional service program are recruited from among
22 residents of the communities in which projects are to

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

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

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

12 “(B) areas that are environmentally dis-
13 tressed; or

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

17 “(7) Such other criteria as the Corporation con-
18 siders to be appropriate.

19 “(d) OTHER CONSIDERATIONS.—

20 “(1) GEOGRAPHIC DIVERSITY.—The Corpora-
21 tion shall ensure that recipients of assistance pro-
22 vided under section 121 on a competitive basis are
23 geographically diverse and include projects to be
24 conducted in those urban and rural areas in a State
25 with the highest rates of poverty.

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

9 “(A) national service programs carried out
10 by another Federal agency;

11 “(B) national service programs that con-
12 form to the national service priorities in effect
13 under section 122(c);

14 “(C) innovative national service programs;

15 “(D) private national service programs
16 that are well established in one or more States
17 at the time of the application and are proposed
18 to be expanded to additional States using as-
19 sistance provided under section 121;

20 “(E) grant programs in support of other
21 national service programs if the grant programs
22 are to be conducted by not-for-profit organiza-
23 tions with a demonstrated and extensive exper-
24 tise in the provision of services to meet human,

1 educational, environmental, or public safety
2 needs; and

3 “(F) professional corps programs described
4 in section 122(a)(8).

5 “(e) REJECTION OF STATE APPLICATIONS.—

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

12 “(2) RESUBMISSION AND RECONSIDERATION.—
13 The Corporation shall provide a State Commission
14 notified under paragraph (1) with a reasonable op-
15 portunity to revise and resubmit the application. At
16 the request of the State Commission, the Corpora-
17 tion shall provide technical assistance to the State
18 Commission as part of the resubmission process.
19 The Corporation shall promptly reconsider an appli-
20 cation resubmitted under this paragraph.

21 “(3) REALLOTMENT.—The amount of any
22 State’s allotment under section 129(a) for a fiscal
23 year that the Corporation determines will not be
24 provided for that fiscal year shall be available for

1 distribution by the Corporation as provided in para-
2 graph (4) of such subsection.

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

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

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

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

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

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

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

19 “(5) has received a high school diploma or its
20 equivalent or agrees to obtain a high school diploma
21 or its equivalent and the individual did not drop out
22 of an elementary or secondary school to enroll in the
23 program; and

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

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

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

10 ~~“(2) is an out-of-school youth at the time the~~
11 ~~individual begins the term of service.~~

12 **“SEC. 138. SELECTION OF NATIONAL SERVICE PARTICI-**
13 **PANTS.**

14 “(a) SELECTION PROCESS.—Subject to subsection
15 (b) and section 131(f), the actual recruitment and selec-
16 tion of an individual to serve in a national service program
17 receiving assistance under section 121(a) ^{or 121(b)} ~~[What about~~
18 ~~Federal programs under section 121(b)?]~~ or to
19 fill an approved national service position shall be con-
20 ducted by the State, subdivision of a State, Indian tribe,
21 public or private not-for-profit organization, institution of
22 higher education, Federal agency, or other entity to which
23 the assistance and approved national service positions are
24 provided.

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

7 “(c) RECRUITMENT AND PLACEMENT.—The Cor-
8 poration and each State Commission shall establish a sys-
9 tem to recruit individuals who desire to perform national
10 service and to assist the placement of these individuals in
11 approved national service positions, including positions
12 available under title I of the Domestic Volunteer Service
13 Act of 1973 (42 U.S.C. 4951).

14 “(d) NATIONAL LEADERSHIP POOL.—

15 “(1) SELECTION AND TRAINING.—From among
16 individuals recruited under subsection (c), the Cor-
17 poration may select individuals with significant lead-
18 ership potential, as determined by the Corporation,
19 to receive special training to enhance their leader-
20 ship ability. The leadership training shall be pro-
21 vided by the Corporation directly or through a grant
22 or contract.

23 “(2) EMPHASIS ON CERTAIN INDIVIDUALS.—In
24 selecting individuals to receive leadership training
25 under this subsection, the Corporation shall make

(d) SECOND TERM.—Acceptance into
a program for a second term shall
only be available to individuals
who performed satisfactorily
in the first term of service

1 special efforts to select individuals who have served
2 in the Peace Corps, as VISTA volunteers, or as par-
3 ticipants in national service programs receiving as-
4 sistance under section 121.

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

14 **“SEC. 139. TERMS OF SERVICE.**

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

20 “(b) TERM OF SERVICE.—

21 “(1) FULL-TIME SERVICE.—An individual per-
22 forming full-time national service in an approved na-
23 tional service position shall agree to participate in
24 the program sponsoring the position for not less

1 than 1,700 hours during a period of not less than
2 9 months and not more than 1 year.

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

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

19 “(c) RELEASE FROM COMPLETING TERM OF SERV-
20 ICE.—

21 “(1) RELEASE AUTHORIZED.—A recipient of
22 assistance under section 121(a) ~~{What about~~
23 ~~Federal programs that receive assistance~~
24 ~~under section 121(b)?}~~ or a program sponsor-
25 ing an approved national service position may re-

1 lease a participant from completing a term of service
2 in the position for compelling personal circumstances
3 as demonstrated by the participant.

4 “(2) EFFECT OF RELEASE.—If the released
5 participant was serving in an approved national
6 service position, the participant may receive a por-
7 tion of the national service educational award cor-
8 responding to that service in the manner provided in
9 section 147(b).

10 **“SEC. 140. LIVING ALLOWANCES FOR NATIONAL SERVICE**
11 **PARTICIPANTS.**

12 “(a) PROVISION OF LIVING ALLOWANCE.—

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

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

24 “(A) 85 percent of the total average an-
25 nual subsistence allowance provided to VISTA

1 “(1) any assistance provided to the applicant
2 under section 121(a) may not be used to pay for any
3 portion of the allowance;

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

7 “(3) the national service program must be oper-
8 ated directly by the applicant and must meet urgent,
9 unmet human, educational, environmental, or public
10 safety needs, as determined by the Corporation.

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

25 “(d) CHILD CARE.—

1 “(1) AVAILABILITY.—A State or other recipient
2 of assistance under section 121^{(a) or (b)} shall—

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

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

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

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

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

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

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

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

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

“Subtitle C—National Service Trust Program

“PART I—INVESTMENT IN NATIONAL SERVICE

“Sec. 121. Authority to provide assistance and approved national service posi-
 tions.

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

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

“Sec. 124. Types of program assistance.

“Sec. 125. Training and technical assistance.

“Sec. 126. Other special assistance.

“PART II—APPLICATION AND APPROVAL PROCESS

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

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

“Sec. 131. National service program assistance requirements.

“Sec. 132. Ineligible service categories.

“Sec. 133. Consideration of applications.

“PART III—NATIONAL SERVICE PARTICIPANTS

“Sec. 137. Description of participants.

“Sec. 138. Selection of national service participants.

“Sec. 139. Required terms of service of national service participants.

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

“Sec. 141. National service educational awards.”.

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

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

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

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

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

16 “(1) such amounts as the Corporation may des-
17 ignate to be available for the payment of national
18 service educational awards from the amounts appro-
19 priated to the Corporation and made available to
20 carry out this subtitle pursuant to section 501(a)(1);

21 “(2) any amounts received by the Corporation
22 as gifts, bequests, devise, or otherwise pursuant to
23 section 192(a)(2); and

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

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

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

19 “(d) REPORTS TO CONGRESS ON RECEIPTS AND EX-
20 PENDITURES.—The Corporation shall submit an annual
21 report to the Congress on the financial status of the Trust.
22 Such report shall—

23 “(1) specify the amount deposited to the Trust
24 from the most recent appropriation to the Corpora-
25 tion, the amount received by the Corporation as gifts

1 or bequest during the period covered by the report,
2 and any amounts obtained by the Trust pursuant to
3 subsection (a)(3);

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

7 “(3) identify the number of individuals whose
8 ability to claim national service educational awards
9 during the period covered by the report—

10 “(A) has been reduced pursuant to section
11 147(b); or

12 “(B) has lapsed pursuant to section
13 146(d); and

14 “(4) estimate the number of additional ap-
15 proved national service positions which the Corpora-
16 tion will be able to make available under subtitle C
17 on the basis of any accumulated surplus in the
18 Trust above the amount required to provide national
19 service educational awards to individuals identified
20 under paragraph (2), including any amounts avail-
21 able as a result of the circumstances referred to in
22 paragraph (3).

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

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

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

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

17 “(3) has received a high school diploma, or the
18 equivalent of such diploma, at the time the individ-
19 ual uses the national service educational award; and

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

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

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

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

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

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

20 “(A) was unavoidably prevented from
21 using the national service educational award
22 during the original 5-year period; or

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

1 **"SEC. 147. DETERMINATION OF THE AMOUNT OF THE NA-**
2 **TIONAL SERVICE EDUCATIONAL AWARD.**

3 “(a) AMOUNT GENERALLY.—Except as provided in
4 subsection (b), an individual described in section 146(a)
5 who successfully completes a required term of service in
6 an approved national service position shall receive a na-
7 tional service educational award having a value equal to
8 ^{5,000}~~\$6,500~~ for each of not more than 2 of such terms of serv-
9 ice.

10 “(b) AWARD FOR PARTIAL COMPLETION OF SERV-
11 ICE.—If an individual serving in an approved national
12 service position is released in accordance with section
13 139(c)(1) from completing the term of service agreed to
14 by the individual, the Corporation may provide the individ-
15 ual with that portion of the national service educational
16 award approved for the individual that corresponds to the
17 quantity of the term of service actually completed by the
18 individual.

19 **"SEC. 148. DISBURSEMENT OF NATIONAL SERVICE EDU-**
20 **CATIONAL AWARDS.**

21 “(a) IN GENERAL.—Amounts in the Trust shall be
22 available—

23 “(1) to repay student loans in accordance with
24 subsection (b);

- 1 “(2) to pay all or part of the cost of attendance
2 at an institution of higher education in accordance
3 with subsection (c); and
4 “(3) to pay expenses incurred in participating
5 in an ~~apprenticeship~~ ^{approved school-to-work} program in accordance with
6 subsection (d).

**[Note: Forbearance language to be
added.] see next page**

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

“(1) APPLICATION BY ELIGIBLE INDIVID-
UALS.—An eligible individual under section 146 who
desires to apply his or her national service edu-
cational award to the repayment of qualified student
loans shall submit, in a manner prescribed by the
Corporation, an application to the Corporation
that—

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

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

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

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

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

“(4) REPORTS BY HOLDERS.—Any holder receiving a loan payment pursuant to this subsection shall submit to the Corporation such information as the Corporation may require to verify that such payment was applied in accordance with this subsection

and any regulations prescribed to carry out this subsection.

“(5) AUTHORITY TO AGGREGATE PAYMENTS.—The Corporation may, by regulation, provide for the aggregation of payments to holders under this subsection.

“(6) DEFINITION OF QUALIFIED STUDENT LOANS.—The term ‘qualified student loans’ means—

“(A) any loan made, insured, or guaranteed pursuant to title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.), other than a loan to a parent of a student pursuant to section 428B of such Act (20 U.S.C. 1078-2); *and*

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

~~“(C) [other - to be supplied]~~

“(7) DEFINITION OF HOLDER.—The term ‘holder’ with respect to any eligible loan means the original lender or, if the loan is subsequently sold, transferred, or assigned to some other person, and such other person acquires a legally enforceable right to receive payments from the borrower, such other person.

~~“(8) [other to be supplied]~~

“(c) USE OF EDUCATIONAL AWARDS TO PAY CURRENT EDUCATIONAL EXPENSES.—

“(1) APPLICATION BY ELIGIBLE INDIVIDUAL.—

An eligible individual under section 146 who desires to apply his or her national service educational award to the payment of current educational expenses shall, on a form prescribed by the Corporation, submit an application to the institution of higher education in which the student will be enrolled that contains such information as the Corporation may require to verify the individual's eligibility.

“(2) SUBMISSION OF REQUESTS FOR PAYMENT BY INSTITUTIONS.—An institution of higher education that receives one or more applications that comply with paragraph (1) shall submit to the Corporation a statement, in a manner prescribed by the Corporation, that—

“(A) identifies each eligible individual filing an application under paragraph (1) for a disbursement of the individual's national service educational award under this subsection;

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

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

“(C) certifies that (i) the institution of higher education has in effect a program participation agreement under section 487 of the Higher Education Act of 1965 (20 U.S.C. 1094), and (ii) the institution’s eligibility to participate in any of the programs under title IV of such Act (20 U.S.C. 1070 et seq.) has not been limited, suspended, or terminated; and

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

“(3) DISBURSEMENT OF PAYMENTS.—Upon receipt of a statement from an institution of higher education that complies with paragraph (2), the Corporation shall, subject to paragraph (4), disburse the total amount of the national service educational awards for which eligible individuals who have submitted applications to that institution under paragraph (1) are qualified. Such disbursement shall be made by check or other means that is payable to the institution and requires the endorsement or other certification by the eligible individual.

“(4) MULTIPLE DISBURSEMENTS REQUIRED.—

The total amount required to be disbursed to an institution of higher education under paragraph (3) for any period of enrollment shall be disbursed by the Corporation in 2 or more installments, none of which exceeds $\frac{1}{2}$ of such total amount. The interval between the first and second such installment shall not be less than $\frac{1}{2}$ of such period of enrollment, except as necessary to permit the second installment to be paid at the beginning of the second semester, quarter, or similar division of such period of enrollment.

“(5) REFUND RULES.—The Corporation shall, by regulation, provide for the refund to the Corporation (and the crediting to the national service educational award of an eligible individual) of amounts disbursed to institutions for the benefit of eligible individuals who withdraw or otherwise fail to complete the period of enrollment for which the assistance was provided. Such regulations shall be consistent with the fair and equitable refund policies required of institutions pursuant to section 484B of the Higher Education Act of 1965 (20 U.S.C. 1091b). Amounts refunded to the Trust pursuant to this paragraph may be used by the Corporation to fund

additional approved national service positions under subtitle C.

“(6) MAXIMUM AWARD.—The portion of an eligible individual’s total available national service educational award that may be disbursed under this subsection for any period of enrollment shall not exceed the difference between—

“(A) the eligible individual’s cost of attendance for such period of enrollment, determined in accordance with section 472 of the Higher Education Act of 1965 (20 U.S.C. 1087u); and

“(B) the sum of (i) the student’s estimated financial assistance for such period for purposes of title IV of such Act (20 U.S.C. 1070 et seq.), and (ii) the student’s veterans’ education benefits, determined in accordance with section 480(c) of such Act (20 U.S.C. 1087vv(c)).

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~~“(7) [Other to be supplied] —~~

“(d) USE OF EDUCATIONAL AWARD TO PARTICI-
PATE IN ~~APPRENTICESHIP~~ ^{Approved school-to-work} PROGRAMS.—The Corporation

shall by regulation provide for the payment of national service educational awards to permit eligible individuals

to participate in ~~recognized and approved apprenticeship~~ ^{school-to-work} programs ^{approved by the Secretaries of Labor and Education} ~~Such regulations shall~~

(1) ~~conditions for regulations to be supplied on basis of labor initiatives~~.

~~“(e) GENERAL ADMINISTRATIVE PROVISIONS:~~

~~to be supplied may already be located in general Corporation powers.]~~

~~“(f) [Additional Provisions to be supplied]~~.

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

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

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

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

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

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

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

1 (c) CONFORMING AMENDMENTS.—

2 (1) IMPACT ON ELIGIBILITY FOR SUBSIDIZED
3 STAFFORD LOANS.—Section 428(a)(2)(C)(i) of the
4 Higher Education Act of 1965 (20 U.S.C.

1 1078(a)(2)(C)(i)) is amended by inserting after
2 “parts C and E of this title,” the following: “any na-
3 tional service educational award such student will re-
4 ceive under subtitle D of title I of the National and
5 Community Service Act of 1990 (42 U.S.C. 12751
6 et seq.),”.

7 (2) IMPACT ON GENERAL NEEDS ANALYSIS.—
8 Section 480(j) of such Act (20 U.S.C. 1087vv(j)) is
9 amended by adding at the end the following new
10 paragraph:

11 “(3) Notwithstanding paragraph (1), any na-
12 tional service educational award such student will re-
13 ceive under subtitle D of title I of the National and
14 Community Service Act of 1990 (42 U.S.C. 12751
15 et seq.) shall not be taken into account in determin-
16 ing estimated financial assistance not received under
17 this title.”.

18 (4) IMPACT ON ELIGIBILITY FOR STAFFORD
19 LOAN FORGIVENESS.—Section 428J(c) of the Higher
20 Education Act of 1965 (20 U.S.C. 1078–10(c)) is
21 amended by adding at the end the following new
22 paragraph:

23 “(5) INELIGIBILITY OF NATIONAL SERVICE
24 EDUCATIONAL AWARD RECIPIENTS.—No student
25 borrower may, for the same volunteer service, receive

1 a benefit under both this section and subtitle D of
2 title I of the National and Community Service Act
3 of 1990 (42 U.S.C. 12751 et seq.).”.

4 (5) IMPACT ON ELIGIBILITY FOR PERKINS LOAN
5 FORGIVENESS.—Section 465(a) of the Higher Edu-
6 cation Act of 1965 (20 U.S.C. 1087ee(a)) is amend-
7 ed by adding at the end the following new para-
8 graph:

9 “(6) No borrower may, for the same volunteer
10 service, receive a benefit under both this section and
11 subtitle D of title I of the National and Community
12 Service Act of 1990 (42 U.S.C. 12751 et seq.).”.

13 **SEC. 103. SCHOOL-BASED AND COMMUNITY-BASED SERV-**
14 **ICE-LEARNING PROGRAMS.**

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

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

22 (A) work with teachers in elementary
23 schools and secondary schools within a commu-
24 nity, and with community-based agencies, to

1 create and offer service-learning opportunities
2 for all school-age youth;

3 (B) educate teachers, and faculty providing
4 teacher training and retraining, about service-
5 learning, and incorporate service-learning op-
6 portunities into classroom teaching to strength-
7 en academic learning;

8 (C) coordinate the work of adult volunteers
9 who work with elementary and secondary
10 schools as part of their community service ac-
11 tivities; and

12 (D) work with employers in the commu-
13 nities to ensure that projects introduce the stu-
14 dents to various careers and expose the stu-
15 dents to needed further education and training.

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

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

4 **“PART I—SERVE-AMERICA PROGRAMS**

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

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

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

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

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

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

1 cluding the age-appropriate learning component
2 described in section 114(d)(5)(B);

3 “(C) forming local partnerships described
4 in paragraph (2) or (4) to develop school-based
5 service-learning programs in accordance with
6 this subpart;

7 “(D) devising appropriate methods for re-
8 search and evaluation of the educational value
9 of service-learning and the effect of service-
10 learning activities on communities; and

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

17 “(2) implementing, operating, or expanding
18 school-based service-learning programs, which may
19 include paying for the cost of the recruitment, train-
20 ing, supervision, placement, salaries, and benefits of
21 service-learning coordinators, through State distribu-
22 tion of Federal funds made available under this sub-
23 part to projects operated by local partnerships
24 among—

25 “(A) local educational agencies; and

1 “(B) one or more community partners
2 that—

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

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

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

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

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

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

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

7 “(A) local educational agencies; and

8 “(B) one or more—

9 “(i) public or private not-for-profit or-
10 ganizations;

11 “(ii) other educational agencies; or

12 “(iii) private for-profit businesses,

13 that coordinate and operate projects for participants,
14 who shall be students.

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

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

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

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

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

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

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

21 **“SEC. 111A. AUTHORITY TO ASSIST LOCAL APPLICANTS IN**

22 **NONPARTICIPATING STATES.**

23 “~~In~~ any fiscal year in which a State does not ~~submit~~
24 an application under section 113, for an allotment under
25 subsection (a) or (b)(2) of section 112, that meets the re-

1 quirements of section 113 and such other requirements
2 as the Chairperson may determine to be appropriate]

~~3 [final decision on wording should be reflected in subtitle~~

~~4 C as well]~~, the Corporation may use the allotment of that

5 State to make direct grants to pay for the Federal share
6 of the cost of—

7 “(1) carrying out the activities described in
8 paragraph (2) or (4) of section 111(a), to a local
9 partnership described in such paragraph; or

10 “(2) carrying out the activities described in
11 paragraph (3) of such section, to an agency de-
12 scribed in such paragraph,

13 that is located in the State.

14 **“SEC. 111B. AUTHORITY TO ASSIST PUBLIC OR PRIVATE**
15 **NOT-FOR-PROFIT ORGANIZATIONS.**

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

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

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

23 “(3) meets such other criteria as the Chair-
24 person may establish.

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

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

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

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

22 “(1) GRANTS.—Except as provided in para-
23 graph (3), from ~~25 percent~~ of such funds, the
24 Corporation may make grants, on a competitive
25 basis, to—

1 “(A) State educational agencies and Indian
2 tribes; or

3 “(B) as described in section 111B, to
4 grantmaking entities.

5 “(2) ALLOTMENTS.—

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

13 “(B) ALLOCATION UNDER ELEMENTARY
14 AND SECONDARY EDUCATION ACT OF 1965.—
15 Except as provided in paragraph (3), from
16 ~~37.5 percent~~ of such funds, the Corporation
17 shall allot to each State an amount that bears
18 the same ratio to ~~37.5 percent~~ of such funds
19 as the allocation to the State for the previous
20 fiscal year under chapter 1 of title I of the Ele-
21 mentary and Secondary Education Act of 1965
22 (20 U.S.C. 2711 et seq.) bears to such alloca-
23 tions to all States.

24 “(3) MINIMUM AMOUNT.—No State shall re-
25 ceive, under paragraph (2), an allotment that is less

1 than the allotment such State received for fiscal year
2 1993 under section 112(b) of this Act, as in effect
3 on the day before the date of enactment of this part.
4 If the amount of funds made available in a fiscal
5 year to carry out paragraph (2) is insufficient to
6 make such allotments, the Corporation shall make
7 available sums from the ~~25 percent~~ described in
8 paragraph (1) for such fiscal year to make such al-
9 lotments.

10 “(4) DEFINITION.—Notwithstanding section
11 101(25), for purposes of this subsection, the term
12 ‘State’ means each of the several States, the District
13 of Columbia, the Commonwealth of Puerto Rico, and
14 an Indian tribe.

15 “(c) REALLOTMENT.—If the Corporation determines
16 that the allotment of a State or Indian tribe under this
17 section will not be required for a fiscal year because the
18 State or Indian tribe does not ~~submit an application for~~
19 the allotment under section 113 that meets the require-
20 ments of such section and such other requirements as the
21 Chairperson may determine to be appropriate, the Cor-
22 poration shall, after making any grants under section
23 111A to a partnership or agency described in such section,
24 make any remainder of such allotment available for real-
25 lotment to such other States, and Indian tribes, with ap-

1 proved applications submitted under section 113, as the
2 Corporation may determine to be appropriate.

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

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

10 “(a) SUBMISSION.—To be eligible to receive a grant
11 under section 112(b)(1), an allotment under subsection
12 (a) or (b)(2) of section 112, a reallocation under section
13 112(c), or a grant under section 112(d), a State, acting
14 through the State educational agency, or an Indian tribe,
15 shall prepare, submit to the Corporation, and obtain ap-
16 proval of, an application at such time and in such manner
17 as the Chairperson may reasonably require.

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

21 “(1) a 3-year strategic plan ~~1~~, or a revision of
22 a previously approved 3-year strategic plan, ~~1~~ for
23 promoting service-learning through the programs,
24 which plan shall contain such information as the
25 Chairperson may reasonably require, such as—

1 “(A) a description of the goals to be at-
2 tained in promoting service-learning through
3 such programs;

4 “(B) a description of the resources and or-
5 ganization needed to achieve the goals of such
6 programs within elementary schools and second-
7 ary schools; and

8 “(C) a description of the manner in
9 which—

10 “(i) such programs and the activities
11 to be carried out under such programs re-
12 late to the goals described in subparagraph
13 (A); and

14 “(ii) the applicant will evaluate the
15 success of the programs and the extent of
16 community involvement in the programs,
17 and measure the extent to which the pro-
18 grams meet the goals described in subpara-
19 graph (A);

20 “(iii) the applicant has ranked appli-
21 cations submitted under section 114(e) ac-
22 cording to the criteria described in section
23 115(b), and in a manner that ensured the
24 equitable treatment of all such applica-
25 tions;

1 “(iv) the programs will be coordinated
2 with—

3 “(I) the education reform efforts
4 of the applicant;

5 “(II) other efforts to meet the
6 National Education Goals;

7 “(III) other service activities in
8 the State or serving the Indian tribe;
9 and

10 “(IV) other education programs,
11 training programs, social service pro-
12 grams, and appropriate programs that
13 serve school-age youth, that are au-
14 thorized under Federal law;

15 “(v) the applicant will disseminate in-
16 formation, conduct outreach, and take
17 other measures, to encourage cooperative
18 efforts among the local educational agen-
19 cies, local government agencies, commu-
20 nity-based agencies, State agencies, and
21 private for-profit businesses that will carry
22 out the service-learning programs proposed
23 by the applicant, to develop and provide
24 projects, including those that involve the

1 participation of urban, suburban, and rural
2 students working together;

3 “(vi) the applicant will promote ap-
4 propriate projects in such programs for
5 economically disadvantaged students, stu-
6 dents with limited basic skills, students in
7 foster care who are becoming too old for
8 foster care, students of limited-English
9 proficiency, homeless students, and stu-
10 dents with disabilities;

11 “(vii) service-learning training and
12 technical assistance will be provided
13 through the programs—

14 “(I) to State and local edu-
15 cational agency personnel, federally
16 assisted education specialists in the
17 State or serving the Indian tribe, and
18 local recipients of grants under this
19 subpart, to raise the awareness of
20 service-learning among such person-
21 nel, specialists, and recipients; and

22 “(II) by qualified and experi-
23 enced individuals employed by the
24 State or Indian tribe or through

1 grants or contracts with such individ-
2 uals;

3 “(viii) a service-learning network will
4 be established for the State or Indian
5 tribe, comprised of expert teachers and ad-
6 ministrators who have carried out success-
7 ful service-learning activities within the
8 State or serving the Indian tribe; and

9 “(ix) the applicant will use payments
10 from sources described in section
11 116(a)(2)(B) to expand projects for stu-
12 dents through the programs proposed by
13 the applicant;

14 “(2) assurances that—

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

20 “(B) the applicant will comply with the
21 nonduplication and nondisplacement require-
22 ments of section 177; and

23 “(3) such additional information as the Chair-
24 person may reasonably require.

1 **“SEC. 114. LOCAL APPLICATIONS.**

2 “(a) APPLICATION TO CORPORATION TO MAKE
3 GRANTS FOR SCHOOL-BASED SERVICE-LEARNING PRO-
4 GRAMS.—

5 “(1) IN GENERAL.—To be eligible to receive a
6 grant in accordance with section 111B(a) to make
7 grants relating to school-based service-learning pro-
8 grams described in section 111(a)(2), a grantmaking
9 entity shall prepare, submit to the Corporation, and
10 obtain approval of, an application.

11 “(2) SUBMISSION.—Such application shall be
12 submitted at such time and in such manner, and
13 shall contain such information, as the Chairperson
14 may reasonably require. Such application shall in-
15 clude a proposal to assist such programs in more
16 than 1 State.

17 “(b) DIRECT APPLICATION TO CORPORATION TO
18 CARRY OUT SCHOOL-BASED SERVICE-LEARNING PRO-
19 GRAMS IN NONPARTICIPATING STATES.—To be eligible to
20 receive a grant from the Corporation in the circumstances
21 described in section 111A to carry out an activity de-
22 scribed in such section, a partnership or agency described
23 in such section shall prepare, submit to the Corporation,
24 and obtain approval of, an application. Such application
25 shall be submitted at such time and in such manner, and

1 shall contain such information, as the Chairperson may
2 reasonably require.

3 “(c) APPLICATION TO STATE OR INDIAN TRIBE TO
4 RECEIVE ASSISTANCE TO CARRY OUT SCHOOL-BASED
5 SERVICE-LEARNING PROGRAMS.—

6 “(1) IN GENERAL.—Any—

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

11 “(B) partnership described in section
12 111(a)(2) that desires to receive such assistance
13 from a State, Indian tribe, or grantmaking en-
14 tity for an activity described in section
15 111(a)(2);

16 “(C) agency described in section 111(a)(3)
17 that desires to receive such assistance from a
18 State or Indian tribe for an activity described
19 in such section; or

20 “(D) partnership described in section
21 111(a)(4) that desires to receive such assistance
22 from a State or Indian tribe for an activity de-
23 scribed in such section,

24 to be carried out through a service-learning program
25 described in section 111, shall prepare, submit to

1 the State educational agency, Indian tribe, or
2 grantmaking entity, and obtain approval of, an ap-
3 plication for the program.

4 “(2) SUBMISSION.—Such application shall be
5 submitted at such time and in such manner, and
6 shall contain such information, as the agency, tribe,
7 or entity may reasonably require.

8 “(d) CONTENTS OF APPLICATION.—An application
9 that is submitted under subsection (a), (b), or (c) with
10 respect to a service-learning program described in section
11 111 shall, at a minimum, contain a proposal that
12 includes—

13 “(1) information specifying the membership and
14 role of an established advisory committee, consisting
15 of representatives of community-based agencies in-
16 cluding service recipients, students, parents, teach-
17 ers, administrators, representatives of agencies that
18 serve school-age youth or older adults, school board
19 members, representatives of ^{or}labor ^{or}organization and representa-
20 tives of business, that will provide advice with re-
21 spect to the program;

22 “(2) a description of—

23 “(A) the goals of the program which shall
24 include goals that are quantifiable and dem-

1 onstrate any benefits from the program to par-
2 ticipants and the community;

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

7 “(C) the manner in which participants in
8 the program were or will be involved in the de-
9 sign and operation of the program;

10 “(D) training for supervisors, teachers,
11 service sponsors, and participants in the pro-
12 gram;

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

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

19 “(3) information that shall include—

20 “(A) a disclosure of whether or not the
21 participants will receive academic credit for par-
22 ticipation in the program;

23 “(B) the expected number of participants
24 in the program and the hours of service that

1 such participants will provide individually and
2 as a group;

3 “(C) the proportion of expected partici-
4 pants in the program who are economically dis-
5 advantaged, including participants with disabil-
6 ities; and

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

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

16 “(5) assurances that—

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

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

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

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

12 “(a) CORPORATION CRITERIA FOR APPLICATIONS.—
13 In approving applications for financial assistance under
14 subsection (a), (b), ~~[(c), or (d)]~~^e of section 112, the Cor-
15 poration shall consider such criteria with respect to sus-
16 tainability, replicability, innovation, and quality of pro-
17 grams under this subpart as the Chairperson may by regu-
18 lation specify.

19 “(b) PRIORITY FOR LOCAL APPLICATIONS.—

20 “(1) IN GENERAL.—In providing assistance
21 under this subpart, a State educational agency or
22 Indian tribe, or the Corporation if section 111A or
23 111B applies, shall give priority to entities that sub-
24 mit applications under section 114 with respect to

1 service-learning programs described in section 111
2 that—

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

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

7 “(C) involve—

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

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

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

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

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

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

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

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

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

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

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

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

13 “(a) SHARE.—

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

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

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

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

1 gram receives assistance under this subpart;
2 and

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

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

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

14 “(B) may provide for such share through
15 State sources, local sources, or Federal sources
16 (other than funds made available under this
17 Act).

18 “(b) WAIVER.—The Chairperson may waive the re-
19 quirements of subsection (a) in whole or in part with re-
20 spect to any such program in any fiscal year if the Cor-
21 poration determines that such a waiver would be equitable
22 due to a lack of available financial resources at the local
23 level.

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

25 “(a) ADMINISTRATIVE COSTS.—

1 “(1) STATE EDUCATIONAL AGENCY, INDIAN
2 TRIBE, OR GRANTMAKING ENTITY.—A State edu-
3 cational agency, Indian tribe, or grantmaking entity
4 that receives a grant or allotment under this subpart
5 for a fiscal year may reserve not more than 5 per-
6 cent of the funds made available through the grant
7 or allotment for the fiscal year, for administrative
8 costs of programs carried out under this subpart.

9 “(2) GRANT RECIPIENT.—If a grantmaking en-
10 tity makes a reservation under paragraph (1) of
11 funds made available for a fiscal year, a partnership
12 that receives a grant from the grantmaking entity
13 under this subpart for such fiscal year may not use
14 funds made available through the grant for adminis-
15 trative costs. If the grantmaking entity does not
16 make such a reservation, the partnership that re-
17 ceives the grant may use not more than 5 percent
18 of the funds made available through the grant for
19 administrative costs of programs carried out under
20 this subpart.

21 “(b) CAPACITY-BUILDING ACTIVITIES.—A State edu-
22 cational agency or Indian tribe that receives a grant or
23 allotment under this subpart for a fiscal year may reserve
24 not less than 10 percent and not more than 15 percent
25 of such funds, to build capacity through training, technical

1 assistance, curriculum development, and coordination ac-
2 tivities, described in section 111(a)(1).

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

10 **“SEC. 116B. DEFINITIONS.**

11 “As used in this subpart:

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

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

18 “(3) STUDENT.—Notwithstanding section
19 101(28), the term ‘student’ means an individual who
20 is enrolled in an elementary or secondary school on
21 a full- or part-time basis.

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

24 **“SEC. 117. DEFINITIONS.**

25 “As used in this subpart:

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

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

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

10 “(B) was in existence 1 year before the
11 date on which the organization submitted the
12 application.

13 “(3) QUALIFIED ORGANIZATION.—The term
14 ‘qualified organization’ means a public or private
15 not-for-profit organization with experience working
16 with school-age youth that meets such criteria as the
17 Chairperson may establish.

18 **“SEC. 117A. GENERAL AUTHORITY.**

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

25 “(b) USE OF FUNDS.—

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

4 “(A) to make a grant to a qualified organi-
5 zation to implement, operate, expand, or rep-
6 licate a community-based service program that
7 provides service-learning projects involving
8 meaningful human, educational, environmental,
9 or public safety service by participants, who
10 shall be school-age youth; or

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

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

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

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

23 “(b) SUBMISSION.—Such application shall be submit-
24 ted to the Corporation at such time and in such manner,

1 and shall contain such information, as the Chairperson
2 may reasonably require.

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

9 **“SEC. 117C. LOCAL APPLICATIONS.**

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

21 “(b) DIRECT APPLICATION TO CORPORATION TO
22 CARRY OUT COMMUNITY-BASED SERVICE PROGRAMS.—
23 To be eligible to receive a grant from the Corporation
24 under section 117A(a) to implement, operate, expand, or
25 replicate a community service program, a qualified organi-

1 zation shall prepare, submit to the Corporation, and ob-
2 tain approval of, an application that proposes a commu-
3 nity-based service program to be carried out at multiple
4 sites, or that proposes an innovative community-based
5 service program. Such application shall be submitted at
6 such time and in such manner, and shall contain such in-
7 formation, as the Chairperson may reasonably require.

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

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

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

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

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

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

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

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

20 “(D) conduct an appropriate evaluation of
21 the program;

22 “(E) provide for appropriate community
23 involvement in the program;

24 “(F) provide service experiences that pro-
25 mote leadership abilities among participants in

1 the program, including experiences that involve
2 such participants in program design;

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

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

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

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

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

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

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

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

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

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

10 “(a) FEDERAL SHARE.—

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

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

20 “(b) WAIVER.—The Chairperson may waive the re-
21 quirements of subsection (a) as provided in section 116(b).

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

23 “(a) STATE COMMISSION OR GRANTMAKING EN-
24 TITY.—A State Commission or grantmaking entity that
25 receives a grant under this subpart for a fiscal year may

1 reserve not more than 5 percent of the funds made avail-
2 able through such grant for the fiscal year, for administra-
3 tive costs of programs carried out under this subpart.

4 “(b) QUALIFIED ORGANIZATION.—If a grantmaking
5 entity makes a reservation under subsection (a) of funds
6 made available for a fiscal year, a qualified organization
7 that receives a grant from the entity under this subpart
8 for such fiscal year may not use funds made available
9 through the grant for administrative costs. If the entity
10 does not make such a reservation, the qualified organiza-
11 tion that receives the grant may use not more than 5 per-
12 cent of the funds made available through the grant for
13 administrative costs of programs carried out under this
14 subpart.

15 **“Subpart C—Clearinghouse**

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

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

23 “(b) PUBLIC AND PRIVATE NOT-FOR-PROFIT AGEN-
24 CIES.—Public and private not-for-profit agencies that
25 have extensive experience with service-learning, including

1 use of adult volunteers to foster service-learning, shall be
2 eligible to receive assistance under subsection (a).

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

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

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

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

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

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

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

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

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

9 “(7) make recommendations to State and local
10 entities on quality controls to improve the quality of
11 service-learning programs;

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

14 “(9) carry out such other activities as the Cor-
15 poration determines to be appropriate.”.

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

20 **“PART II—HIGHER EDUCATION INNOVATIVE**
21 **PROGRAMS FOR COMMUNITY SERVICE**

22 **“SEC. 119. HIGHER EDUCATION INNOVATIVE PROGRAMS**
23 **FOR COMMUNITY SERVICE.**

24 “(a) PURPOSE.—It is the purpose of this part to ex-
25 pand participation in community service by supporting in-

1 novative community service programs carried out through
2 institutions of higher education, acting as civic institutions
3 to meet the human, educational, environmental, or public
4 safety needs of neighboring communities.

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

13 “(1) enabling such an institution or partnership
14 to create or expand an organized community service
15 program that—

16 “(A) engenders a sense of social respon-
17 sibility and commitment to the community in
18 which the institution is located; and

19 “(B) provides projects for participants,
20 who shall be students, faculty, administration,
21 or staff of the institution, or residents of the
22 community;

23 “(2) supporting student-initiated and student-
24 designed community service projects through the
25 program;

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

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

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

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

19 “(c) FEDERAL SHARE.—

20 “(1) SHARE.—

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

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

4 “(2) WAIVER.—The Chairperson may waive the
5 requirements of paragraph (1) as provided in section
6 116(b).

7 “(d) APPLICATION FOR GRANT.—

8 “(1) SUBMISSION.—To receive a grant or enter
9 into a contract under this part, an institution or
10 partnership described in subsection (b) shall pre-
11 pare, submit to the Corporation, and obtain approval
12 of, an application at such time and in such manner
13 as the Chairperson may reasonably require.

14 “(2) CONTENTS.—An application submitted
15 under paragraph (1) shall contain—

16 “(A) such information as the Chair-
17 person may reasonably require, such as a de-
18 scription of—

19 “(i) the proposed program to be es-
20 tablished with assistance provided under
21 the grant or contract;

22 “(ii) the human, educational, environ-
23 mental, or public safety service that par-
24 ticipants will perform and the community

1 need that will be addressed under such
2 program;

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

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

10 “(v) the procedures to ensure that the
11 program includes the age-appropriate
12 learning component described in section
13 114(d)(5)(B);

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

18 “(vii) the budget for the program;

19 “(B) assurances that—

20 “(i) prior to the placement of a partic-
21 ipant, the applicant will consult with any
22 local labor organization representing em-
23 ployees in the area who are engaged in the
24 same or similar work as that proposed to
25 be carried out by such program, to prevent

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

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

8 “(C) such other assurances as the Chair-
9 person may reasonably require.

10 “(e) PRIORITY.—

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

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

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

24 “(C) specify the manner in which the insti-
25 tution will provide service to the community

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 through (G) of paragraph (1) that is reflected in the
2 application submitted by the applicant.

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

8 “(g) DEFINITION.—Notwithstanding section
9 101(28), as used in this part, the term ‘student’ means
10 an individual who is enrolled in an institution of higher
11 education on a full- or part-time basis.

12 **“PART III—GENERAL PROVISIONS**

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

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

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

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

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

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

1 (c) TABLE OF CONTENTS.—Section 1(b) of the Na-
2 tional and Community Service Act of 1990 (Public Law
3 101–610; 104 Stat. 3127) is amended by striking the
4 items relating to subtitle B of title I of such Act and in-
5 serting the following:

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

“PART I—SERVE-AMERICA PROGRAMS

“SUBPART A—SCHOOL-BASED PROGRAMS FOR STUDENTS

- “Sec. 111. Authority to assist States and Indian tribes.
- “Sec. 111A. Authority to assist local applicants in nonparticipating States.
- “Sec. 111B. Authority to assist public or private not-for-profit organizations.
- “Sec. 112. Grants and allotments.
- “Sec. 113. State or tribal applications.
- “Sec. 114. Local applications.
- “Sec. 115. Consideration of applications.
- “Sec. 115A. Participation of students and teachers from private schools.
- “Sec. 116. Federal, State, and local contributions.
- “Sec. 116A. Limitations on uses of funds.
- “Sec. 116B. Definitions.

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

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

“SUBPART C—CLEARINGHOUSE

- “Sec. 118. Service-learning clearinghouse.

“PART II—HIGHER EDUCATION INNOVATIVE PROGRAMS FOR COMMUNITY
SERVICE

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

“PART III—GENERAL PROVISIONS

- “Sec. 120. Availability of appropriations.”.

6 (d) TECHNICAL AND CONFORMING AMENDMENT.—
7 [Section 172(a)(3)(A) of the National and Community
8 Service Act of 1990 (42 U.S.C. 12632(a)(3)(A)) is amend-

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 ~~—[What Fund?]~~

1 **"SEC. 198. ADDITIONAL CORPORATION ACTIVITIES TO SUP-**
2 **PORT NATIONAL SERVICE.**

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

7 “(b) INNOVATION AND QUALITY IMPROVEMENT.—

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

12 “(A) programs under subtitle B or C for
13 rural youth;

14 “(B) employer-based retiree programs;

15 “(C) intergenerational programs;

16 “(D) programs involving individuals with
17 disabilities as *participants providing service* ~~service sponsors~~; and

18 “(E) programs sponsored by Governors.

19 “(2) INTERGENERATIONAL PROGRAM.—An
20 intergenerational program referred to in paragraph
21 (1)(C) may include a program in which older adults
22 provide services to children who participate in Head
23 Start programs.

24 “(c) SUMMER PROGRAMS.—The Corporation may
25 support service programs intended to be carried out be-

1 tween May 1 and October 1, except that such a program
2 may also include a year-round component.

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

11 “(e) IMPROVE ABILITY TO APPLY FOR ASSIST-
12 ANCE.—The Corporation may provide training and tech-
13 nical assistance to individuals, programs, local labor orga-
14 nizations, State educational agencies, State commissions,
15 local educational agencies, local governments, community-
16 based agencies, and other entities to enable them to apply
17 for funding under one of the national service laws, to con-
18 duct high-quality programs, to evaluate such programs,
19 and for other purposes.

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

22 “(g) CONFERENCES AND MATERIALS.—The Corpora-
23 tion may organize and hold conferences, and prepare and
24 publish materials, to disseminate information and promote

1 the sharing of information among programs for the pur-
2 pose of improving the quality of programs and projects.

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

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

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

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

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.

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,

1 and containing such information as the Corporation may
2 require.

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

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

8 “(2) conduct research and evaluations concern-
9 ing community service;

10 “(3) provide leadership development and train-
11 ing to State and local community service program
12 administrators, supervisors, ^{trainees} and participants; ~~and~~
13 ~~to trainers?~~]

14 “(4) administer award and recognition pro-
15 grams for outstanding community service programs
16 and participants; ~~dropped in section 118~~]

17 “(5) facilitate communication among entities
18 carrying out community service programs and par-
19 ticipants;

20 “(6) provide information, curriculum materials,
21 technical assistance relating to planning and oper-
22 ation of community service programs, ~~and train-~~ ^{ok}
23 ~~ing~~] to States and local entities eligible to receive
24 funds under this title;

1 “(7) gather and disseminate information on
2 successful community service programs, components
3 of such successful programs, innovative youth skills
4 curriculum, and community service projects; ~~coordi-~~ ^{out}
5 nation? ~~and~~

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

10 ~~such~~ ^o other activities as the Chairperson
11 determines to be appropriate? ~~and~~

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

13 “(a) PRESIDENTIAL AWARDS.—

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

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

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

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

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

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

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

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

13 (d) TABLE OF CONTENTS.—

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

“Subtitle E—Civilian Community Corps

“Sec. 151. Purpose.

“Sec. 152. Establishment of Civilian Community Corps Demonstration Program.

"Sec. 153. National service program.

"Sec. 154. Summer national service program.

"Sec. 155. Civilian Community Corps.

“Sec. 156. Training.

"Sec. 157. Service projects.

"Sec. 158. Authorized benefits for Corps personnel under Federal law.

"Sec. 159. Administrative provisions.

"Sec. 160. Status of Corps members and Corps personnel under Federal law.

"Sec. 161. Contract and grant authority.

"Sec. 162. Responsibilities of other departments.

"Sec. 163. Advisory board.

“Sec. 164. Annual evaluation.

“Sec. 165. Funding limitation.

“Sec. 166. Definitions.”.

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

“Subtitle H—Investment Fund for Quality and Innovation

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

“Sec. 198A. Clearinghouses.

“Sec. 198B. Presidential awards for service.”.

6 (e) TECHNICAL AND CONFORMING AMENDMENTS.—

7 (1) NATIONAL DEFENSE AUTHORIZATION ACT
8 FOR FISCAL YEAR 1993.—

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

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

17 (C) Sections 1091(f)(2), 1092(b)(1), and
18 1094(a), and subsections (a) and (c) of section
19 1095 of such Act are amended by striking
20 “subtitle H” and inserting “subtitle E”.

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

6 (2) NATIONAL AND COMMUNITY SERVICE ACT
7 OF 1990.—

8 (A) **【Section 102】** of the National and
9 Community Service Act of 1990 (42 U.S.C.
10 12512) is amended by striking “B, C, D, or E”
11 and inserting “B, C, D, or H”.

12 (B) Subsections (b) and (c) of section 171
13 of such Act (42 U.S.C. 12631) are amended by
14 striking “B through E” and inserting “B, C, D,
15 and H”.

16 (C) Section 153(a) of such Act (as redesign-
17 nated in subsection (b)(3) of this section) (42
18 U.S.C. 12635b(a)) is amended by striking
19 “195A(a)” and inserting “152(a)”.

20 (D) Section 154(a) of such Act (as redes-
21 igned in subsection (b)(3) of this section) (42
22 U.S.C. 12635c(a)) is amended by striking
23 “195A(a)” and inserting “152(a)”.

1 (E) Section 155 of such Act (as redesignig-
2 nated in subsection (b)(3) of this section) (42
3 U.S.C. 12635d) is amended—

4 (i) in subsection (a), by striking
5 “195H(c)(1)” and inserting “159(c)(1)”;

6 (ii) in subsection (c)(2), by striking
7 “195H(c)(2)” and inserting “159(c)(2)”;
8 and

9 (iii) in subsection (d)(3), by striking
10 “195K(a)(3)” and inserting “162(a)(3)”.

11 (F) Section 156 of such Act (as redesignig-
12 nated in subsection (b)(3) of this section) (42
13 U.S.C. 12635e) is amended—

14 (i) in subsection (c)(1), by striking
15 “195H(c)(2)” and inserting “159(c)(2)”;
16 and

17 (ii) in subsection (d), by striking
18 “195K(a)(3)” and inserting “162(a)(3)”.

19 (G) Section 159 of such Act (as redesignig-
20 nated in subsection (b)(3) of this section) (42
21 U.S.C. 12635h) is amended—

22 (i) in subsection (a)—

23 (I) by striking “195A” and in-
24 serting “152”; and

1 (II) by striking “195” and in-
2 serting “151”; and

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

6 (H) Section 161(b)(1)(B) of such Act (as
7 redesignated in subsection (b)(3) of this sec-
8 tion) (42 U.S.C. 12635j(b)(1)(B)) is amended
9 by striking “195K(a)(3)” and inserting
10 “162(a)(3)”.

11 (I) Section 162(a)(2)(A) of such Act (as
12 redesignated in subsection (b)(3) of this sec-
13 tion) (42 U.S.C. 12635k(a)(2)(A)) is amended
14 by striking “195(3)” and inserting “151(3)”.

15 (J) Section 166 of such Act (as redesign-
16 nated in subsection (b)(3) of this section) (42
17 U.S.C. 12635o) is amended—

18 (i) in paragraph (2), by striking
19 “195D” and inserting “155”;

20 (ii) in paragraph (8), by striking
21 “195A” and inserting “152”;

22 (iii) in paragraph (10), by striking
23 “195D(d)” and inserting “155(d)”; and

24 (iv) in paragraph (11), by striking
25 “195D(e)” and inserting “155(e)”.

1 **Subtitle B—Related Provisions**

2 **SEC. 111. DEFINITIONS.**

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

6 **“SEC. 101. DEFINITIONS.**

7 “For purposes of this title:

8 “(1) ADULT VOLUNTEER.—The term ‘adult vol-
9 unteer’ means an individual, such as an older adult,
10 an individual with a disability, a parent, or an em-
11 ployee of a business or public or private not-for-prof-
12 it agency, who—

13 “(A) works without financial remuneration
14 in an educational institution to assist students
15 or out-of-school youth; and

16 “(B) is beyond the age of compulsory
17 school attendance in the State in which the edu-
18 cational institution is located.

19 “(2) APPROVED NATIONAL SERVICE POSI-
20 TION.—The term ‘approved national service position’
21 means a national service position designated by the
22 Corporation as a position that includes a national
23 service educational award described in section 147
24 as one of the benefits to be provided for successful
25 service in the position.

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

1 to the latest available data from the Department of
2 Commerce.】

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

7 “(9) INDIAN.—The term ‘Indian’ means a per-
8 son who is a member of an Indian tribe.

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

16 “(11) INDIAN TRIBE.—The term ‘Indian tribe’
17 means an Indian tribe, band, nation, or other orga-
18 nized group or community, including any Native vil-
19 lage, Regional Corporation, or Village Corporation,
20 as defined in subsection (c), (g), or (j), respectively,
21 of section 3 of the Alaska Native Claims Settlement
22 Act (43 U.S.C. 1602 (c), (g), or (j)), that is recog-
23 nized as eligible for the special programs and serv-
24 ices provided by the United States under Federal
25 law to Indians because of their status as Indians.

1 “(12) INSTITUTION OF HIGHER EDUCATION.—

2 The term ‘institution of higher education’ has the
3 same meaning given such term in section 1201(a) of
4 the Higher Education Act of 1965 (20 U.S.C.
5 1141(a)).

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

11 “(14) NATIONAL SERVICE LAWS.—The term
12 ‘national service laws’ means this Act and the Do-
13 mestic Volunteer Service Act of 1973 (42 U.S.C.
14 4950 et seq.).

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

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

18 “(B) has not completed college or the
19 equivalent thereof; and

20 “(C) is not enrolled in an elementary or
21 secondary school or institution of higher edu-
22 cation.

23 “(16) PARTICIPANT.—

24 “(A) IN GENERAL.—The term ‘participant’
25 means—

1 “(i) for purposes of subtitle C, an in-
2 dividual in an approved national service
3 position; and

4 “(ii) for purposes of any other provi-
5 sion of this Act, an individual enrolled in
6 a program that receives assistance under
7 this title.

8 “(B) RULE.—A participant shall not be
9 considered to be an employee of the program in
10 which the participant is enrolled.

11 “(17) PARTNERSHIP PROGRAM.—The term
12 ‘partnership program’ means a program through
13 which an adult volunteer, a public or private not-for-
14 profit agency, an institution of higher education, or
15 a business assists a local educational agency.

16 “(18) PROGRAM.—The term ‘program’, except
17 when used as part of the term ‘academic program’,
18 means a program described in section 111(a) (other
19 than a program referred to in paragraph (3)(B) of
20 such section), 117A(a), 119(b)(1), or 122(a), in
21 paragraph (1) or (2) of section 152(b), or in section
22 198.

23 “(19) PROJECT.—The term ‘project’ means an
24 activity, carried out through a program that receives
25 assistance under this title, that results in a specific

1 identifiable service or improvement that otherwise
2 would not be done with ~~the~~ **existing** funds, and that
3 does not duplicate the routine services or functions
4 of the employer to whom participants are assigned.

5 “(20) SCHOOL-AGE YOUTH.—The term ‘school-
6 age youth’ means an individual between the ages of
7 5 and 17, inclusive.

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

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

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

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

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

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

25 “(B) that—

1 “(i) is integrated into and enhances
2 the academic curriculum of the students,
3 or the educational components of the com-
4 munity service program in which the par-
5 ticipants are enrolled; and

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

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

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

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

24 “(26) STATE COMMISSION.—The term ‘State
25 Commission’ means a State Commission on National

1 Service maintained by a State pursuant to section
2 178. Except when used in section 178, the term in-
3 cludes an alternative administrative entity for a
4 State approved by the Corporation under such sec-
5 tion to act in lieu of a State Commission.

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

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

15 (b) TECHNICAL AND CONFORMING AMENDMENTS.—

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

21 (2) Section 182(a)(3) of the National and Com-
22 munity Service Act of 1990 (42 U.S.C 12642(a)(3))
23 is amended by striking “adult volunteer and partner-
24 ship” and inserting “partnership”.

1 (3) Section 441(c)(2) of the Higher Education
2 Act of 1965 (42 U.S.C. 2751(c)(2)) is amended by
3 striking “service opportunities or youth corps as de-
4 fined in section 101 of the National and Community
5 Service Act of 1990, and service in the agencies, in-
6 stitutions and activities designated in section 124(a)
7 of the National and Community Service Act of
8 1990” and inserting “a project, as defined in section
9 101(19) of the National and Community Service Act
10 of 1990 (42 U.S.C. 12511(18))”.

11 (4) Section 1122(a)(2)(C) of the Higher Edu-
12 cation Act of 1965 (20 U.S.C. 1137a(a)(2)(C)) is
13 amended by striking “youth corps as defined in sec-
14 tion 101(30) of the National and Community Service
15 Act of 1990” and inserting “youth corps programs,
16 as described in section 122(a)(1) of the National
17 and Community Service Act of 1990”.

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

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—

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~~ 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 “(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.”.