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A BILL

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

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

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

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

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

Sec. 1. Short title; table of contents.

Sec. 2. Findings and purpose.

TITLE I—PROGRAMS AND RELATED PROVISIONS

Subtitle A—Programs

Sec. 101. Federal investment in support of national service.

Sec. 102. National Service Trust and provision of national service educational awards.

Sec. 103. School-based and community-based service-learning programs.

Sec. 104. Quality and innovation activities.

Subtitle B—Related Provisions

Sec. 111. Definitions.

Sec. 112. Authority to make State grants.

Sec. 113. Family and medical leave.

Sec. 114. Reports.

Sec. 115. Nondiscrimination.

Sec. 116. Notice, hearing, and grievance procedures.

Sec. 117. Nondisplacement.

Sec. 118. Evaluation.

Sec. 119. Engagement of participants.

Sec. 120. Contingent extension.

Sec. 121. Repeals.

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—REAUTHORIZATION

Subtitle A—National and Community Service Act of 1990

Sec. 301. Authorization of appropriations.

Subtitle B—Domestic Volunteer Service Act of 1973

Sec. 311. Short title; references.

CHAPTER 1—VISTA AND OTHER ANTI-POVERTY PROGRAMS

- Sec. 321. Purpose of the VISTA program.
 Sec. 322. Selection and assignment of VISTA volunteers.
 Sec. 323. Terms and periods of service.
 Sec. 324. Support for VISTA volunteers.
 Sec. 325. Participation of younger and older persons.
 Sec. 326. Literacy activities.
 Sec. 327. Applications for assistance.
 Sec. 328. Repeal of authority for student community service programs.
 Sec. 329. University year for VISTA.
 Sec. 330. Authority to establish and operate special volunteer and demonstration programs.
 Sec. 331. Technical and financial assistance.
 Sec. 332. Elimination of separate authority for drug abuse programs.

CHAPTER 2—NATIONAL SENIOR VOLUNTEER CORPS

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

CHAPTER 3—ADMINISTRATION

- Sec. 361. Purpose of agency.
 Sec. 362. Authority of the Director.
 Sec. 363. Compensation for volunteers.
 Sec. 364. Repeal of report.
 Sec. 365. Application of Federal law.
 Sec. 366. Evaluation of programs.

- Sec. 367. Nondiscrimination provisions.
- Sec. 368. Elimination of separate requirements for setting regulations.
- Sec. 369. Clarification of role of Inspector General.
- Sec. 370. Copyright protection.
- Sec. 371. Center for research and training.
- Sec. 372. Deposit requirement credit for service as a volunteer.

CHAPTER 4—AUTHORIZATION OF APPROPRIATIONS AND OTHER
AMENDMENTS

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

CHAPTER 5—GENERAL PROVISIONS

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

TITLE IV—TECHNICAL AND CONFORMING AMENDMENTS

- Sec. 401. Definition of Director.
- Sec. 402. References to ACTION and the ACTION Agency.
- Sec. 403. Definitions.
- Sec. 404. References to the Commission on National and Community Service.
- Sec. 405. References to Directors of the Commission on National and Community Service.
- Sec. 406. Effective date.

1 SEC. 2. FINDINGS AND PURPOSE.

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

5 “SEC. 2. FINDINGS AND PURPOSE.

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

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

10 “(2) Americans desire to affirm common re-
11 sponsibilities and shared values that transcend race,
12 religion, or region.

1 “(3) The rising costs of post-secondary edu-
2 cation are putting higher education out of reach for
3 an increasing number of citizens.

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

7 “(5) Nonprofit organizations, local govern-
8 ments, States, and the Federal Government are al-
9 ready supporting a wide variety of national service
10 programs that deliver needed services in a cost-effec-
11 tive manner.

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

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

16 “(2) renew the ethic of civic responsibility and
17 the spirit of community throughout the United
18 States;

19 “(3) expand educational opportunity by reward-
20 ing individuals who participate in national service
21 with an increased ability to pursue higher education
22 or job training;

23 “(4) encourage citizens of the United States,
24 regardless of age or income, to engage in full-time
25 or part-time national service;

1 “(5) reinvent government to eliminate duplica-
2 tion, support locally established initiatives, require
3 measurable goals for performance, and offer flexibil-
4 ity in meeting those goals;

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

9 “(7) provide tangible benefits to the commu-
10 nities in which national service is performed.”.

11 (b) TABLE OF CONTENTS.—Section 1(b) of the Na-
12 tional and Community Service Act of 1990 (Public Law
13 101–610; 104 Stat. 3127) is amended by striking the item
14 relating to section 2 and inserting the following new item:

“Sec. 2. Findings and purpose.”.

15 **TITLE I—PROGRAMS AND**
16 **RELATED PROVISIONS**
17 **Subtitle A—Programs**

18 **SEC. 101. FEDERAL INVESTMENT IN SUPPORT OF NA-**
19 **TIONAL SERVICE.**

20 (a) ASSISTANCE PROGRAM AUTHORIZED.—Subtitle C
21 of title I of the National and Community Service Act of
22 1990 (42 U.S.C. 12541 et seq.) is amended to read as
23 follows:

1 **“Subtitle C—National Service Trust**
2 **Program**

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

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

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

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

14 “(2) to make grants in support of other na-
15 tional service programs described in section 122(a)
16 that are carried out by other entities.

17 “(b) AGREEMENTS WITH FEDERAL AGENCIES.—The
18 Corporation may enter into a contract or cooperative
19 agreement with another Federal agency to support a na-
20 tional service program carried out by the agency. The sup-
21 port provided by the Corporation pursuant to the contract
22 or cooperative agreement may include the transfer to the
23 Federal agency of funds available to the Corporation
24 under this subtitle. A Federal agency receiving assistance
25 under this subsection shall not be required to satisfy the

1 matching funds requirements specified in subsection (e).
2 However, the supplementation requirements specified in
3 section 173 shall apply with respect to the Federal na-
4 tional service programs supported with such assistance.

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

8 “(1) approve the provision of national service
9 educational awards described in subtitle D for the
10 participants who serve in national service programs
11 carried out using such assistance; and

12 “(2) deposit in the National Service Trust es-
13 tablished in section 145(a) an amount equal to the
14 product of—

15 “(A) the value of a national service edu-
16 cational award under section 147; and

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

19 “(d) FIVE PERCENT LIMITATION ON ADMINISTRA-
20 TIVE COSTS.—

21 “(1) LIMITATION.—Not more than 5 percent of
22 the amount of assistance provided to the original re-
23 cipient of a grant or transfer of assistance under
24 subsection (a) or (b) for a fiscal year may be used
25 to pay for administrative costs incurred by—

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

2 “(B) national service programs carried out
3 or supported with the assistance.

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

6 “(A) assistance provided under subsection
7 (a) or (b) may be used to cover administrative
8 costs; and

9 “(B) that portion of the assistance avail-
10 able to cover administrative costs should be dis-
11 tributed between—

12 “(i) the original recipient of the grant
13 or transfer of assistance under such sub-
14 section; and

15 “(ii) national service programs carried
16 out or supported with the assistance.

17 “(e) MATCHING FUNDS REQUIREMENTS.—

18 “(1) REQUIREMENTS.—Except as provided in
19 section 140, the Federal share of the cost of carry-
20 ing out a national service program that receives the
21 assistance under subsection (a), whether the assist-
22 ance is provided directly or as a subgrant from the
23 original recipient of the assistance, may not exceed
24 75 percent of such cost.

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

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

7 “(B) may provide for such share through
8 State sources, local sources, or other Federal
9 sources (other than the use of funds made
10 available under the national service laws).

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

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

19 “(a) ELIGIBLE NATIONAL SERVICE PROGRAMS.—
20 The recipient of a grant under section 121(a) and each
21 Federal agency receiving assistance under section 121(b)
22 shall use the assistance, directly or through subgrants to
23 other entities, to carry out full- or part-time national serv-
24 ice programs, including summer programs, that address
25 unmet human, educational, environmental, or public safe-

1 ty needs. Subject to subsection (b)(1), these national serv-
2 ice programs may include the following types of national
3 service programs:

4 “(1) A community corps program that meets
5 unmet human, educational, environmental, or public
6 safety needs and promotes greater community unity
7 through the use of organized teams of participants
8 of varied social and economic backgrounds, skill lev-
9 els, physical capabilities, ages, ethnic backgrounds,
10 or genders.

11 “(2) A youth corps program, such as a con-
12 servation corps or youth service corps (including a
13 conservation corps or youth service corps that per-
14 forms service on Federal or other public lands or on
15 Indian lands), that—

16 “(A) undertakes meaningful full-time serv-
17 ice projects with visible benefits to a commu-
18 nity, including natural resource, urban renova-
19 tion, or human services projects;

20 “(B) includes as participants youths and
21 young adults between the ages of 16 and 25, in-
22 clusive, including out-of-school youths and other
23 disadvantaged youths who are between those
24 ages; and

1 “(C) provides those participants who are
2 youths and young adults with—

3 “(i) crew-based, highly structured,
4 and adult-supervised work experience, life
5 skills, education, career guidance and
6 counseling, employment training, and sup-
7 port services; and

8 “(ii) the opportunity to develop citi-
9 zenship values and skills through service to
10 their community and the United States.

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

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

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

1 “(B) brings participants together for addi-
2 tional training and other activities designed to
3 foster civic responsibility, increase the skills of
4 participants, and improve the quality of the
5 service provided.

6 “(5) An individualized placement program that
7 includes regular group activities, such as leadership
8 training and special service projects.

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

13 “(A) students who are attending an insti-
14 tution of higher education, including students
15 supported by work-study funds under part C of
16 title IV of the Higher Education Act of 1965
17 (42 U.S.C. 2751 et seq.);

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

19 “(C) teams composed of a combination of
20 such students and community residents.

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

1 “(A) receive training in specified fields,
2 which may include classes containing service-
3 learning;

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

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

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

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

20 “(B) that may include a salary in excess of
21 the maximum living allowance authorized in
22 subsection (a)(3) of section 140, as provided in
23 subsection (c) of such section; and

24 “(C) that are sponsored by public or pri-
25 vate not-for-profit employers who agree to pay

1 100 percent of the salaries and benefits (other
2 than any national service educational award
3 under subtitle D) of the participants.

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

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

13 “(B) the need for community facilities in
14 low-income areas.

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

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

23 “(12) Such other national service programs ad-
24 dressing unmet human, educational, environmental,

1 or public safety needs as the Corporation may des-
2 ignate.

3 “(b) QUALIFICATION CRITERIA TO DETERMINE ELI-
4 GIBILITY.—

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

13 “(2) CONSULTATION.—In establishing qualifica-
14 tion criteria under paragraph (1), the Corporation
15 shall consult with organizations and individuals who
16 are experts regarding national service or regarding
17 the delivery of human, educational, environmental,
18 or public safety services to communities or persons.

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

25 “(c) NATIONAL SERVICE PRIORITIES.—

1 “(1) ESTABLISHMENT BY CORPORATION.—In
2 order to concentrate national efforts on meeting cer-
3 tain unmet human, educational, environmental, or
4 public safety needs and to achieve the other pur-
5 poses of this Act, the Corporation may establish,
6 and periodically alter, priorities regarding the types
7 of national service programs to be assisted under
8 section 121 and the purposes for which such assist-
9 ance may be used.

10 “(2) NOTICE TO APPLICANTS.—The Corpora-
11 tion shall provide advance notice to potential appli-
12 cants of any national service priorities to be in effect
13 under this subsection for a fiscal year. The notice
14 shall specifically include—

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

17 “(B) a description of the national service
18 programs that are designated by the Corpora-
19 tion under section 133(d)(2) as eligible for pri-
20 ority consideration in the next competitive dis-
21 tribution of assistance under section 121(a).

22 “(3) APPLICATION TO SUBGRANTS.—Any na-
23 tional service priorities established by the Corpora-
24 tion under this subsection shall also be used by each
25 recipient of funds under section 121(a) that uses

1 any portion of the assistance to conduct a grant pro-
2 gram to support other national service programs.

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

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

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

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

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

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

23 “(1) improve the ability of national service pro-
24 grams assisted under section 121 to meet human,

1 educational, environmental, or public safety needs in
2 communities—

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

4 “(B) where programs do not currently
5 exist or are currently too limited to meet com-
6 munity needs;

7 “(2) promote leadership development in such
8 programs;

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

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

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

16 “(b) TECHNICAL ASSISTANCE.—The Corporation
17 may make appropriate technical assistance available to
18 States, labor organizations, organizations operated by
19 young adults, and other entities described in section 121
20 that desire—

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

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

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

2 “(a) SUPPORT FOR STATE COMMISSIONS.—

3 “(1) ASSISTANCE AUTHORIZED.—The Corpora-
4 tion may make assistance available to assist a State
5 to establish or operate the State Commission on Na-
6 tional Service required to be established by the State
7 under section 178.

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

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

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

25 “(b) DISASTER SERVICE.—The Corporation may un-
26 dertake activities to involve youth corps programs de-

1 scribed in section 122(a)(2) and other programs that re-
2 ceive assistance under the national service laws in disaster
3 relief efforts.

4 “(c) CHALLENGE GRANTS FOR NATIONAL SERVICE
5 PROGRAMS.—

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

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

1 **“PART II—APPLICATION AND APPROVAL**
2 **PROCESS**

3 **“SEC. 129. PROVISION OF ASSISTANCE AND APPROVED NA-**
4 **TIONAL SERVICE POSITIONS BY COMPETI-**
5 **TIVE AND OTHER MEANS.**

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

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

25 “(2) ONE PERCENT ALLOTMENT OF ASSIST-
26 ANCE.—Of the funds allocated by the Corporation

1 for provision of assistance under subsections (a) and
2 (b) of section 121 for a fiscal year, the Corporation
3 shall reserve 1 percent of the allocated funds for
4 grants under section 121(a) to Indian tribes, the
5 Virgin Islands, Guam, American Samoa, and the
6 Commonwealth of the Northern Mariana Islands, to
7 be allotted by the Corporation on a competitive basis
8 in accordance with their respective needs. Palau
9 shall also be eligible for a grant under this para-
10 graph from the 1 percent allotment until such time
11 as the Compact of Free Association with Palau is
12 ratified.

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

20 “(A) to make grants (and provide ap-
21 proved national service positions in connection
22 with such grants) to other eligible entities
23 under section 121 that propose to carry out na-
24 tional service programs in the State or on be-
25 half of the Indian tribe; and

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

5 “(b) RESERVATION OF APPROVED POSITIONS.—

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

22 “(2) EXCEPTION.—If the total number of ap-
23 proved national service positions to be available for
24 distribution under subsections (a) and (d) for a fis-
25 cal year does not exceed 200 percent of the number

1 of such positions that would be required to satisfy
2 paragraph (1) for that fiscal year, the Corporation
3 shall not reserve the national service educational
4 award for individuals described in such paragraph
5 who are selected during that fiscal year.

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

15 “(d) COMPETITIVE DISTRIBUTION OF REMAINING
16 FUNDS AND APPROVED POSITIONS.—

17 “(1) STATE COMPETITION.—Of the funds allo-
18 cated by the Corporation for provision of assistance
19 under subsections (a) and (b) of section 121 for a
20 fiscal year, the Corporation shall use not less than
21 $33\frac{1}{3}$ percent of the allocated funds to make grants
22 to States on a competitive basis under section
23 121(a).

24 “(2) FEDERAL AGENCIES AND OTHER APPLI-
25 CANTS.—The Corporation shall distribute on a com-

1 petitive basis to subdivisions of States, Indian tribes,
2 public and private not-for-profit organizations (in-
3 cluding labor organizations), institutions of higher
4 education, and Federal agencies the remainder of
5 the funds allocated by the Corporation for provision
6 of assistance under section 121 for a fiscal year,
7 after operation of paragraph (1) and subsections (a)
8 and (c).

9 “(3) LIMITATIONS.—The Corporation may limit
10 the categories of eligible applicants for assistance
11 under paragraph (2) consistent with the priorities
12 established by the Corporation under section
13 133(d)(2).

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

22 “(f) DISTRIBUTION OF APPROVED POSITIONS SUB-
23 JECT TO AVAILABLE FUNDS.—The Corporation may not
24 distribute approved national service positions under this
25 section for a fiscal year in excess of the number of such

1 positions for which the Corporation has sufficient available
2 funds in the National Service Trust for that fiscal year
3 to satisfy the maximum possible obligations to be incurred
4 by the United States to provide the national service edu-
5 cational award corresponding to service in these positions.

6 “(g) SPONSORSHIP OF APPROVED NATIONAL SERV-
7 ICE POSITIONS.—

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

20 “(2) DEPOSIT OF CONTRIBUTION.—Funds pro-
21 vided pursuant to an agreement under paragraph
22 (1) and any other funds contributed to the Corpora-
23 tion to support the activities of the Corporation
24 under the national service laws shall be deposited in

1 the National Service Trust established in section
2 145 until such time as the funds are needed.

3 **“SEC. 130. APPLICATION FOR ASSISTANCE AND APPROVED**
4 **NATIONAL SERVICE POSITIONS.**

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

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

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

23 “(2) A description of the national service pro-
24 grams that are selected by the applicant to receive
25 a grant from assistance requested under section 121

1 and a description of the process and criteria by
2 which the programs were selected.

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

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

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

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

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

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

7 “(B) in leadership positions in implement-
8 ing and evaluating the program.

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

12 “(A) the impact to be made in meeting
13 unmet human, educational, environmental, or
14 public safety needs; and

15 “(B) the service experience to be provided
16 to participants in the programs.

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

22 “(10) A description of the past experience of
23 the applicant in operating a comparable program or
24 in conducting a grant program in support of other
25 comparable programs.

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

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

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

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

20 “(1) APPLICABILITY OF SUBSECTION.—This
21 subsection shall apply in the case of an application
22 in which—

23 “(A) the applicant is not seeking assist-
24 ance under subsection (a) or (b) of section 121,
25 but requests national service educational

1 awards for individuals serving in service posi-
2 tions described in section 123; or

3 “(B) the applicant requests national serv-
4 ice educational awards for service positions de-
5 scribed in section 123, but the positions are not
6 positions in a national service program de-
7 scribed in section 122(a) for which assistance
8 may be provided under subsection (a) or (b) of
9 section 121.

10 “(2) SPECIAL APPLICATION REQUIREMENTS.—
11 For the applications described in paragraph (1), the
12 Corporation shall establish special application re-
13 quirements in order to determine—

14 “(A) whether the service positions meet
15 unmet human, educational, environmental, or
16 public safety needs and meet the criteria for as-
17 sistance under this subtitle; and

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

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

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

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

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

21 “(e) SPECIAL RULE FOR CERTAIN SERVICE SPON-
22 SORS.—In the case of an applicant that proposes to serve
23 as the service sponsor, the application shall include the
24 written concurrence of any local labor organization rep-
25 resenting employees of the applicant who are engaged in

1 carried out by the applicant using assistance provided
2 under section 121 and any national service program sup-
3 ported by a grant made by the applicant using such assist-
4 ance will—

5 “(1) provide participants in the national service
6 program with the training, skills, and knowledge
7 necessary for the projects that participants are
8 called upon to perform; and

9 “(2) provide support services to participants,
10 such as the provision of appropriate information and
11 support—

12 “(A) to those participants who are com-
13 pleting a term of service and making the transi-
14 tion to other educational and career opportuni-
15 ties; and

16 “(B) to those participants who are school
17 dropouts in order to assist those participants in
18 earning the equivalent of a high school diploma.

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; 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(c), 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(d). 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(e) 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.

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

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

4 “(2) The innovative aspects of the national
5 service program, and the feasibility of replicating the
6 program.

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

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

11 “(B) of multiple funding sources or private
12 funding for the program.

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

17 “(5) The extent to which participants of the na-
18 tional service program are recruited from among
19 residents of the communities in which projects are to
20 be conducted, and the extent to which participants
21 and community residents are involved in the design,
22 leadership, and operation of the program.

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

1 “(A) communities designated as enterprise
2 zones or redevelopment areas, targeted for spe-
3 cial economic incentives, or otherwise identifi-
4 able as having high concentrations of low-in-
5 come people;

6 “(B) areas that are environmentally dis-
7 tressed; or

8 “(C) areas adversely affected by reductions
9 in defense spending or the closure or realign-
10 ment of military installations.

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

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

17 “(d) OTHER CONSIDERATIONS.—

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

24 “(2) PRIORITIES.—The Corporation may des-
25 ignate, under such criteria as may be established by

1 the Corporation, certain national service programs
2 or types of national service programs described in
3 section 122(a) for priority consideration in the com-
4 petitive distribution of funds under section
5 129(d)(2). In designating national service programs
6 to receive priority, the Corporation may include—

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

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

12 “(C) innovative national service programs;

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

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

1 “(F) professional corps programs described
2 in section 122(a)(8).

3 “(e) REJECTION OF STATE APPLICATIONS.—

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

10 “(2) RESUBMISSION AND RECONSIDERATION.—

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

19 “(3) REALLOTMENT.—The amount of any
20 State’s allotment under section 129(a) for a fiscal
21 year that the Corporation determines will not be
22 provided for that fiscal year shall be available for
23 distribution by the Corporation as provided in para-
24 graph (3) of such subsection.

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

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

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

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

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

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

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

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

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

24 “(b) SPECIAL RULES FOR CERTAIN YOUTH PRO-
25 GRAMS.—An individual shall be considered to be a partici-
26 pant in a youth corps program described in section

1 122(a)(2) or a program described in section 122(a)(9)
2 that is carried out with assistance provided under section
3 121(a) if the individual—

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

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

10 **“SEC. 138. SELECTION OF NATIONAL SERVICE PARTICI-
11 PANTS.**

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

22 “(b) NONDISCRIMINATION AND NONPOLITICAL SE-
23 LECTION OF PARTICIPANTS.—The recruitment and selec-
24 tion of individuals to serve in national service programs
25 receiving assistance under section 121 or to fill approved

1 national service positions shall be consistent with the re-
2 quirements of section 175.

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

7 “(d) 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). The Corporation and State
14 Commissions shall disseminate information regarding
15 available approved national service positions through co-
16 operation with secondary schools, institutions of higher
17 education, employment service offices, and other appro-
18 priate entities, particularly those organizations that pro-
19 vide outreach to disadvantaged youths.

20 “(e) NATIONAL LEADERSHIP POOL.—

21 “(1) SELECTION AND TRAINING.—From among
22 individuals recruited under subsection (d), the Cor-
23 poration may select individuals with significant lead-
24 ership potential, as determined by the Corporation,
25 to receive special training to enhance their leader-

1 ship ability. The leadership training shall be pro-
2 vided by the Corporation directly or through a grant
3 or contract.

4 “(2) EMPHASIS ON CERTAIN INDIVIDUALS.—In
5 selecting individuals to receive leadership training
6 under this subsection, the Corporation shall make
7 special efforts to select individuals who have served
8 in the Peace Corps, as VISTA volunteers, or as par-
9 ticipants in national service programs receiving as-
10 sistance under section 121.

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

20 **“SEC. 139. TERMS OF SERVICE.**

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

1 “(b) TERM OF SERVICE.—

2 “(1) FULL-TIME SERVICE.—An individual per-
3 forming full-time national service in an approved na-
4 tional service position shall agree to participate in
5 the program sponsoring the position for not less
6 than 1,700 hours during a period of not less than
7 9 months and not more than 1 year.

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

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

24 “(c) RELEASE FROM COMPLETING TERM OF SERV-
25 ICE.—

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

6 “(A) for compelling personal circumstances
7 as demonstrated by the participant; or

8 “(B) for cause.

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

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

19 “(a) PROVISION OF LIVING ALLOWANCE.—

20 “(1) LIVING ALLOWANCE PERMITTED.—Subject
21 to paragraph (3), a national service program carried
22 out using assistance provided under section 121
23 shall provide to each participant in the program a
24 living allowance in such an amount as may be estab-
25 lished by the program.

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

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

11 “(B) 85 percent of the annual living allow-
12 ance established by the national service pro-
13 gram involved.

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

22 “(4) PRORATION OF LIVING ALLOWANCE.—The
23 amount provided as a living allowance under this
24 subsection shall be prorated in the case of a partici-

1 pant who is authorized to serve a reduced term of
2 service under section 139(b)(3).

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

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

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

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

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

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

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

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

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

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

15 “(e) CHILD CARE.—

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

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

24 “(B) provide a child care allowance to each
25 full-time participant in a national service pro-

1 gram who needs such assistance in order to
2 participate in the program.

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

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

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

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

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

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

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

7 (b) TABLE OF CONTENTS.—Section 1(b) of the Na-
 8 tional and Community Service Act of 1990 (Public Law
 9 101-610; 104 Stat. 3127) is amended by striking the
 10 items relating to subtitle C of title I of such Act and in-
 11 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 positions.
- “Sec. 122. Types of national service programs eligible for program assistance.
- “Sec. 123. Types of national service positions eligible for approval for national service educational awards.
- “Sec. 124. Types of program assistance.
- “Sec. 125. Training and technical assistance.
- “Sec. 126. Other special assistance.

“PART II—APPLICATION AND APPROVAL PROCESS

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

“PART III—NATIONAL SERVICE PARTICIPANTS

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

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

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

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

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

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

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

21 “(A) national service educational awards;

22 and

23 “(B) interest expenses pursuant to sub-
24 section (e);

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

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

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

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

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

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

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

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

13 “(A) has been reduced pursuant to section
14 147(b); or

15 “(B) has lapsed pursuant to section
16 146(d); and

17 “(4) estimate the number of additional ap-
18 proved national service positions which the Corpora-
19 tion will be able to make available under subtitle C
20 on the basis of any accumulated surplus in the
21 Trust above the amount required to provide national
22 service educational awards to individuals identified
23 under paragraph (2), including any amounts avail-
24 able as a result of the circumstances referred to in
25 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 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)(A) from completing the term of service agreed
14 to by the individual, the Corporation may provide the indi-
15 vidual 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);

4 “(3) to pay expenses incurred in participating
5 in an approved school-to-work program in accord-
6 ance with subsection (d); and

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

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

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

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

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

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

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

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

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

1 and any regulations prescribed to carry out this sub-
2 section.

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

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

9 “(A) any loan made, insured, or guaran-
10 teed pursuant to title IV of the Higher Edu-
11 cation Act of 1965 (20 U.S.C. 1070 et seq.),
12 other than a loan to a parent of a student pur-
13 suant to section 428B of such Act (20 U.S.C.
14 1078-2); and

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

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

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

3 “(1) APPLICATION BY ELIGIBLE INDIVIDUAL.—
4 An eligible individual under section 146 who desires
5 to apply his or her national service educational
6 award to the payment of current educational ex-
7 penses shall, on a form prescribed by the Corpora-
8 tion, submit an application to the institution of high-
9 er education in which the student will be enrolled
10 that contains such information as the Corporation
11 may require to verify the individual’s eligibility.

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

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

22 “(B) specifies the amounts for which such
23 eligible individuals are, consistent with para-
24 graph (6), qualified for disbursement under this
25 subsection;

1 “(C) certifies that (i) the institution of
2 higher education has in effect a program par-
3 ticipation agreement under section 487 of the
4 Higher Education Act of 1965 (20 U.S.C.
5 1094), and (ii) the institution’s eligibility to
6 participate in any of the programs under title
7 IV of such Act (20 U.S.C. 1070 et seq.) has not
8 been limited, suspended, or terminated; and

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

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

23 “(4) MULTIPLE DISBURSEMENTS REQUIRED.—
24 The total amount required to be disbursed to an in-
25 stitution of higher education under paragraph (3)

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

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

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

6 “(A) the eligible individual’s cost of attend-
7 ance for such period of enrollment, determined
8 in accordance with section 472 of the Higher
9 Education Act of 1965 (20 U.S.C. 108711); and

10 “(B) the sum of (i) the student’s estimated
11 financial assistance for such period under part
12 A of title IV of such Act (20 U.S.C. 1070 et
13 seq.), and (ii) the student’s veterans’ education
14 benefits, determined in accordance with section
15 480(e) of such Act (20 U.S.C. 1087vv(c)).

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

22 “(e) INTEREST PAYMENTS DURING FORBEARANCE
23 ON LOAN REPAYMENT.—The Corporation may provide by
24 regulation for the payment on behalf of an eligible individ-
25 ual of interest that accrues during a period for which such

1 individual has obtained forbearance in the repayment of
2 a qualified student loan (as defined in subsection (b)(6)),
3 if the eligible individual successfully completes his or her
4 required term of service (as determined under section
5 146(b)). Such regulations shall be prescribed after con-
6 sultation with the Secretary of Education.

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

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

23 “(b) TABLE OF CONTENTS.—Section 1(b) of the Na-
24 tional and Community Service Act of 1990 (Public Law
25 101–610; 104 Stat. 3127) is amended by striking the

1 items relating to subtitle D of title I of such Act and in-
 2 serting the following new items:

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

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

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

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

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

3 (c) CONFORMING AMENDMENTS.—

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

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

15 (A) in subsection (b)(1)—

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

19 (ii) by inserting immediately after
 20 subparagraph (V) the following new sub-
 21 paragraph:

1 “(W)(i) provides that, upon written re-
2 quest, a lender shall grant a borrower forbear-
3 ance on such terms as are otherwise consistent
4 with the regulations of the Secretary, during
5 periods in which the borrower is serving in a
6 national service position, for which he or she re-
7 ceives a national service educational award
8 under the National Service Trust Act of 1993;

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

12 “(iii) provides that interest shall continue
13 to accrue on a loan for which a borrower re-
14 ceives forbearance under this subparagraph and
15 shall be capitalized or paid by the borrower;”;
16 and

17 (B) in subsection (c)(3)(A), by striking
18 “subsection (b)(1)(V)” and inserting “sub-
19 section (b)(1) (V) and (W)”.

20 (3) **ELIGIBILITY FOR STAFFORD LOAN FOR-**
21 **GIVENESS.**—Section 428J of the Higher Education
22 Act of 1965 (20 U.S.C. 1078–10) is amended—

23 (A) in subsection (b)(1), is amended by
24 striking “October 1, 1992” and inserting “Oc-
25 tober 1, 1989”;

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

3 “(5) INELIGIBILITY OF NATIONAL SERVICE
4 EDUCATIONAL AWARD RECIPIENTS.—No student
5 borrower may, for the same volunteer service, receive
6 a benefit under both this section and subtitle D of
7 title I of the National and Community Service Act
8 of 1990 (42 U.S.C. 12751 et seq.)”; and

9 (C) by adding at the end the following new
10 subsection:

11 “(h) TREATMENT OF BENEFITS.—Notwithstanding
12 any other provision of law, the amount of any loan repaid
13 by the Secretary under this section shall not be taken into
14 account in the determining the need or eligibility of any
15 person for benefits or assistance, or the amount of such
16 benefits or assistance, under any Federal, State, or local
17 program financed in whole or in part with Federal funds.
18 The amount of any loan repaid by the Secretary under
19 this section shall not be considered income for purposes
20 of the Internal Revenue Code of 1986.”.

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

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

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

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

16 **SEC. 103. SCHOOL-BASED AND COMMUNITY-BASED SERV-**
17 **ICE-LEARNING PROGRAMS.**

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

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

1 (A) work with teachers in elementary
2 schools and secondary schools within a commu-
3 nity, and with community-based agencies, to
4 create and offer service-learning opportunities
5 for all school-age youth;

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

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

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

19 (2) PROGRAMS.—Subtitle B of title I of the Na-
20 tional and Community Service Act of 1990 (42
21 U.S.C. 12501 et seq.) is amended by striking the
22 subtitle heading and all that follows through the end
23 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 including 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 requirements of section 113 and such other requirements
2 as the Chairperson may determine to be appropriate, the
3 Corporation may use the allotment of that State to make
4 direct grants to pay for the Federal share of the cost of—

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

8 “(2) carrying out the activities described in
9 paragraph (3) of such section, to an agency de-
10 scribed in such paragraph,
11 that is located in the State.

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

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

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

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

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

23 “(b) USE OF FUNDS.—Such an organization may use
24 a grant made under subsection (a) to make grants to part-
25 nerships described in paragraph (2) or (4) of section

1 111(a) to implement, operate, or expand school-based
2 service-learning programs as described in such section and
3 provide technical assistance and training to appropriate
4 persons.

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

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

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

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

24 “(A) State educational agencies and Indian
25 tribes; or

1 “(B) as described in section 111B, to
2 grantmaking entities.

3 “(2) ALLOTMENTS.—

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

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

22 “(3) MINIMUM AMOUNT.—No State shall re-
23 ceive, under paragraph (2), an allotment that is less
24 than the allotment such State received for fiscal year
25 1993 under section 112(b) of this Act, as in effect

1 on the day before the date of enactment of this part.

2 If the amount of funds made available in a fiscal
3 year to carry out paragraph (2) is insufficient to
4 make such allotments, the Corporation shall make
5 available sums from the 25 percent described in
6 paragraph (1) for such fiscal year to make such al-
7 lotments.

8 “(4) DEFINITION.—Notwithstanding section
9 101(25), for purposes of this subsection, the term
10 ‘State’ means each of the several States, the District
11 of Columbia, the Commonwealth of Puerto Rico, and
12 an Indian tribe.

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

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

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

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

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

19 “(1) a 3-year strategic plan, or a revision of a
20 previously approved 3-year strategic plan, for pro-
21 moting service-learning through the programs, which
22 plan shall contain such information as the Chair-
23 person 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);

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) in reviewing applications submit-
21 ted under section 114(c), the applicant has
22 ranked the applications according to the
23 criteria described in section 115(b), has
24 considered the factors described in section
25 115(a), and has reviewed the applications

1 in a manner that ensured the equitable
2 treatment of all such applications;

3 “(iv) the programs will be coordinated
4 with—

5 “(I) the education reform efforts
6 of the applicant;

7 “(II) other efforts to meet the
8 National Education Goals;

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

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

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

1 projects, including those that involve the
2 participation of urban, suburban, and rural
3 students working together;

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

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

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

23 “(II) by qualified and experi-
24 enced individuals employed by the
25 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 local labor organiza-
20 tions, and representatives of business, that will pro-
21 vide advice with respect 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) **CRITERIA FOR APPLICATIONS.**—In approving
13 applications for financial assistance under subsection (a),
14 (b), (c), or (d) of section 112, the Corporation shall con-
15 sider such criteria with respect to sustainability,
16 replicability, innovation, and quality of programs under
17 this subpart as the Chairperson may by regulation specify.
18 In providing assistance under this subpart, a State edu-
19 cational agency, Indian tribe, or grantmaking entity shall
20 consider such criteria.

21 “(b) **PRIORITY FOR LOCAL APPLICATIONS.**—

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

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

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

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

8 “(C) involve—

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

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

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

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

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

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

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

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

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

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

1 for-profit schools as required by subsection (a), or if the
2 Corporation determines that a State, Indian tribe, or local
3 educational agency substantially fails or is unwilling to
4 provide for such participation on an equitable basis, the
5 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 the na-
17 tional service laws).

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

8 “(A) the original recipient; or

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

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

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

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

19 “(i) the original recipient; and

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

23 “(b) CAPACITY-BUILDING ACTIVITIES.—Not less
24 than 10 percent and not more than 15 percent of the
25 amount of assistance provided to a State educational

1 agency or Indian tribe that is the original recipient of a
2 grant or allotment under subsection (a), (b), (c), or (d)
3 of section 112 for a fiscal year may be used to build capac-
4 ity through training, technical assistance, curriculum de-
5 velopment, and coordination activities, described in section
6 111(a)(1).

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

14 **“SEC. 116B. DEFINITIONS.**

15 “As used in this subpart:

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

19 “(2) SCHOOL-BASED.—The term ‘school-based’
20 means based in an elementary school or a secondary
21 school.

22 “(3) STUDENT.—Notwithstanding section
23 101(28), the term ‘student’ means an individual who
24 is enrolled in an elementary or secondary school on
25 a full- or part-time basis.

1 **“Subpart B—Community-Based Service Programs for**
2 **School-Age Youth**

3 **“SEC. 117. DEFINITIONS.**

4 “As used in this subpart:

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

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

8 “(2) GRANTMAKING ENTITY.—The term
9 ‘grantmaking entity’ means a qualified organization
10 that—

11 “(A) submits an application under section
12 117C(a) to make grants to qualified organiza-
13 tions; and

14 “(B) was in existence 1 year before the
15 date on which the organization submitted the
16 application.

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

22 **“SEC. 117A. GENERAL AUTHORITY.**

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

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

3 “(b) USE OF FUNDS.—

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

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

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

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

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

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

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

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

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

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

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

1 under section 117A(a) to implement, operate, expand, or
2 replicate a community service program, a qualified organi-
3 zation shall prepare, submit to the Corporation, and ob-
4 tain approval of, an application that proposes a commu-
5 nity-based service program to be carried out at multiple
6 sites, or that proposes an innovative community-based
7 service program. Such application shall be submitted at
8 such time and in such manner, and shall contain such in-
9 formation, as the Chairperson may reasonably require.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

12 “(a) FEDERAL SHARE.—

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

19 “(2) CALCULATION.—Each recipient of assist-
20 ance under this subpart shall comply with section
21 116(a)(2).

22 “(b) WAIVER.—The Chairperson may waive the re-
23 quirements of subsection (a), in whole or in part, as pro-
24 vided in section 116(b).

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

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

8 “(1) the original recipient; or

9 “(2) the entity carrying out the community-
10 based service programs supported with the assist-
11 ance.

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

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

16 “(2) that portion of the assistance available to
17 cover administrative costs should be distributed
18 between—

19 “(A) the original recipient; and

20 “(B) the entity carrying out the commu-
21 nity-based service programs supported with the
22 assistance.

23 **“Subpart C—Clearinghouse**

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

25 “(a) IN GENERAL.—The Corporation shall provide fi-
26 nancial assistance, from funds appropriated to carry out

1 subtitle H, to agencies described in subsection (b) to es-
2 tablish a clearinghouse, which shall carry out activities,
3 either directly or by arrangement with another such entity,
4 with respect to information about service-learning.

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

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

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

15 “(2) conduct research and evaluations concern-
16 ing service-learning;

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

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

1 “(4) facilitate communication among entities
2 carrying out service-learning programs and partici-
3 pants in such programs;

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

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

14 “(B) coordinate the activities of the Clearing-
15 house with appropriate entities to avoid duplication
16 of effort;

17 “(7) make recommendations to State and local
18 entities on quality controls to improve the quality of
19 service-learning programs;

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

22 “(9) carry out such other activities as the
23 Chairperson determines to be appropriate.”.

24 (b) HIGHER EDUCATION INNOVATIVE PROJECTS.—
25 Subtitle B of title I of the National and Community Serv-

1 ice Act of 1990 (42 U.S.C. 12531 et seq.) is amended
2 by striking part II and inserting the following:

3 **“PART II—HIGHER EDUCATION INNOVATIVE**
4 **PROGRAMS FOR COMMUNITY SERVICE**

5 **“SEC. 119. HIGHER EDUCATION INNOVATIVE PROGRAMS**
6 **FOR COMMUNITY SERVICE.**

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

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

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

1 “(A) engenders a sense of social respon-
2 sibility and commitment to the community in
3 which the institution is located; and

4 “(B) provides projects for participants,
5 who shall be students, faculty, administration,
6 or staff of the institution, or residents of the
7 community;

8 “(2) supporting student-initiated and student-
9 designed community service projects through the
10 program;

11 “(3) facilitating the integration of community
12 service carried out under the program into academic
13 curricula, including integration of clinical programs
14 into the curriculum for students in professional
15 schools, so that students can obtain credit for their
16 community service projects;

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

22 “(5) strengthening the service infrastructure
23 within institutions of higher education in the United
24 States through the program; and

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

5 “(c) FEDERAL SHARE.—

6 “(1) SHARE.—

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

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

14 “(2) WAIVER.—The Chairperson may waive the
15 requirements of paragraph (1), in whole or in part,
16 as provided in section 116(b).

17 “(d) APPLICATION FOR GRANT.—

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

24 “(2) CONTENTS.—An application submitted
25 under paragraph (1) shall contain—

1 cipients, in the design and implementation
2 of the program; and

3 “(vii) the budget for the program;

4 “(B) assurances that—

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

13 “(ii) the applicant will comply with
14 the nonduplication and nondisplacement
15 provisions of section 177 and grievance
16 procedure requirements of section 176(f);
17 and

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

20 “(e) PRIORITY.—

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

1 “(A) demonstrate the commitment of the
2 institution of higher education, other than by
3 demonstrating the commitment of the students,
4 to supporting the community service projects
5 carried out under the program;

6 “(B) specify the manner in which the insti-
7 tution will promote faculty, administration, and
8 staff participation in the community service
9 projects;

10 “(C) specify the manner in which the insti-
11 tution will provide service to the community
12 through organized programs, including, where
13 appropriate, clinical programs for students in
14 professional schools;

15 “(D) describe any partnership that will
16 participate in the community service projects,
17 such as a partnership comprised of—

18 “(i) the institution;

19 “(ii)(I) a community-based agency;

20 “(II) a local government agency; or

21 “(III) a not-for-profit entity that
22 serves or involves school-age youth or older
23 adults; and

24 “(iii) a student organization;

1 “(E) demonstrate community involvement
2 in the development of the proposal;

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

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

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

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

20 “(g) DEFINITION.—Notwithstanding section
21 101(28), as used in this part, the term ‘student’ means
22 an individual who is enrolled in an institution of higher
23 education on a full- or part-time basis.

1 **“PART III—GENERAL PROVISIONS**

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

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

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

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

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

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

14 (c) **TABLE OF CONTENTS.**—Section 1(b) of the Na-
15 tional and Community Service Act of 1990 (Public Law
16 101-610; 104 Stat. 3127) is amended by striking the
17 items relating to subtitle B of title I of such Act and in-
18 serting the following:

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

“PART I—SERVE-AMERICA PROGRAMS

“SUBPART A—SCHOOL-BASED PROGRAMS FOR STUDENTS

“Sec. 111. Authority to assist States and Indian tribes.

“Sec. 111A. Authority to assist local applicants in nonparticipating States.

“Sec. 111B. Authority to assist public or private not-for-profit organizations.

“Sec. 112. Grants and allotments.

“Sec. 113. State or tribal applications.

“Sec. 114. Local applications.

“Sec. 115. Consideration of applications.

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

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

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

“Sec. 116B. Definitions.

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

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

“SUBPART C—CLEARINGHOUSE

- “Sec. 118. Service-learning clearinghouse.

“PART II—HIGHER EDUCATION INNOVATIVE PROGRAMS FOR COMMUNITY
SERVICE

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

“PART III—GENERAL PROVISIONS

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

1 SEC. 104. QUALITY AND INNOVATION ACTIVITIES.

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

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

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

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

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

14 (c) **INVESTMENT FOR QUALITY AND INNOVATION.**—
 15 Title I of the National and Community Service Act of

1 1990 (as amended by subsection (b) of this section) is
2 amended by adding at the end the following new subtitle:

3 **“Subtitle H—Investment for**
4 **Quality and Innovation**

5 **“SEC. 198. ADDITIONAL CORPORATION ACTIVITIES TO SUP-**
6 **PORT NATIONAL SERVICE.**

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

11 “(b) INNOVATION AND QUALITY IMPROVEMENT.—

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

16 “(A) programs under subtitle B or C for
17 rural youth;

18 “(B) employer-based retiree programs;

19 “(C) intergenerational programs;

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

23 “(E) programs sponsored by Governors.

24 “(2) INTERGENERATIONAL PROGRAM.—An
25 intergenerational program referred to in paragraph

1 (1)(C) may include a program in which older adults
2 provide services to children who participate in Head
3 Start programs.

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

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

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

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

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

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

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

24 “(j) TRAINING.—The Corporation may support na-
25 tional and regional participant and supervisor training, in-

1 cluding leadership training and training in specific types
2 of service and in building the ethic of civic responsibility.

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

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

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

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

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

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

1 **“SEC. 198A. CLEARINGHOUSES.**

2 “(a) ASSISTANCE.—The Corporation shall provide as-
3 sistance to appropriate entities to establish one or more
4 clearinghouses, including the clearinghouse described in
5 section 118.

6 “(b) APPLICATION.—To be eligible to receive assist-
7 ance under subsection (a), an entity shall submit an appli-
8 cation to the Corporation at such time, in such manner,
9 and containing such information as the Corporation may
10 require.

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

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

16 “(2) conduct research and evaluations concern-
17 ing community service;

18 “(3)(A) provide leadership development and
19 training to State and local community service pro-
20 gram administrators, supervisors, and participants;
21 and

22 “(B) provide training to persons who can pro-
23 vide the leadership development and training de-
24 scribed in subparagraph (A);

1 “(4) facilitate communication among entities
2 carrying out community service programs and par-
3 ticipants;

4 “(5) provide information, curriculum materials,
5 technical assistance relating to planning and oper-
6 ation of community service programs, to States and
7 local entities eligible to receive funds under this title;

8 “(6)(A) gather and disseminate information on
9 successful community service programs, components
10 of such successful programs, innovative youth skills
11 curriculum, and community service projects; and

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

15 “(7) make recommendations to State and local
16 entities on quality controls to improve the delivery of
17 community service programs and on changes in the
18 programs under this title; and

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

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

22 “(a) PRESIDENTIAL AWARDS.—

23 “(1) IN GENERAL.—The President, acting
24 through the Corporation, may make Presidential

1 awards for service to individuals providing signifi-
2 cant service, and to outstanding service programs.

3 “(2) INDIVIDUALS AND PROGRAMS.—Notwith-
4 standing section 101(17)—

5 “(A) an individual receiving an award
6 under this subsection need not be a participant
7 in a program authorized under this Act; and

8 “(B) a program receiving an award under
9 this subsection need not be a program author-
10 ized under this Act.

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

14 “(A) is authorized to incur necessary ex-
15 penses for the honorary recognition of the indi-
16 vidual or program; and

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

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

23 (d) TABLE OF CONTENTS.—

24 (1) CIVILIAN COMMUNITY CORPS.—Section 1(b)
25 of the National and Community Service Act of 1990

1 (Public Law 101-610; 104 Stat. 3127) is amended
2 by striking the items relating to subtitle E of title
3 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.”.

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

“Subtitle H—Investment for Quality and Innovation

- “Sec. 198. Additional corporation activities to support national service.
- “Sec. 198A. Clearinghouses.
- “Sec. 198B. Presidential awards for service.”.

9 (e) TECHNICAL AND CONFORMING AMENDMENTS.—

10 (1) NATIONAL DEFENSE AUTHORIZATION ACT
11 FOR FISCAL YEAR 1993.—

12 (A) Section 1091(f)(2) of the National De-
13 fense Authorization Act for Fiscal Year 1993

1 (Public Law 102-484) is amended by striking
2 “195G” and inserting “158”.

3 (B) Paragraphs (1) and (2) of section
4 1092(b), and sections 1092(c), 1093(a), and
5 1094(a) of such Act are amended by striking
6 “195A” and inserting “152”.

7 (C) Sections 1091(f)(2), 1092(b)(1), and
8 1094(a), and subsections (a) and (c) of section
9 1095 of such Act are amended by striking
10 “subtitle H” and inserting “subtitle E”.

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

16 (2) NATIONAL AND COMMUNITY SERVICE ACT
17 OF 1990.—

18 (A) Section 153(a) of such Act (as redesign-
19 dated in subsection (b)(3) of this section) (42
20 U.S.C. 12653b(a)) is amended by striking
21 “195A(a)” and inserting “152(a)”.

22 (B) Section 154(a) of such Act (as redesign-
23 dated in subsection (b)(3) of this section) (42
24 U.S.C. 12653c(a)) is amended by striking
25 “195A(a)” and inserting “152(a)”.

1 (C) Section 155 of such Act (as redesign-
2 nated in subsection (b)(3) of this section) (42
3 U.S.C. 12653d) 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 (D) Section 156 of such Act (as redesign-
12 nated in subsection (b)(3) of this section) (42
13 U.S.C. 12653e) 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 (E) Section 159 of such Act (as redesign-
20 nated in subsection (b)(3) of this section) (42
21 U.S.C. 12653h) 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 sserting “151”; and

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

6 (F) Section 161(b)(1)(B) of such Act (as
7 redesignated in subsection (b)(3) of this sec-
8 tion) (42 U.S.C. 12653j(b)(1)(B)) is amended
9 by striking “195K(a)(3)” and inserting
10 “162(a)(3)”.

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

15 (H) Section 166 of such Act (as redesign-
16 nated in subsection (b)(3) of this section) (42
17 U.S.C. 12653o) 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(c)” and inserting “155(c)”.

1 (f) EXTENSION OF AUTHORITY TO CONDUCT CIVIL-
2 IAN COMMUNITY CORPS.—Section 1092(c) of the National
3 Defense Authorization Act for Fiscal Year 1993 (Public
4 Law 102–484; 106 Stat. 2534), as amended by subsection
5 (e)(1) of this section, is further amended by adding at the
6 end the following new sentence: “The amount made avail-
7 able for the Civilian Community Corps Demonstration
8 Program pursuant to this subsection shall remain avail-
9 able for expenditure during fiscal years 1993 and 1994.”.

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

16 “(f) NATIONAL SERVICE EDUCATIONAL AWARDS.—
17 A Corps member who successfully completes a period of
18 agreed service in the Corps may receive the national serv-
19 ice educational award described in subtitle D if the Corps
20 member—

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

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

1 “(g) ALTERNATIVE BENEFIT.—If a Corps member
2 who successfully completes a period of agreed service in
3 the Corps is ineligible for the national service educational
4 award described in subtitle D, the Director may provide
5 for the provision of a suitable alternative benefit for the
6 Corps member.”.

7 **Subtitle B—Related Provisions**

8 **SEC. 111. DEFINITIONS.**

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

12 **“SEC. 101. DEFINITIONS.**

13 “For purposes of this title:

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

19 “(A) works without financial remuneration
20 in an educational institution to assist students
21 or out-of-school youth; and

22 “(B) is beyond the age of compulsory
23 school attendance in the State in which the edu-
24 cational institution is located.

1 “(2) APPROVED NATIONAL SERVICE POSI-
2 TION.—The term ‘approved national service position’
3 means a national service position designated by the
4 Corporation as a position that includes a national
5 service educational award described in section 147
6 as one of the benefits to be provided for successful
7 service in the position.

8 “(3) CARRY OUT.—The term ‘carry out’, when
9 used in connection with a national service program
10 described in section 122, means the planning, estab-
11 lishment, operation, expansion, or replication of the
12 program.

13 “(4) CHAIRPERSON.—The term ‘Chairperson’
14 means the Chairperson and Director of the Corpora-
15 tion appointed under section 193.

16 “(5) COMMUNITY-BASED AGENCY.—The term
17 ‘community-based agency’ means a private not-for-
18 profit organization that is representative of a com-
19 munity and that is engaged in meeting human, edu-
20 cational, environmental, or public safety community
21 needs.

22 “(6) CORPORATION.—The term ‘Corporation’
23 means the Corporation for National Service estab-
24 lished under section 191.

1 “(7) ECONOMICALLY DISADVANTAGED.—The
2 term ‘economically disadvantaged’ means, with re-
3 spect to an individual, an individual who is deter-
4 mined by the Chairperson to be low-income accord-
5 ing to the latest available data from the Department
6 of Commerce.

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

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

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

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

1 Act (43 U.S.C. 1602 (c), (g), or (j)), that is recog-
2 nized as eligible for the special programs and serv-
3 ices provided by the United States under Federal
4 law to Indians because of their status as Indians.

5 “(12) INSTITUTION OF HIGHER EDUCATION.—
6 The term ‘institution of higher education’ has the
7 same meaning given such term in section 1201(a) of
8 the Higher Education Act of 1965 (20 U.S.C.
9 1141(a)).

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

15 “(14) NATIONAL SERVICE LAWS.—The term
16 ‘national service laws’ means this Act and the Do-
17 mestic Volunteer Service Act of 1973 (42 U.S.C.
18 4950 et seq.).

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

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

22 “(B) has not completed college or the
23 equivalent thereof; and

1 “(C) is not enrolled in an elementary or
2 secondary school or institution of higher edu-
3 cation.

4 “(16) PARTICIPANT.—

5 “(A) IN GENERAL.—The term ‘participant’
6 means—

7 “(i) for purposes of subtitle C, an in-
8 dividual in an approved national service
9 position; and

10 “(ii) for purposes of any other provi-
11 sion of this Act, an individual enrolled in
12 a program that receives assistance under
13 this title.

14 “(B) RULE.—A participant shall not be
15 considered to be an employee of the program in
16 which the participant is enrolled.

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

22 “(18) PROGRAM.—The term ‘program’, except
23 when used as part of the term ‘academic program’,
24 means a program described in section 111(a) (other
25 than a program referred to in paragraph (3)(B) of

1 such section), 117A(a), 119(b)(1), or 122(a), in
2 paragraph (1) or (2) of section 152(b), or in section
3 198.

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

11 “(20) SCHOOL-AGE YOUTH.—The term ‘school-
12 age youth’ means an individual between the ages of
13 5 and 17, inclusive.

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

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

20 “(A) under which students or participants
21 learn and develop through active participation
22 in thoughtfully organized service that—

23 “(i) is conducted in and meets the
24 needs of a community;

1 “(ii) is coordinated with an elemen-
2 tary school, secondary school, institution of
3 higher education, or community service
4 program, and with the community; and

5 “(iii) helps foster civic responsibility;
6 and

7 “(B) that—

8 “(i) is integrated into and enhances
9 the academic curriculum of the students,
10 or the educational components of the com-
11 munity service program in which the par-
12 ticipants are enrolled; and

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

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

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

24 “(25) STATE.—The term ‘State’ means each of
25 the several States, the District of Columbia, the

1 Commonwealth of Puerto Rico, the Virgin Islands,
2 Guam, American Samoa, and the Commonwealth of
3 the Northern Mariana Islands. The term also in-
4 cludes Palau, until such time as the Compact of
5 Free Association is ratified.

6 “(26) STATE COMMISSION.—The term ‘State
7 Commission’ means a State Commission on National
8 Service maintained by a State pursuant to section
9 178. Except when used in section 178, the term in-
10 cludes an alternative administrative entity for a
11 State approved by the Corporation under such sec-
12 tion to act in lieu of a State Commission.

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

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

22 (b) TECHNICAL AND CONFORMING AMENDMENTS.—

23 (1) Section 182(a)(2) of the National and Com-
24 munity Service Act of 1990 (42 U.S.C 12642(a)(2))
25 is amended by striking “adult volunteer and partner-

1 ship” each place the term appears and inserting
2 “partnership”.

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

7 (3) Section 441(c)(2) of the Higher Education
8 Act of 1965 (42 U.S.C. 2751(c)(2)) is amended by
9 striking “service opportunities or youth corps as de-
10 fined in section 101 of the National and Community
11 Service Act of 1990, and service in the agencies, in-
12 stitutions and activities designated in section 124(a)
13 of the National and Community Service Act of
14 1990” and inserting “a project, as defined in section
15 101(19) of the National and Community Service Act
16 of 1990 (42 U.S.C. 12511(18))”.

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

24 (5) Section 1201(p) of the Higher Education
25 Act of 1965 (20 U.S.C. 1141(p)) is amended by

1 striking “section 101(22) of the National and Com-
2 munity Service Act of 1990” and inserting “section
3 101(22) of the National and Community Service Act
4 of 1990 (42 U.S.C. 12511(21))”.

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

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

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

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

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

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

16 “(1) a participant has provided service for the
17 period required by section 101(2)(A)(i) (29 U.S.C.
18 2611(2)(A)(i)), and has met the hours of service re-
19 quirement of section 101(2)(A)(ii), of such Act with
20 respect to a project; and

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

1 the participant shall be considered to be an eligible em-
2 ployee of the service sponsor.

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

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

9 “(2) the service sponsor of the project is an em-
10 ploying agency within the meaning of such sub-
11 chapter,

12 the participant shall be considered to be an employee of
13 the service sponsor.”.

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

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

19 **SEC. 114. REPORTS.**

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

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

1 (2) in subsection (b)(1), by striking “this title”
2 and inserting “the national service laws”.

3 **SEC. 115. NONDISCRIMINATION.**

4 Section 175 of the National and Community Service
5 Act of 1990 (42 U.S.C. 12635) is amended to read as
6 follows:

7 **“SEC. 175. NONDISCRIMINATION.**

8 “(a) IN GENERAL.—

9 “(1) BASIS.—An individual with responsibility
10 for the operation of a project that receives assistance
11 under this title shall not discriminate against a par-
12 ticipant in, or member of the staff of, such project
13 on the basis of race, color, national origin, sex, age,
14 or political affiliation of such participant or member,
15 or on the basis of disability, if the participant or
16 member is a qualified individual with a disability.

17 “(2) DEFINITION.—As used in paragraph (1),
18 the term ‘qualified individual with a disability’ has
19 the meaning given the term in section 101(8) of the
20 Americans with Disabilities Act of 1990 (42 U.S.C.
21 12111(8)).

22 “(b) FEDERAL FINANCIAL ASSISTANCE.—Any assist-
23 ance provided under this title shall constitute Federal fi-
24 nancial assistance for purposes of title VI of the Civil
25 Rights Act of 1964 (42 U.S.C. 2000d et seq.), title IX

1 of the Education Amendments of 1972 (20 U.S.C. 1681
2 et seq.), section 504 of the Rehabilitation Act of 1973 (29
3 U.S.C. 794), and the Age Discrimination Act of 1975 (42
4 U.S.C. 6101 et seq.).

5 “(c) RELIGIOUS DISCRIMINATION.—

6 “(1) IN GENERAL.—Except as provided in para-
7 graph (2), an individual with responsibility for the
8 operation of a project that receives assistance under
9 this title shall not discriminate on the basis of reli-
10 gion against a participant in such project or a mem-
11 ber of the staff of such project who is paid with
12 funds received under this title.

13 “(2) EXCEPTION.—Paragraph (1) shall not
14 apply to the employment, with assistance provided
15 under this title, of any member of the staff, of a
16 project that receives assistance under this title, who
17 was employed with the organization operating the
18 project on the date the grant under this title was
19 awarded.

20 “(d) RULES AND REGULATIONS.—The Chairperson
21 shall promulgate rules and regulations to provide for the
22 enforcement of this section that shall include provisions
23 for summary suspension of assistance for not more than
24 30 days, on an emergency basis, until notice and an oppor-
25 tunity to be heard can be provided.”.

1 **SEC. 116. NOTICE, HEARING, AND GRIEVANCE PROCE-**
2 **DURES.**

3 (a) DECERTIFICATION OF POSITIONS.—Section
4 176(a) of the National and Community Service Act of
5 1990 (42 U.S.C. 12636(a)) is amended—

6 (1) in paragraph (1), by inserting “, or revoke
7 the designation of positions, related to the grant or
8 contract, as approved national service positions,” be-
9 fore “whenever the Commission”; and

10 (2) in paragraph (2)(B), by inserting “or re-
11 voked” after “terminated”.

12 (b) CONSTRUCTION.—Section 176(e) of such Act (42
13 U.S.C. 12636(e)) is amended by adding before the period
14 the following “, other than assistance provided pursuant
15 to this Act”.

16 (c) GRIEVANCE PROCEDURE.—Section 176(f) of such
17 Act is amended to read as follows:

18 “(f) GRIEVANCE PROCEDURE.—

19 “(1) IN GENERAL.—A State or local applicant
20 that receives assistance under this title shall estab-
21 lish and maintain a procedure for the filing and ad-
22 judication of grievances from participants, labor or-
23 ganizations, and other interested individuals con-
24 cerning projects that receive assistance under this
25 title, including grievances regarding proposed place-
26 ments of such participants in such projects.

1 “(2) DEADLINE FOR GRIEVANCES.—Except for
2 a grievance that alleges fraud or criminal activity, a
3 grievance shall be made not later than 1 year after
4 the date of the alleged occurrence of the event that
5 is the subject of the grievance.

6 “(3) DEADLINE FOR HEARING AND DECI-
7 SION.—

8 “(A) HEARING.—A hearing on any griev-
9 ance conducted under this subsection shall be
10 conducted not later than 30 days after the fil-
11 ing of such grievance.

12 “(B) DECISION.—A decision on any such
13 grievance shall be made not later than 60 days
14 after the filing of such grievance.

15 “(4) ARBITRATION.—

16 “(A) IN GENERAL.—

17 “(i) JOINTLY SELECTED ARBITRA-
18 TOR.—In the event of a decision on a
19 grievance that is adverse to the party who
20 filed such grievance, or 60 days after the
21 filing of such grievance if no decision has
22 been reached, such party shall be per-
23 mitted to submit such grievance to binding
24 arbitration before a qualified arbitrator

1 who is jointly selected and independent of
2 the interested parties.

3 “(ii) . APPOINTED ARBITRATOR.—If
4 the parties cannot agree on an arbitrator,
5 the Chairperson shall appoint an arbitrator
6 from a list of qualified arbitrators within
7 15 days after receiving a request for such
8 appointment from one of the parties to the
9 grievance.

10 “(B) DEADLINE FOR PROCEEDING.—An
11 arbitration proceeding shall be held not later
12 than 45 days after the request for such arbitra-
13 tion proceeding, or, if the arbitrator is ap-
14 pointed by the Chairperson in accordance with
15 subparagraph (A)(ii), not later than 30 days
16 after the appointment of such arbitrator.

17 “(C) DEADLINE FOR DECISION.—A deci-
18 sion concerning a grievance shall be made not
19 later than 30 days after the date such arbitra-
20 tion proceeding begins.

21 “(D) COST.—

22 “(i) IN GENERAL.—Except as pro-
23 vided in clause (ii), the cost of an arbitra-
24 tion proceeding shall be divided evenly be-
25 tween the parties to the arbitration.

1 “(ii) EXCEPTION.—If a participant,
2 labor organization, or other interested indi-
3 vidual described in paragraph (1) prevails
4 under a binding arbitration proceeding, the
5 State, local agency, public or private not-
6 for-profit organization, or partnership of
7 such agencies and organizations, that is a
8 party to such grievance shall pay the total
9 cost of such proceeding and the attorneys’
10 fees of such participant, labor organiza-
11 tion, or individual, as the case may be.

12 “(5) PROPOSED PLACEMENT.—If a grievance is
13 filed regarding a proposed placement of a partici-
14 pant in a project that receives assistance under this
15 title, such placement shall not be made unless the
16 placement is consistent with the resolution of the
17 grievance pursuant to this subsection.

18 “(6) REMEDIES.—Remedies for a grievance
19 filed under this subsection include—

20 “(A) suspension of payments for assistance
21 under this title;

22 “(B) termination of such payments;

23 “(C) prohibition of the placement described
24 in paragraph (5); and

1 “(D) in a case in which the grievance in-
2 volves a violation of subsection (a) or (b) of sec-
3 tion 177 and the employer of the displaced em-
4 ployee is the recipient of assistance under this
5 title—

6 “(i) reinstatement of the displaced
7 employee to the position held by such em-
8 ployee prior to displacement;

9 “(ii) payment of lost wages and bene-
10 fits of the displaced employee;

11 “(iii) reestablishment of other relevant
12 terms, conditions, and privileges of employ-
13 ment of the displaced employee; and

14 “(iv) such equitable relief as is nec-
15 essary to correct any violation of sub-
16 section (a) or (b) of section 177 or to
17 make the displaced employee whole.

18 “(7) ENFORCEMENT.—Suits to enforce arbitra-
19 tion awards under this section may be brought in
20 any district court of the United States having juris-
21 diction of the parties, without regard to the amount
22 in controversy and without regard to the citizenship
23 of the parties.”.

1 **SEC. 117. NONDISPLACEMENT.**

2 Section 177(b)(3) of the National and Community
3 Service Act of 1990 (42 U.S.C. 12637(b)(3)) is
4 amended—

5 (1) in subparagraph (B), to read as follows:

6 “(B) SUPPLANTATION OF HIRING.—A par-
7 ticipant in any program receiving assistance
8 under this title shall not perform any services
9 or duties, or engage in activities, that—

10 “(i) will supplant the hiring of em-
11 ployed workers; or

12 “(ii) are services, duties, or activities
13 with respect to which an individual has re-
14 call rights pursuant to a collective bargain-
15 ing agreement or applicable personnel pro-
16 cedures.”; and

17 (2) in subparagraph (C)(iii), to read as follows:

18 “(iii) employee who—

19 “(I) is subject to a reduction in
20 force; or

21 “(II) has recall rights pursuant
22 to a collective bargaining agreement
23 or applicable personnel procedures;”.

24 **SEC. 118. EVALUATION.**

25 Section 179 of the National and Community Service
26 Act of 1990 (42 U.S.C 12639) is amended—

1 (1) in subsection (a)—

2 (A) in the matter preceding paragraph (1),
3 by striking “this title” and inserting “the na-
4 tional service laws”; and

5 (B) in paragraph (2)—

6 (i) in the matter preceding
7 subparagraph (A), by striking “for purposes
8 of the reports required by subsection (j),”
9 and inserting “with respect to the pro-
10 grams authorized under subtitle C”; and

11 (ii) in subparagraph (A), by striking
12 “older American volunteer programs” and
13 inserting “National Senior Volunteer
14 Corps programs”;

15 (2) in subsection (g)—

16 (A) in the matter preceding paragraph (1),
17 by striking “subtitle D” and inserting “subtitle
18 C”; and

19 (B) in paragraphs (3) and (9), by striking
20 “older American volunteer programs” and in-
21 sserting “National Senior Volunteer Corps pro-
22 grams”; and

23 (3) by striking subsections (i) and (j).

1 **SEC. 119. ENGAGEMENT OF PARTICIPANTS.**

2 Section 180 of the National and Community Service
3 Act of 1990 (42 U.S.C. 12640) is amended by striking
4 “post-service benefits” and inserting “national service
5 educational awards”.

6 **SEC. 120. CONTINGENT EXTENSION.**

7 (a) IN GENERAL.—Section 181 of the National and
8 Community Service Act of 1990 (42 U.S.C. 12641) is
9 amended to read as follows:

10 **“SEC. 181. CONTINGENT EXTENSION.**

11 “Section 414 of the General Education Provisions
12 Act (20 U.S.C. 1226a) shall apply to this Act.”.

13 (b) TABLE OF CONTENTS.—Section 1(b) of the Na-
14 tional and Community Service Act of 1990 (Public Law
15 101–610; 104 Stat. 3127) is amended by striking the item
16 relating to sections 181 of such Act and inserting the fol-
17 lowing:

“Sec. 181. Contingent extension.”.

18 **SEC. 121. REPEALS.**

19 (a) IN GENERAL.—Subtitle F of title I of the Na-
20 tional and Community Service Act of 1990 (42 U.S.C.
21 12631 et seq.) is amended—

22 (1) by repealing sections 183, 185, and 186;

23 and

24 (2) by redesignating section 184 as section 183.

1 (b) TABLE OF CONTENTS.—Section 1(b) of the Na-
 2 tional and Community Service Act of 1990 (Public Law
 3 101–610; 104 Stat. 3127) is amended by striking the
 4 items relating to sections 183, 184, and 185 of such Act
 5 and inserting the following:

“Sec. 183. Drug-free workplace requirements.”.

6 **TITLE II—ORGANIZATION**

7 **SEC. 201. STATE COMMISSIONS ON NATIONAL SERVICE.**

8 (a) COMPOSITION AND DUTIES OF STATE COMMIS-
 9 SIONS.—Subtitle F of title I of the National and Commu-
 10 nity Service Act of 1990 is amended by striking section
 11 178 (42 U.S.C. 12638) and inserting the following new
 12 section:

13 **“SEC. 178. STATE COMMISSIONS ON NATIONAL SERVICE.**

14 **“(a) EXISTENCE REQUIRED.—**

15 **“(1) STATE COMMISSION.—**Except as provided
 16 in paragraph (2), to be eligible to receive a grant or
 17 allotment under subtitle B or C or to receive a dis-
 18 tribution of approved national service positions
 19 under subtitle C, a State shall maintain a State
 20 Commission on National Service that satisfies the
 21 requirements of this section.

22 **“(2) ALTERNATIVE ADMINISTRATIVE ENTITY.—**
 23 The chief executive officer of a State may apply to
 24 the Corporation for approval to use an alternative
 25 administrative entity to carry out the duties other-

1 wise entrusted to a State Commission under this
2 Act. The chief executive officer shall ensure that any
3 alternative administrative entity used in lieu of a
4 State Commission still provides for the individuals
5 described in paragraphs (1) and (2) of subsection (c)
6 to play a significant policy-making role in carrying
7 out the duties otherwise entrusted to a State Com-
8 mission, including the submission of applications on
9 behalf of the State under sections 117B and 130.

10 “(b) APPOINTMENT AND SIZE.—Except as provided
11 in subsection (c)(3), the members of a State Commission
12 for a State shall be appointed by the chief executive officer
13 of the State. A State Commission shall consist of not less
14 than 7 voting members and not more than 13 voting mem-
15 bers.

16 “(c) COMPOSITION AND MEMBERSHIP.—

17 “(1) REQUIRED MEMBERS.—The State Com-
18 mission for a State shall include as voting members
19 at least one representative from each of the follow-
20 ing categories:

21 “(A) A national service program, such as
22 a youth corps program, a service program for
23 school-age youth, and a program in which older
24 Americans are participants.

25 “(B) Local governments in the State.

1 “(C) Local labor organizations.

2 “(2) SOURCES OF OTHER MEMBERS.—The
3 State Commission for a State may include as voting
4 members the following:

5 “(A) Representatives of community-based
6 organizations.

7 “(B) Members selected from among par-
8 ticipants in service programs who are youths.

9 “(C) Members selected from among edu-
10 cators.

11 “(D) Members selected from among ex-
12 perts in the delivery of human, educational, en-
13 vironmental, or public safety services to commu-
14 nities and persons.

15 “(E) Representatives of businesses and
16 business groups.

17 “(3) CORPORATION REPRESENTATIVE.—The
18 representative of the Corporation designated under
19 section 195(b) for a State shall be a voting member
20 of the State Commission for that State.

21 “(4) EX OFFICIO STATE REPRESENTATIVES.—
22 The chief executive officer of a State may appoint as
23 nonvoting ex officio members of the State Commis-
24 sion for the State representatives selected from
25 among officers and employees of State agencies op-

1 erating community service, youth service, education,
2 social service, senior service, and job training pro-
3 grams.

4 “(5) LIMITATION ON NUMBER OF STATE EM-
5 PLOYEES AS MEMBERS.—The number of voting
6 members of a State Commission selected under
7 paragraph (1) or (2) who are officers or employees
8 of the State may not exceed 25 percent (reduced to
9 the nearest whole number) of the total membership
10 of the State Commission.

11 “(d) MISCELLANEOUS MATTERS.—

12 “(1) MEMBERSHIP BALANCE.—The chief execu-
13 tive officer of a State shall ensure that the member-
14 ship of the State Commission for the State is bal-
15 anced according to race, ethnic background, age,
16 and gender. Not more than 50 percent of the voting
17 members of a State Commission, plus one additional
18 member, may be from the same political party.

19 “(2) TERMS.—Each member of the State Com-
20 mission for a State shall serve for a term of 3 years,
21 except that the chief executive officer of a State
22 shall initially appoint a portion of the members to
23 terms of 1 year and 2 years.

24 “(3) VACANCIES.—As vacancies occur on a
25 State Commission, new members shall be appointed

1 by the chief executive of the State and serve for the
2 remainder of the term for which the predecessor of
3 such member was appointed. The vacancy shall not
4 affect the power of the remaining members to exe-
5 cute the duties of the State Commission.

6 “(4) COMPENSATION.—A member of a State
7 Commission shall not receive any additional com-
8 pensation by reason of service on the State Commis-
9 sion, except that the State may authorize the reim-
10 bursement of travel expenses, including a per diem
11 in lieu of subsistence, in the same manner as other
12 employees serving intermittently in the service of the
13 State.

14 “(5) CHAIRPERSON.—The voting members of a
15 State Commission shall elect one of the voting mem-
16 bers to serve as chairperson of the State Commis-
17 sion.

18 “(e) DUTIES OF A STATE COMMISSION.—The State
19 Commission for a State shall be responsible for the follow-
20 ing duties:

21 “(1) Preparation of a national service plan for
22 the State that—

23 “(A) covers a 3-year period;

24 “(B) is updated annually; and

1 “(C) contains such information as the
2 State Commission considers to be appropriate
3 or as the Corporation may require.

4 “(2) Preparation of the applications of the
5 State under sections 117B and 130 for financial as-
6 sistance.

7 “(3) Assistance in the preparation of the appli-
8 cation of the State educational agency for assistance
9 under section 113.

10 “(4) Preparation of the application of the State
11 under section 130 for the approval of service posi-
12 tions that include the national service educational
13 award described in subtitle D.

14 “(5) Assistance in the provision of health care
15 and child care benefits under section 140 to partici-
16 pants in national service programs that receive as-
17 sistance under section 121.

18 “(6) Development of a State system for the re-
19 cruitment and placement of participants in national
20 service programs that receive assistance under sec-
21 tion 121 and dissemination of information concern-
22 ing national service programs that receive assistance
23 and approved national service positions.

24 “(7) Administration of the grant program in
25 support of national service programs that is con-

1 ducted by the State using assistance provided to the
2 State under section 121, including selection, over-
3 sight, and evaluation of grant recipients.

4 “(8) Development of projects, training methods,
5 curriculum materials, and other materials and activi-
6 ties related to national service programs that receive
7 assistance directly from the Corporation or from the
8 State using assistance provided under section 121.

9 “(f) ACTIVITY INELIGIBLE FOR ASSISTANCE.—A
10 State Commission may not directly carry out any national
11 service program that receives assistance under section
12 121.

13 “(g) DELEGATION.—Subject to such requirements as
14 the Corporation may prescribe, a State Commission may
15 delegate nonpolicymaking duties to a State agency or pub-
16 lic or private not-for-profit organization.

17 “(h) APPROVAL OF STATE COMMISSION OR ALTER-
18 NATIVE.—

19 “(1) SUBMISSION TO CORPORATION.—The chief
20 executive officer for a State shall notify the Corpora-
21 tion of the establishment or designation of the State
22 Commission for the State. The notification shall in-
23 clude a description of—

24 “(A) the composition and membership of
25 the State Commission; and

1 “(B) the authority of the State Commis-
2 sion regarding national service activities carried
3 out by the State.

4 “(2) APPROVAL OF ALTERNATIVE ADMINISTRA-
5 TIVE ENTITY.—Any use of an alternative adminis-
6 trative entity to carry out the duties of a State Com-
7 mission shall be subject to the approval of the Cor-
8 poration.

9 “(3) REJECTION.—The Corporation may reject
10 a State Commission if the Corporation determines
11 that the composition, membership, or duties of the
12 State Commission do not comply with the require-
13 ments of this section. The Corporation shall reject a
14 request to use an alternative administrative entity in
15 lieu of a State Commission if the Corporation deter-
16 mines that use of the alternative administrative en-
17 tity does not allow the individuals described in para-
18 graphs (1) and (2) of subsection (c) to play a sig-
19 nificant policy-making role in carrying out the duties
20 otherwise entrusted to a State Commission. If the
21 Corporation rejects a State Commission or alter-
22 native administrative entity under this paragraph,
23 the Corporation shall promptly notify the State of
24 the reasons for the rejection.

1 “(4) RESUBMISSION AND RECONSIDERATION.—

2 The Corporation shall provide a State notified under
3 paragraph (3) with a reasonable opportunity to re-
4 vise the rejected State Commission or alternative ad-
5 ministrative entity. At the request of the State, the
6 Corporation shall provide technical assistance to the
7 State as part of the revision process. The Corpora-
8 tion shall promptly reconsider any resubmission of a
9 notification under paragraph (1) or application to
10 use an alternative administrative entity under para-
11 graph (2).

12 “(5) SUBSEQUENT CHANGES.—This subsection
13 shall also apply to any change in the composition or
14 duties of a State Commission or an alternative ad-
15 ministrative entity made after approval of the State
16 Commission or the alternative administrative en-
17 tity.”.

18 (b) TABLE OF CONTENTS.—Section 1(b) of the Na-
19 tional and Community Service Act of 1990 (Public Law
20 101–610; 104 Stat. 3127) is amended by striking the item
21 relating to section 178 and inserting the following new
22 item:

 “Sec. 178. State Commissions on National Service.”.

23 (c) EFFECTIVE DATE.—The amendments made by
24 this section shall take effect on the date of the enactment
25 of this Act.

1 (d) TRANSITIONAL PROVISIONS.—

2 (1) USE OF ALTERNATIVES TO STATE COMMIS-
3 SION.—If a State does not have a State Commission
4 on National Service that satisfies the requirements
5 specified in section 178 of the National and Commu-
6 nity Services Act of 1990, as amended by subsection
7 (a), the Corporation for National Service may au-
8 thorize the chief executive of the State to use an ex-
9 isting agency of the State to perform the duties oth-
10 erwise reserved to a State Commission under sub-
11 section (e) of such section.

12 (2) APPLICATION OF SUBSECTION.—This sub-
13 section shall apply only during the 1-year period be-
14 ginning on the date of the enactment of this Act.

15 **SEC. 202. INTERIM AUTHORITIES OF THE CORPORATION**
16 **FOR NATIONAL SERVICE AND ACTION AGEN-**
17 **CY.**

18 (a) NATIONAL AND COMMUNITY SERVICE ACT OF
19 1990.—Subtitle G of title I of the National and Commu-
20 nity Service Act of 1990 (42 U.S.C. 12651) is amended
21 to read as follows: