

FOIA MARKER

This is not a textual record. This is used as an administrative marker by the William J. Clinton Presidential Library Staff.

Collection/Record Group: Clinton Presidential Records
Subgroup/Office of Origin: National Service
Series/Staff Member: Shirley Sagawa
Subseries:

OA/ID Number: 1290
FolderID:

Folder Title:
Part 3, Subtitle B [2]

Stack:	Row:	Section:	Shelf:	Position:
S	66	2	6	1

1 **“Subtitle G—Corporation for**
2 **National Service**

3 **“SEC. 191. CORPORATION FOR NATIONAL SERVICE.**

4 “There is established a Corporation for National
5 Service that shall administer the programs established
6 under this Act. The Corporation shall be a Government
7 corporation, as defined in section 103 of title 5, United
8 States Code.

9 **“SEC. 192. BOARD OF DIRECTORS.**

10 “(a) COMPOSITION.—

11 “(1) IN GENERAL.—There shall be in the Cor-
12 poration a Board of Directors (referred to in this
13 subtitle as the ‘Board’) that shall be composed of—

14 “(A) 11 members, including the Chair-
15 person appointed under section 193, to be ap-
16 pointed by the President, by and with the ad-
17 vice and consent of the Senate; and

18 “(B) the ex officio members described in
19 paragraph (4).

20 “(2) QUALIFICATIONS.—To the maximum ex-
21 tent practicable, the President shall appoint
22 members—

23 “(A) who have extensive experience in vol-
24 unteer and service programs, including pro-

1 grams funded under one of the national service
2 laws, and in State government;

3 “(B) who represent a broad range of view-
4 points;

5 “(C) who are experts in the delivery of
6 human, educational, environmental, or public
7 safety services;

8 “(D) so that the Board shall be diverse ac-
9 cording to race, ethnicity, age, and gender; and

10 “(E) so that no more than 6 appointed
11 members of the Board are from a single politi-
12 cal party.

13 “(3) INITIAL MEMBERS.—No fewer than 8 of
14 the members first appointed to the Board after the
15 date of enactment of this section shall be appointed
16 from among individuals who served on the Board of
17 Directors of the Commission on National and Com-
18 munity Service.

19 “(4) EX OFFICIO MEMBERS.—The Secretary of
20 Education, the Secretary of Health and Human
21 Services, the Secretary of Labor, the Secretary of
22 the Interior, the Secretary of Agriculture, the Sec-
23 retary of Housing and Urban Development, the Sec-
24 retary of Defense, the Attorney General, the Direc-
25 tor of the Peace Corps, and the Administrator of the

1 Environmental Protection Agency shall serve as ex
2 officio nonvoting members of the Board.

3 “(b) TERMS.—Each appointed member of the Board
4 shall serve for a term of 3 years, except that 4 of the mem-
5 bers first appointed to the Board after the date of enact-
6 ment of this section shall serve for a term of 1 year and
7 4 shall serve for a term of 2 years, as designated by the
8 President.

9 “(c) VACANCIES.—As vacancies occur on the Board,
10 new members shall be appointed by the President, by and
11 with the advice and consent of the Senate, and serve for
12 the remainder of the term for which the predecessor of
13 such member was appointed. The vacancy shall not affect
14 the power of the remaining members to execute the duties
15 of the Board.

16 **“SEC. 192A. AUTHORITIES AND DUTIES OF THE BOARD OF**
17 **DIRECTORS.**

18 “(a) MEETINGS.—The Board shall meet not less than
19 3 times each year. The Board shall hold additional meet-
20 ings if 6 members of the Board request such meetings in
21 writing.

22 “(b) QUORUM.—A majority of the appointed mem-
23 bers of the Board shall constitute a quorum.

24 “(c) OFFICERS.—

1 “(1) VICE CHAIRPERSON.—The Board shall
2 elect a Vice Chairperson from among its member-
3 ship. The Vice Chairperson may conduct meetings of
4 the Board in the absence of the Chairperson.

5 “(2) OTHER OFFICERS.—The Board may elect
6 from among its membership such additional officers
7 of the Board as the Board determines to be appro-
8 priate.

9 “(d) INSPECTOR GENERAL OVERSIGHT COMMIT-
10 TEE.—The Board shall establish an Inspector General
11 oversight committee (referred to in this subtitle as the
12 ‘oversight committee’). Such committee shall be comprised
13 of the Vice Chairperson and two members selected by the
14 Vice Chairperson. The Chairperson shall not serve on the
15 oversight committee.

16 “(e) EXPENSES.—While away from their homes or
17 regular places of business on the business of the Board,
18 members of such Board shall be allowed travel expenses,
19 including per diem in lieu of subsistence, at rates author-
20 ized for employees of agencies under subchapter I of chap-
21 ter 57 of title 5, United States Code, for persons employed
22 intermittently in the Government service.

23 “(f) SPECIAL GOVERNMENT EMPLOYEES.—For pur-
24 poses of the provisions of chapter 11 of part I of title 18,
25 United States Code, and any other provision of Federal

1 law, a member of the Board (to whom such provisions
2 would not otherwise apply except for this subsection) shall
3 be a special Government employee.

4 “(g) STATUS OF MEMBERS.—

5 “(1) TORT CLAIMS.—For the purposes of the
6 tort claims provisions of chapter 171 of title 28,
7 United States Code, a member of the Board shall be
8 considered to be a Federal employee.

9 “(2) OTHER CLAIMS.—A member of the Board
10 has no personal liability under Federal law with re-
11 spect to any claim arising out of or resulting from
12 any act or omission by such person, within the scope
13 of the service of the member on the Board, in con-
14 nection with any transaction involving the provision
15 of financial assistance by the Corporation. This
16 paragraph shall not be construed to limit personal li-
17 ability for criminal acts or omissions, willful or mali-
18 cious misconduct, acts or omissions for private gain,
19 or any other act or omission outside the scope of the
20 service of such member on the Board.

21 “(3) EFFECT ON OTHER LAW.—This subsection
22 shall not be construed—

23 “(A) to affect any other immunities and
24 protections that may be available to such mem-

1 ber under applicable law with respect to such
2 transactions;

3 “(B) to affect any other right or remedy
4 against the Corporation, against the United
5 States under applicable law, or against any per-
6 son other than a member of the Board partici-
7 pating in such transactions; or

8 “(C) to limit or alter in any way the im-
9 munities that are available under applicable law
10 for Federal officials and employees not de-
11 scribed in this subsection.

12 “(h) DUTIES.—The Board shall—

13 “(1) make such grants and allotments, enter
14 into such contracts, award such other financial as-
15 sistance, make such payments (in lump sum or in-
16 stallments, and in advance or by way of reimburse-
17 ment, and in the case of financial assistance other-
18 wise authorized under this Act, with necessary ad-
19 justments on account of overpayments and under-
20 payments), and designate such positions as approved
21 national service positions as are necessary or appro-
22 priate to carry out this Act;

23 “(2) prepare a strategic plan every 3 years, and
24 annual updates of the plan, for the Corporation with
25 respect to the grants, allotments, contracts, assist-

1 ance, and payments described in paragraph (1), and
2 with respect to such standards, policies, procedures,
3 programs, and initiatives as are necessary or appro-
4 priate to carry out this Act;

5 “(3) make recommendations with respect to the
6 regulations established under section
7 195(a)(3)(B)(i);

8 “(4)(A) review the actions of the Chairperson
9 with respect to the personnel of the Corporation,
10 and with respect to the standards, policies, proce-
11 dures, programs, and initiatives; and

12 “(B) inform the Chairperson of any aspects of
13 the actions of the Chairperson that are not in com-
14 pliance with the annual strategic plan described in
15 paragraph (2) or the recommendations described in
16 paragraph (3), or are not consistent with the objec-
17 tives of this Act;

18 “(5) receive, and act on, the reports issued by
19 the Inspector General of the Corporation;

20 “(6) arrange for the evaluation of programs es-
21 tablished under this Act, in accordance with section
22 179;

23 “(7) provide for research with respect to na-
24 tional and community service programs, including
25 service-learning programs;

1 “(8) advise the President and the Congress con-
2 cerning developments in national and community
3 service that merit the attention of the President and
4 the Congress;

5 “(9) disseminate information regarding the pro-
6 grams and initiatives of the Corporation; and

7 “(10) carry out any other activities determined
8 to be appropriate by the Chairperson.

9 “(i) ADMINISTRATION.—The Federal Advisory Com-
10 mittee Act (5 U.S.C. App.) shall not apply with respect
11 to the Board.

12 **“SEC. 193. CHAIRPERSON AND DIRECTOR.**

13 “(a) APPOINTMENT.—The Corporation shall be head-
14 ed by an individual who shall serve as Chairperson of the
15 Board and as Director of the Corporation, and who shall
16 be appointed by the President, by and with the advice and
17 consent of the Senate.

18 “(b) COMPENSATION.—The Chairperson shall be
19 compensated at the rate provided for level III of the Exec-
20 utive Schedule under section 5314 of title 5, United States
21 Code.

22 “(c) REGULATIONS.—The Chairperson shall pre-
23 scribe such rules and regulations as are necessary or ap-
24 propriate to carry out this Act.

1 **“SEC. 193A. AUTHORITIES AND DUTIES OF THE CHAIR-**
2 **PERSON.**

3 “(a) **GENERAL POWERS AND DUTIES.**—The Chair-
4 person shall be responsible for the exercise of the powers
5 and the discharge of the duties of the Corporation that
6 are not reserved to the Board, and shall have authority
7 and control over all personnel of the Corporation.

8 “(b) **DUTIES.**—In addition to the duties conferred on
9 the Chairperson under any other provision of this Act, the
10 Chairperson shall—

11 “(1) submit a proposal to the Board regarding,
12 and establish, such standards, policies, and proce-
13 dures, as are necessary or appropriate to carry out
14 this Act;

15 “(2) establish and administer such programs
16 and initiatives as the Chairperson, acting on the rec-
17 ommendation of the Board, may determine to be
18 necessary or appropriate to carry out this Act;

19 “(3) consult with appropriate Federal agencies
20 in administering such programs and initiatives;

21 “(4) on the recommendation of the Board, sus-
22 pend or terminate payments and positions described
23 in section 192A(h)(1), in accordance with section
24 176;

25 “(5) prepare and submit to the Board an an-
26 nual report, and such interim reports as may be nec-

1 essary, describing the major actions of the Chair-
2 person with respect to the personnel of the Corpora-
3 tion, and with respect to such standards, policies,
4 procedures, programs, and initiatives;

5 “(6) notify, and provide an explanation to, the
6 Board regarding any substantial differences between
7 the actions of the Chairperson and the strategic plan
8 described in section 192A(h)(2); and

9 “(7) prepare and submit to the appropriate
10 committees of Congress an annual report, and such
11 interim reports as may be necessary, describing—

12 “(A) the services referred to in paragraph
13 (1), and the money and property referred to in
14 paragraph (2), of section 196(a) that have been
15 accepted by the Corporation; and

16 “(B) the manner in which the Corporation
17 used or disposed of such services, money, and
18 property.

19 “(c) POWERS.—In addition to the authority conferred
20 on the Chairperson under any other provision of this Act,
21 the Chairperson may—

22 “(1) establish, alter, consolidate, or discontinue
23 such organizational units or components within the
24 Corporation as the Chairperson considers necessary
25 or appropriate;

1 “(2) with the approval of the President—

2 “(A) arrange with and reimburse the heads
3 of other Federal agencies for the performance
4 of any of the provisions of this Act; and

5 “(B) as necessary or appropriate—

6 “(i) delegate any of the functions of
7 the Chairperson under this Act, or, with
8 the permission of the Board, any of the
9 functions of the Board under this Act, to
10 such heads of Federal agencies; and

11 “(ii) authorize the redelegation of
12 such functions,

13 subject to provisions to assure the maximum
14 possible liaison between the Corporation and
15 such other agencies at all operating levels;

16 “(3) with their consent, utilize the services and
17 facilities of Federal agencies with or without reim-
18 bursement, and, with the consent of any State, or
19 political subdivision of a State, accept and utilize the
20 services and facilities of the agencies of such State
21 or subdivisions without reimbursement;

22 “(4) allocate and expend, or transfer to other
23 Federal agencies for expenditure, funds made avail-
24 able under this Act, including expenditure for con-
25 struction, repairs, and capital improvements;

1 “(5) disseminate, without regard to the provi-
2 sions of section 3204 of title 39, United States
3 Code, data and information, in such form as the
4 Chairperson shall determine to be appropriate to
5 public agencies, private organizations, and the gen-
6 eral public;

7 “(6) collect or compromise all obligations to or
8 held by the Chairperson and all legal or equitable
9 rights accruing to the Chairperson in connection
10 with the payment of obligations in accordance with
11 chapter 37 of title 31, United States Code (com-
12 monly known as the ‘Federal Claims Collection Act
13 of 1966’);

14 “(7) expend funds made available for purposes
15 of this Act, without regard to any other law or regu-
16 lation, for rent of buildings and space in buildings
17 and for repair, alteration, and improvement of build-
18 ings and space in buildings rented by the Chair-
19 person;

20 “(8) file a civil action in any court of record of
21 a State having general jurisdiction or in any district
22 court of the United States, with respect to a claim
23 arising under this Act;

24 “(9) exercise the authorities of the Corporation
25 under section 196; and

1 “(10) generally perform such functions and
2 take such steps consistent with the objectives and
3 provisions of this Act, as the Chairperson determines
4 to be necessary or appropriate to carry out such pro-
5 visions.

6 “(d) DELEGATION.—

7 “(1) DEFINITION.—As used in this subsection,
8 the term ‘function’ means any duty, obligation,
9 power, authority, responsibility, right, privilege, ac-
10 tivity, or program.

11 “(2) IN GENERAL.—Except as otherwise pro-
12 hibited by law or provided in this Act, the Chair-
13 person may delegate any function under this Act,
14 and authorize such successive redelegations of such
15 function as may be necessary or appropriate. No del-
16 egation of a function by the Chairperson under this
17 subsection or under any other provision of this Act
18 shall relieve such Chairperson of responsibility for
19 the administration of such function.

20 “(3) FUNCTION OF BOARD.—The Chairperson
21 may not delegate a function of the Board without
22 the permission of the Board.

23 “(e) ACTIONS.—In an action described in subsection

24 (c)(8)—

1 “(1) a district court referred to in such sub-
2 section shall have jurisdiction of such a civil action
3 without regard to the amount in controversy;

4 “(2) such an action brought by the Chairperson
5 shall survive notwithstanding any change in the per-
6 son occupying the office of Chairperson or any va-
7 cancy in that office;

8 “(3) no attachment, injunction, garnishment, or
9 other similar process, mesne or final, shall be issued
10 against the Chairperson or the Board or property
11 under the control of the Chairperson or the Board;
12 and

13 “(4) nothing in this section shall be construed
14 to except litigation arising out of activities under
15 this Act from the application of sections 509, 517,
16 547, and 2679 of title 28, United States Code.

17 **“SEC. 194. OFFICERS.**

18 “(a) **MANAGING DIRECTORS.—**

19 “(1) **IN GENERAL.—**There shall be in the Cor-
20 poration 2 Managing Directors, who shall be ap-
21 pointed by the President, by and with the advice and
22 consent of the Senate.

23 “(2) **COMPENSATION.—**The Managing Direc-
24 tors shall be compensated at the rate provided for

1 level IV of the Executive Schedule under section
2 5315 of title 5, United States Code.

3 “(3) DUTIES.—

4 “(A) FEDERAL PROGRAMS.—One of the
5 Managing Directors shall be primarily respon-
6 sible for the Federal programs carried out by
7 the Corporation.

8 “(B) INVESTMENT PROGRAMS.—The other
9 Managing Director shall be primarily respon-
10 sible for the financial assistance programs car-
11 ried out by the Corporation.

12 “(b) INSPECTOR GENERAL.—

13 “(1) OFFICE.—There shall be in the Corpora-
14 tion an Office of the Inspector General.

15 “(2) APPOINTMENT.—

16 “(A) IN GENERAL.—The Office shall be
17 headed by an Inspector General, appointed by
18 the President, by and with the consent of the
19 Senate.

20 “(B) REPORTING.—The Inspector General
21 shall report directly to the oversight committee.

22 “(3) COMPENSATION.—The Inspector General
23 shall be compensated at the rate provided for level
24 IV of the Executive Schedule under section 5315 of
25 title 5, United States Code.

1 “(4) DUTIES.—

2 “(A) IN GENERAL.—Except as provided in
3 subparagraph (B), for purposes of the Inspector
4 General Act of 1978 (5 U.S.C. App.)—

5 “(i) the Corporation shall be consid-
6 ered to be a designated Federal entity, as
7 defined in section 8E(2) of such Act; and

8 “(ii) except as provided in paragraph
9 (2)(A), the oversight committee shall be
10 considered to be the head of the designated
11 Federal entity, as defined in section 8E(4)
12 of such Act.

13 “(B) PROGRAM FRAUD.—For purposes of
14 chapter 38 of title 31, United States Code
15 (commonly known as the ‘Program Fraud Civil
16 Remedies Act of 1986’)—

17 “(i) the Corporation shall be consid-
18 ered to be an authority, as defined in sec-
19 tion 3801(a)(1) of such Act;

20 “(ii) the oversight committee shall be
21 considered to be an authority head, as de-
22 fined in section 3801(a)(2) of such Act;
23 and

24 “(iii) the Inspector General shall be
25 considered to be an investigating official,

1 as defined in section 3801(a)(4) of such
2 Act.

3 “(c) CHIEF FINANCIAL OFFICER.—

4 “(1) OFFICE.—There shall be in the Corpora-
5 tion a Chief Financial Officer, who shall be ap-
6 pointed by the President, by and with the advice and
7 consent of the Senate.

8 “(2) COMPENSATION.—The Chief Financial Of-
9 ficer shall be compensated at the rate provided for
10 level IV of the Executive Schedule under section
11 5315 of title 5, United States Code.

12 “(3) DUTIES.—The Chief Financial Officer
13 shall—

14 “(A) report directly to the Chairperson re-
15 garding financial management matters;

16 “(B) oversee all financial management ac-
17 tivities relating to the programs and operations
18 of the Corporation;

19 “(C) develop and maintain an integrated
20 accounting and financial management system
21 for the Corporation, including financial report-
22 ing and internal controls;

23 “(D) develop and maintain any joint finan-
24 cial management systems with the Department

1 of Education necessary to carry out the pro-
2 grams of the Corporation; and

3 “(E) direct, manage, and provide policy
4 guidance and oversight of the financial manage-
5 ment personnel, activities, and operations of the
6 Corporation.

7 **“SEC. 195. EMPLOYEES, CONSULTANTS, AND OTHER PER-
8 SONNEL.**

9 “(a) EMPLOYEES.—

10 “(1) IN GENERAL.—The Chairperson may ap-
11 point and determine the compensation of such em-
12 ployees as the Chairperson determines to be nec-
13 essary to carry out the duties of the Corporation.

14 “(2) TERMS.—

15 “(A) INITIAL TERM.—

16 “(i) LENGTH OF TERM.—Such an em-
17 ployee shall be appointed for an initial
18 term that shall not exceed 5 years.

19 “(ii) PROBATION PERIOD.—The
20 Chairperson shall take such action, includ-
21 ing the issuance of rules, regulations, and
22 directives, as shall provide, as nearly as
23 conditions of good administration warrant,
24 for a 1-year period of probation before
25 such an appointment becomes final.

1 “(B) APPOINTMENT EXTENSIONS.—The
2 appointment of an employee may be extended if
3 the Chairperson determines that such an exten-
4 sion is necessary to ensure the continuity of
5 functions under this Act.

6 “(C) APPOINTMENT IN THE COMPETITIVE
7 SERVICE AFTER EMPLOYMENT IN THE COR-
8 PORATION.—

9 “(i) EMPLOYEES WITH NOT LESS
10 THAN 3 YEARS OF EMPLOYMENT.—If an
11 employee, other than a representative de-
12 scribed in section 195(b), is separated
13 from the Corporation (other than by re-
14 moval for cause), and has been continu-
15 ously employed by the Corporation for a
16 period of not less than 3 years, such period
17 shall be treated as a period of service in
18 the competitive service for purposes of
19 chapter 33 of title 5, United States Code.

20 “(ii) EMPLOYEES WITH NOT LESS
21 THAN 1 BUT LESS THAN 3 YEARS OF EM-
22 PLOYMENT.—If an employee, other than a
23 representative described in section 195(b),
24 is separated from the Corporation (other
25 than by removal for cause), and has been

1 continuously employed by the Corporation
2 for a period of not less than 1 year, but
3 less than 3 years, such period shall be
4 treated as a period of service in the com-
5 petitive service for purposes of chapter 33
6 of title 5, United States Code, until the
7 date that is 3 years after the date of sepa-
8 ration.

9 “(iii) DEFINITION.—As used in this
10 subparagraph, the term ‘competitive serv-
11 ice’ has the meaning given the term in sec-
12 tion 2102 of title 5, United States Code.

13 “(3) APPOINTMENT AND COMPENSATION.—

14 “(A) IN GENERAL.—Except as provided in
15 subparagraphs (B)(iv) and (C)(ii), the Chair-
16 person may appoint and determine the com-
17 pensation of employees under this subsection
18 without regard to the provisions of title 5, Unit-
19 ed States Code, governing appointments in the
20 competitive service, and without regard to the
21 provisions of chapter 51 and subchapter III of
22 chapter 53 of such title relating to classification
23 and General Schedule pay rates.

24 “(B) CORPORATION SELECTION AND COM-
25 PENSATION SYSTEMS.—

1 “(i) ESTABLISHMENT OF SYSTEM.—

2 The Chairperson, after consultation with
3 the Director of the Office of Personnel
4 Management and after reviewing the rec-
5 ommendations of the Board under section
6 192A(h)(3), shall issue regulations estab-
7 lishing selection and compensation systems
8 for the Corporation. In issuing such regu-
9 lations, the Chairperson shall take into
10 consideration the need for flexibility in
11 such a system.

12 “(ii) APPLICATION.—The Chairperson
13 shall appoint and determine the compensa-
14 tion of employees referred to in paragraph
15 (1), other than representatives described in
16 section 195(b), in accordance with the se-
17 lection and compensation systems referred
18 to in clause (i).

19 “(iii) SELECTION SYSTEM.—The se-
20 lection system shall provide for the selec-
21 tion of such an employee for such a
22 position—

23 “(I) through a competitive proc-
24 ess; and

1 “(II) on the basis of the quali-
2 fications of applicants and the re-
3 quirements of the position.

4 “(iv) COMPENSATION SYSTEM.—The
5 compensation system shall include a
6 scheme for the classification of positions in
7 the Corporation. The system shall require
8 that the compensation of such an employee
9 be determined based in part on the job
10 performance of the employee, and in a
11 manner consistent with the principles de-
12 scribed in section 5301 of title 5, United
13 States Code. The rate of compensation for
14 each employee compensated through the
15 system shall not exceed the annual rate of
16 basic pay payable for level IV of the Exec-
17 utive Schedule under section 5315 of title
18 5, United States Code.

19 “(C) SELECTION AND COMPENSATION OF
20 CORPORATION REPRESENTATIVES.—

21 “(i) IN GENERAL.—The Chairperson
22 may appoint and determine the compensa-
23 tion of representatives described in section
24 195(b) without regard to the selection and

1 compensation systems described in sub-
2 paragraph (B).

3 “(ii) LIMITATION ON COMPENSA-
4 TION.—The rate of compensation for each
5 representative described in section 195(b)
6 shall not exceed the maximum rate of basic
7 pay payable for GS-15 of the General
8 Schedule under section 5332 of title 5,
9 United States Code.

10 “(b) CORPORATION REPRESENTATIVE IN EACH
11 STATE.—

12 “(1) DESIGNATION OF REPRESENTATIVE.—The
13 Corporation shall designate 1 employee of the Cor-
14 poration for each State or group of States to serve
15 as the representative of the Corporation in the State
16 or States and to assist the Corporation in carrying
17 out the activities described in this Act in the State
18 or States.

19 “(2) DUTIES.—The representative designated
20 under this subsection for a State or group of States
21 shall serve as the liaison between—

22 “(A) the Corporation and the State Com-
23 mission that is established in the State or
24 States; and

1 “(B) the Corporation and any subdivision
2 of a State, Indian tribe, public or private non-
3 profit organization, or institution of higher edu-
4 cation, in the State or States, that is awarded
5 a grant under section 121 directly from the
6 Corporation.

7 “(3) MEMBER OF STATE COMMISSION.—The
8 representative designated under this subsection for a
9 State or group of States shall also serve as a voting
10 member of the State Commission established in the
11 State or States.

12 “(c) CONSULTANTS.—The Chairperson may procure
13 the temporary and intermittent services of experts and
14 consultants and compensate the experts and consultants
15 in accordance with section 3109(b) of title 5, United
16 States Code.

17 “(d) DETAILS OF PERSONNEL.—The head of any
18 Federal department or agency may detail on a reimburs-
19 able basis, or on a nonreimbursable basis for not to exceed
20 180 calendar days during any fiscal year, as agreed upon
21 by the Chairperson and the head of the Federal agency,
22 any of the personnel of that department or agency to the
23 Corporation to assist the Corporation in carrying out the
24 duties of the Corporation under this Act. Any detail shall

1 not interrupt or otherwise affect the civil service status
2 or privileges of the Federal employee.

3 “(e) ADVISORY COMMITTEES.—

4 “(1) ESTABLISHMENT.—The Chairperson, act-
5 ing upon the recommendation of the Board, may es-
6 tablish advisory committees in the Corporation to
7 advise the Board with respect to national service is-
8 sues, such as the type of programs to be established
9 or assisted under the national service laws, priorities
10 and criteria for such programs, and methods of con-
11 ducting outreach for, and evaluation of, such pro-
12 grams.

13 “(2) COMPOSITION.—Such an advisory commit-
14 tee shall be composed of members appointed by the
15 Chairperson, with such qualifications as the Chair-
16 person may specify.

17 “(3) EXPENSES.—Members of such an advisory
18 committee may be allowed travel expenses as de-
19 scribed in section 192A(e).

20 “(4) STAFF.—The Chairperson is authorized to
21 appoint and fix the compensation of such staff as
22 the Chairperson determines to be necessary to carry
23 out the functions of the advisory committee, in ac-
24 cordance with subsection (a)(3)(A), and without re-
25 gard to the selection and compensation systems de-

1 scribed in subsection (a)(3)(B). Such compensation
2 shall not exceed the rate described in subsection
3 (a)(3)(C)(ii).

4 **“SEC. 196. ADMINISTRATION.**

5 “(a) DONATIONS.—

6 “(1) SERVICES.—

7 “(A) VOLUNTEERS.—Notwithstanding sec-
8 tion 1342 of title 31, United States Code, the
9 Corporation may solicit and accept the vol-
10 untary services of individuals to assist the Cor-
11 poration in carrying out the duties of the Cor-
12 poration under this Act, and may provide to
13 such individuals the travel expenses described in
14 section 192A(e).

15 “(B) LIMITATION.—Such a volunteer shall
16 not be considered to be a Federal employee and
17 shall not be subject to the provisions of law re-
18 lating to Federal employment, including those
19 relating to hours of work, rates of compensa-
20 tion, leave, unemployment compensation, and
21 Federal employee benefits, except that—

22 “(i) for the purposes of the tort
23 claims provisions of chapter 171 of title
24 28, United States Code, a volunteer under

1 this subtitle shall be considered to be a
2 Federal employee; and

3 “(ii) for the purposes of subchapter I
4 of chapter 81 of title 5, United States
5 Code, relating to compensation to Federal
6 employees for work injuries, volunteers
7 under this subtitle shall be considered to
8 be employees, as defined in section
9 8101(1)(B) of title 5, United States Code,
10 and the provisions of such subchapter shall
11 apply.

12 “(2) PROPERTY.—The Corporation may solicit,
13 accept, use, and dispose of, in furtherance of the
14 purposes of this Act, donations of any money or
15 property, real, personal, or mixed, tangible or intan-
16 gible, received by gift, devise, bequest, or otherwise.

17 “(3) RULES.—The Chairperson shall establish
18 written rules setting forth the criteria to ensure that
19 the solicitation or acceptance of contributions of
20 money or property, real, personal, or mixed, tangible
21 or intangible, received by gift, devise, bequest, or
22 otherwise (pursuant to paragraph (2)) will not re-
23 flect unfavorably upon the ability of the Corporation
24 or any employee of the Corporation to carry out the
25 responsibilities or official duties of the Corporation

1 in a fair and objective manner, or compromise the
2 integrity of the programs of the Corporation or any
3 official involved in such programs.

4 “(4) DISPOSITION.—Upon completion of the
5 use by the Corporation of any property described in
6 paragraph (2), such completion shall be reported to
7 the General Services Administration and such prop-
8 erty shall be disposed of in accordance with title II
9 of the Federal Property and Administrative Services
10 Act of 1949 (40 U.S.C. 481 et seq.).

11 “(5) VOLUNTEER.—As used in this subsection,
12 the term ‘volunteer’ does not include a participant.

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

20 (b) DOMESTIC VOLUNTEER SERVICE ACT OF
21 1973.—Section 401 of the Domestic Volunteer Service Act
22 of 1973 (42 U.S.C. 5041) is amended by inserting after
23 the second sentence the following: “The Director shall re-
24 port directly to the Chairperson of the Corporation for Na-
25 tional Service.”.

1 (c) TRANSFER OF FUNCTIONS OF COMMISSION ON
2 NATIONAL AND COMMUNITY SERVICE.—

3 (1) DEFINITIONS.—For purposes of this sub-
4 section, unless otherwise provided or indicated by
5 the context, each term specified in section 203(c)(1)
6 shall have the meaning given the term in such sec-
7 tion.

8 (2) TRANSFER OF FUNCTIONS.—There are
9 transferred to the Corporation the functions that the
10 Board of Directors or Executive Director of the
11 Commission on National and Community Service ex-
12 exercised before the effective date of this subsection
13 (including all related functions of any officer or em-
14 ployee of the Commission).

15 (3) APPLICATION.—The provisions of para-
16 graphs (3) through (10) of section 203(c) shall
17 apply with respect to the transfer described in para-
18 graph (2), except that—

19 (A) for purposes of such application, ref-
20 erences to the term “ACTION Agency” shall be
21 deemed to be references to the Corporation; and

22 (B) paragraph (10) of such section shall
23 not preclude the transfer of the members of the
24 Board of Directors of the Commission to the
25 Corporation if, on the effective date of this sub-

1 section, the Board of Directors of the Corpora-
2 tion has not been confirmed.

3 (d) CONTINUING PERFORMANCE OF CERTAIN FUNC-
4 TIONS.—The individuals who, on the day before the date
5 of enactment of this Act, are performing any of the func-
6 tions required by section 190 of the National and Commu-
7 nity Service Act of 1990 (42 U.S.C. 12651), as in effect
8 on such date, to be performed by the members of the
9 Board of Directors of the Commission on National and
10 Community Service may, subject to section 193A of the
11 National and Community Service Act of 1990, as added
12 by subsection (a) of this section, continue to perform such
13 functions until the date on the Board of Directors of the
14 Corporation for National Service conducts the first meet-
15 ing of the Board. The service of such individuals as mem-
16 bers of the Board of Directors of such Commission, and
17 the employment of such individuals as special government
18 employees, shall terminate on such date.

19 (e) JOB SEARCH ASSISTANCE.—The Chairperson
20 shall establish a program to provide, or shall seek to enter
21 into a memorandum of understanding with the Director
22 of the Office of Personnel Management to provide, job
23 search and related assistance to employees of the ACTION
24 agency who are not transferred to the Corporation for Na-
25 tional Service under section 203(c).

1 (f) GOVERNMENT CORPORATION CONTROL.—

2 (1) WHOLLY OWNED GOVERNMENT CORPORA-
3 TION.—Section 9101(3) of title 31, United States
4 Code, is amended by inserting after subparagraph
5 (D) the following:

6 “(E) the Corporation for National Serv-
7 ice.”.

8 (2) AUDITS.—Section 9105(a)(1) of title 31,
9 United States Code, is amended by inserting “, or
10 under other Federal law,” before “or by an inde-
11 pendent”.

12 (g) DISPOSAL OF PROPERTY.—Section 203(k) of the
13 Federal Property and Administrative Services Act of 1949
14 (40 U.S.C. 484(k)) is amended by adding at the end the
15 following:

16 “(5)(A) Under such regulations as the Administrator
17 may prescribe, the Administrator is authorized, in the dis-
18 cretion of the Administrator, to assign to the Chairperson
19 of the Corporation for National Service for disposal such
20 surplus property as is recommended by the Chairperson
21 as being needed for national service activities.

22 “(B) Subject to the disapproval of the Administrator,
23 within 30 days after notice to the Administrator by the
24 Chairperson of a proposed transfer of property for such
25 activities, the Chairperson, through such officers or em-

1 ployees of the Corporation as the Chairperson may des-
 2 ignate, may sell, lease, or donate such property to any en-
 3 tity that receives financial assistance under the National
 4 and Community Service Act of 1990 for such activities.

5 “(C) In fixing the sale or lease value of such property,
 6 the Chairperson shall comply with the requirements of
 7 paragraph (1)(C).”.

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

“Subtitle G—Corporation for National Service

“Sec. 191. Corporation for National Service.

“Sec. 192. Board of Directors.

“Sec. 192A. Authorities and duties of the Board of Directors.

“Sec. 193. Chairperson and Director.

“Sec. 193A. Authorities and duties of the Chairperson.

“Sec. 194. Officers.

“Sec. 195. Employees, consultants, and other personnel.

“Sec. 196. Administration.”.

13 (i) EFFECTIVE DATES.—

14 (1) IN GENERAL.—Except as provided in para-
 15 graph (2), the amendments made by this section
 16 shall take effect on October 1, 1993.

17 (2) ESTABLISHMENT AND APPOINTMENT AU-
 18 THORITIES.—Sections 191, 192, and 193 of the Na-
 19 tional and Community Service Act of 1990, as added
 20 by subsection (a), shall take effect on the date of en-
 21 actment of this Act.

1 **SEC. 203. FINAL AUTHORITIES OF THE CORPORATION FOR**
2 **NATIONAL SERVICE.**

3 (a) NATIONAL AND COMMUNITY SERVICE ACT OF
4 1990.—

5 (1) APPLICATION.—Subtitle I of the National
6 and Community Service Act of 1990 (as amended by
7 section 202 of this Act) is amended in section 191,
8 paragraphs (2) and (4) of section 192A(h), section
9 193(c), subsections (b), (c) (other than paragraph
10 (8)), and (d) of section 193A, subsections (a), (b),
11 and (d) of section 195, and subsections (a) and (b)
12 of section 196, by striking “this Act” each place the
13 term appears and inserting “the national service
14 laws”.

15 (2) GRANTS.—Section 192A(h) of the National
16 and Community Service Act of 1990 (as added by
17 section 202 of this Act) is amended—

18 (A) by striking “and” at the end of para-
19 graph (9);

20 (B) by redesignating paragraph (10) as
21 paragraph (11); and

22 (C) by inserting after paragraph (9) the
23 following:

24 “(10) notwithstanding any other provision of
25 law, make grants to or contracts with Federal or
26 other public departments or agencies and private

1 nonprofit organizations for the assignment or refer-
2 ral of volunteers under the provisions of the Domes-
3 tic Volunteer Service Act of 1973 (except as pro-
4 vided in section 108 of the Domestic Volunteer Serv-
5 ice Act of 1973), which may provide that the agency
6 or organization shall pay all or a part of the costs
7 of the program; and”.

8 (b) AUTHORITIES OF ACTION AGENCY.—Sections
9 401 and 402 of the Domestic Volunteer Service Act of
10 1973 (42 U.S.C. 5041 and 5042) are repealed.

11 (c) TRANSFER OF FUNCTIONS FROM ACTION
12 AGENCY.—

13 (1) DEFINITIONS.—For purposes of this sub-
14 section, unless otherwise provided or indicated by
15 the context—

16 (A) the term “Chairperson” means the
17 Chairperson of the Corporation;

18 (B) the term “Corporation” means the
19 Corporation for National Service, established
20 under section 191 of the National and Commu-
21 nity Service Act of 1990;

22 (C) the term “Federal agency” has the
23 meaning given to the term “agency” by section
24 551(1) of title 5, United States Code;

1 (D) the term “function” means any duty,
2 obligation, power, authority, responsibility,
3 right, privilege, activity, or program; and

4 (E) the term “office” includes any office,
5 administration, agency, institute, unit, organi-
6 zational entity, or component thereof.

7 (2) TRANSFER OF FUNCTIONS.—There are
8 transferred to the Corporation such functions as the
9 President determines to be appropriate that the Di-
10 rector of the ACTION Agency exercised before the
11 effective date of this subsection (including all related
12 functions of any officer or employee of the ACTION
13 Agency).

14 (3) DETERMINATIONS OF CERTAIN FUNCTIONS
15 BY THE OFFICE OF MANAGEMENT AND BUDGET.—
16 If necessary, the Office of Management and Budget
17 shall make any determination of the functions that
18 are transferred under paragraph (2).

19 (4) REORGANIZATION.—The Chairperson is au-
20 thorized to allocate or reallocate any function trans-
21 ferred under paragraph (2) among the officers of the
22 Corporation.

23 (5) TRANSFER AND ALLOCATIONS OF APPRO-
24 PRIATIONS AND PERSONNEL.—Except as otherwise
25 provided in this subsection, the personnel employed

1 in connection with, and the assets, liabilities, con-
2 tracts, property, records, and unexpended balances
3 of appropriations, authorizations, allocations, and
4 other funds employed, used, held, arising from,
5 available to, or to be made available in connection
6 with the functions transferred by this subsection,
7 subject to section 1531 of title 31, United States
8 Code, shall be transferred to the Corporation. Unex-
9 pended funds transferred pursuant to this paragraph
10 shall be used only for the purposes for which the
11 funds were originally authorized and appropriated.

12 (6) INCIDENTAL TRANSFER.—The Director of
13 the Office of Management and Budget, at such time
14 or times as the Director shall provide, is authorized
15 to make such determinations as may be necessary
16 with regard to the functions transferred by this sub-
17 section, and to make such additional incidental dis-
18 positions of personnel, assets, liabilities, grants, con-
19 tracts, property, records, and unexpended balances
20 of appropriations, authorizations, allocations, and
21 other funds held, used, arising from, available to, or
22 to be made available in connection with such func-
23 tions, as may be necessary to carry out the provi-
24 sions of this subsection. The Director of the Office
25 of Management and Budget shall provide for the ter-

1 mination of the affairs of all entities terminated by
2 this subsection and for such further measures and
3 dispositions as may be necessary to effectuate the
4 purposes of this subsection.

5 (7) EFFECT ON PERSONNEL.—

6 (A) IN GENERAL.—Except as otherwise
7 provided by this subsection, the transfer pursu-
8 ant to this subsection of full-time personnel (ex-
9 cept special Government employees) and part-
10 time personnel holding permanent positions
11 shall not cause any such employee to be sepa-
12 rated or reduced in grade or compensation, or
13 to have the benefits of the employee reduced,
14 for 1 year after the date of transfer of such em-
15 ployee under this subsection.

16 (B) EXECUTIVE SCHEDULE POSITIONS.—

17 Except as otherwise provided in this subsection,
18 any person who, on the day preceding the effec-
19 tive date of this subsection, held a position com-
20 pensated in accordance with the Executive
21 Schedule prescribed in chapter 53 of title 5,
22 United States Code, and who, without a break
23 in service, is appointed in the Corporation to a
24 position having duties comparable to the duties
25 performed immediately preceding such appoint-

1 ment shall continue to be compensated in such
2 new position at not less than the rate provided
3 for such previous position, for the duration of
4 the service of such person in such new position.

5 (C) TERMINATION OF CERTAIN POSI-
6 TIONS.—Positions whose incumbents are ap-
7 pointed by the President, by and with the ad-
8 vice and consent of the Senate, the functions of
9 which are transferred by this subsection, shall
10 terminate on the effective date of this sub-
11 section.

12 (8) SAVINGS PROVISIONS.—

13 (A) CONTINUING EFFECT OF LEGAL DOCU-
14 MENTS.—All orders, determinations, rules, reg-
15 ulations, permits, agreements, grants, contracts,
16 certificates, licenses, registrations, privileges,
17 and other administrative actions—

18 (i) that have been issued, made,
19 granted, or allowed to become effective by
20 the President, any Federal agency or offi-
21 cial thereof, or by a court of competent ju-
22 risdiction, in the performance of functions
23 that are transferred under this subsection;
24 and

1 (ii) that are in effect at the time this
2 subsection takes effect, or were final before
3 the effective date of this subsection and
4 are to become effective on or after the ef-
5 fective date of this subsection,
6 shall continue in effect according to their terms
7 until modified, terminated, superseded, set
8 aside, or revoked in accordance with law by the
9 President, the Chairperson, or other authorized
10 official, a court of competent jurisdiction, or by
11 operation of law.

12 (B) PROCEEDINGS NOT AFFECTED.—The
13 provisions of this subsection shall not affect any
14 proceedings, including notices of proposed rule-
15 making, or any application for any license, per-
16 mit, certificate, or financial assistance pending
17 before the ACTION Agency at the time this
18 subsection takes effect, with respect to func-
19 tions transferred by this subsection but such
20 proceedings and applications shall be continued.
21 Orders shall be issued in such proceedings, ap-
22 peals shall be taken therefrom, and payments
23 shall be made pursuant to such orders, as if
24 this subsection had not been enacted, and or-
25 ders issued in any such proceedings shall con-

1 tinue in effect until modified, terminated, su-
2 perseded, or revoked by a duly authorized offi-
3 cial, by a court of competent jurisdiction, or by
4 operation of law. Nothing in this subparagraph
5 shall be deemed to prohibit the discontinuance
6 or modification of any such proceeding under
7 the same terms and conditions and to the same
8 extent that such proceeding could have been
9 discontinued or modified if this subsection had
10 not been enacted.

11 (C) SUITS NOT AFFECTED.—The provi-
12 sions of this subsection shall not affect suits
13 commenced before the effective date of this sub-
14 section, and in all such suits, proceedings shall
15 be had, appeals taken, and judgments rendered
16 in the same manner and with the same effect
17 as if this subsection had not been enacted.

18 (D) NONABATEMENT OF ACTIONS.—No
19 suit, action, or other proceeding commenced by
20 or against the ACTION Agency, or by or
21 against any individual in the official capacity of
22 such individual as an officer of the ACTION
23 Agency, shall abate by reason of the enactment
24 of this subsection.

1 (E) ADMINISTRATIVE ACTIONS RELATING
2 TO PROMULGATION OF REGULATIONS.—Any ad-
3 ministrative action relating to the preparation
4 or promulgation of a regulation by the AC-
5 TION Agency relating to a function transferred
6 under this subsection may be continued by the
7 Corporation with the same effect as if this sub-
8 section had not been enacted.

9 (9) SEVERABILITY.—If a provision of this sub-
10 section or its application to any person or cir-
11 cumstance is held invalid, neither the remainder of
12 this subsection nor the application of the provision
13 to other persons or circumstances shall be affected.

14 (10) TRANSITION.—Prior to, or after, any
15 transfer of a function under this subsection, the
16 Chairperson is authorized to utilize—

17 (A) the services of such officers, employ-
18 ees, and other personnel of the ACTION Agen-
19 cy with respect to functions that will be or have
20 been transferred to the Corporation by this sub-
21 section; and

22 (B) funds appropriated to such functions
23 for such period of time as may reasonably be
24 needed to facilitate the orderly implementation
25 of this subsection.

1 (d) EFFECTIVE DATE.—

2 (1) IN GENERAL.—Except as provided in para-
3 graph (2), this section, and the amendments made
4 by this section, shall take effect—

5 (A) 18 months after the date of enactment
6 of this Act; or

7 (B) on such earlier date as the President
8 shall determine to be appropriate and announce
9 by proclamation published in the Federal Reg-
10 ister.

11 (2) TRANSITION.—Subsection (c)(10) shall take
12 effect on the date of enactment of this Act.

13 **TITLE III—REAUTHORIZATION**
14 **Subtitle A—National and**
15 **Community Service Act of 1990**

16 **SEC. 301. AUTHORIZATION OF APPROPRIATIONS.**

17 Section 501 of the National and Community Service
18 Act of 1990 (42 U.S.C. 12681) is amended to read as
19 follows:

20 **“SEC. 501. AUTHORIZATION OF APPROPRIATIONS.**

21 **“(a) TITLE I.—**

22 **“(1) SUBTITLE B.—**There are authorized to be
23 appropriated to provide financial assistance under
24 subtitle B of title I, \$45,000,000 for fiscal year

1 1994, and such sums as may be necessary for each
2 of the fiscal years 1995 through 1998.

3 “(2) SUBTITLES C, D, AND H.—There are au-
4 thorized to be appropriated to provide financial as-
5 sistance under subtitles C and H of title I, and to
6 provide national service educational awards under
7 subtitle D of title I, \$389,000,000 for fiscal year
8 1994, and such sums as may be necessary for each
9 of the fiscal years 1995 through 1998. Of the funds
10 appropriated under this paragraph for a fiscal year,
11 not more than 15 percent of such funds may be
12 made available to provide financial assistance for ac-
13 tivities in subtitle H, section 125, or section 126.

14 “(3) ADMINISTRATION.—There are authorized
15 to be appropriated for the administration of this Act
16 such sums as may be necessary for each of the fiscal
17 years 1994 through 1998.

18 “(b) TITLE III.—There are authorized to be appro-
19 priated to carry out title III \$5,000,000 for each of the
20 fiscal years 1994 through 1998.

21 “(c) AVAILABILITY OF APPROPRIATIONS.—Funds ap-
22 propriated under this section shall remain available until
23 expended.”.

1 **Subtitle B—Domestic Volunteer**
2 **Service Act of 1973**

3 **SEC. 311. SHORT TITLE; REFERENCES.**

4 (a) **SHORT TITLE.**—This subtitle may be cited as the
5 “Domestic Volunteer Service Act Amendments of 1993”.

6 (b) **REFERENCES.**—Except as otherwise specifically
7 provided, whenever in this subtitle an amendment or re-
8 peal is expressed in terms of an amendment to, or repeal
9 of, a section or other provision, the reference shall be con-
10 sidered to be made to a section or other provision of the
11 Domestic Volunteer Service Act of 1973 (42 U.S.C. 4950
12 et seq.).

13 **CHAPTER 1—VISTA AND OTHER ANTI-**
14 **POVERTY PROGRAMS**

15 **SEC. 321. PURPOSE OF THE VISTA PROGRAM.**

16 The last sentence of section 101 (42 U.S.C. 4951)
17 is amended to read as follows: “In addition, the objectives
18 of this part are to generate the commitment of private
19 sector resources, to encourage volunteer service at the
20 local level, and to strengthen local agencies and organiza-
21 tions to carry out the purpose of this part.”.

22 **SEC. 322. SELECTION AND ASSIGNMENT OF VISTA VOLUN-**
23 **TEERS.**

24 (a) **VOLUNTEER ASSIGNMENTS.**—Section 103(a) (42
25 U.S.C. 4953(a)) is amended—

1 (1) in the matter preceding paragraph (1), by
2 striking “a public” and inserting “public”;

3 (2) in paragraph (2), by striking “and” at the
4 end;

5 (3) in paragraph (3), by striking “illiterate or
6 functionally illiterate youth and other individuals,”;

7 (4) in paragraph (5), by striking “and” at the
8 end;

9 (5) in paragraph (6)—

10 (A) by striking “or the Community Eco-
11 nomic” and inserting “the Community Eco-
12 nomic”;

13 (B) by inserting “or other similar Acts,”
14 after “1981,”; and

15 (C) by striking the period and inserting “;
16 and”;

17 (6) by adding at the end the following new
18 paragraph:

19 “(7) in strengthening, supplementing, and ex-
20 panding efforts to address the problem of illiteracy
21 throughout the United States.”.

22 (b) RECRUITMENT PROCEDURES.—Section 103(b)
23 (42 U.S.C. 4953(b)) is amended—

24 (1) by striking paragraphs (2), (4), (5) and (6);

1 (2) by redesignating paragraphs (3) and (7) as
2 paragraphs (2) and (3), respectively;

3 (3) in paragraph (2) (as redesignated in para-
4 graph (2) of this subsection), by striking “paragraph
5 (7)” and inserting “paragraph (3)”; and

6 (4) in paragraph (3) (as redesignated in para-
7 graph (2) of this subsection)—

8 (A) in subparagraph (A), by striking
9 “paragraph (4)” and inserting “paragraph
10 (2)”;

11 (B) by striking subparagraphs (B), (C),
12 and (E);

13 (C) by redesignating subparagraphs (D)
14 and (F) as subparagraphs (C) and (D), respec-
15 tively; and

16 (D) by inserting after subparagraph (A)
17 the following new subparagraph:

18 “(B) A sponsoring organization may recruit volun-
19 teers for service under this part, subject to final approval
20 by the Director.”.

21 (c) PUBLIC AWARENESS AND RECRUITMENT.—Sub-
22 section (c) of section 103 (42 U.S.C. 4953(c)) is
23 amended—

24 (1) in paragraph (1), to read as follows:

1 “(1)(A) The Director shall conduct national and local
2 public awareness and recruitment activities in order to
3 meet the volunteer goals of the program. Such activities
4 shall be coordinated with recruitment authorized under
5 subtitle C or E of the National and Community Service
6 Act of 1990 and may include public service announce-
7 ments, advertisements, publicity on loan deferments and
8 cancellations available to VISTA volunteers, maintenance
9 of a toll-free telephone system, and provision of technical
10 assistance for the recruitment of volunteers to programs
11 and projects receiving assistance under this part.

12 “(B) The Director shall take steps to recruit individ-
13 uals 18 through 27 years of age, 55 years of age and older,
14 recent graduates of institutions of higher education, and
15 special skilled volunteers and to promote diverse participa-
16 tion in the program.”;

17 (2) in paragraph (3), by adding at the end the
18 following new sentence: “In addition, the Director
19 shall take steps to provide opportunities for returned
20 Peace Corps volunteers to serve in the VISTA pro-
21 gram.”;

22 (3) by striking paragraphs (4), (5), and (6);
23 and

24 (4) by adding at the end the following new
25 paragraph:

1 “(4) From the amounts appropriated under section
2 501(a) for fiscal year 1994 and each subsequent fiscal
3 year, the Director shall obligate such sums as may be nec-
4 essary for the purpose of carrying out this subsection in
5 such fiscal year.”.

6 (d) COORDINATION WITH OTHER FEDERAL AGEN-
7 CIES.—Section 103 (42 U.S.C. 4953) is amended by add-
8 ing at the end the following new subsection:

9 “(h) The Director is encouraged to enter into agree-
10 ments with other Federal agencies to use VISTA volun-
11 teers in furtherance of program objectives that are consist-
12 ent with the purposes described in section 101.”.

13 **SEC. 323. TERMS AND PERIODS OF SERVICE.**

14 (a) CLARIFICATION AND PERIODS OF SERVICE.—
15 Subsection (b) of section 104 (42 U.S.C. 4954(b)) is
16 amended to read as follows:

17 “(b)(1) Volunteers serving under this part may be en-
18 rolled initially for periods of service of not less than 1 year,
19 nor more than 2 years, except as provided in paragraph
20 (2) or subsection (e).

21 “(2) Volunteers serving under this part may be en-
22 rolled for periods of service of less than 1 year if the Direc-
23 tor determines, on an individual basis, that a period of
24 service of less than 1 year is necessary to meet a critical
25 scarce skill need.

1 “(3) Volunteers serving under this part may be
2 reenrolled for periods of service in a manner to be deter-
3 mined by the Director. No volunteer shall serve for more
4 than a total of 5 years under this part.”.

5 (b) **SUMMER PROGRAM.**—Section 104 (42 U.S.C.
6 4954) is amended by adding at the end the following new
7 subsection:

8 “(e)(1) Notwithstanding any other provision of this
9 part, the Director may enroll full-time VISTA summer as-
10 sociates in a program for the summer months only, under
11 such terms and conditions as the Director shall determine
12 to be appropriate. Such individuals shall be assigned to
13 projects that meet the criteria set forth in section 103(a).

14 “(2) In preparing reports relating to programs under
15 this Act, the Director shall report on participants, costs,
16 and accomplishments under the summer program sepa-
17 rately.

18 “(3) The limitation on funds appropriated for grants
19 and contracts, as contained in section 108, shall not apply
20 to the summer program.”.

21 **SEC. 324. SUPPORT FOR VISTA VOLUNTEERS.**

22 (a) **POSTSERVICE STIPEND.**—Section 105(a)(1) (42
23 U.S.C. 4955(a)(1)) is amended—

24 (1) by inserting “(A)” after “(a)(1)”; and

1 (2) by striking the second sentence and insert-
2 ing the following:

3 “(B) Such stipend shall not exceed \$95 per month
4 in fiscal year 1994, but shall be set at a minimum of \$125
5 per month during the service of the volunteer after Octo-
6 ber 1, 1994, assuming the availability of funds to accom-
7 plish this increase. The Director may provide a stipend
8 of a minimum of \$200 per month in the case of persons
9 who have served as volunteers under this part for at least
10 1 year and who, in accordance with standards established
11 in such regulations as the Director shall prescribe, have
12 been designated volunteer leaders on the basis of experi-
13 ence and special skills and a demonstrated leadership
14 among volunteers.

15 “(C) The Director shall not provide a stipend under
16 this subsection to an individual who elects to receive a na-
17 tional service education award under subtitle D of title I
18 of the National and Community Service Act of 1990.”.

19 (b) SUBSISTENCE ALLOWANCE.—Section 105(b) (42
20 U.S.C. 4955(b)) is amended—

21 (1) in paragraph (3)—

22 (A) by striking subparagraph (A);

23 (B) in subparagraph (B), by striking the
24 subparagraph designation; and

1 (C) by adding at the end the following new
2 sentence: “The Director shall review such ad-
3 justments on an annual basis to ensure that the
4 adjustments are current.”; and
5 (2) by striking paragraph (4).

6 **SEC. 325. PARTICIPATION OF YOUNGER AND OLDER PER-**
7 **SONS.**

8 Section 107 (42 U.S.C. 4957) is amended to read as
9 follows:

10 **“SEC. 107. PARTICIPATION OF YOUNGER AND OLDER PER-**
11 **SONS.**

12 “In carrying out this part and part C, the Director
13 shall take necessary steps, including the development of
14 special projects, where appropriate, to encourage the full-
15 est participation of individuals 18 through 27 years of age,
16 and individuals 55 years of age and older, in the various
17 programs and activities authorized under such parts.”.

18 **SEC. 326. LITERACY ACTIVITIES.**

19 Section 109 (42 U.S.C. 4959) is amended—

20 (1) in subsection (g)—

21 (A) by striking paragraph (1); and

22 (B) by striking the paragraph designation
23 of paragraph (2); and

24 (2) in subsection (h), by striking paragraph (3).

1 **SEC. 327. APPLICATIONS FOR ASSISTANCE.**

2 Section 110 (42 U.S.C. 4960) is amended to read as
3 follows:

4 **“SEC. 110. APPLICATIONS FOR ASSISTANCE.**

5 “In reviewing an application for assistance under this
6 part, the Director shall not deny such assistance to any
7 project or program, or any public or private nonprofit or-
8 ganization, solely on the basis of the duration of the assist-
9 ance such project, program, or organization has received
10 under this part prior to the date of submission of the ap-
11 plication. The Director shall grant assistance under this
12 part on the basis of merit and to accomplish the goals
13 of the VISTA program, and shall consider the needs and
14 requirements of projects in existence on such date as well
15 as potential new projects.”.

16 **SEC. 328. REPEAL OF AUTHORITY FOR STUDENT COMMU-**
17 **NITY SERVICE PROGRAMS.**

18 Part B of title I (42 U.S.C. 4971 et seq.) is amended
19 by repealing section 114 (42 U.S.C. 4974).

20 **SEC. 329. UNIVERSITY YEAR FOR VISTA.**

21 (a) PROGRAM TITLE.—Part B of title I (42 U.S.C.
22 4971 et seq.) is amended—

23 (1) in the part heading to read as follows:

1 **SEC. 330. AUTHORITY TO ESTABLISH AND OPERATE SPE-**
2 **CIAL VOLUNTEER AND DEMONSTRATION**
3 **PROGRAMS.**

4 Section 122 (42 U.S.C. 4992) is amended to read as
5 follows:

6 **"SEC. 122. AUTHORITY TO ESTABLISH AND OPERATE SPE-**
7 **CIAL VOLUNTEER AND DEMONSTRATION**
8 **PROGRAMS.**

9 "(a) IN GENERAL.—The Director is authorized to
10 conduct special volunteer programs for demonstration pro-
11 grams, or award grants to or enter into contracts with
12 public or nonprofit organizations to carry out such pro-
13 grams. Such programs shall encourage wider volunteer
14 participation on a full-time, part-time, or short-term basis
15 to further the purpose of this part, and identify particular
16 segments of the poverty community that could benefit
17 from volunteer and other antipoverty efforts.

18 "(b) ASSIGNMENT AND SUPPORT OF VOLUNTEERS.—
19 The assignment of volunteers under this section, and the
20 provision of support for such volunteers, including any
21 subsistence allowances and stipends, shall be on such
22 terms and conditions as the Director shall determine to
23 be appropriate, but shall not exceed the level of support
24 provided under section 105. Projects using volunteers who
25 do not receive stipends may also be supported under this
26 section.

1 “(c) CRITERIA AND PRIORITIES.—In carrying out
2 this section and section 123, the Director shall establish
3 criteria and priorities for awarding grants and entering
4 into contracts under this part in each fiscal year. No grant
5 or contract exceeding \$100,000 shall be made under this
6 part unless the recipient of the grant or contractor has
7 been selected by a competitive process that includes public
8 announcement of the availability of funds for such grant
9 or contract, general criteria for the selection of recipients
10 or contractors, and a description of the application process
11 and application review process.”.

12 **SEC. 331. TECHNICAL AND FINANCIAL ASSISTANCE.**

13 Section 123 (42 U.S.C. 4993) is amended to read as
14 follows:

15 **“SEC. 123. TECHNICAL AND FINANCIAL ASSISTANCE.**

16 “The Director may provide technical and financial as-
17 sistance to Federal agencies, State and local governments
18 and agencies, private nonprofit organizations, employers,
19 and other private organizations that utilize or desire to
20 utilize volunteers in carrying out the purpose of this
21 part.”.

22 **SEC. 332. ELIMINATION OF SEPARATE AUTHORITY FOR**
23 **DRUG ABUSE PROGRAMS.**

24 Section 124 (42 U.S.C. 4994) is repealed.

1 **CHAPTER 2—NATIONAL SENIOR**
2 **VOLUNTEER CORPS**

3 **SEC. 341. NATIONAL SENIOR VOLUNTEER CORPS.**

4 (a) **TITLE HEADING.**—The heading for title II is
5 amended to read as follows:

6 **“TITLE II—NATIONAL SENIOR**
7 **VOLUNTEER CORPS”.**

8 (b) **REFERENCES.**—

9 (1) Section 200(1) (42 U.S.C. 5000(1)) is
10 amended by striking “Older America Volunteer Pro-
11 grams” and inserting “National Senior Volunteer
12 Corps”.

13 (2) The heading for section 221 (42 U.S.C.
14 5021) is amended by striking “OLDER AMERICAN
15 VOLUNTEER PROGRAMS” and inserting “NATIONAL
16 SENIOR VOLUNTEER CORPS”.

17 (3) Section 224 (42 U.S.C. 5024) is amended—

18 (A) in the section heading by striking
19 “OLDER AMERICAN VOLUNTEER PROGRAMS”
20 and inserting “NATIONAL SENIOR VOLUNTEER
21 CORPS”; and

22 (B) by striking “volunteer projects for
23 Older Americans” and inserting “National Sen-
24 ior Volunteer Corps projects”.

1 provided under this subsection shall not be less than \$2.20
2 per hour until October 1, 1990, \$2.35 per hour during
3 fiscal year 1991, and \$2.50 per hour on and after October
4 1, 1992,” and inserting “Any stipend or allowance pro-
5 vided under this section shall not be less than \$2.45 per
6 hour on and after October 1, 1993, and shall be adjusted
7 once prior to December 31, 1997, to account for inflation,
8 as determined by the Director and rounded to the nearest
9 five cents,”.

10 **SEC. 346. PARTICIPATION OF NON-LOW-INCOME PERSONS**
11 **UNDER PARTS B AND C.**

12 Subsection (f) of section 211(f) (42 U.S.C. 5011(f))
13 is amended to read as follows:

14 “(f) Individuals who are not low-income persons may
15 serve as volunteers under parts B and C, in accordance
16 with such regulations as the Director shall issue, at the
17 discretion of the local project. Such individuals shall not
18 receive any allowance, stipend, or other financial support
19 for such service except reimbursement for transportation,
20 meals, and out-of-pocket expenses related to such serv-
21 ice.”.

22 **SEC. 347. CONDITIONS OF GRANTS AND CONTRACTS.**

23 Section 212 (42 U.S.C. 5012) is repealed.

1 **SEC. 348. EVALUATION OF THE SENIOR COMPANION PRO-**
2 **GRAM.**

3 Section 213(c) (42 U.S.C. 5013(c)) is amended by
4 striking paragraph (3).

5 **SEC. 349. AGREEMENTS WITH OTHER FEDERAL AGENCIES.**

6 Section 221(a) (42 U.S.C. 5021(a)) is amended—

7 (1) by striking “(1)” and inserting “(1)(A)”;
8 and

9 (2) by adding at the end the following:

10 “(2) The Director is encouraged to enter into
11 agreements with—

12 “(A) the Department of Health and
13 Human Services to—

14 “(i) involve retired or senior volun-
15 teers and foster grandparents in Head
16 Start projects; and

17 “(ii) promote in-home care in coopera-
18 tion with the Administration on Aging;

19 “(B) the Department of Education to pro-
20 mote intergenerational tutoring and mentoring
21 for at-risk children; and

22 “(C) the Environmental Protection Agency
23 to support conservation efforts.”.

24 **SEC. 350. PROGRAMS OF NATIONAL SIGNIFICANCE.**

25 Section 225 (42 U.S.C. 5025) is amended—

26 (1) in subsection (a)—

1 (A) by striking paragraph (1) and insert-
2 ing the following new paragraph:

3 “(1) The Director is authorized to make grants under
4 parts A, B, and C to support programs that address na-
5 tional problems that are also of local concern. The Direc-
6 tor may, in any fiscal year, determine which programs of
7 national significance will receive priority in that year.”;

8 (B) in paragraph (2)(B), by striking
9 “paragraph (10)” and inserting “paragraphs
10 (10) and (12)”; and

11 (C) in paragraph (2)(C), by striking “and
12 (10)” and inserting “(10), (12), (15), and
13 (16)”;

14 (2) in subsection (b), by adding at the end the
15 following new paragraphs:

16 “(12) Programs that address environmental
17 needs.

18 “(13) Programs that reach out to organizations
19 not previously involved in addressing local needs,
20 such as labor unions and profit-making organiza-
21 tions.

22 “(14) Programs that provide for ethnic out-
23 reach.

24 “(15) Programs that support criminal justice
25 activities.

1 “(16) Programs that involve older volunteers
2 working with young people in apprenticeship pro-
3 grams.”; and

4 (3) in subsection (d), by striking paragraph (1)
5 and inserting the following new paragraph:

6 “(1) Except as provided in paragraph (2), from the
7 amounts appropriated under subsection (a), (b), (c), or (d)
8 of section 502, for each fiscal year there shall be available
9 to the Director such sums as may be necessary to make
10 grants under subsection (a).”.

11 **SEC. 351. ADJUSTMENTS TO FEDERAL FINANCIAL ASSIST-**
12 **ANCE.**

13 Section 226 (42 U.S.C. 5026) is amended—

14 (1) in subsection (a)(1)—

15 (A) in subparagraph (A), by striking
16 “(A)”;

17 (B) by striking subparagraph (B); and

18 (2) in subsection (b)—

19 (A) in paragraph (1), by striking “(1)”;

20 and

21 (B) by striking paragraph (2).

22 **SEC. 352. DEMONSTRATION PROGRAMS.**

23 Title II is amended by adding at the end the following
24 new part:

1 “PART E—DEMONSTRATION PROGRAMS

2 **“SEC. 231. AUTHORITY OF DIRECTOR.**

3 “(a) IN GENERAL.—The Director is authorized to
4 make grants to or enter into contracts with public or non-
5 profit organizations, including organizations funded under
6 part A, B, or C, for the purposes of demonstrating innova-
7 tive activities involving older Americans as volunteers. The
8 Director may support under this part both volunteers re-
9 ceiving stipends and volunteers not receiving stipends.

10 “(b) ACTIVITIES.—An organization that receives a
11 grant or enters into a contract under subsection (a) may
12 use funds made available through the grant or contract
13 for activities such as—

14 “(1) linking youth groups and older American
15 organizations in volunteer activities;

16 “(2) involving older volunteers in programs and
17 activities different from those currently supported in
18 the community; and

19 “(3) testing whether older American volunteer
20 programs may contribute to new objectives or cer-
21 tain national priorities.

22 **“SEC. 232. PROHIBITION.**

23 “The Director may not reduce the activities, projects,
24 or volunteers funded under the other parts of this title
25 in order to support projects under this part.”.

1 **CHAPTER 3—ADMINISTRATION**

2 **SEC. 361. PURPOSE OF AGENCY.**

3 Section 401 (42 U.S.C. 5041) is amended—

4 (1) by inserting after the first sentence the fol-
5 lowing: “This Agency shall also promote the coordi-
6 nation of volunteer efforts among Federal, State,
7 and local agencies and organizations, exchange tech-
8 nical assistance information among them, and pro-
9 vide technical assistance to other nations concerning
10 domestic volunteer programs within their coun-
11 tries.”; and

12 (2) by striking “Older American Volunteer Pro-
13 grams” each place the term appears and inserting
14 “National Senior Volunteer Corps”.

15 **SEC. 362. AUTHORITY OF THE DIRECTOR.**

16 Section 402 (42 U.S.C. 5042) is amended in para-
17 graphs (5) and (6) by inserting “solicit and” before “ac-
18 cept” in each such paragraph.

19 **SEC. 363. COMPENSATION FOR VOLUNTEERS.**

20 Section 404 (42 U.S.C. 5044) is amended—

21 (1) in subsection (c), by inserting “from such
22 volunteers or from beneficiaries” after “compensa-
23 tion”;

24 (2) by striking subsection (f); and

1 (3) by redesignating subsection (g) as sub-
2 section (f).

3 **SEC. 364. REPEAL OF REPORT.**

4 Section 407 (42 U.S.C. 5047) is repealed.

5 **SEC. 365. APPLICATION OF FEDERAL LAW.**

6 Section 415(b)(4)(A) (42 U.S.C. 5055(b)(4)(A)) is
7 amended by striking “a grade GS–7 employee” and insert-
8 ing “an employee at grade GS–5 of the General Schedule
9 under section 5332 of title 5, United States Code”.

10 **SEC. 366. EVALUATION OF PROGRAMS.**

11 Section 416 (42 U.S.C. 5056) is amended—

12 (1) in subsection (a)—

13 (A) in the first sentence, by striking “(in-
14 cluding the VISTA Literacy Corps which shall
15 be evaluated as a separate program at least
16 once every 3 years)”;

17 (B) in the second sentence, by striking “at
18 least once every 3 years” and inserting “peri-
19 odically”;

20 (2) in subsection (b) to read as follows:

21 “(b) In carrying out evaluations of programs under
22 this Act, the Director shall create appropriate manage-
23 ment information systems that will summarize informa-
24 tion on volunteer activities and accomplishments across
25 the programs supported under this Act. The Director shall

1 periodically prepare and submit to the appropriate com-
2 mittees of Congress a report containing such informa-
3 tion.”; and

4 (3) by striking subsections (d), (e), (f), and (g).

5 **SEC. 367. NONDISCRIMINATION PROVISIONS.**

6 Section 417 (42 U.S.C. 5057) is amended to read as
7 follows:

8 **“SEC. 417. NONDISCRIMINATION PROVISIONS.**

9 **“(a) IN GENERAL.—**

10 **“(1) BASIS.—**An individual with responsibility
11 for the operation of a program that receives assist-
12 ance under this Act shall not discriminate against a
13 participant in, or member of the staff of, such pro-
14 gram on the basis of race, color, national origin, sex,
15 age, or political affiliation of such participant or
16 member, or on the basis of disability, if the partici-
17 pant or member is a qualified individual with a dis-
18 ability.

19 **“(2) DEFINITION.—**As used in paragraph (1),
20 the term ‘qualified individual with a disability’ has
21 the meaning given the term in section 101(8) of the
22 Americans with Disabilities Act of 1990 (42 U.S.C.
23 12111(8)).

24 **“(b) FEDERAL FINANCIAL ASSISTANCE.—**Any assist-
25 ance provided under this Act shall constitute Federal fi-

1 nancial assistance for purposes of title VI of the Civil
2 Rights Act of 1964 (42 U.S.C. 2000d et seq.), title IX
3 of the Education Amendments of 1972 (20 U.S.C. 1681
4 et seq.), section 504 of the Rehabilitation Act of 1973 (29
5 U.S.C. 794), and the Age Discrimination Act of 1975 (42
6 U.S.C. 6101 et seq.).

7 “(c) RELIGIOUS DISCRIMINATION.—

8 “(1) IN GENERAL.—Except as provided in para-
9 graph (2), an individual with responsibility for the
10 operation of a program that receives assistance
11 under this Act shall not discriminate on the basis of
12 religion against a participant in such program or a
13 member of the staff of such program who is paid
14 with funds received under this Act.

15 “(2) EXCEPTION.—Paragraph (1) shall not
16 apply to the employment, with assistance provided
17 under this Act, of any member of the staff, of a pro-
18 gram that receives assistance under this Act, who
19 was employed with the organization operating the
20 program on the date the grant under this Act was
21 awarded.

22 “(d) RULES AND REGULATIONS.—The Director shall
23 promulgate rules and regulations to provide for the en-
24 forcement of this section that shall include provisions for
25 summary suspension of assistance for not more than 30

1 days, on an emergency basis, until notice and an oppor-
2 tunity to be heard can be provided.”.

3 **SEC. 368. ELIMINATION OF SEPARATE REQUIREMENTS FOR**
4 **SETTING REGULATIONS.**

5 Section 420 (42 U.S.C. 5060) is repealed.

6 **SEC. 369. CLARIFICATION OF ROLE OF INSPECTOR GEN-**
7 **ERAL.**

8 Section 422 (42 U.S.C. 5062) is amended—

9 (1) in subsection (a), by inserting “or the In-
10 spector General” after “Director”; and

11 (2) in subsection (b), by inserting “, the Inspec-
12 tor General,” after “Director” each place that such
13 term appears.

14 **SEC. 370. COPYRIGHT PROTECTION.**

15 Title IV is amended by adding at the end, the follow-
16 ing new section:

17 **“SEC. 425. PROTECTION AGAINST IMPROPER USE.**

18 “Whoever falsely—

19 “(1) advertises or represents; or

20 “(2) publishes or displays any sign, symbol, or
21 advertisement, reasonably calculated to convey the
22 impression,

23 that an entity is affiliated with, funded by, or operating
24 under the authority of ACTION, VISTA, or any of the
25 programs of the National Senior Volunteer Corps may be

1 enjoined under an action filed by the Attorney General,
2 on a complaint by the Director.”.

3 **SEC. 371. CENTER FOR RESEARCH AND TRAINING.**

4 Title IV (as amended by section 370 of this Act) is
5 further amended by adding at the end the following new
6 section:

7 **“SEC. 426. CENTER FOR RESEARCH AND TRAINING.**

8 “The Director may establish, directly or by grant or
9 contract, a Center for Research and Training on Vol-
10 unteerism to carry out research concerning the impact of
11 volunteerism on individuals, organizations, and commu-
12 nities, provide training to help improve programs across
13 the United States, and carry out such other functions as
14 the Director determines to be appropriate.”.

15 **SEC. 372. DEPOSIT REQUIREMENT CREDIT FOR SERVICE AS**
16 **A VOLUNTEER.**

17 (a) CIVIL SERVICE RETIREMENT SYSTEM.—

18 (1) CREDITABLE SERVICE.—Section 8332(j) of
19 title 5, United States Code, is amended—

20 (A) in paragraph (1)—

21 (i) in the first sentence, by inserting
22 “the period of an individual’s services as a
23 full-time volunteer enrolled in a program of
24 at least 1 year in duration under part A,
25 B, or C of title I of the Domestic Volun-

1 teer Service Act of 1973,” after “Economic
2 Opportunity Act of 1964,”;

3 (ii) in the second sentence, by insert-
4 ing “, as a full-time volunteer enrolled in
5 a program of at least 1 year in duration
6 under part A, B, or C of title I of the Do-
7 mestic Volunteer Service Act of 1973,”
8 after “Economic Opportunity Act of
9 1964,”; and

10 (iii) in the last sentence—

11 (I) by inserting “or under the
12 Domestic Volunteer Service Act of
13 1973” after “Economic Opportunity
14 Act of 1964”; and

15 (II) by inserting “or the Director
16 of ACTION, as appropriate,” after
17 “Director of the Office of Economic
18 Opportunity”; and

19 (B) by adding at the end the following new
20 paragraph:

21 “(3) The provisions of paragraph (1) relating to
22 credit for service as a volunteer or volunteer leader
23 under the Economic Opportunity Act of 1964 or the
24 Domestic Volunteer Service Act of 1973 shall not
25 apply to any period of service as a volunteer or vol-

1 unteer leader of an employee or Member with re-
2 spect to which the employee or Member has made
3 the deposit with interest, if any, required by section
4 8334(1).”.

5 (2) DEDUCTIONS, CONTRIBUTIONS, AND DEPOS-
6 ITS.—

7 (A) IN GENERAL.—Section 8334 of title 5,
8 United States Code, is amended by adding at
9 the end the following new subsection:

10 “(1)(1) Each employee or Member who has performed
11 service as a volunteer or volunteer leader under part A
12 of title VIII of the Economic Opportunity Act of 1964,
13 or as a full-time volunteer enrolled in a program of at least
14 1 year in duration under part A, B, or C of title I of the
15 Domestic Volunteer Service Act of 1973, before the date
16 of the separation from service on which the entitlement
17 to any annuity under this subchapter is based may pay,
18 in accordance with such regulations as the Office of Per-
19 sonnel Management shall issue, to the agency by which
20 the employee is employed or, in the case of a Member or
21 a congressional employee, to the Secretary of the Senate
22 or the Clerk of the House of Representatives, as appro-
23 priate, an amount equal to 7 percent of the readjustment
24 allowance paid to the employee or Member under title VIII
25 of the Economic Opportunity Act of 1964 or title I of the

1 Domestic Volunteer Service Act of 1973 for each period
2 of service as such a volunteer or volunteer leader.

3 “(2) Any deposit made under paragraph (1) more
4 than 2 years after the later of—

5 “(A) the date of enactment of this subsection;
6 or

7 “(B) the date on which the employee or Mem-
8 ber making the deposit first becomes an employee or
9 Member,

10 shall include interest on such amount, computed and
11 compounded annually beginning on the date of the expira-
12 tion of the 2-year period. The interest rate that is applica-
13 ble in computing interest in any year under this paragraph
14 shall be equal to the interest rate that is applicable for
15 such year under subsection (e).

16 “(3) Any payment received by an agency, the Sec-
17 retary of the Senate, or the Clerk of the House of Rep-
18 resentatives under this subsection shall be immediately re-
19 mitted to the Office of Personnel Management for deposit
20 in the Treasury of the United States to the credit of the
21 Fund.

22 “(4) The Director shall furnish such information to
23 the Office of Personnel Management as the Office may
24 determine to be necessary for the administration of this
25 subsection.”.

1 (B) CONFORMING AMENDMENT.—Section
2 8334(e) of title 5, United States Code, is
3 amended in paragraphs (1) and (2) by striking
4 “or (k)” each place that such term appears and
5 inserting “(k), or (l)”.

6 (b) FEDERAL EMPLOYEES RETIREMENT SYSTEM.—

7 (1) CREDITABLE SERVICE.—Section 8411 of
8 title 5, United States Code, is amended—

9 (A) in subsection (b)(3), by striking “sub-
10 section (f)” and inserting “subsection (f) or
11 (h)”; and

12 (B) by adding at the end the following new
13 subsection:

14 “(h) An employee or Member shall be allowed credit
15 for service as a volunteer or volunteer leader under part
16 A of title VIII of the Economic Opportunity Act of 1964,
17 or as a full-time volunteer enrolled in a program of at least
18 1 year in duration under part A, B, or C of title I of the
19 Domestic Volunteer Service Act of 1973, performed at any
20 time prior to the separation from service on which the en-
21 titlement to any annuity under this subchapter is based
22 if the employee or Member has made a deposit with inter-
23 est, if any, with respect to such service under section
24 8422(f).”.

1 (2) DEDUCTIONS, CONTRIBUTIONS.—Section
2 8422 of title 5, United States Code, is amended by
3 adding at the end the following new subsection:

4 “(f)(1) Each employee or Member who has performed
5 service as a volunteer or volunteer leader under part A
6 of title VIII of the Economic Opportunity Act of 1964,
7 or as a full-time volunteer enrolled in a program of at least
8 1 year in duration under part A, B, or C of title I of the
9 Domestic Volunteer Service Act of 1973, before the date
10 of the separation from service on which the entitlement
11 to any annuity under this subchapter, or subchapter V of
12 this chapter, is based may pay, in accordance with such
13 regulations as the Office of Personnel Management shall
14 issue, to the agency by which the employee is employed
15 or, in the case of a Member or a congressional employee,
16 to the Secretary of the Senate or the Clerk of the House
17 of Representatives, as appropriate, an amount equal to 3
18 percent of the readjustment allowance paid to the em-
19 ployee or Member under title VIII of the Economic Oppor-
20 tunity Service Act of 1964 or title I of the Domestic Vol-
21 unteer Service Act of 1973 for each period of service as
22 such a volunteer or volunteer leader.

23 “(2) Any deposit made under paragraph (1) more
24 than 2 years after the later of—

1 “(A) the date of enactment of this subsection,
2 or

3 “(B) the date on which the employee or Mem-
4 ber making the deposit first becomes an employee or
5 Member,

6 shall include interest on such amount computed and
7 compounded annually beginning on the date of the expira-
8 tion of the 2-year period. The interest rate that is applica-
9 ble in computing interest in any year under this paragraph
10 shall be equal to the interest rate that is applicable for
11 such year under section 8334(e).

12 “(3) Any payment received by an agency, the Sec-
13 retary of the Senate, or the Clerk of the House of Rep-
14 resentatives under this subsection shall be immediately re-
15 mitted to the Office of Personnel Management for deposit
16 in the Treasury of the United States to the credit of the
17 Fund.

18 “(4) The Director shall furnish such information to
19 the Office of Personnel Management as the Office may
20 determine to be necessary for the administration of this
21 subsection.”.

22 (c) APPLICABILITY AND OTHER PROVISIONS.—

23 (1) APPLICABILITY.—

24 (A) TIMING.—The amendments made by
25 subsections (a) and (b) shall apply with respect

1 to credit for service as a volunteer or volunteer
2 leader under the Economic Opportunity Act of
3 1964 or the Domestic Volunteer Service Act of
4 1973 to individuals who are entitled to an an-
5 nuity on the basis of a separation from service
6 occurring before, on, or after the effective date
7 of this Act.

8 (B) SEPARATION.—In the case of any indi-
9 vidual whose entitlement to an annuity is based
10 on a separation from service occurring before
11 the date of enactment of this Act, any increase
12 in such individual's annuity on the basis of a
13 deposit made pursuant to section 8334(l) or
14 section 8442(f) of title 5, United States Code,
15 as amended by this Act, shall be effective only
16 with respect to annuity payments payable for
17 calendar months beginning after the date of en-
18 actment of this Act.

19 (2) ACTION TO INFORM INDIVIDUALS.—The Di-
20 rector of the Office of Personnel Management shall
21 take such action as may be necessary and appro-
22 priate to inform individuals entitled to credit under
23 this section for service as a volunteer or volunteer
24 leader, or to have any annuity recomputed, or to

1 make a deposit under this section, of such entitle-
2 ment.

3 **CHAPTER 4—AUTHORIZATION OF APPRO-**
4 **PRIATIONS AND OTHER AMENDMENTS**

5 **SEC. 381. AUTHORIZATION OF APPROPRIATIONS FOR**
6 **TITLE I.**

7 Section 501 (42 U.S.C. 5081) is amended to read as
8 follows:

9 **“SEC. 501. NATIONAL VOLUNTEER ANTIPOVERTY PRO-**
10 **GRAMS.**

11 “(a) AUTHORIZATIONS.—

12 “(1) VOLUNTEERS IN SERVICE TO AMERICA.—

13 There are authorized to be appropriated to carry out
14 part A of title I, excluding sections 104(e) and 109,
15 \$40,000,000 for fiscal year 1994, and such sums as
16 may be necessary for each of the fiscal years 1995
17 through 1998.

18 “(2) SUMMER PROGRAM.—There are authorized
19 to be appropriated to carry out section 104(e), such
20 sums as may be necessary for each of the fiscal
21 years 1994 through 1998.

22 “(3) LITERACY ACTIVITIES.—There are author-
23 ized to be appropriated to carry out section 109,
24 such sums as may be necessary for each of the fiscal
25 years 1994 through 1998.

1 “(4) UNIVERSITY YEAR FOR VISTA.—There are
2 authorized to be appropriated to carry out part B of
3 title I, such sums as may be necessary for each of
4 the fiscal years 1994 through 1998.

5 “(5) SPECIAL VOLUNTEER PROGRAMS.—There
6 are authorized to be appropriated to carry out part
7 C of title I, excluding section 125, such sums as may
8 be necessary for each of the fiscal years 1994
9 through 1998.

10 “(6) LITERACY CHALLENGE GRANTS.—There
11 are authorized to be appropriated to carry out sec-
12 tion 125, such sums as may be necessary for each
13 of the fiscal years 1994 through 1998.

14 “(b) SUBSISTENCE.—The minimum level of an allow-
15 ance for subsistence required under section 105(b)(2), to
16 be provided to each volunteer under title I, may not be
17 reduced or limited in order to provide for an increase in
18 the number of volunteer service years under part A of title
19 I.

20 “(c) LIMITATION.—No part of the funds appro-
21 priated to carry out part A of title I may be used to pro-
22 vide volunteers or assistance to any program or project
23 authorized under part B or C of title I, or under title II,
24 unless the program or project meets the antipoverty cri-
25 teria of part A of title I.

1 “(d) AVAILABILITY.—Amounts appropriated for part
2 A of title I shall remain available for obligation until the
3 end of the fiscal year following the fiscal year for which
4 the amounts were appropriated.

5 “(e) VOLUNTEER SERVICE REQUIREMENT.—

6 “(1) VOLUNTEER SERVICE YEARS.—Of the
7 amounts appropriated under this section for parts A,
8 B, and C of title I, including section 125, there shall
9 first be available for part A of title I, including sec-
10 tions 104(e) and 109, an amount not less than the
11 amount necessary to provide 3,700 volunteer service
12 years in fiscal year 1994, 4,000 volunteer service
13 years in fiscal year 1995, 4,500 volunteer service
14 years in fiscal year 1996, 5,500 volunteer service
15 years in fiscal year 1997, and 7,500 volunteer serv-
16 ice years in fiscal year 1998.

17 “(2) PLAN.—If the Director determines that
18 funds appropriated to carry out part A, B, or C of
19 title I are insufficient to provide for the years of vol-
20 unteer service required by paragraph (1), the Direc-
21 tor shall submit a plan to the relevant authorizing
22 and appropriations committees of Congress that will
23 detail what is necessary to fully meet this require-
24 ment.”.

1 **SEC. 382. AUTHORIZATION OF APPROPRIATIONS FOR**
2 **TITLE II.**

3 Section 502 (42 U.S.C. 5082) is amended to read as
4 follows:

5 **“SEC. 502. NATIONAL SENIOR VOLUNTEER CORPS.**

6 (a) **RETIRED AND SENIOR VOLUNTEER PROGRAM.—**

7 There are authorized to be appropriated to carry out part
8 A of title II, \$35,800,000 for fiscal year 1994, and such
9 sums as may be necessary for each of the fiscal years 1995
10 through 1998.

11 “(b) **FOSTER GRANDPARENT PROGRAM.—**There are
12 authorized to be appropriated to carry out part B of title
13 II, \$68,800,000 for fiscal year 1994, and such sums as
14 may be necessary for each of the fiscal years 1995 through
15 1998.

16 “(c) **SENIOR COMPANION PROGRAM.—**There are au-
17 thorized to be appropriated to carry out part C of title
18 II, \$31,700,000 for fiscal year 1994, and such sums as
19 may be necessary for each of the fiscal years 1995 through
20 1998.

21 “(d) **DEMONSTRATION PROGRAMS.—**There are au-
22 thorized to be appropriated to carry out part E of title
23 II, such sums as may be necessary for each of the fiscal
24 years 1994 through 1998.”.

1 **SEC. 383. AUTHORIZATION OF APPROPRIATIONS FOR**
2 **TITLE IV.**

3 Section 504 (42 U.S.C. 5084) is amended to read as
4 follows:

5 **“SEC. 504. ADMINISTRATION AND COORDINATION.**

6 “(a) **IN GENERAL.**—For each of the fiscal years 1994
7 through 1998, there are authorized to be appropriated for
8 the administration of this Act as provided for in title IV,
9 20 percent of the total amount appropriated under sec-
10 tions 501 and 502 with respect to such year.

11 “(b) **EVALUATION AND CENTER FOR RESEARCH AND**
12 **TRAINING.**—For each of the fiscal years 1994 through
13 1998, the Director is authorized to expend not less than
14 one-half of 1 percent, and not more than 1 percent, from
15 the amounts appropriated under sections 501 and 502, for
16 the purposes prescribed in sections 416 and 426.”.

17 **SEC. 384. CONFORMING AMENDMENTS; COMPENSATION**
18 **FOR VISTA FECA CLAIMANTS.**

19 Section 8143(b) of title 5, United States Code, is
20 amended by striking “GS-7” and inserting “GS-5 of the
21 General Schedule under section 5332 of title 5, United
22 States Code”.

23 **SEC. 385. REPEAL OF AUTHORITY.**

24 Title VII (42 U.S.C. 5091 et seq.) is repealed.

1 **CHAPTER 5—GENERAL PROVISIONS**

2 **SEC. 391. TECHNICAL AND CONFORMING AMENDMENTS.**

3 The Domestic Volunteer Service Act of 1973 (42
4 U.S.C. 4950 et seq.) is amended by striking “That this
5 Act” and all that follows through the end of the table of
6 contents and inserting the following:

7 **“SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

8 “(a) **SHORT TITLE.**—This Act may be cited as the
9 ‘Domestic Volunteer Service Act of 1973’.

10 “(b) **TABLE OF CONTENTS.**—The table of contents
11 is as follows:

“Sec. 1. Short title; table of contents.

“Sec. 2. Volunteerism policy.

“TITLE I—NATIONAL VOLUNTEER ANTIPOVERTY PROGRAMS

“PART A—VOLUNTEERS IN SERVICE TO AMERICA

“Sec. 101. Statement of purpose.

“Sec. 102. Authority to operate VISTA program.

“Sec. 103. Selection and assignment of volunteers.

“Sec. 104. Terms and periods of service.

“Sec. 105. Support service.

“Sec. 106. Participation of beneficiaries.

“Sec. 107. Participation of younger and older persons.

“Sec. 108. Limitation.

“Sec. 109. VISTA Literacy Corps.

“Sec. 110. Applications for assistance.

“PART B—UNIVERSITY YEAR FOR VISTA

“Sec. 111. Statement of purpose.

“Sec. 112. Authority to operate University Year for VISTA program.

“Sec. 113. Special conditions.

“PART C—SPECIAL VOLUNTEER PROGRAMS

“Sec. 121. Statement of purpose.

“Sec. 122. Authority to establish and operate special volunteer and demonstra-
tion programs.

“Sec. 123. Technical and financial assistance for improvement of volunteer pro-
grams.

“Sec. 125. Literacy challenge grants.

“TITLE II—NATIONAL SENIOR VOLUNTEER CORPS

“Sec. 200. Statement of purposes.

“PART A—RETIRED AND SENIOR VOLUNTEER PROGRAM

“Sec. 201. Grants and contracts for volunteer service projects.

“PART B—FOSTER GRANDPARENT PROGRAM

“Sec. 211. Grants and contracts for volunteer service projects.

“PART C—SENIOR COMPANION PROGRAM

“Sec. 213. Grants and contracts for volunteer service projects.

“PART D—GENERAL PROVISIONS

“Sec. 221. Promotion of National Senior Volunteer Corps.

“Sec. 222. Payments.

“Sec. 223. Minority group participation.

“Sec. 224. Use of locally generated contributions in National Senior Volunteer Corps.

“Sec. 225. Programs of national significance.

“Sec. 226. Adjustments to Federal financial assistance.

“Sec. 227. Multiyear grants or contracts.

“PART E—DEMONSTRATION PROGRAMS

“Sec. 231. Authority of Director.

“Sec. 232. Prohibition.

“TITLE IV—ADMINISTRATION AND COORDINATION

“Sec. 403. Political activities.

“Sec. 404. Special limitations.

“Sec. 406. Labor standards.

“Sec. 408. Joint funding.

“Sec. 409. Prohibition of Federal control.

“Sec. 410. Coordination with other programs.

“Sec. 411. Prohibition.

“Sec. 412. Notice and hearing procedures for suspension and termination of financial assistance.

“Sec. 414. Distribution of benefits between rural and urban areas.

“Sec. 415. Application of Federal law.

“Sec. 416. Evaluation.

“Sec. 417. Nondiscrimination provisions.

“Sec. 418. Eligibility for other benefits.

“Sec. 419. Legal expenses.

“Sec. 421. Definitions.

“Sec. 422. Audit.

“Sec. 423. Reduction of paperwork.

“Sec. 424. Review of project renewals.

“Sec. 425. Protection against improper use.

“Sec. 426. Center for Research and Training.

“TITLE V—AUTHORIZATION OF APPROPRIATIONS

“Sec. 501. National volunteer antipoverty programs.

- “Sec. 502. National Senior Volunteer Corps.
 “Sec. 504. Administration and coordination.
 “Sec. 505. Availability of appropriations.

“TITLE VI—AMENDMENTS TO OTHER LAWS AND REPEALERS

- “Sec. 601. Supersedence of Reorganization Plan No. 1 of July 1, 1971.
 “Sec. 602. Creditable service for civil service retirement.
 “Sec. 603. Repeal of title VIII of the Economic Opportunity Act.
 “Sec. 604. Repeal of title VI of the Older Americans Act.”.

1 **SEC. 392. EFFECTIVE DATE.**

2 This subtitle shall become effective on October 1,
 3 1993.

4 **TITLE IV—TECHNICAL AND**
 5 **CONFORMING AMENDMENTS**

6 **SEC. 401. DEFINITION OF DIRECTOR.**

7 Section 421 of the Domestic Volunteer Service Act
 8 of 1973 (42 U.S.C. 5061) is amended by striking para-
 9 graph (1) and inserting the following new paragraph:

10 “(1) the term ‘Director’ means the Chairperson
 11 and Director of the Corporation for National Service
 12 appointed under section 193 of the National and
 13 Community Services Act of 1990;”.

14 **SEC. 402. REFERENCES TO ACTION AND THE ACTION AGEN-**
 15 **CY.**

16 (a) DOMESTIC VOLUNTEER SERVICE ACT OF 1973.—

17 (1) Section 2(b) of the Domestic Volunteer
 18 Service Act of 1973 (42 U.S.C. 4950(b)) is
 19 amended—

1 (A) by striking “ACTION, the Federal do-
2 mestic volunteer agency,” and inserting “this
3 Act”; and

4 (B) by striking “ACTION” and inserting
5 “the Corporation for National Service”.

6 (2) Section 125(b) of such Act (42 U.S.C.
7 4995(b)) is amended by striking “the ACTION
8 Agency” and inserting “the Corporation”.

9 (3) Section 225(e) of such Act (42 U.S.C.
10 5025(e)) is amended by striking “the ACTION
11 Agency” and inserting “the Corporation”.

12 (4) Section 403(a) of such Act (42 U.S.C.
13 5043(a) is amended—

14 (A) by striking “the ACTION Agency” the
15 first place it appears and inserting “the Cor-
16 poration under this Act”; and

17 (B) by striking “the ACTION Agency” the
18 second place it appears and inserting “the Cor-
19 poration”.

20 (5) Section 408 of such Act (42 U.S.C. 5048)
21 is amended by striking “the ACTION Agency” and
22 inserting “the Corporation”.

23 (6) Section 421(11) of such Act (as added by
24 section 403 of this Act) is further amended by strik-
25 ing “ACTION” and inserting “the Corporation”.

1 (7) Section 425 of such Act (as added by sec-
2 tion 370 of this Act) is further amended by striking
3 “ACTION” and inserting “the Corporation”.

4 (b) CIVIL SERVICE RETIREMENT SYSTEM.—Section
5 8332(j)(1) of title 5, United States Code (as amended by
6 section 372(a)(1)(A)(iii)(II) of this Act) is amended by
7 striking “the Director of ACTION” and inserting “the
8 Chairperson of the Corporation for National Service”.

9 (c) INSPECTOR GENERAL.—Section 8E(a)(2) of the
10 Inspector General Act of 1978 (5 U.S.C. App.) is
11 amended—

12 (1) by striking “ACTION,”; and

13 (2) by inserting “the Corporation for National
14 Service (except as provided in section 194(b) of the
15 National and Community Service Act of 1990),”
16 after “the Consumer Product Safety Commission,”.

17 (d) PUBLIC HOUSING SECURITY.—Section 207(c) of
18 the Public Housing Security Demonstration Act of 1978
19 (Public Law 95-557; 92 Stat. 2093; 12 U.S.C. 1701z-
20 6 note) is amended—

21 (1) in paragraph (3)(ii), by striking “ACTION”
22 and inserting “the Corporation for National Serv-
23 ice”; and

1 (2) in paragraph (4), by striking “ACTION”
2 and inserting “the Corporation for National Serv-
3 ice”.

4 (e) NATIONAL FOREST VOLUNTEERS.—Section 1 of
5 the Volunteers in the National Forests Act of 1972 (16
6 U.S.C. 558a) is amended by striking “ACTION” and in-
7 serting “the Corporation for National Service”.

8 (f) PEACE CORPS.—Section 2A of the Peace Corps
9 Act (22 U.S.C. 2501–1) is amended by inserting after
10 “the ACTION Agency” the following: “, the successor to
11 the ACTION Agency,”.

12 (g) INDIAN ECONOMIC DEVELOPMENT.—Section 502
13 of the Indian Financing Act of 1974 (25 U.S.C. 1542)
14 is amended by striking “ACTION Agency” and inserting
15 “the Corporation for National Service”.

16 (h) OLDER AMERICANS.—The Older Americans Act
17 of 1965 is amended—

18 (1) in section 202(c)(1) (42 U.S.C. 3012(c)(1)),
19 by striking “the Director of the ACTION Agency”
20 and inserting “the Corporation for National Serv-
21 ice”;

22 (2) in section 203(a)(1) (42 U.S.C.
23 3013(a)(1)), by striking “the ACTION Agency” and
24 inserting “the Corporation for National Service”;
25 and

1 (3) in section 422(b)(12)(C) (42 U.S.C.
2 3035a(b)(12)(C)), by striking “the ACTION Agen-
3 cy” and inserting “the Corporation for National
4 Service”.

5 (i) VISTA SERVICE EXTENSION.—Section 101(c)(1)
6 of the Domestic Volunteer Service Act Amendments of
7 1989 (Public Law 101–204; 103 Stat. 1810; 42 U.S.C.
8 4954 note) is amended by striking “Director of the AC-
9 TION Agency” and inserting “Chairperson of the Cor-
10 poration for National Service”.

11 (j) AGING RESOURCE SPECIALISTS.—Section 205(c)
12 of the Older Americans Amendments of 1975 (Public Law
13 94–135; 89 Stat. 727; 42 U.S.C. 5001 note) is amended—

14 (1) in paragraph (1)—

15 (A) by striking “the ACTION Agency,”
16 and inserting “the Corporation for National
17 Service,”; and

18 (B) by striking “the Director of the AC-
19 TION Agency” and inserting “the Chairperson
20 of the Corporation”;

21 (2) in paragraph (2)(A), by striking “ACTION
22 Agency” and inserting “Corporation”; and

23 (3) in paragraph (3), by striking subparagraph
24 (A) and inserting the following new subparagraph:

1 “(A) the term ‘Corporation’ means the Cor-
2 poration for National Service established by section
3 191 of the National and Community Service Act of
4 1990.”.

5 (k) PROMOTION OF PHOTOVOLTAIC ENERGY.—Sec-
6 tion 11(a) of the Solar Photovoltaic Energy Research, De-
7 velopment, and Demonstration Act of 1978 (42 U.S.C.
8 5590) is amended by striking “the Director of ACTION,”.

9 (l) COORDINATING COUNCIL ON JUVENILE JUS-
10 TICE.—Section 206(a)(1) of the Juvenile Justice and De-
11 linquency Prevention Act of 1974 (42 U.S.C. 5616(a)(1))
12 is amended by striking “the Director of the ACTION
13 Agency” and inserting “the Chairperson of the Corpora-
14 tion for National Service”.

15 (m) ENERGY CONSERVATION.—Section 413(b)(1) of
16 the Energy Conservation and Production Act (42 U.S.C.
17 6863(b)(1)) is amended by striking “the Director of the
18 ACTION Agency,”.

19 (n) INTERAGENCY COUNCIL ON THE HOMELESS.—
20 Section 202(a) of the Stewart B. McKinney Homeless As-
21 sistance Act (42 U.S.C. 11312(a)) is amended by striking
22 paragraph (12) and inserting the following new para-
23 graph:

1 “(12) The Chairperson of the Corporation for
2 National Service, or the designee of the Chair-
3 person.”.

4 (o) ANTI-DRUG ABUSE.—Section 3601 of the Anti-
5 Drug Abuse Act of 1988 (42 U.S.C. 11851) is amended
6 by striking paragraph (6) and inserting the following new
7 paragraph:

8 “(6) the term ‘Director’ means the Chairperson
9 and Director of the Corporation for National Serv-
10 ice,”.

11 (p) ADMINISTRATION ON CHILDREN, YOUTH, AND
12 FAMILIES.—Section 916(b) of the Claude Pepper Young
13 Americans Act of 1990 (42 U.S.C. 12312(b)) is amended
14 by striking “the Director of the ACTION Agency” and
15 inserting “the Chairperson of the Corporation for Na-
16 tional Service”.

17 **SEC. 403. DEFINITIONS.**

18 Section 421 of the Domestic Volunteer Service Act
19 of 1973 (42 U.S.C. 5061) is amended—

20 (1) by striking “and” at the end of paragraph
21 (6);

22 (2) by striking the period at the end of para-
23 graph (7) and inserting a semicolon; and

24 (3) by adding at the end the following new
25 paragraphs:

1 “(8) the term ‘Corporation’ means the Corpora-
2 tion for National Service established under section
3 191 of the National and Community Service Act of
4 1990;

5 “(9) the term ‘foster grandparent’ means a vol-
6 unteer in the Foster Grandparent Program;

7 “(10) the term ‘Foster Grandparent Program’
8 means the program established under part B of title
9 II;

10 “(11) the term ‘Inspector General’ means the
11 Inspector General of ACTION;

12 “(12) the term ‘national senior volunteer’
13 means a volunteer in the National Senior Volunteer
14 Corps;

15 “(13) the term ‘National Senior Volunteer
16 Corps’ means the programs established under parts
17 A, B, C, and E of title II;

18 “(14) the term ‘Retired and Senior Volunteer
19 Program’ means the program established under part
20 A of title II;

21 “(15) the term ‘retired or senior volunteer’
22 means a volunteer in the Retired and Senior Volun-
23 teer Program;

24 “(16) the term ‘senior companion’ means a vol-
25 unteer in the Senior Companion Program;

1 “(17) the term ‘Senior Companion Program’
2 means the program established under part C of title
3 II;

4 “(18) the terms ‘VISTA’ and ‘Volunteers in
5 Service to America’ mean the program established
6 under part A of title I; and

7 “(19) the term ‘VISTA volunteer’ means a vol-
8 unteer in VISTA.”.

9 **SEC. 404. REFERENCES TO THE COMMISSION ON NATIONAL**
10 **AND COMMUNITY SERVICE.**

11 (a) NATIONAL DEFENSE AUTHORIZATION ACT FOR
12 FISCAL YEAR 1993.—

13 (1) Section 1092(b) of the National Defense
14 Authorization Act for Fiscal Year 1993 (42 U.S.C.
15 12653a note) is amended—

16 (A) in paragraph (1)—

17 (i) by striking “Commission on Na-
18 tional Community Service” and inserting
19 “Corporation for National Service”; and

20 (ii) by striking “Commission shall pre-
21 pare” and inserting “Board of Directors of
22 the Corporation shall prepare”; and

23 (B) in paragraph (2), by striking “Board
24 of Directors of the Commission on National and
25 Community Service” and inserting “Board of

1 Directors of the Corporation for National Serv-
2 ice”.

3 (2) Section 1093(a) of such Act (42 U.S.C.
4 12653a note) is amended by striking “the Board of
5 Directors and Executive Director of the Commission
6 on National and Community Service” and inserting
7 “the Board of Directors and Chairperson of the Cor-
8 poration for National Service”.

9 (3) Section 1094 of such Act (Public Law 102-
10 484; 106 Stat. 2535) is amended—

11 (A) in the title, by striking “**COMMISSION**
12 **ON NATIONAL AND COMMUNITY SERVICE**”
13 and inserting “**CORPORATION FOR NA-**
14 **TIONAL SERVICE**”;

15 (B) in subsection (a)—

16 (i) in the heading, by striking “**COM-**
17 **MISSION**” and inserting “**CORPORATION**”;

18 (ii) in the first sentence, by striking
19 “Commission on National and Community
20 Service” and inserting “Corporation for
21 National Service”; and

22 (iii) in the second sentence, by strik-
23 ing “The Commission” and inserting “The
24 Chairperson of the Corporation”; and

25 (C) in subsection (b)—

1 (i) in paragraph (1), by striking
2 “Board of Directors of the Commission on
3 National and Community Service” and in-
4 serting “Chairperson of the Corporation
5 for National Service”; and

6 (ii) in paragraph (2), by striking “the
7 Commission” and inserting “the Chair-
8 person of the Corporation for National
9 Service”.

10 (4) Section 1095 of such Act (Public Law 102-
11 484; 106 Stat. 2535) is amended in the heading for
12 subsection (b) by striking “COMMISSION ON NA-
13 TIONAL AND COMMUNITY SERVICE” and inserting
14 “CORPORATION FOR NATIONAL SERVICE”.

15 (5) Section 2(b) of such Act (Public Law 102-
16 484; 106 Stat. 2315) is amended by striking the
17 item relating to section 1094 of such Act and insert-
18 ing the following:

“Sec. 1094. Other programs of the Corporation for National Service.”.

19 (b) NATIONAL AND COMMUNITY SERVICE ACT OF
20 1990.—

21 (1) Sections 159(b)(2) (as redesignated in sec-
22 tion 104(b)(3) of this Act) and 165 (as redesignated
23 in section 104(b)(3) of this Act), subsections (a) and
24 (b) of section 172, sections 176(a) and 177(c), and
25 subsections (a), (b), and (d) through (h) of section

1 179, of the National and Community Service Act of
2 1990 (42 U.S.C. 12653h(b)(2), 12653n, 12632 (a)
3 and (b), 12636(a), 12637(c), and 12639 (a), (b),
4 and (d) through (h)) are each amended by striking
5 the term “Commission” each place the term appears
6 and inserting “Corporation”.

7 (2) Sections 152, 157(b)(2), 159(b),
8 162(a)(2)(C), 164, and 166(1) of such Act (in each
9 case, as redesignated in section 104(b)(3) of this
10 Act) (42 U.S.C. 12653a, 12653f(b)(2), 12653h(b),
11 12653k(a)(2)(C), 12653m, and 12653o(1)) are each
12 amended by striking “Commission on National and
13 Community Service” and inserting “Corporation”.

14 (3) Section 163(b)(9) of such Act (as redesign-
15 nated in section 104(b)(3) of this Act) (42 U.S.C.
16 12635l(b)(9)) is amended by striking “Chair of the
17 Commission on National and Community Service”
18 and inserting “Chairperson”.

19 (4) Section 303(a) of such Act (42 U.S.C.
20 12662(a)) is amended—

21 (A) by striking “The President” and in-
22 serting “The President, acting through the Cor-
23 poration,”;

1 (B) by inserting “in furtherance of activi-
2 ties under section 302” after “section 501(b)”;
3 and

4 (C) by striking “the President” both places
5 it appears and inserting “the Corporation”.

6 **SEC. 405. REFERENCES TO DIRECTORS OF THE COMMIS-**
7 **SION ON NATIONAL AND COMMUNITY SERV-**
8 **ICE.**

9 (a) CHAIRPERSON.—

10 (1) Section 159(a) of such Act (as redesignated
11 in section 104(b)(3) of this Act) (42 U.S.C.
12 12653h(b)) is amended—

13 (A) by striking “BOARD.—The Board”
14 and inserting “SUPERVISION.—The Chair-
15 person”;

16 (B) by striking “the Board” in the matter
17 preceding the paragraphs and in paragraph (1)
18 and inserting “the Chairperson”; and

19 (C) by striking “the Director” in para-
20 graph (1) and inserting “the Board”.

21 (2) Section 159(b) of such Act (as redesignated
22 in section 104(b)(3) of this Act) (42 U.S.C.
23 12653h(b)) is amended by striking “(b)” and all
24 that follows through “Commission on National and

1 Community Service” and inserting “(b) MONITOR-
2 ING AND COORDINATION.—The Chairperson”.

3 (3) Section 159(c)(1) (as redesignated in sec-
4 tion 104(b)(3) of this Act) (12653h(c)(1)) is
5 amended—

6 (A) in subparagraph (A), by striking “the
7 Board, in consultation with the Executive Di-
8 rector,” and inserting “Chairperson”; and

9 (B) in subparagraph (B)(iii), by striking
10 “the Board through the Executive Director”.

11 (4) Section 166(6) (as redesignated in section
12 104(b)(3) of this Act) (42 U.S.C. 12653o(6)) is
13 amended—

14 (A) by striking paragraph (6); and

15 (B) by redesignating paragraphs (7)
16 through (11) as paragraphs (6) through (10),
17 respectively.

18 (b) DIRECTOR OF CIVILIAN COMMUNITY CORPS.—
19 Sections 155(a), 157(b)(1)(A), 158(a), 159(c)(1)(A), and
20 163(a) (in each case, as redesignated in section 104(b)(3)
21 of this Act) of the National and Community Service Act
22 of 1990 (42 U.S.C. 12653d(a), 12653f(b)(1)(A),
23 12653g(a), 12653h(c)(1)(A), and 12653l(a)) are amended
24 by striking “Director of Civilian Community Corps” each
25 place the term appears and inserting “Director”.

1 **SEC. 406. EFFECTIVE DATE.**

2 (a) ACTION.—The amendments made by sections
3 401 and 402 (except subsection (c)(2)) shall take effect
4 on the effective date of section 203.

5 (b) COMMISSION.—The amendments made by section
6 402(c)(2), and sections 403 through 405, will take effect
7 on October 1, 1993.

TELECOPIER SHEET

Cover +
10 PAGES

EDUCATION OFFICE

COMMITTEE ON LABOR AND HUMAN RESOURCES

TO: SHIRLEY SAGAWA

COMPANY: _____

FAX NUMBER: () 456-2878

FROM: TOM SANDER

NOTES: Here are thoughts of Dwight Rasmussen as related to me by Fran Butler. It sounds as though there is a lot of support for these changes from Gene as well as Judy Wagner + Marty Rodgers.

Do you have comments?

Return fax number: (202) 224-3533

If there are any problems with this transmission, please call
(202) 224-5501.

STATEMENT ON
THE PROPOSED "NATIONAL SERVICE TRUST ACT OF 1993 (H.R. 2010)

BY

DWIGHT RASMUSSEN, PRESIDENT
NATIONAL ASSOCIATION OF SENIOR COMPANION PROJECT DIRECTORS

May 25, 1993

Mr. Chairmen, Members of the Subcommittees, I am pleased to be here today to testify on the proposed "NATIONAL SERVICE TRUST ACT OF 1993 (H.R. 2010). I particularly want to speak to those provisions in the proposed legislation which impact on older persons in general, and those that impact on the Older American Volunteer Programs currently authorized by the Domestic Volunteer Service Act of 1973, as amended, and administered by ACTION.

My name is Dwight Rasmussen. I am the Director of both the Senior Companion and the Foster Grandparent Project in Salt Lake City, Utah. I am here in my capacity as President of the National Association of Senior Companion Project Directors, and today, I am also representing the National Association of Foster Grandparent Program Directors and the National Association of Retired Senior Volunteer Program (RSVP) Directors as well. I am accompanied by Frances F. Butler, Washington Representative for our three Associations, who is prepared to join me in responding to any questions you may have.

Together, our National Directors Associations represent the majority of the more than 1,100 project directors in communities around the nation who administer the Senior Companions, Foster Grandparents, and RSVP programs. The volunteer force in these programs combined approaches nearly 500,000!

- Currently over 10,000 Senior Companion volunteers are providing more than one million hours of service annually, working to prevent or delay the institutionalization of nearly 36,000 chronically ill elderly persons nationwide. Senior Companions play a critical role in providing long-term care by assisting adults with mental, emotional, and physical illnesses to achieve and maintain their fullest potential for independent living. Considering that the average cost for nursing home care is over \$30,000 per year and the average cost for a Senior Companion volunteer who serves 20 hours per week is approximately \$3,500 annually, the fiscal value and cost-effectiveness of this program becomes unquestionable.
- More than 23,000 Foster Grandparent volunteers provide 24 million hours of service annually to 77,000 children and teenagers with special or exceptional needs. These include babies born HIV positive, severely handicapped youngsters in special education settings, teenage parents, children enrolled in Head Start, children who have been abused or neglected, children residing in shelters for the homeless, and teenagers in the juvenile court system.
- This year over 450,000 older Americans volunteering through the Retired Senior Volunteer Program (RSVP) will assist more than 65,000 public and non-profit agencies meet critical community needs. RSVP volunteers contribute 78 million hours of service annually, providing such assistance as literacy enhancement, in-home care, assistance in homeless shelters, driving for meals on wheels, and working with children in a variety of intergenerational settings.

This year the Independent sector calculates the value of volunteer service at \$11.58 per hour. Using this figure, the value of services rendered to communities across this country by older volunteers in these three programs approximates \$1.3 billion annually -- yet the federal budget to support Senior Companions, Foster Grandparents, and RSVP is less than \$130 million annually.

④

T. Under: we need to mandate that Fed. re. to state Action office, w/ state want to mandate it. D.I. people may need to change, state structure should remain.

• The proposed legislation further provides that a Corporation representative will be a voting member of the State Commission. It has been suggested that this "Corporation representative" will be a representative of the ACTION field structure, yet the proposed legislation lacks clarity as to the role of the ACTION field structure. The ACTION field structure offers the capacity to provide technical assistance to community-based programs as well as to monitor funding streams and provide for program evaluation, roles critical to the success of the new national service proposals. The strengths of this field structure should be utilized and built upon.

p. 188

We recommend that there be more clarity in the legislation as to the importance of the role of the ACTION field structure in relationship to the State Commissions, and that the ACTION field structure be officially represented on the State Commission.

Funding stream issues

No State Comm'n taking \$ out of Action grants

• Because of the lack of clarity in the legislation regarding the Corporation's field structure, questions have arisen about the funding stream of programs in the Federal Programs Division. Currently when a grant is made to an ACTION sponsor, no administrative overhead is taken from the grant by ACTION or its field offices. We seek assurances that this process will continue, and that state structures, such as State Commissions, we not take administrative overhead out of grants made by the Federal Programs Division.

We recommend that safeguards be included in the legislation to assure that Federal Programs grants are awarded directly to grantees, and to prohibit any other entity from diluting these grants by assigning administrative overhead expenses to them.

need to have that state ACTION office remains

National Competitions

• The proposed legislation allocates one-third of its funding for national competition among subdivisions of States, public and not-for-profit organizations, institutions of higher education, and Federal Agencies. Clarity is needed as to how programs in the Corporation's Federal Programs Division -- including Foster Grandparent, Senior Companions, and RSVP can compete for these funds as well.

allowing Action to apply for funding
p. 28

We recommend that, regarding national competition, the reference to "Federal agencies" should be qualified to read: "including programs in the Federal Programs Division of the Corporation."

Care thinks OK

Support functions

• The proposed legislation includes provisions for training, research, evaluation, demonstration, and promotion in both the Investment and Federal Programs Divisions of the Corporation. In order to provide for maximum coordination and prevent unnecessary duplication, these functions should be administered in a separate program support arm of the Corporation.

Care likes Monty likes Friends of VISTA like

We recommend the addition of a third Division of the Corporation to provide for training, research, evaluation, demonstration, promotion, and other Corporation-wide support services. Provisions in the proposed legislation relating to these functions in the Federal Programs Division and those in the Investment Division should be moved to a new support Division. There should be a separate authorization of appropriations for this new support Division.

Clarity regarding administrative provisions in the Domestic Volunteer Service Act

• Sections 401 and 402 of the Domestic Volunteer Service Act provide for the administrative structure of programs currently operating under that Act. The proposed legislation lacks clarity regarding how that structure will be continued. Will there continue to be a Director of the Older American Volunteer Programs (redesignated National Senior Volunteer Corps)? Will there continue to be a separate individual responsible for administering Senior Companions, Foster Grandparents, and RSVP, as provided for currently in section 401 of the Domestic Volunteer Service Act, and which our National Directors Associations have long advocated?

The identity of these programs cannot be submerged in a bureaucratic structure. Their identity must be protected and promoted by the authorizing statute of the Corporation.

The proposed legislation both repeals sections 401 and 402 of the Domestic Volunteer Service Act and later amends them. As these legislative drafting errors are corrected, we are concerned that the underlying principles established in sections 401 regarding program identity be retained.

- want to have a head of each program, don't care about head of OAVP prgrms.

Providing "flexibility" for an Administration which is supportive of service might be the undoing of these programs and this agenda in a less supportive political climate. This legislation must be crafted for the long term institutional support.

We recommend that this Committee reconcile conflicting provisions in H.R. 2010 regarding sections 401 and 402 of the Domestic Volunteer Service Act in a manner that preserves the Directors of VISTA and the Older American Volunteer Programs and separate individuals to head the Foster Grandparent, RSVP, and Senior Companions Programs.

Investment Division Issues relating to senior volunteers:

Intergenerational programs

• Intergenerational programs are one of 12 categories listed in the proposed Act which will be eligible for program assistance under the Investment Division. But since the Corporation Board can establish priorities among these twelve, we are concerned that this important focus may be lost. Particularly given the number of potential senior volunteers who could be involved as providers in programs under the Act, as well as older persons who might be recipients of youth service, and because insufficient attention has been given to intergenerational programming in the past, special consideration should be given to intergenerational programming under the proposed legislation.

Care wants intergenerational as one criteria considered in the application

We recommend that each of the categories listed as eligible for program assistance should include intergenerational action to the extent appropriate. Such a cross-cutting requirement would insure that rather than losing the intergenerational focus of the legislation, greater recognition will be given to the importance of this aspect of the legislation.

Head Start Assistance

• The proposed Act includes Subtitle H - "Investment for Quality & Innovation" which is similar to Subtitle E "Demonstration" programs in the National and Community Service Act. The new Subtitle H includes most of the old Subtitle E provisions, but, with respect to the "Assistance to Head Start" provisions that called for placement of Foster Grandparents in Head Start Centers, the new language refers only to "older adults" placements.

One of the strengths of involving Foster Grandparent volunteers in Head Start Centers is the consistency and intensity of their service. Foster Grandparents serve 20 hours per week, year round, and have an extremely low attrition rate. To dilute the Head Start Assistance provisions by

P. 149 Amended P. 193, 229 of bill

PP. 9-15

Gov - proposes making Head Start intergenerational 198(b)(1)(F)

old Subtitle E - mandates that CWS provide grants for at least 3 of 5 areas - old §166 language they like - like fact that §166 or §167 was more likely to get funding

6

deleting the reference to Foster Grandparents would reduce the effectiveness of this marvelous example of intergenerational partnership.

But the story gets even worse. Not only are the references to Foster Grandparents dropped, but the entire Head Start assistance provision is diluted by relegating it to one of many intergenerational programs that "may include" a program in which older adults provide services to children who participate in Head Start programs!

p. 23

We recommend that the provisions for Head Start Assistance from Subtitle E of the current National and Community Service Act legislation be substituted for the much weakened version proposed in H.R. 2010.

Federal Programs Division Issues relating to senior volunteers: (these were picked up fine)

Mr. Chairman, we are pleased that many of the recommendations which our National Directors Associations included in our testimony to the Subcommittee on Human Resources on March 24, 1993 have been picked up for inclusion in the the proposed National Service Trust Act of 1993. They, and other suggested legislative changes which we support, with our recommendations for changes noted, include the following:

- "Older American Volunteer Programs" are redesignated "National Senior Volunteer Corps."
- "Retired Senior Volunteer Program (RSVP)" is redesignated "Retired and Senior Volunteer Program (RSVP)" so as to include volunteers such as homemakers who may never have "retired" from the paid work force, and to include older volunteers may still be in the workforce.
- The minimum age for participation in RSVP is lowered from 60 to 55.

We recommend that provisions be included in the legislation to insure that the number of volunteers over the age of 60 does not diminish in order to make room for younger volunteers.

OK as is

- Older persons who are in the work force can still participate in RSVP, Senior Companions, and the Foster Grandparent Program.
- Foster Grandparents are allowed to work with more than one child, as appropriate, depending on the project site. For instance, it would be difficult to restrict a Foster Grandparent volunteer to interaction with one child only in a school or child care situation.
- A stipend increase corresponding to cost of living increases is authorized during the four year reauthorization period for Foster Grandparent and Senior Companion volunteers.
- The Director is encouraged to enter into agreements with other Federal Agencies to partner RSVP and Foster Grandparents with Head Start; coordinate activities with the Administration on Aging In-home Care program, coordinate with the Department of Education for mentoring projects involving senior volunteers; and coordinate activities with the Environmental Protection Agency for senior involvement in environmental programs.

We recommend the addition of a specific provision relative to inter-Agency agreements with the Health Care Financing Administration's (HCFA) Medicaid Waiver program and the Senior Companion and Foster Grandparent programs. Volunteers in both these programs work with Medicaid recipients, be they handicapped children or the frail elderly. Integration of Senior Companions and Foster Grandparents in the Medicaid Waiver program would go a long way towards cutting the cost of community-based care, while providing new resources for expanded involvement by Senior Companion and Foster Grandparent volunteers.

- change + provide agreements
- Gen lib + worried about jurisdictional issues.

- Programs of National Significance (PNS) categories are expanded to include categories we recommended, such as: seniors in environmental projects; ethnic outreach; criminal justice programs; and apprenticeship programs that match skilled older volunteers with young people in transition from school to the workforce.

With regard to the PNS provisions, the legislation includes the *elimination* of the requirement that one-third of new funding must be spent on PNS grants before being allocated for other purposes.

We recommend that the PNS earmarking in the current legislation be retained. This provision was included in the 1989 Domestic Volunteer Service Act Amendments by this Committee, under the sponsorship of Congressman Dale Kildee. As a result of this earmarking, over 300 PNS grants have been awarded since then, enabling existing projects, with grants in the \$5,000 to \$20,000 range, to expand the numbers of volunteers involved in national significance activities. We are confident that these grants never would have been made were it not for the earmarking. We feel strongly that it should be retained.

Gene
2/25
ok

- Authorizes provision of technical assistance to other nations about Domestic Volunteer Service Act programs. We support this provision. Our National Directors Associations have worked informally in the past to share the wealth of our experience in senior volunteerism with other nations. We have produced manuals with the American Association for International Aging on how to start RSVP, Foster Grandparent, and Senior Companion Programs in other nations. We have hosted international visitors at our projects so that they can see first hand the value of senior volunteerism. RSVP projects have even become involved in "sister city" type arrangements with similar projects in other nations. We support the systematic promotion of this kind of interaction such as is proposed in H.R. 2010.
- Provides copyright protection for the RSVP, Foster Grandparent, and Senior Companion Programs.
- Provides a five year Authorization of Appropriations, with minor funding increases authorized for the fiscal year beginning October, 1994.

We recommend a 10 percent authorization increase over current funding levels, rather than the amounts provided in the proposed bill. Ten percent is a reasonable authorization request level, given the Administration's pledge to expand these programs under the proposed legislation. It is important to keep in mind, too, that all three of these programs are important, cost effective tools for health care reform, as volunteers in each program are involved in efforts to relieve the drain on health care dollars through their service to the frail, the disabled, and the homebound.

Our recommendations for FY 1994 authorizations of appropriations are as follows (dollars in millions):

		Directors Assns	5.919	
		Recommendations	H.R. 2010	current funding
RSVP	45	\$37.054	\$35.800	\$33.686
FGP	30	\$71.284	\$68.800	\$64.804
SCP	40	\$32.509	\$31.700	\$29.548

Rep. Martinez
amendment

We recommend ten percent increases in the authorization levels each year for fiscal years 1995 through 1998, rather than the "such sums" provisions in the proposed legislation.

Gene said OK
language from old 5502(a)

We recommend the retention of the funding floor for the Older American Volunteer Programs that exists in current law, which stipulates that "there is authorized to be appropriated not less than the amount appropriated in the previous fiscal year."

additional concerns

- H.R. 2010 proposes a new part E of Title II of the Domestic Volunteer Service to fund innovative projects involving senior volunteers. There is no authorization of appropriations for this section.

We recommend that the proposed new part E of Title II of the Domestic Volunteer Service to fund innovative projects involving senior volunteers be included in Subtitle H -- the Demonstration authority -- which we propose be moved to a third "support division" in the Corporation. This will ensure that funding that might otherwise be available for Senior Companions, Foster Grandparents, and RSVP is not diverted for purposes of funding the proposed new title E, and it will ensure that programming for senior service is integrated throughout the Corporation's activities.

Gene in favor

- H.R. 2010 proposes a new section 426 of the Domestic Volunteer Service Act for a "Center for Research and Training." There is no authorization of appropriations for this section, rather, the legislation proposes that funding would come from VISTA and Senior volunteer program appropriations -- "not less than 1/2 percent or more than 1 percent." Since the function for research and training is one that cuts across Corporation activities, we have questions about the appropriateness of this placement in the legislation.

We recommend that the proposed "Center for Research and Training" in the Federal Programs Division be moved to a new "support division" in the Corporation, and that a separate and meaningful authorization of appropriations be provided for this function that is so important to the success of the national service movement.

Gene in favor

- H.R. 2010 includes an amendment to section 226 of the Domestic Volunteer Service Act regarding cost of living adjustments to sponsoring agencies operating Senior Companions, Foster Grandparents, and RSVP. The amendment would delete requirements in existing law that annual reports be made to the House Committee on Education and Labor and the Senate Labor and Human Resources Committee with regard to the extent of project needs for cost of living increases. Our Associations testified at the March hearing with regard to the importance of these reporting requirements to our programs. We sought relief after a decade of frozen grants and a lack of acknowledgement by ACTION Agency leadership concerning our cost of living needs. It was only after Congress required these reports that the Agency began to acknowledge the extent of the difficulties we faced at the local level. We continue to feel that these reporting requirements are vital to the continued health of our projects.

We recommend that the provisions in H.R. 2010 which would delete the section 226 reporting requirements be deleted, and that the reporting requirements be retained. To further strengthen section 226, we recommend that additional language be added to ensure that prior to funding new projects, cost of living adjustments must first be allocated to existing projects so that they will remain healthy and able to carry out their program responsibilities effectively and responsibly.

Gene suggested every two years

Action asked to have this deleted. Program directors think this is necessary to justify increased admin. costs.

9

additional suggested amendments to the Domestic Volunteer Service Act provisions in H.R. 2010

When our National Directors Associations testified in March, we made several additional suggestions for legislative changes relative to the reauthorization of the Domestic Volunteer Service Act which I would like to revisit today, as follows:

We recommend that H.R. 2010 be amended to include the following provisions:

- authorization for the development and use of bilingual recruitment and training materials.
- authorization for formal partnerships between the Corporation and the National Directors Associations so that we can utilize our experience and networks to enhance the National Senior Volunteer Corps programs as well as other senior volunteer initiatives of the Corporation.
- increase the current \$250,000 funding floor in section 221 of the Domestic Volunteer Service Act for promotion of Senior Companions, Foster Grandparents, and RSVP. We would be pleased to work with the Committee and ACTION to determine a reasonable, but responsible, higher figure.
- ensure that "non-ACTION" Senior Companions, Foster Grandparents, and RSVP volunteers and projects are considered full partners with regard to mandated stipend increases and eligibility to apply for special funding opportunities, such as Programs of National Significance grants and other funding opportunities made available through the Corporation.

Conclusion

Mr. Chairmen, this concludes my testimony on H.R. 2010. You can see that our National Directors Associations have given much thought to the proposed legislation. We urge you to give every consideration to our suggestions. They are born out of our experience in the field, our commitment to the power of older volunteers to make a difference in the lives of others in their communities.

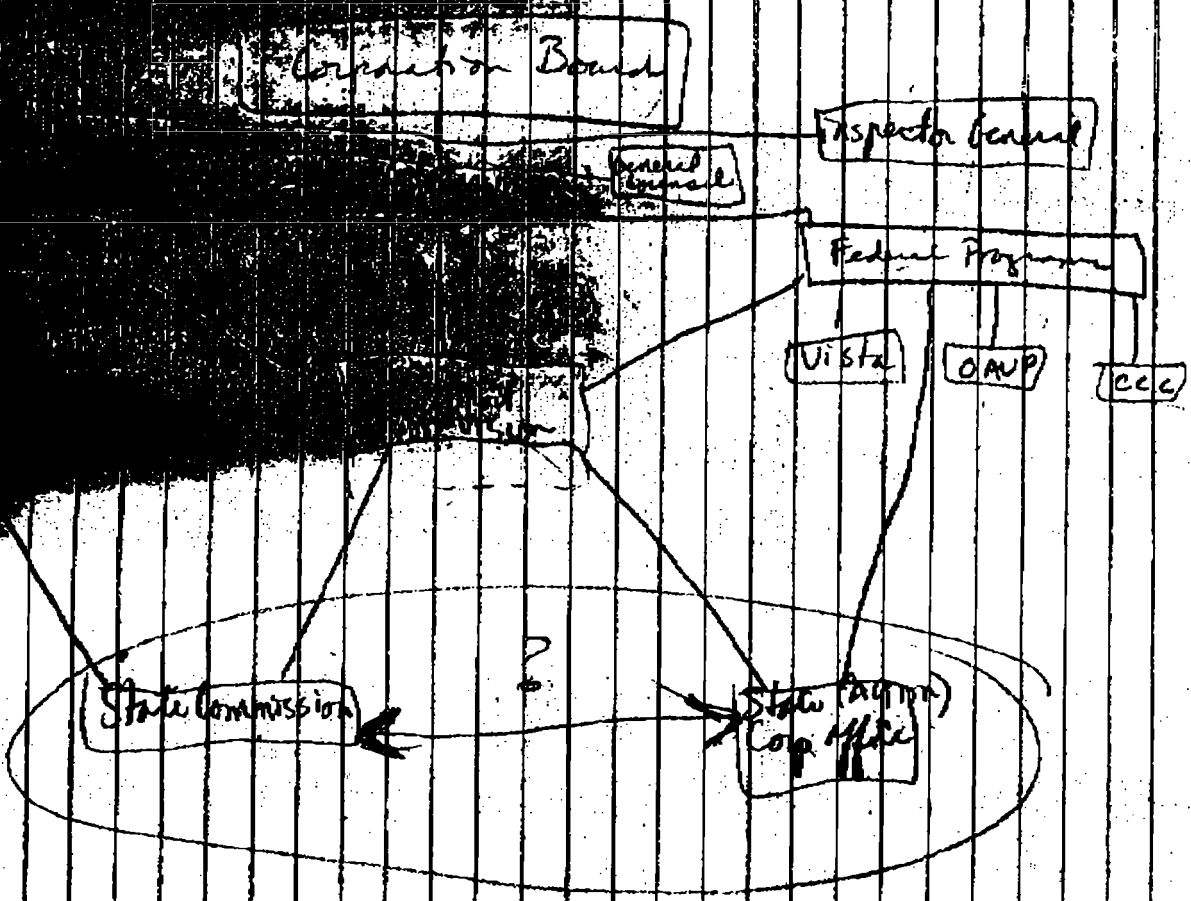
Leadership - wait a good leader for the Operating Div. so it is seen as an equal partner.

Before closing, however, there is one important addition I must add to my testimony. That has to do with leadership. Those of us involved with ACTION over the past decade have suffered from lack of leadership at the agency -- from lack of a strong voice advocating for our programs. I think it is fair to say that had that leadership been present at ACTION when the National and Community Service Act legislation was considered in 1989, ACTION would have been the administering arm, and this Congress and this Administration would not be faced with the dilemma today of how to merge two federal volunteer agencies.

Let us learn from our past experience as we move forward now to make H.R. 2010, the proposed National Service Trust Act of 1993, the best it can be. If the proposed National Service Corporation is to thrive, it needs strong, visionary, inspirational leadership with full access to the President -- "a Sargent Shriver of the '90's." And if the Federal Programs Division of the Corporation is to thrive as a full partner in the Corporation, it needs strong, visionary, inspirational leadership. And if Senior Companions, Foster Grandparents, and RSVP are to reach their potential, they need that kind of leadership as well.

Our final request to this Committee is that as you exercise your oversight responsibility, you work to ensure that we get the best in leadership, because that is what we need and what our programs deserve.

Thank you for this opportunity to take part in the development of this landmark legislation.



(F)

AMENDMENT TO H.R. 2010
OFFERED BY MR. MILLER OF CALIFORNIA

(Page & line nos. refer to bill as introduced on 5/6/93)

Page 11, line 14, strike "including a" and insert "including the Public Lands Corps established under section 134 of the National Service Trust Act of 1993 and other".

Page 156, before line 6, add the following new subtitle:

1 Subtitle C—Public Lands Corps of
2 the Department of the Interior
3 and the Department of Agri-
4 culture

5 SEC. 131. SHORT TITLE.

6 This subtitle may be cited as the "Public Lands
7 Corps Act of 1993".

8 SEC. 132. CONGRESSIONAL FINDINGS AND PURPOSE.

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

10 (1) Conserving or developing natural and cul-
11 tural resources and enhancing and maintaining envi-
12 ronmentally important lands and waters through the
13 use of the Nation's young men and women in a Pub-
14 lic Lands Corps can benefit those men and women
15 by providing them with education and work opportu-

1 nities, furthering their understanding and apprecia-
2 tion of the natural and cultural resources, and pro-
3 viding a means to pay for higher education or to
4 repay indebtedness they have incurred to obtain
5 higher education while at the same time benefiting
6 the Nation's economy and its environment.

7 (2) Many facilities and natural resources lo-
8 cated on public lands and on Indian reservations are
9 in disrepair or degraded and in need of labor inten-
10 sive rehabilitation, restoration, and enhancement
11 work which cannot be carried out by Federal agen-
12 cies at existing personnel levels.

13 (3) Youth conservation corps have established a
14 good record of restoring and maintaining these kinds
15 of facilities and resources in a cost effective and effi-
16 cient manner, especially when they have worked in
17 partnership arrangements with government land
18 management agencies.

19 (b) PURPOSE.—It is the purpose of this subtitle to—

20 (1) perform, in a cost-effective manner, con-
21 servation, rehabilitation, restoration, and improve-
22 ment work on public lands and Indian lands where
23 that work will not be performed by existing employ-
24 ees, and to assist government and tribal land man-
25 aging agencies in performing research and public

1 education tasks associated with natural and cultural
2 resources on public lands and Indian lands;

3 (2) expose young men and women to public
4 service while furthering their understanding and ap-
5 preciation of the nation's natural and cultural re-
6 sources;

7 (3) expand educational opportunity by reward-
8 ing individuals who participate in national service
9 with an increased ability to pursue higher education
10 or job training; and

11 (4) stimulate interest among the nation's young
12 men and women in conservation careers by exposing
13 them to conservation professionals in land managing
14 agencies.

15 **SEC. 133. DEFINITIONS.**

16 For purposes of this subtitle:

17 (1) The term "Corps" means the Public Lands
18 Corps established under section 134.

19 (2) The term "public lands" means any lands
20 or waters (or interest therein) owned or adminis-
21 tered by the United States, except that such term
22 does not include any Indian lands.

23 (3) The term "qualified youth or conservation
24 corps" means any program established by a State or

1 local government, by the governing body of any In-
2 dian tribe, or by a nonprofit organization that—

3 (A) is capable of offering meaningful, full-
4 time, productive work for individuals between
5 the ages of 16 and 25, inclusive, in a natural
6 or cultural resource setting;

7 (B) gives participants a mix of work expe-
8 rience, basic and life skills, education, training,
9 and support services; and

10 (C) provides participants with the oppor-
11 tunity to develop citizenship values and skills
12 through service to their community and the
13 United States.

14 (4) The term “Indian tribe” means any Indian
15 tribe, band, nation, or other group which is rec-
16 ognized as an Indian tribe by the Secretary of the
17 Interior. Such term also includes any Native village
18 corporation, regional corporation, and Native group
19 established pursuant to the Alaska Native Claims
20 Settlement Act (43 U.S.C. 1701 et seq.).

21 (5) The term “Indian” means a person who is
22 a member of an Indian tribe.

23 (6) The term “Indian lands” means any real
24 property owned by an Indian tribe, any real property
25 held in trust by the United States for Indian tribes,

1 and any real property held by Indian tribes which is
2 subject to restrictions on alienation imposed by the
3 United States.

4 (7) The term "State" means any State of the
5 United States, the District of Columbia, the Com-
6 monwealth of Puerto Rico, Guam, the Virgin Is-
7 lands, American Samoa, and the Commonwealth of
8 the Northern Mariana Islands.

9 (8) The term "conservation, restoration, or re-
10 habilitation project" means any project for the con-
11 servation, restoration, or rehabilitation of natural,
12 cultural, historic, archaeological, recreational, or sce-
13 nic resources.

14 **SEC. 134. PUBLIC LANDS CORPS PROGRAM.**

15 (a) **ESTABLISHMENT OF PUBLIC LANDS CORPS.—**
16 There is hereby established in the Department of the Inte-
17 rior and the Department of Agriculture a Public Lands
18 Corps. The Corps shall consist of individuals between the
19 ages of 16 and 25, inclusive, who are enrolled as partici-
20 pants in the Corps by the Secretary of the Interior or the
21 Secretary of Agriculture. To be eligible for enrollment in
22 the Corps, an individual shall satisfy the criteria specified
23 in section 139(b) of the National and Community Service
24 Act of 1990. The Secretary of the Interior and the Sec-
25 retary of Agriculture may enroll such individuals in the

1 Corps without regard to the civil service and classification
2 laws, rules, or regulations of the United States.

3 (b) QUALIFIED YOUTH OR CONSERVATION CORPS.—

4 The Secretary of the Interior and the Secretary of Agri-
5 culture are authorized to enter into contracts and coopera-
6 tive agreements with any qualified youth or conservation
7 corps to perform conservation, restoration, or rehabilita-
8 tion projects referred to in subsection (c).

9 (c) PROJECTS TO BE CARRIED OUT.—The Secretary
10 of the Interior and the Secretary of Agriculture may each
11 utilize the Public Lands Corps or any qualified youth or
12 conservation corps to carry out any conservation, res-
13 toration, or rehabilitation project which such Secretary is
14 authorized to carry out under other authority of law on
15 public lands or Indian lands.

16 (d) PREFERENCE FOR CERTAIN PROJECTS.—In se-
17 lecting a conservation, restoration, or rehabilitation
18 project to be carried out under this subtitle, the Secretary
19 of the Interior and the Secretary of Agriculture shall give
20 a preference to those projects which—

21 (1) will provide long-term benefits to the public;

22 (2) will instill in the enrollee involved a work
23 ethic and a sense of public service;

24 (3) will be labor intensive;

25 (4) can be planned and initiated promptly; and

1 (5) will provide academic, experiential, and en-
2 vironmental education opportunities.

3 (e) CONSISTENCY.—Each conservation, restoration,
4 or rehabilitation project carried out under this subtitle on
5 any public lands or Indian lands shall be consistent with
6 the provisions of law and policies relating to the manage-
7 ment and administration of such lands, with all other ap-
8 plicable provisions of law, and with all management, oper-
9 ational, and other plans and documents which govern the
10 administration of the area.

11 **SEC. 135. CONSERVATION CENTERS.**

12 (a) ESTABLISHMENT AND USE.—The Secretary of
13 the Interior and the Secretary of Agriculture are each au-
14 thorized to provide such quarters, board, medical care,
15 transportation, and other services, facilities, supplies, and
16 equipment as such Secretary deems necessary in connec-
17 tion with the Public Lands Corps and conservation, res-
18 toration, or rehabilitation projects carried out under this
19 subtitle and to establish and use conservation centers
20 owned and operated by such Secretary for purposes of the
21 Public Lands Corps and such projects. Such Secretaries
22 shall establish basic standards of health, nutrition, sanita-
23 tion, and safety for all conservation centers established
24 under this section and shall assure that such standards
25 are enforced. Where necessary or appropriate, such Sec-

1 retaries may enter into contracts and other appropriate
2 arrangements with State and local government agencies
3 and private organizations for the management of such
4 conservation centers.

5 (b) LOGISTICAL SUPPORT.—Each such Secretary
6 may make arrangements with the Secretary of Defense to
7 have logistical support provided by a military installation
8 near any conservation center, where feasible, including the
9 provision of temporary tent shelters where needed, trans-
10 portation, and residential supervision.

11 **SEC. 136. LIVING ALLOWANCES AND TERMS OF SERVICE**
12 **FOR PARTICIPANTS.**

13 (a) LIVING ALLOWANCES.—The Secretary of the In-
14 terior and the Secretary of Agriculture shall provide each
15 participant in the Public Lands Corps with a living allow-
16 ance in an amount not to exceed the maximum living al-
17 lowance authorized by section 140(a)(3) of the National
18 and Community Service Act of 1990 for participants in
19 a national service program assisted under subtitle C of
20 title I of such Act.

21 (b) TERMS OF SERVICE.—Each participant in the
22 Public Lands Corps shall agree to participate in the Corps
23 for a term of service established by the Secretary of the
24 Interior or the Secretary of Agriculture, as the case may
25 be, consistent with the terms of service required under sec-

1 tion 139(b) of the National and Community Service Act
2 of 1990 for participants in a national service program as-
3 sisted under subtitle C of title I of such Act.

4 **SEC. 137. NATIONAL SERVICE EDUCATIONAL AWARDS FOR**
5 **PARTICIPANTS.**

6 (a) **EDUCATIONAL BENEFITS AND AWARDS.**—Each
7 participant in the Public Lands Corps shall be eligible for
8 a national service educational award in the manner pre-
9 scribed in subtitle D of title I of the National and Commu-
10 nity Service Act of 1990 if such participant complies with
11 such requirements as may be established under this sub-
12 title by the Secretary of the Interior or the Secretary of
13 Agriculture respecting eligibility for the award. The period
14 during which the award may be used, the purposes for
15 which the award may be used, and the amount of the
16 award shall be determined as provided under such subtitle.

17 (b) **FORBEARANCE IN THE COLLECTION OF STAF-**
18 **FORD LOANS.**—For purposes of section 428 of the Higher
19 Education Act of 1965, in the case of borrowers who are
20 participants in the Public Lands Corps, upon written re-
21 quest, a lender shall grant a borrower forbearance on such
22 terms as are otherwise consistent with the regulations of
23 the Secretary of Education, during periods in which the
24 borrower is serving as such a participant and eligible for
25 a national service educational award under subsection (a).

1 SEC. 138. NONDISPLACEMENT.

2 The nondisplacement requirements of section 177 of
3 the National and Community Service Act of 1990 shall
4 be applicable to all activities carried out by the Public
5 Lands Corps and to all activities carried out under this
6 subtitle by a qualified youth or conservation corps.

7 SEC. 139. FUNDING.

8 (a) COST SHARING.—

9 (1) PROJECTS BY QUALIFIED YOUTH OR CON-
10 SERVATION CORPS.—The Secretary of the Interior
11 and the Secretary of Agriculture are each authorized
12 to pay not more than 75 percent of the costs of any
13 conservation, restoration, or rehabilitation project
14 carried out pursuant to this subtitle on public lands
15 by a qualified youth or conservation corps. The re-
16 maining 25 percent of the costs of such a project
17 may be provided from nonfederal sources in the form
18 of funds, services, facilities, materials, equipment, or
19 any combination of the foregoing. No cost sharing
20 shall be required in the case of any conservation,
21 restoration, or rehabilitation project carried out on
22 Indian lands under this subtitle.

23 (2) PUBLIC LANDS CORPS.—A foundation asso-
24 ciated with a Federal land managing agency may
25 contribute to the costs of any conservation, res-
26 toration, or rehabilitation project carried out by the

1 Public Lands Corps, but nothing in this subtitle
2 shall be construed to require any cost sharing for
3 any such project.

4 (b) FUNDS AVAILABLE UNDER NATIONAL AND COM-
5 MUNITY SERVICE ACT.—In order to carry out the Public
6 Lands Corps or to support qualified youth or conservation
7 corps under this subtitle, the Secretary of the Interior and
8 the Secretary of Agriculture shall be eligible to apply for
9 and receive assistance under section 121(b) of the Na-
10 tional and Community Service Act of 1990.

11 (c) AUTHORIZATION OF APPROPRIATIONS.—There
12 are authorized to be appropriated such sums as may be
13 necessary to carry out this subtitle.

Shuley

Can you put
up me and Gene
to morrow at 530?

John