

THE NATIONAL AND COMMUNITY SERVICE ACT OF 1990

TABLE OF CONTENTS

Preface.....	1
Statement by Senator Edward M. Kennedy.....	2
P.L. 101-610, As Amended.....	3
President's Statement.....	34
How the House and Senate Voted.....	36
Short Summary of the Legislation.....	38
Long Summary of the Legislation.....	40
Background and Need from Senate Committee Report.....	44
Background and Need from House Committee Report.....	48
Appropriations Committee Report Excerpts.....	52
List of Programs and Eligibility Criteria.....	53
When Will Funds be Available?.....	54
How to Apply for School-Aged Service Program Grants.....	55
How to Apply for Higher Education Grants.....	60
How to Apply for Youth Corps Grants.....	64
How to Apply for National Service Demonstration Grants.....	70
Excerpts from the Senate Committee Report.....	75
Excerpts from the House Committee Report.....	87
Resource Organizations.....	88
Bibliography on National Service.....	89

ABOUT THE NATIONAL AND COMMUNITY SERVICE ACT OF 1990

The National and Community Service Act of 1990 authorizes over \$275 million over three years to expand opportunities for Americans to serve their communities and the nation. This important legislation passed the Senate on October 16, 1990, and the House of Representatives on October 24, 1990, and was signed into law on November 15, 1990. The text of the bill is included in House Report number 101-893. The public law number is 101-610.

Although Senator Edward M. Kennedy and Congressman Augustus Hawkins were the chief sponsors of this legislation, many members of the Senate and House of Representatives contributed to its successful passage. In addition, over one hundred organizations and many individuals were responsible for its drafting and development.

This booklet provides background information on the legislation, including how to apply for funding. For additional information, you may contact the Senate Labor and Human Resources Committee, Washington, DC 20510 (telephone: (202) 224-5375).

from the office of

Senator Edward M. Kennedy

of Massachusetts

Statement of Senator Edward M. Kennedy on the Conference Report
on the National and Community Service Act of 1990

For Immediate Release
October 12, 1990
Contact: Lorrie McHugh
202/224-4781

This legislation is a call to action for the nation. It is a reaffirmation of our national commitment to lend a helping hand to our fellow citizens and our communities. It is also a hopeful sign that in spite of the divided government that plagues Congress and the Administration on these major issues, we have not lost the ability to work together on questions that deeply affect our future.

The challenges we face today are serious. But many of these are local, and will respond to local efforts. Crime, drug abuse, homelessness, illiteracy, and pollution are problems that confront all our communities. One way to deal with these problems more effectively is by rekindling the sense of service and commitment to others that has always been the hallmark of America at its best. Our greatest resource is our people, and it is time to ask them for their help.

The National and Community Service Act of 1990 is an investment that will reap benefits well beyond its modest cost. The volunteer service that it can generate will help revitalize our cities and rural areas, and provide the assistance to those in society who need are help the most.

This measure will remind Americans of all ages of the responsibilities of citizenship, but its most important result may well be its effect on young citizens in the earliest grades. No age is too young to begin meeting the needs of the community. By teaching young school children to help others, we will also be establishing the values that will keep America strong for generations to come.

Many of the crises we face today are the bitter fruit of the "me" attitude generated during the 1980s. Perhaps the 1990s can become a "we" decade, in which helping others becomes a national priority.

I commend President Bush for joining in this effort. It is his Thousand Points of Light that has captured the imagination of the nation. Our goal with this initiative is to enable them to shine more brightly.

Public Law 101-610
101st Congress

An Act

To enhance national and community service, and for other purposes.

Nov. 16, 1990

[S. 1430]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “National and Community Service Act of 1990”.

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

Sec. 1. Short title and table of contents.

Sec. 2. Purposes.

TITLE I—NATIONAL AND COMMUNITY SERVICE STATE GRANT PROGRAM

Subtitle A—General Provisions

Sec. 101. Definitions.

Sec. 102. Authority to make State grants.

Subtitle B—*Programs for Students and Out-of-school youth*
~~School-Aged Service~~

PART I—~~GENERAL PROGRAM~~

Sec. 110. Short title.

Sec. 111. General authority.

Sec. 112. Allotments.

Sec. 113. State application.

Sec. 114. Local applications.

Sec. 115. Priority; private school participation.

Sec. 116. Federal and local contributions.

Sec. 117. Uses of funds; limitations.

PART II—HIGHER EDUCATION INNOVATIVE PROJECTS FOR COMMUNITY SERVICE

Sec. 118. Higher education innovative projects for community service.

Subtitle C—American Conservation and Youth Corps

Sec. 120. Short title.

Sec. 121. General authority.

Sec. 122. Allocation of funds.

Sec. 123. State application.

Sec. 124. Focus of programs.

Sec. 125. Related programs.

Sec. 126. Public lands or Indian lands.

Sec. 127. Training and education services.

Sec. 128. Amount of award; matching requirement.

Sec. 129. Preference for certain projects.

Sec. 130. Age and citizenship criteria for enrollment.

Sec. 131. Use of volunteers.

Sec. 132. Post-service benefits.

Sec. 133. Living allowance.

Sec. 134. Joint programs.

Sec. 135. Federal and State employee status.

~~Sec. 136. Regulations and assistance.~~

Subtitle D—National and Community Service

Sec. 140. Short title.

Sec. 141. General authority.

Sec. 142. Grants.

National and
Community
Service Act of
1990.
Youth.
Inter-
governmental
relations.
Education.
42 USC 12401
note.

- Sec. 143. Types of national service.
- Sec. 144. Terms of service.
- Sec. 145. Eligibility.
- Sec. 146. Post-service benefits.
- Sec. 147. Living allowance.
- Sec. 148. Training.
- Sec. 149. Public-private partnership.
- Sec. 150. In-service education benefits.

Subtitle E—Innovative and Demonstration Programs and Projects

PART I—LIMITATION ON GRANTS

- Sec. 155. Limitation on grants.

PART II—GOVERNORS' INNOVATIVE SERVICE PROGRAMS

- Sec. 156. General authority.
- Sec. 157. Grants.

PART III—PEACE CORPS

- Sec. 160. Program authorized.
- Sec. 161. Eligibility and selection procedures.
- Sec. 162. Training program.
- Sec. 163. Educational benefits.
- Sec. 164. Evaluation and report.

PART IV—OTHER VOLUNTEER PROGRAMS

- Sec. 165. Rural youth service demonstration project.
- Sec. 166. Assistance for Head Start.
- Sec. 167. Employer-based retiree volunteer programs.

Subtitle F—Administrative Provisions

- Sec. 171. Limitation on number of grants.
- Sec. 172. Reports.
- Sec. 173. Supplementation.
- Sec. 174. Prohibition on use of funds.
- Sec. 175. Nondiscrimination.
- Sec. 176. Notice, hearing, and grievance procedures.
- Sec. 177. Nonduplication and nondisplacement.
- Sec. 178. State advisory board.
- Sec. 179. Evaluation.
- Sec. 180. Engagement of participants.
- Sec. 181. National Service Demonstration Program amendments.
- Sec. 182. Partnerships with schools.
- Sec. 183. Service as tutors.
- Sec. 184. Drug-free workplace requirements.
- Sec. 185. Conforming amendments.

Subtitle G—Commission on National and Community Service

- Sec. 190. Commission on National and Community Service.

TITLE II—MODIFICATIONS OF EXISTING PROGRAMS

Subtitle A—Publication

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

Subtitle B—Youthbuild Projects

- Sec. 211. Youthbuild projects.

Subtitle C—Amendments to Student Literacy Corps

- Sec. 221. Amendments to Student Literacy Corps.

TITLE III—POINTS OF LIGHT FOUNDATION

- Sec. 301. Short title.
- Sec. 302. Findings and purp.

- Sec. 305. Eligibility of the Foundation for grants.

TITLE IV—FOOD DONATIONS

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

TITLE V—AUTHORIZATION OF APPROPRIATIONS

- Sec. 501. Authorization of appropriations.

TITLE VI—MISCELLANEOUS PROVISIONS

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

SEC. 2. PURPOSES.

42 USC 124

It is the purpose of this Act to—

- (1) renew the ethic of civic responsibility in the United States;
- (2) ask citizens of the United States, regardless of age or income, to engage in full-time or part-time service to the Nation;
- (3) begin to call young people to serve in programs that will benefit the Nation and improve the life chances of the young through the acquisition of literacy and job skills;
- (4) enable young Americans to make a sustained commitment to service by removing barriers to service that have been created by high education costs, loan indebtedness, and the cost of housing;
- (5) build on the existing organizational framework of Federal, State, and local programs and agencies to expand full-time and part-time service opportunities for all citizens, particularly youth and older Americans;
- (6) involve participants in activities that would not otherwise be performed by employed workers; and
- (7) generate additional service hours each year to help meet human, educational, environmental, and public safety needs, particularly those needs relating to poverty.

TITLE I—NATIONAL AND COMMUNITY SERVICE STATE GRANT PROGRAM

Subtitle A—General Provisions

SEC. 101. DEFINITIONS.

42 USC 1241

As used in this title:

- (1) ADULT VOLUNTEER.—The term "adult volunteer" means—
 - (A) an individual who is beyond the age of compulsory schooling, including an older American, an individual with a disability, and a parent;
 - (B) an employee of a private business;
 - (C) an employee of a public or nonprofit agency; or
 - (D) any other individual working without financial remuneration in an education institution to assist students or out-of-school youth.
- (2) Commission.—The term "Commission" means the

(3) **COMMUNITY-BASED AGENCY.**—The term "community-based agency" means a private nonprofit organization that is representative of a community or a significant segment of a community and that is engaged in meeting human, educational, or environmental community needs, including churches and other religious entities and community action agencies.

(4) **CREW SUPERVISOR.**—The term "crew supervisor" means the adult staff individual who is responsible for supervising a crew of participants, including the crew leader.

(5) **ECONOMICALLY DISADVANTAGED.**—The term "economically disadvantaged" with respect to youths has the same meaning given such term in section 4(8) of the Job Training Partnership Act (29 U.S.C. 1503(8)).

(6) **ELEMENTARY SCHOOL.**—The term "elementary school" has the same meaning given such term in section 1471(8) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2891(8)).

(7) **INDIAN LANDS.**—The term "Indian lands" means any real property owned by an Indian tribe, any real property held in trust by the United States for Indian tribes, and any real property held by Indian tribes that is subject to restrictions on alienation imposed by the United States.

(8) **INDIAN TRIBE.**—The term "Indian tribe" means an Indian tribe, band, nation, or other organized group or community, including any Alaska Native village or regional or village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.) that is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

(9) **INSTITUTION OF HIGHER EDUCATION.**—The term "institution of higher education" has the same meaning given such term in section 1201(a) of the Higher Education Act of 1965 (20 U.S.C. 1141(a)).

(10) **LOCAL EDUCATIONAL AGENCY.**—The term "local educational agency" has the same meaning given such term in section 1471(12) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2891(12)).

(11) **LOCAL GOVERNMENT AGENCY.**—The term "local government agency" means a public agency that is engaged in meeting human, social, educational, or environmental needs.

(12) **OUT-OF-SCHOOL YOUTH.**—The term "out-of-school youth" means an individual who—

(A) has not attained the age of 27;

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

(C) is not enrolled in an elementary or secondary school or institution of higher education.

(13) **PARTICIPANT.**—The term "participant" means an individual enrolled in a program that receives assistance under this title.

(14) **PARTNERSHIP PROGRAM.**—The term "partnership program" means a program through which adult volunteers, public or private agencies, institutions of higher education, or businesses assist a local educational agency.

(15) **PLACEMENT.**—The term "placement" means the matching of a participant with a specific project.

(16) **PROGRAM.**—The term "program" means an activity carried out with assistance provided under this title.

(17) **PROGRAM AGENCY.**—The term "program agency" means—

(A) a Federal or State agency designated to manage a youth corps program;

(B) the governing body of an Indian tribe that administers a youth corps program; or

(C) a local applicant administering a youth corps program.

(18) **PROJECT.**—The term "project" means an activity that results in a specific identifiable service or product that otherwise would not be done with existing funds, and that does not duplicate the routine services or functions of the employer to whom participants are assigned.

(19) **PUBLIC LANDS.**—The term "public lands" means any lands or waters (or interest therein) owned or administered by the United States or by an agency or instrumentality of a State or local government.

(20) **SECONDARY SCHOOL.**—The term "secondary school" has the same meaning given such term in section 1471(21) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2891(21)).

(21) **SERVICE-LEARNING.**—The term "service-learning" means a method—

(A) under which students learn and develop through active participation in thoughtfully organized service experiences that meet actual community needs and that are coordinated in collaboration with the school and community;

(B) that is integrated into the students' academic curriculum or provides structured time for a student to think, talk, or write about what the student did and saw during the actual service activity;

(C) that provides students with opportunities to use newly acquired skills and knowledge in real-life situations in their own communities; and

(D) that enhances what is taught in school by extending student learning beyond the classroom and into the community and helps to foster the development of a sense of caring for others.

(22) **SERVICE OPPORTUNITY.**—The term "service opportunity" means a program or project, including service learning programs or projects, that enables ~~students or out-of-school youth~~ ^{participants} to perform meaningful and constructive service in agencies, institutions, and situations where the application of human talent and dedication may help to meet human, educational, linguistic, and environmental community needs, especially those relating to poverty.

(23) **SPECIAL SENIOR SERVICE ~~MEMBER~~ PARTICIPANT.**—The term "special senior service ~~member~~ participant" means an individual who is age 60 or over and willing to work full-time or part-time in conjunction with a full-time national service program.

(24) **SPONSORING ORGANIZATION.**—The term "sponsoring organization" means an organization, eligible to receive assistance under this title, that has been selected to provide a placement for a participant.

Add definition of "Indian" from PL 93-638. The term "Indian" means a person who is a member of an Indian tribe.

Participants shall not be considered employees of the program.

Participant

(25) **STATE**.—The term "State" means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and Palau, until such time as the Compact of Free Association is ratified.

(26) **STATE EDUCATIONAL AGENCY**.—The term "State educational agency" has the same meaning given such term in section 1471(23) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2891(23)).

(27) **STUDENT**.—The term "student" means an individual who is enrolled in an elementary or secondary school or institution of higher education on a full- or part-time basis.

(28) **SUMMER PROGRAM**.—The term "summer program" means a youth corps program authorized under this title that is limited to the months of June, July, and August.

(29) **YOUTH CORPS PROGRAM**.—The term "youth corps program" means a program, such as a conservation corps or youth service program, that offers full-time, productive work (to be financed through stipends) with visible community benefits in a natural resource or human service setting and that gives participants a mix of work experience, basic and life skills, education, training, and support services.

42 USC 12412.

SEC. 102. AUTHORITY TO MAKE STATE GRANTS.

The Commission may, in accordance with the provisions of this title, make grants to States, or to local applicants, to enable such States or applicants to carry out national or community service programs under subtitles B, C, D, or E.

Serve-America:
The Community
Service, Schools
and Service-
Learning Act of
1990.

42 USC 12401
note.

Subtitle B—~~School-Aged Service Out-of-School~~ ~~Serve-America~~ *Programs for Students and* ~~PART I—GENERAL PROGRAM~~ *School Youth*

SEC. 110. SHORT TITLE.

This subtitle may be cited as the "Serve-America: The Community Service, Schools and Service-Learning Act of 1990".

42 USC 12421.

SEC. 111. GENERAL AUTHORITY.

(a) **IN GENERAL**.—The Commission, in consultation with the Secretary of Education, may make grants under section 102 to States or local applicants for—

(1) planning and building State capacity (which may be accomplished through grants and contracts with qualified organizations) for implementing statewide, school-aged service-learning programs, including—

(A) preservice and in-service training for teachers, supervisors, and personnel from community organizations in which service opportunities will be provided that will be conducted by qualified individuals or organizations that have experience in service-learning programs;

(B) developing service-learning curricula, including age-appropriate learning components for students to analyze and apply their service experiences;

(C) forming local partnerships to develop school-based community service programs in accordance with this subpart;

(D) devising appropriate methods for research and evaluation of the educational value of youth service opportunities and the effect of youth service programs on communities;

(E) establishing effective outreach and dissemination to ensure the broadest possible involvement of nonprofit community-based organizations and youth-service agencies with demonstrated effectiveness in their communities; and

(F) integration of service-learning into academic curricula;

(2) the implementation, operation, or expansion of statewide, school-based service-learning programs through State distribution of Federal funds made available under this subtitle to projects and activities coordinated and operated by local partnerships among—

(A) local educational agencies; and

(B) one or more community partners that—

(i) shall include a public or private nonprofit organization that will make service opportunities available for participants, ~~and that is representative of the community in which such services will be provided;~~ and

(ii) may include a private for-profit business organization or private elementary and secondary school;

(3) the implementation, operation, or expansion of community service programs for school dropouts, out-of-school youth, and other youth through State distribution of Federal funds made available under this subtitle to projects and activities coordinated and operated by local partnerships among—

(A) one or more public or private nonprofit organizations that work with disadvantaged youth; and

(B) one or more community partners that shall include a public or private nonprofit organization that will make service opportunities available for participants; and

(4) the implementation, operation, or expansion of programs involving adult volunteers in schools, or partnerships of schools and public or private organizations, to improve the education of at-risk students, school dropouts, and out-of-school youth through State distribution of Federal funds made available under this part to projects and activities coordinated and operated by local partnerships among—

(A) local education agencies; and

(B) one or more public or private nonprofit organization or private for-profit business.

(b) **DIRECT GRANTS**.—In any fiscal year in which a State does not participate in programs under this subtitle, the Commission may use the allotment of that State to make direct grants for the purposes described in subsection (a) to local applicants in that State. The Commission shall apply the criteria described in section 114 in evaluating such local applications.

SEC. 112. ALLOTMENTS.

(a) **RESERVATIONS**.—Of the amounts appropriated to carry out this subtitle for any fiscal year, the Commission shall reserve not more than 1 percent for payments to Indian tribes, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands and

42 USC 12422.
Indians.
Guam.
American
Samoa.
Commonwealth
of the Northern
Mariana Islands.
Palau.

Palau, until such time as the Compact of Free Association is ratified, to be allotted in accordance with their respective needs.

(b) **ALLOTMENT.**—The remainder of the sums appropriated to carry out this subtitle shall be allotted among the States as follows:

(1) From 50 percent of such remainder the Secretary shall allot to each State an amount which bears the same ratio to 50 percent of such remainder as the school-age population of the State bears to the school-age population of all States.

(2) From 50 percent of such remainder the Secretary shall allot to each State an amount which bears the same ratio to 50 percent of such remainder as allocations to the State for the previous fiscal year under chapter 1 of title I of the Elementary and Secondary Education Act of 1965 bears to such allocations to all States.

(c) **LIMITATION.**—For any period during which a State is carrying out planning activities under section 111(a)(1) prior to implementation under section 111(a)(2), a State may be paid not more than 25 percent of its allotment under this section.

(d) **REALLOTMENT.**—The amount of any State's allotment for any fiscal year under this section that the Commission determines will not be required for that fiscal year shall be available for reallocation to other States as the Commission may determine appropriate.

(e) **EXCEPTION.**—Notwithstanding this section, if less than \$20,000,000 is made available in each fiscal year to carry out this subtitle, the Commission shall award grants to States on a competitive basis.

(f) **DEFINITIONS.**—For purposes of this section:

(1) **SCHOOL-AGE POPULATION.**—The term "school-age population" means the population aged 5 through 17, inclusive.

(2) **STATE.**—The term "State" includes the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

SEC. 113. STATE APPLICATION.

To be eligible to receive a grant under this subtitle a State, acting through the State educational agency, shall prepare and submit to the Commission, an application at such time, in such manner, and containing such information as the Commission shall reasonably require, including a description of the manner in which—

(1) local applications will be ranked by the State according to the criteria described in section 114, and in a manner that ensures the equitable treatment of local applications submitted by both local educational agencies and community-based organizations;

(2) service programs within the State will be coordinated with each other and with other Federally assisted education programs, training programs, social service programs, and other appropriate programs that serve youth;

(3) cooperative efforts among local educational agencies, local government agencies, community-based agencies, businesses, and State agencies to develop and provide service opportunities, including those that involve the participation of urban, suburban, and rural youth working together, will be encouraged;

(4) economically and educationally disadvantaged youths, including individuals with disabilities, youth with limited basic skills or learning disabilities, youth in foster care who are becoming too old for foster care, youth of limited English pro-

ficiency, homeless youth and youth with disabilities, are assured of service opportunities;

(5) service programs that receive assistance under this subtitle will be evaluated;

(6) programs that receive assistance under this subtitle will serve urban and rural areas and any tribal areas that exist within such State;

(7) training and technical assistance will be provided to local grantees by qualified and experienced individuals employed by the State or through grant or contract with experienced content specialist and youth service resource organizations;

(8) non-Federal assistance will be used to expand service opportunities for students and out-of-school youth;

(9) information and outreach services will be disseminated and utilized to ensure the involvement of a broad range of organizations, particularly community-based organizations;

(10) the State will keep such records and provide such information to the Secretary as may be required for fiscal audits and program evaluation;

(11) the State will give special consideration to providing assistance to projects that will provide academic credit to participants; and

(12) the State will assure compliance with the specific requirements of this subtitle.

SEC. 114. LOCAL APPLICATIONS.

(a) **IN GENERAL.**—A partnership that desires to receive financial assistance under this subtitle shall prepare and submit to the State Educational Agency a proposal that meets the requirements of this section. Such proposal shall be submitted at such time, in such manner, and containing such information as the State Educational Agency may reasonably require.

(b) **REQUIREMENTS OF PROPOSAL.**—A proposal submitted under subsection (a) shall—

(1) contain a written agreement, between the members of the local partnership, stating that the program was jointly developed by the parties and that the program will be jointly executed by the parties;

(2) establish and specify the membership and role of an advisory committee that shall consist of representatives of community-based agencies including community action agencies, service recipients, youth-serving agencies, youth, parents, teachers, administrators, agencies that serve older adults, school board members, labor, and business;

(3) describe the goals of the program which shall include goals that are quantifiable, measurable, and demonstrate any benefits that flow from the program to the participants and the community;

(4) describe service opportunities to be provided under the program that shall include evidence that participants will make a sustained commitment to the service project;

(5) describe the manner in which the participants in the program will be recruited, including any special efforts that will be utilized to recruit out-of-school youth with the assistance of community-based agencies;

(6) describe the manner in which participants in the program were or will be involved in the design and operation of the program;

(7) describe the qualifications, and responsibilities of the coordinator of the program assisted under this subtitle;

(8) describe preservice and inservice training for supervisors, teachers, and participants in the program;

(9) describe the manner in which exemplary service will be recognized;

(10) describe any potential resources that will permit continuation of the program, if needed, after the assistance received under this subtitle has ended;

(11) disclose whether the program plans include preventing and treating school-age drug and alcohol abuse and dependency; and

(12) contain assurances that, prior to the placement of a participant, the program will consult with any local labor organization representing employees in the area who are engaged in the same or similar work as that proposed to be carried out by such program.

(c) **SCHOOL-BASED AND COMMUNITY-BASED SERVICE LEARNING PROGRAM.**—If an applicant under this section intends to operate a program described in section 111(a)(2) or 111(a)(3) such applicant, in addition to providing the information described in subsection (b), shall provide additional information that shall include—

(1) an assurance that the applicant will develop an age-appropriate learning component for participants in the program that shall include a chance for participants to reflect on service experiences and expected learning outcomes;

(2) a disclosure of whether or not the participants will receive academic credit for participation in the program;

(3) the target levels of participants in the program and the target levels for the hours of service that such participants will provide individually and as a group;

(4) the proportion of expected participants in the program who are educationally or economically disadvantaged, including participants with disabilities;

(5) the ages or grade levels of expected participants in the program;

(6) other relevant demographic information concerning such expected participants; and

(7) assurances that participants in the program will be provided with information concerning VISTA, the Peace Corps (as established by the Peace Corps Act (22 U.S.C. 2501 et seq.)), chapter 30 of title 38, United States Code; chapter 106 of title 10, United States Code, full-time Youth Service Corps and National Service programs receiving assistance under this title, and other service options and their benefits (such as student loan deferment and forgiveness) as appropriate.

(d) **PARTNERSHIP PROGRAM.**—If an applicant under this section intends to operate an adult partnership program, under section 111(a)(4) such applicant, in addition to the information required to be included in the application under subsection (b), shall describe the students who are to be served through such program, including the ages and grade levels of such students.

SEC. 115. PRIORITY; PRIVATE SCHOOL PARTICIPATION.

42 USC 12425.

(a) **IN GENERAL.**—In providing assistance under this subtitle, the State educational agency, or the Commission if section 111(b) applies, shall give priority to applications that describe programs that—

(1) involve participants in the design and operation of the program;

(2) are in the greatest need of assistance, such as programs targeting low-income areas;

(3) involve students from both public and private elementary and secondary schools or individuals of different ages, races, sexes, ethnic groups, disabilities and economic backgrounds serving together;

(4) are integrated into the academic program; or

(5) involve a focus on substance abuse prevention or school drop-out prevention.

(b) **ADULT VOLUNTEER AND PARTNERSHIP PROGRAM.**—In the case of an adult volunteer and partnership program (as described in section 111(a)(4)) the State educational agency, or the Commission, if section 111(b) applies, shall give priority to applications that contain a description of programs—

(1) that involve older Americans or parents as adult volunteers;

(2) that involve a partnership between an educational institution and a private business in the community;

(3) that include a focus on substance abuse prevention, school drop-out prevention, or nutrition; or

(4) that will improve basic skills and reduce illiteracy.

(c) **PARTICIPATION OF CHILDREN AND TEACHERS FROM PRIVATE SCHOOLS.**—

(1) **IN GENERAL.**—To the extent consistent with the number of children in the State or in the school district of the local educational agency involved who are enrolled in private non-profit elementary and secondary schools, such State or agency shall (after consultation with appropriate private school representatives) make provision—

(A) for the inclusion of services and arrangements for the benefit of such children so as to assure the equitable participation of such children in the programs or projects implemented to carry out the purposes and provide the benefits described in this subtitle; and

(B) for the training of the teachers of such children so as to assure the equitable participation of such teachers in the programs or projects implemented to carry out the purposes and provide the benefits described in this subtitle.

(2) **WAIVER.**—If a State or local educational agency or institution of higher education is prohibited by law from providing for the participation of children or teachers from private nonprofit schools as required by paragraph (1), or if the Secretary determines that a State or local educational agency substantially fails or is unwilling to provide for such participation on an equitable basis, the Secretary shall waive such requirements and shall arrange for the provision of services to such children and teachers. Such waivers shall be subject to consultation, withholding, notice, and judicial review requirements in accord-

ance with section 1017 of the Elementary and Secondary Education Act of 1965.

42 USC 12426.

SEC. 116. FEDERAL AND LOCAL CONTRIBUTIONS.

(a) FEDERAL SHARE.—

(1) **IN GENERAL.**—The Federal share of a grant or contract for a project under this subtitle may not exceed—

(A) 90 percent of the total cost of a project for the first year for which the project receives assistance under this subtitle;

(B) 80 percent of the total cost of a project for the second year for which the project receives assistance under this subtitle; and

(C) 70 percent of the total cost of a project for the third year for which the project receives assistance under this subtitle.

(2) **CALCULATION.**—The State and local share of the costs of a project may be in cash or in kind fairly evaluated, including facilities, equipment, or services.

(b) **WAIVER.**—The Secretary may waive the requirements of subsection (a) with respect to any project in any fiscal year if the Secretary determines that such a waiver would be equitable due to a lack of available financial resources at the local level.

42 USC 12427.

SEC. 117. USES OF FUNDS; LIMITATIONS.

(a) **STATE USES OF FUNDS.**—The State educational agency may reserve, from funds made available to such agency under this subtitle—

(1) not more than 5 percent of such funds for administrative costs for any fiscal year;

(2) not more than 10 percent of such funds to build capacity through training, technical assistance, curriculum development, and coordination activities, described in section 111(a)(1);

(3) not less than 60 percent of such funds to carry out school-based service learning programs described in section 111(a)(2);

(4) not less than 15 percent of such funds to carry out community-based service programs described in section 111(a)(3); and

(5) not more than 10 percent of such funds to carry out adult volunteer and partnership programs described in section 111(a)(4).

(b) AUTHORIZED ACTIVITIES FOR LOCAL PROJECTS.—

(1) **IN GENERAL.**—Local projects may use funds made available under this subtitle for the supervision of participating students, program administration, training, reasonable transportation costs, insurance, and for other reasonable expenses.

(2) **LIMITATION.**—Funds made available under this subtitle may not be used to pay any stipend, allowance, or other financial support to any participant, except reimbursement for transportation, meals, and other reasonable out-of-pocket expenses directly related to participation in a program assisted under this subtitle.

evaluations,

Students.

PART II—HIGHER EDUCATION INNOVATIVE PROJECTS FOR COMMUNITY SERVICE

SEC. 118. HIGHER EDUCATION INNOVATIVE PROJECTS FOR COMMUNITY SERVICE.

42 USC 12431.

(a) **PURPOSE.**—It is the purpose of this part to support innovative projects to encourage students to participate in community service activities while such students are attending institutions of higher education.

(b) **GENERAL AUTHORITY.**—The Commission, in consultation with the Secretary of Education, is authorized to make grants to, and enter into contracts with, institutions of higher education (including a combination of such institutions) and other public agencies and nonprofit organizations working in partnership with institutions of higher education—

(1) to enable the institution to create or expand community service activities for students attending that institution;

(2) to encourage student-initiated and student-designed community service projects;

(3) to facilitate the integration of community service into academic curricula, so that students can obtain credit for their community service activities;

(4) to encourage students to participate in community service activities that will engender a sense of social responsibility and commitment to the community;

(5) to encourage students to assist in the teaching of individuals with limited basic skills or an inability to read and write; and

(6) to provide for the training of teachers, prospective teachers, related education personnel, and community leaders in the skills necessary to develop, supervise, and organize community service activities, taking into consideration the particular needs of a community and the ability of the grantee to actively involve a major part of the community in, and substantially benefit the community by, the proposed community service activities.

(c) FEDERAL SHARE.—

(1) **IN GENERAL.**—The Federal share of each grant awarded under this section shall not exceed 50 percent of the cost of the community service activities carried out with each such grant.

(2) **NON-FEDERAL SOURCES.**—That portion of the costs of programs that receive assistance under this subtitle that are to be paid from sources other than Federal funds may be paid in cash or in kind (fairly evaluated).

(d) **APPLICATION FOR GRANT.**—To receive a grant under this subtitle, an applicant shall prepare and submit to the Commission, an application at such time, in such manner, and containing such information as the Commission may reasonably require, including—

(1) a description of the proposed program to be established with assistance provided under the grant;

(2) a description of the human, educational, environmental or public safety service that participants will perform and the community need that will be addressed under such program;

(3) a description of whether or not students will receive academic credit for community service activities under the program;

(4) a description of the procedure for training supervisors and participants and for supervising and organizing participants in such proposed program;

(5) a description of the procedures to ensure that the proposed program provides participants with an opportunity to reflect on their service experiences;

(6) a description of the budget for the program; and

(7) assurances that, prior to the placement of a participant in the program, the applicant will consult with any local labor organization representing employees in the area who are engaged in the same or similar work as that proposed to be carried out by such project program.

Subtitle C—American Conservation and Youth Service Corps

SEC. 120. SHORT TITLE.

This subtitle may be cited as the "American Conservation and Youth Service Corps Act of 1990".

SEC. 121. GENERAL AUTHORITY.

The Commission may make grants under section 102 to States or local applicants, to the Secretary of Agriculture, to the Secretary of the Interior, or to the Director of ACTION for the creation or expansion of full-time or summer youth corps programs.

SEC. 122. ALLOCATION OF FUNDS.

(a) **COMPETITIVE GRANT.**—The Commission shall award grants under this subtitle on a competitive basis to States or Indian tribes that have submitted applications under section 123.

(b) **DIRECT GRANTS.**—

(1) **IN GENERAL.**—In the case of a State that does not apply for a grant under this subtitle or have an application approved under section 123, the Commission may award grants directly to public or private nonprofit agencies with experience in youth programs within such State.

(2) **EVALUATION.**—

(A) **APPLICATION OF CRITERIA.**—The Commission shall apply the criteria described in section 123 in determining whether to award a grant to a local applicant under this subsection.

(B) **EQUITABLE ALLOCATION.**—If more than one local applicant within a State applies for funds, the Commission shall allocate funds among such applicants in such manner as the Commission considers equitable.

(3) **INDIAN TRIBES.**—An Indian tribe shall be treated the same as a State for purposes of making grants under this subtitle.

(4) **GRANT TO FEDERAL AGENCY.**—If a State has failed to establish a youth corps program and no local youth corps programs exist within such State, the Commission may make a grant to a Federal agency to directly administer a youth corps program.

(c) **LIMITATION.**—

(1) **CAPITAL EQUIPMENT.**—Not to exceed 10 percent of the amount of assistance made available to a program agency under

this subtitle shall be used for the purchase of major capital equipment.

(2) **ADMINISTRATIVE EXPENSES.**—

(A) **BY PROGRAM AGENCY.**—Not to exceed 5 percent of the amount of assistance made available to a program agency under this subtitle shall be used for administrative expenses.

(B) **BY STATE.**—Not to exceed 5 percent of the amount of assistance made available to a State under this subtitle shall be used for administrative expenses.

(d) **RESERVATION.**—

(1) **FEDERAL DISASTER RELIEF.**—The Commission shall reserve not to exceed 5 percent of the amounts made available in each fiscal year to make grants under this subtitle for Federal disaster relief programs.

(2) **INDIAN TRIBES.**—The Commission shall reserve not to exceed 1 percent of the amounts made available in each fiscal year to make grants under this subtitle to Indian tribes.

(e) **EQUITABLE FUNDING OF CONSERVATION AND SERVICE PROGRAMS.**—The Commission shall award an equal number of grants to conservation corps programs and youth corps programs.

SEC. 123. STATE APPLICATION.

(a) **SUBMISSION.**—To be eligible to receive a grant under this subtitle, a State or Indian tribe (or a local applicant if section 122(b) applies) shall prepare and submit to the Commission, an application at such time, in such manner, and containing such information as the Commission may reasonably require, including the information required under subsection (b).

(b) **GENERAL CONTENT.**—An application submitted under subsection (a) shall describe—

(1) any youth corps program proposed to be conducted directly by such applicant with assistance provided under this subtitle; and

(2) any grant program proposed to be conducted by such State with assistance provided under this subtitle for the benefit of entities within such State.

(c) **SPECIFIC CONTENT.**—To receive a grant under this subtitle to directly conduct a youth corps program, each applicant shall include in the application submitted under subsection (a)—

(1) a comprehensive description of the objectives and performance goals for the program to be conducted, a plan for managing and funding the program, and a description of the types of projects to be carried out, including a description of the types and duration of training and work experience to be provided by such program;

(2) a plan for the certification of the training skills acquired by participants and the awarding of academic credit to participants for competencies developed through training programs or work experience obtained under this subtitle;

(3) an age-appropriate learning component for participants that includes procedures that permit participants to reflect on service experiences;

(4) an estimate of the number of participants and crew leaders necessary for the proposed program, the length of time that the services of such participants and crew leaders will be required, the support that will be required for such participants

American
Conservation
and Youth
Service Corps
Act of 1990
42 USC 12401
note.

42 USC 12441.

42 USC 12442.

Indians.

42 USC 12443.
Indians.

and crew leaders, and a plan for recruiting such participants, including educationally and economically disadvantaged youth, youth with limited basic skills or learning disabilities, homeless youth, youth with disabilities, youth who are in foster care who are becoming too old for foster care, and youth of limited English proficiency;

(5) a list of requirements to be imposed on the sponsoring organizations of participants in the program, including a requirement that a sponsoring organization that invests in a program that receives assistance under this subtitle, by making a cash contribution or by providing free training to participants, shall be given preference over a sponsoring organization that does not make such an investment;

(6) a description of the manner of appointment and training of sufficient supervisory staff (including participants who have displayed exceptional leadership qualities), who shall provide for other central elements of a youth corps, such as crew structure and a youth development component;

(7) a description of a plan to ensure the on-site presence of knowledgeable and competent supervisory personnel at program facilities;

(8) a description of the facilities, quarters and board (in the case of residential facilities), limited and emergency medical care, transportation from administrative facilities to work sites, accommodations for individuals with disabilities, and other appropriate services, supplies, and equipment that will be provided by such applicant;

(9) a description of the basic standards of work requirements, health, nutrition, sanitation, and safety, and the manner that such standards shall be enforced;

(10) a description of the plan to assign participants to facilities as near to the homes of such participants as is reasonable and practicable;

(11) an assurance that, prior to the placement of a participant under this subtitle, the program agency will consult with any local labor organization representing employees in the area who are engaged in the same or similar work as that proposed to be carried out by such program;

(12) a description of formal social counseling arrangements to be made available to the participant;

(13) a plan for ensuring that individuals do not drop out of school for the purpose of participating in a youth corps program; and

(14) such other information as the Commission shall require.

(d) GRANT PROGRAM.—To be eligible to receive a grant under this subtitle, a State shall establish and implement a program to make grants to applicants within the State pursuant to subsection (b)(2) and, in the application submitted under subsection (a), such State shall describe the manner in which—

(1) local applicants will be evaluated;

(2) service programs within the State will be coordinated;

(3) economically and educationally disadvantaged youth, including youth with disabilities, youth with limited basic skills or learning disabilities, youth with limited English proficiency, homeless youth, and youth in foster care who are becoming too old for foster care, will be recruited;

(4) programs that receive assistance under this subtitle will be evaluated;

(5) the State will encourage cooperation among programs that receive assistance under this subtitle and the appropriate State job training coordinating council established under the Job Training and Partnership Act (29 U.S.C. 1501 et seq.);

(6) such State will certify the training skills acquired by each participant and the credit provided to each participant for competencies developed through training programs or work experience obtained under programs that receive assistance under this subtitle; and

(7) prior to the placement of a participant under this subtitle, the State will ensure that program agencies consult with each local labor organization representing employees in the area who are engaged in the same or similar work as the work that is proposed to be carried out by such program.

SEC. 124. FOCUS OF PROGRAMS.

42 USC 124

(a) IN GENERAL.—Programs that receive assistance under this subtitle may carry out activities that—

(1) in the case of conservation corps programs, focus on—

(A) conservation, rehabilitation, and the improvement of wildlife habitat, rangelands, parks, and recreational areas;

(B) urban and rural revitalization, historical and cultural site preservation, and reforestation of both urban and rural areas;

(C) fish culture, wildlife habitat maintenance and improvement, and other fishery assistance;

(D) road and trail maintenance and improvement;

(E) erosion, flood, drought, and storm damage assistance and controls;

(F) stream, lake, waterfront, harbor, and port improvement;

(G) wetlands protection and pollution control;

(H) insect, disease, rodent, and fire prevention and control;

(I) the improvement of abandoned railroad beds and rights-of-way;

(J) energy conservation projects, renewable resource enhancement, and recovery of biomass;

(K) reclamation and improvement of strip-mined land;

(L) forestry, nursery, and cultural operations; and

(M) making public facilities accessible to individuals with disabilities.

(2) in the case of ~~conservation~~ ^{youth} service corps programs, include participant service in—

(A) State, local, and regional governmental agencies;

(B) nursing homes, hospices, senior centers, hospitals, local libraries, parks, recreational facilities, child and adult day care centers, programs serving individuals with disabilities, and schools;

(C) law enforcement agencies, and penal and probation systems;

(D) private nonprofit organizations that primarily focus on social service such as community action agencies;

(E) activities that focus on the rehabilitation or improvement of public facilities; neighborhood improvements, lit-

(14) a plan for ensuring that post-service education and training benefits are used solely for the purposes designated in this subtitle; and

eracy training that benefits educationally disadvantaged individuals, weatherization of and basic repairs to low-income housing including housing occupied by older adults, energy conservation (including solar energy techniques), removal of architectural barriers to access by individuals with disabilities to public facilities, activities that focus on drug and alcohol abuse education, prevention and treatment, and conservation, maintenance, or restoration of natural resources on publicly held lands; and

(F) any other nonpartisan civic activities and services that the Commission determines to be of a substantial social benefit in meeting unmet human, educational, or environmental needs (particularly needs related to poverty) or in the community where volunteer service is to be performed; or

(3) encompass the focuses and services described in both paragraphs (1) and (2).

(b) **INELIGIBLE SERVICE CATEGORIES.**—To be eligible to receive assistance under this subtitle, the activities conducted through programs referred to in subsection (a) shall not be conducted by any—

(1) business organized for profit;

(2) labor union;

(3) partisan political organization;

(4) organization engaged in religious activities, unless such activities do not involve the use of funds provided under this title by program participants and program staff to give religious instruction, conduct worship services, or engage in any form of proselytization; or

(5) domestic or personal service company or organization.

(c) **LIMITATION ON SERVICE.**—No participant shall perform ~~services~~ *specific activity* in any project for more than a 6-month period. No participant shall remain enrolled in ~~projects~~ *programs* assisted under this subtitle for more than 24 months.

42 USC 12445.

SEC. 125. RELATED PROGRAMS.

An activity administered under the authority of the Secretary of Health and Human Services, that is operated for the same purpose as a program eligible to be carried out under this subtitle, is encouraged to use services available under this subtitle.

42 USC 12446.

SEC. 126. PUBLIC LANDS OR INDIAN LANDS.

(a) **LIMITATION.**—To be eligible to receive assistance through a grant provided under this subtitle, a program shall carry out activities on public lands or Indian lands, or result in a public benefit.

(b) **REVIEW OF APPLICATIONS.**—In reviewing applications submitted under section 123 that propose programs or projects to be carried out on public lands or Indian lands, the Commission shall consult with the Secretary of the Interior.

(c) **CONSISTENCY.**—A program carried out with assistance provided under this subtitle for conservation, rehabilitation, or improvement of any public lands or Indian lands shall be consistent with—

(1) the provisions of law and policies relating to the management and administration of such lands, and all other applicable provisions of law; and

(2) all management, operational, and other plans and documents that govern the administration of such lands.

(d) **PARTICIPATION BY OTHER CONSERVATION PROGRAMS.**—Any land or water conservation program (or any related program) administered in any State under the authority of any Federal program is encouraged to use services available under this part to carry out its program.

SEC. 127. TRAINING AND EDUCATION SERVICES.

42 USC 1244

(a) **ASSESSMENT OF SKILLS.**—Each program agency shall assess the educational level of participants at the time of their entrance into the program, using any available records or simplified assessment means or methodology and shall, where appropriate, refer such participants for testing for specific learning disabilities.

(b) **ENHANCEMENT OF SKILLS.**—Each program agency shall, through the programs and activities administered under this subtitle, enhance the educational skills of participants.

(c) **PROVISION OF PRE-SERVICE AND IN-SERVICE TRAINING AND EDUCATION.**—

(1) **REQUIREMENT.**—Each program agency shall use not less than 10 percent of the assistance made available to such agency under this subtitle in each fiscal year to provide pre-service and in-service training and educational materials and services for participants in such a program. Program participants shall be provided with information concerning the benefits to the community that result from the activities undertaken by such participants.

(2) **AGREEMENTS FOR ACADEMIC STUDY.**—A program agency may enter into arrangements with academic institutions or education providers, including—

(A) local education agencies;

(B) community colleges;

(C) 4-year colleges;

(D) area vocational-technical schools; and

(E) community based organizations;

to evaluate the basic skills of participants and to make academic study available to participants to enable such participants to upgrade literacy skills, to obtain high school diplomas or the equivalent of such diplomas, to obtain college degrees, or to enhance employable skills.

(3) **COUNSELING.**—Career and educational guidance and counseling shall be provided to a participant during a period of in-service training as described in this subsection. Each graduating participant shall be provided with counseling with respect to additional study, job skills training or employment and shall be provided job placement assistance where appropriate.

(4) **PRIORITY FOR PARTICIPANTS WITHOUT HIGH SCHOOL DIPLOMAS.**—A program agency shall give priority to participants who have not obtained a high school diploma or the equivalent of such diploma, in providing services under this subsection.

(d) **STANDARDS AND PROCEDURES.**—

(1) **CONSISTENCY WITH STATE AND LOCAL REQUIREMENTS.**—Appropriate State and local officials shall certify that standards and procedures with respect to the awarding of academic credit and the certification of educational attainment in programs conducted under subsection (c) are consistent with the requirements of applicable State and local law and regulations.

Employment.

(2) **ACADEMIC STANDARDS.**—The standards and procedures described in paragraph (1) shall provide that an individual serving in a program that receives assistance under this subtitle—

(A) who is not a high school graduate, participate in an educational curriculum so that such individual can earn a high school diploma or the equivalent of such diploma; and

(B) may arrange to receive academic credit in recognition of the education and skills obtained from service satisfactorily completed.

42 USC 12448.

SEC. 128. AMOUNT OF AWARD; MATCHING REQUIREMENT.

(a) **AMOUNT OF AWARD.**—In determining the amount of a grant to be awarded to an applicant under this subtitle, the Commission shall consider—

- (1) the number of participants to be served;
- (2) the youth unemployment rate in the State; and
- (3) the type of ~~project or service~~ ^{activity} proposed to be carried out with the assistance provided under this subtitle.

(b) **MATCHING REQUIREMENT.**—

(1) **FEDERAL SHARE.**—The Federal share of the cost of activities for which a grant is made to a State or local applicant under this subtitle shall not exceed 75 percent of the total cost of such activities.

(2) **DEMONSTRATION OF EFFECTIVENESS.**—In addition to the matching requirement in paragraph (1), the State or local applicant shall demonstrate to the satisfaction of the Commission that the effectiveness of the project will be enhanced by the use of Federal funds.

42 USC 12449.

SEC. 129. PREFERENCE FOR CERTAIN PROJECTS.

(a) **IN GENERAL.**—In the consideration of applications submitted under section 123, the Commission shall give preference to programs that—

- (1) will provide long-term benefits to the public;
- (2) will instill a work ethic and a sense of public service in the participants;
- (3) will be labor intensive, and involve youth operating in crews;
- (4) can be planned and initiated promptly; and
- (5) will enhance skills development and educational level and opportunities for the participants.

(b) **SPECIAL RULE.**—In the consideration of applications under this subtitle the Commission shall ensure the equitable treatment of both urban and rural areas.

Urban areas.
Rural areas.

42 USC 12450.

SEC. 130. AGE AND CITIZENSHIP CRITERIA FOR ENROLLMENT.

(a) **AGE AND CITIZENSHIP.**—Enrollment in programs that receive assistance under this subtitle shall be limited to individuals who, at the time of enrollment, are—

- (1) not less than 16 years nor more than 25 years of age, except that summer programs may include individuals not less than 15 years nor more than 21 years of age at the time of the enrollment of such individuals; and
- (2) citizens or nationals of the United States or lawful permanent resident aliens of the United States.

(b) **PARTICIPATION OF DISADVANTAGED YOUTH.**—Programs that receive assistance under this subtitle shall ensure that educationally

and economically disadvantaged youth, including youth in foster care who are becoming too old for foster care, youth with disabilities, youth with limited English proficiency, youth with limited basic skills or learning disabilities and homeless youth, are offered opportunities to enroll.

(c) **SPECIAL CORPS MEMBERS.**—Notwithstanding subsection (a)(1), program agencies may enroll a limited number of special corps members over age 25 so that the corps may draw on their special skills to fulfill the purposes of this Act. Programs are encouraged to consider senior citizens as special corps members.

(d) **JOINT PROJECTS WITH SENIOR CITIZENS ORGANIZATIONS.**—Program agencies shall use not more than 2 percent of amounts received under this subtitle to conduct joint projects with senior citizens organizations to enable senior citizens to serve as mentors for youth participants.

(e) **CONSTRUCTION.**—Nothing in subsection (a) shall be construed to prohibit any program agency from limiting enrollment to any age subgroup within the range specified in subsection (a)(1).

SEC. 131. USE OF VOLUNTEERS.

42 USC 12451.

Program agencies may use volunteer services for purposes of assisting projects carried out under this subtitle and may expend funds made available for those purposes to the agency, including funds made available under this subtitle, to provide for services or costs incidental to the utilization of such volunteers, including transportation, supplies, lodging, recruiting, training, and supervision. The use of volunteer services under this section shall be subject to the condition that such use does not result in the displacement of any participant.

SEC. 132. POST-SERVICE BENEFITS.

42 USC 12452.

The program agency shall provide post-service education and training benefits (such as scholarships and grants) for each participant in an amount that is not in excess of \$100 per week, or in excess of \$5,000 per year, whichever is less.

Scholarships
and fellowships

SEC. 133. LIVING ALLOWANCE.

42 USC 12453.

(a) **FULL-TIME SERVICE.**—

(1) **IN GENERAL.**—From assistance provided under this subtitle, each participant in a full-time youth corps program that receives assistance under this subtitle shall receive a living allowance of not more than an amount equal to 100 percent of the poverty line for a family of two (as defined in section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))).

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

(b) **REDUCTION IN EXISTING PROGRAM BENEFITS.**—

(1) **IN GENERAL.**—Nothing in this section shall be construed to require a program in existence on the date of enactment of this Act to decrease any stipends, salaries, or living allowances provided to participants under such program so long as the amount of any such stipends, salaries, or living allowances that is in excess of the levels provided for in this section are paid from non-Federal sources.

(2) **FAIR LABOR STANDARDS ACT OF 1938.**—For purposes of the Fair Labor Standards Act of 1938, residential youth corps programs under this subtitle will be considered an organized camp.

(c) **HEALTH INSURANCE.**—In addition to the living allowance provided under subsection (e), program agencies are encouraged to provide health insurance to each participant in a full-time youth corps program who does not otherwise have access to health insurance.

(d) **FACILITIES, SERVICES, AND SUPPLIES.**—

(1) **IN GENERAL.**—The program agency may deduct, from amounts provided under subsections (a) ~~and (b)~~ to a participant, a reasonable portion of the costs of the rates for any room and board that is provided for such participant at a residential facility. Such deducted funds shall be deposited into rollover accounts that shall be used solely to defray the costs of room and board for participants.

(2) **EVALUATION.**—The program agency shall establish the amount of the deductions and rates under paragraph (1) after evaluating the costs of providing such room and board to the participant.

(3) **DUTIES OF PROGRAM AGENCY.**—A program agency may provide facilities, quarters, and board and shall provide limited and emergency medical care, transportation from administrative facilities to work sites, accommodations for individuals with disabilities, and other appropriate services, supplies, and equipment to each participant.

(4) **OTHER FEDERAL AGENCIES.**—

(A) **IN GENERAL.**—The Commission may provide services, facilities, supplies, and equipment, including any surplus food and equipment available from other Federal programs, to any program agency carrying out projects under this subtitle.

(B) **SECRETARY OF DEFENSE.**—Whenever possible, the Commission shall make arrangements with the Secretary of Defense to have logistical support provided by a military installation near the work site, including the provision of temporary tent centers where needed, and other supplies and equipment.

(5) **HEALTH AND SAFETY STANDARDS.**—The Commission and program agencies shall establish standards and enforcement procedures concerning the health and safety of participants for all projects, consistent with Federal, State, and local health and safety standards.

SEC. 134. JOINT PROGRAMS.

(a) **DEVELOPMENT.**—The Commission may develop, in cooperation with the heads of other Federal agencies, regulations designed to permit, where appropriate, joint programs in which activities supported with assistance made available under this subtitle are coordinated with activities supported with assistance made available under programs administered by the heads of such agencies (including the Job Training Partnership Act (29 U.S.C. 1501 et seq.)).

(b) **STANDARDS.**—Regulations promulgated under subsection (a) shall establish standards for the approval of joint programs that meet both the purposes of this title and the purposes of such statutes under which assistance is made available to support such projects.

(c) **OPERATION OF MANAGEMENT AGREEMENTS.**—Program agencies may enter into contracts and other appropriate arrangements with local government agencies and nonprofit organizations for the operation or management of any projects or facilities under the program.

(d) **COORDINATION.**—The Commission and program agencies carrying out programs under this subtitle shall coordinate the programs with related Federal, State, local, and private activities.

42 USC 12455.

SEC. 135. FEDERAL AND STATE EMPLOYEE STATUS.

(a) **IN GENERAL.**—Participants and crew leaders shall be responsible to, or be the responsibility of, the program agency administering the program on which such participants, crew leaders, and volunteers work.

(b) **NON-FEDERAL EMPLOYEES.**—

(1) **IN GENERAL.**—Except as otherwise provided in this subsection, a participant or crew leader in a program that receives assistance under this subtitle shall not be considered a Federal employee and shall not be subject to the provisions of law relating to Federal employment.

(2) **WORK-RELATED INJURY.**—For purposes of subchapter I of chapter 81 of title 5, United States Code, relating to the compensation of Federal employees for work injuries, a participant or crew leader serving in a program that receives assistance under this subtitle shall be considered an employee of the United States within the meaning of the term "employee" as defined in section 8101 of title 5, United States Code, and the provision of that subchapter shall apply, except—

(A) the term "performance of duty", as used in such subchapter, shall not include an act of a participant or crew leader while absent from the assigned post of duty of such participant or crew leader, except while participating in an activity authorized by or under the direction and supervision of a program agency (including an activity while on pass or during travel to or from such post of duty); and

(B) compensation for disability shall not begin to accrue until the day following the date that the employment of the injured participant or crew leader is terminated.

(3) **TORT CLAIMS PROCEDURE.**—For purposes of chapter 171 of title 28, United States Code, relating to tort claims procedure, a participant or crew leaders assigned to a youth corps program for which a grant has been made to the Secretary of Agriculture, Secretary of the Interior, or the Director of ACTION, shall be considered an employee of the United States within the meaning of the term "employee of the government" as defined in section 2671 of such title.

(4) **ALLOWANCE FOR QUARTERS.**—For purposes of section 5911 of title 5, United States Code, relating to allowances for quarters, a participant or crew leader shall be considered an employee of the United States within the meaning of the term "employee" as defined in paragraph (3) of subsection (a) of such section.

(c) **AVAILABILITY OF APPROPRIATION.**—Contract authority under this subtitle shall be subject to the availability of appropriations. Assistance made available under this subtitle shall only be used for activities that are in addition to those which would otherwise be carried out in the area in the absence of such funds.

42 USC 12456.

SEC. 136. REGULATIONS AND ASSISTANCE.

(a) **IN GENERAL.**—Before the end of the 120-day period beginning on the date of the enactment of this Act, the Commission shall promulgate regulations necessary to implement the program established by this subtitle.

(b) NOTICE AND COMMENT.

(1) **IN GENERAL.**—Prior to the end of the 30-day period beginning on the date of the enactment of this Act, the Commission shall establish procedures to provide program agencies and other interested parties (including the general public) with adequate notice and an opportunity to comment on and participate in the formulation of regulations promulgated under subsection (a).

(2) **REPORTING.**—The regulations promulgated under subsection (a) shall include provisions to assure uniform reporting on—

(A) the activities and accomplishments of Youth Corps programs;

(B) the demographic characteristics of participants in the Youth Corps; and

(C) such other information as may be necessary to prepare the annual report required by section 172.

National and
Community
Service Act.
42 USC 12401
note.

Subtitle D—National and Community Service**SEC. 140. SHORT TITLE.**

This subtitle may be cited as the “National and Community Service Act”.

42 USC 12471.

SEC. 141. GENERAL AUTHORITY.

The Commission may make grants under section 102 to States for the creation of full- and part-time national and community service programs.

42 USC 12472.

SEC. 142. GRANTS.

(a) **CRITERIA FOR RECEIVING APPLICATIONS.**—In determining whether to award a grant to a State under section 141, the Commission shall consider—

(1) the ability of the proposed program of such State to serve as an effective model for a large-scale national service program;

(2) the quality of the application of such State, including the plan of such State for training, recruitment, placement, and data collection;

(3) the extent that the proposed program builds on existing programs; and

(4) the expediency with which the State proposes to make the program operational.

(b) **DIVERSITY.**—The Commission shall ensure that programs receiving assistance under this subtitle are geographically diverse and include programs in both urban and rural States.

(c) **TRAINING AND SKILLS.**—The Commission shall ensure that some of the programs funded under this subtitle enroll individuals who have completed undergraduate education or specialized post-secondary training and whose training and skills enable them to provide needed services in the State.

Urban areas.
Rural areas.

(d) **COMPOSITION OF PROGRAMS.**—The Commission shall ensure that not less than 25 percent of the programs that receive assistance under this subtitle include full-time, part-time and special senior service participants.

(e) **DESIGN OF PROGRAMS.**—States shall design programs, consistent with the provisions of this Act, that meet the unique needs of the State, which may include programs that limit the type of service participants may perform or limit the age of participants to a narrower age subgroup.

(f) **STATE APPLICATION FOR GRANT.**—To receive a grant under section 141, a State shall prepare and submit, to the Commission, an application at such time, in such manner, and containing such information as the Commission may reasonably require, including—

(1) a description of the State administrative plan for the implementation of a program with assistance provided under this subtitle, including such functions, if any, that will be carried out by public and private nonprofit organizations pursuant to a grant or contract;

(2) a description of the manner in which an ethnically and economically diverse group of participants, including economically and educationally disadvantaged individuals, college-bound youth, individuals with disabilities, youth in foster care who are becoming too old for foster care, and employed individuals, shall be recruited and selected for participation in a program receiving assistance under this subtitle;

(3) a description of the procedures for training supervisors and participants and for supervising and organizing participants in such program;

(4) a description of the procedures to ensure that the program provides participants with an opportunity to reflect on their service experience;

(5) a description of the geographical areas within such State in which the program would be operated to provide the optimum match between the need for services and the anticipated supply of participants;

(6) a description of the plan for placing such participants in teams or making individual placements in such program;

(7) assurances that, prior to such placement, the State will consult with any local labor organization representing employees in the area who are engaged in the same or similar work as that proposed to be carried out by such program;

(8) assurances that, prior to such placement, such State will consult with employees at the proposed project site who are engaged in the same or similar work as that proposed to be carried out by such program;

(9) a description of the anticipated number of full- and part-time participants and special senior service members in such program;

(10) a plan for the recruitment and selection of sponsoring organizations that will receive participants under programs that receive assistance under this subtitle;

(11) a description of the procedures for matching such participants with such sponsoring organizations;

(12) a description of the procedures to be used to assure that sponsoring organizations that are not matched with participants shall be provided with information concerning the VISTA

program and the programs established under title II of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5001 et seq.);

(13) the State budget for the program;

(14) a plan for evaluating the program and assurances that such State will fully cooperate with any evaluation undertaken by the Commission pursuant to section 178; and

(15) any other information as the Commission may reasonably require.

(g) **NUMBER OF STATES.**—

(1) **IN GENERAL.**—The Commission shall ensure that not more than five States are authorized to operate full-time programs and not more than five States are authorized to operate part-time programs in fiscal year 1991 under this subtitle.

(2) **SINGLE PROGRAM.**—For purposes of paragraph (1), a State operating a single national service program with both full- and part-time options shall be counted as a State operating a full-time program and a State operating a part-time program.

(3) **COOPERATIVE ARRANGEMENT.**—For purposes of paragraph (1), a State operating a national service program involving a cooperative arrangement with a multi-State organization or with sites in more than one State shall be counted as a single State.

(4) **AUTHORIZED PROGRAMS IN FISCAL YEAR 1991.**—The Commission shall ensure that not more than eight States are authorized to operate programs in fiscal year 1991 under this subtitle.

(h) **INDIAN TRIBES.**—An Indian tribe shall be treated the same as a State for purposes of making grants under this subtitle.

42 USC 12473.

SEC. 143. TYPES OF NATIONAL SERVICE.

A participant in a program that receives assistance under this subtitle shall perform national service to meet unmet educational, human, environmental, and public safety needs, especially those needs relating to poverty.

42 USC 12474.

SEC. 144. TERMS OF SERVICE.

(a) **LENGTH OF SERVICE.**—

(1) **PART-TIME.**—An individual performing part-time national service under this subtitle shall agree to perform community service for not less than 3 years.

(2) **FULL-TIME.**—An individual performing full-time national service under this subtitle shall agree to perform community service for not less than 1 year nor more than 2 years, at the discretion of such individual.

(3) **SPECIAL SENIOR SERVICE.**—A special senior service participant performing national service under this subtitle shall serve for a period of time as determined by the Commission.

(b) **PARTIAL COMPLETION OF SERVICE.**—If the State releases a participant from completing a term of service in a program receiving assistance under this subtitle for compelling personal circumstances as demonstrated by such participant, the Commission may provide such participant with that portion of the financial assistance described in section 146 that corresponds to the quantity of the service obligation completed by such individual.

(c) **TERMS OF SERVICE.**—

(1) **PART-TIME.**—A participant performing part-time national service under this subtitle shall serve for—

(A) 2 weekends each month and 2 weeks during the year; or

(B) an average of 9 hours per week each year of service.

(2) **FULL-TIME.**—A participant performing full-time national service under this subtitle shall serve for not less than 40 hours per week each year of service.

(3) **SPECIAL SENIOR SERVICE.**—A special senior service participant performing national service under this subtitle shall serve either part- or full-time as permitted by the Commission.

42 USC 12475.

SEC. 145. ELIGIBILITY.

(a) **PART-TIME.**—

(1) **REQUIREMENTS.**—An individual may serve in a part-time national service program under this subtitle if such individual—

(A) is 17 years of age or older; and

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

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

(b) **FULL-TIME.**—An individual may serve in a full-time national service program under this subtitle if such individual—

(1) is 17 years of age or older;

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

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

(c) **SPECIAL SENIOR SERVICE.**—An individual may serve as a special senior service ~~member~~ ^{participant} under this subtitle if such individual—

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

(2) meets the eligibility criteria for special senior service ^{participation} ~~membership~~ established by the Commission.

SEC. 146. POST-SERVICE BENEFITS.

42 USC 12476.

(a) **PART-TIME.**—

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

(2) **STATE SHARE.**—

(A) **IN GENERAL.**—The State shall annually provide to each part-time participant a nontransferrable post-service benefit that is equal in value to \$1,000 for each year of service that such participant provides to the program.

(B) **WAIVER.**—A State may apply for a waiver to reduce the amount of the post-service benefit to an amount that is equal to not less than the average annual tuition and required fees at 4-year public institutions of higher education within such State.

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

(b) FULL-TIME.—

(1) **FEDERAL SHARE.**—The Commission shall annually provide to each full-time participant a nontransferrable post-service benefit that is equal in value to \$2,500 for each year of service that such participant provides to the program.

(2) STATE SHARE.—

(A) **IN GENERAL.**—The State shall annually provide to each full-time participant a nontransferrable post-service benefit that is equal in value to \$2,500 for each year of service that such participant provides to the program.

(B) **WAIVER.**—A State may apply for a waiver to reduce the amount of the post-service benefit to an amount that is equal to not less than the average annual tuition, required fees, and room and board costs at 4-year public institutions of higher education within such State.

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

(c) **SPECIAL SENIOR SERVICE PARTICIPANT.**—A special senior service participant shall be ineligible to receive post-service benefits under this section.

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

(e) POST-SERVICE BENEFIT.—

(1) **PART-TIME.**—A post-service benefit provided under subsection (a) shall only be used for—

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

(B) downpayment or closing costs associated with purchasing a first home; or

(C) tuition at an institution of higher education on a full-time basis, or to pay the expenses incurred in the full-time participation in an apprenticeship program approved by the appropriate State agency.

(2) **FULL-TIME.**—A post-service benefit provided under subsection (b) shall only be used for—

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

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

SEC. 147. LIVING ALLOWANCE.**(a) FULL-TIME SERVICE.—**

(1) **IN GENERAL.**—From assistance provided under this subtitle, each participant in a full-time national service program

receiving assistance under this subtitle shall receive a living allowance of not more than an amount equal to 100 percent of the poverty line for a family of two (as defined in section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))).

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

(b) **REDUCTION IN EXISTING PROGRAM BENEFITS.**—Nothing in this section shall be construed to require a program in existence on the date of enactment of this Act to decrease any stipends, salaries, or living allowances provided to participants under such program.

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

(d) SPECIAL SENIOR SERVICE PARTICIPANT.—

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

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

SEC. 148. TRAINING.

42 USC 12477.

(a) PROGRAM TRAINING.—

(1) **IN GENERAL.**—Each participant shall receive 3 weeks of training provided by the Commission in cooperation with the State.

(2) **CONTENTS OF TRAINING SESSION.**—Each training session described in paragraph (1) shall—

(A) orient each participant in the nature, philosophy, and purpose of the program;

(B) build an ethic of community service; and

(C) train each participant to effectively perform the assigned program task of such participant by providing—

(i) general training in citizenship and civic and community service; and

(ii) if feasible, specialized training for the type of service that each participant will perform.

(b) **ADDITIONAL TRAINING.**—Each State may provide additional training for participants as such State determines necessary.

(c) **AGENCY OR ORGANIZATION TRAINING.**—Each participant shall receive training from the sponsoring organization in skills relevant to the work to be conducted.

(d) **ACCOMMODATIONS FOR INDIVIDUALS WITH DISABILITIES.**—In accordance with the nondiscrimination provisions of section 175, each training program shall provide reasonable accommodations for individuals with disabilities.

71

42 USC 12479.

SEC. 149. PUBLIC-PRIVATE PARTNERSHIP.

The Commission shall consider and develop opportunities for cooperation between public and private entities in the funding and implementation of a program receiving assistance under this subtitle, including cost-sharing arrangements with sponsoring organizations.

42 USC 12480.

SEC. 150. IN-SERVICE EDUCATION BENEFITS.

Each State that receives assistance under this subtitle shall provide to each participant enrolled in a full-time program in-service educational services and materials to enable such participant to obtain a high school diploma or the equivalent of such diploma.

Subtitle E—Innovative and Demonstration Programs and Projects

PART I—LIMITATION ON GRANTS

42 USC 12491.

SEC. 155. LIMITATION ON GRANTS.

The Commission shall make grants for not fewer than three programs authorized in this subtitle.

PART II—GOVERNORS' INNOVATIVE SERVICE PROGRAMS

42 USC 12501.

SEC. 156. GENERAL AUTHORITY.

The Commission may make grants under section 102 to States or Indians tribes for the creation of innovative volunteer and community service programs.

42 USC 12502.

SEC. 157. GRANTS.

(a) **CRITERIA FOR RECEIVING APPLICATIONS.**—In determining whether to award a grant under section 156, the Commission shall consider—

- (1) the ability of the proposed program to serve as an effective model;
- (2) the quality of the application submitted for the grant;
- (3) the extent to which the proposed program builds on existing programs; and
- (4) the degree to which the program responds to human, educational, environmental and public safety needs in an innovative manner.

(b) **AUTHORIZED ACTIVITIES.**—Grants under this part may be used for—

- (1) enhancing volunteer and community service programs;
- (2) demonstration programs;
- (3) research concerning, assessment of, and evaluation of service programs;
- (4) coordination of service programs;
- (5) technical assistance;
- (6) training and staff development; and
- (7) collection and dissemination of information concerning service programs.

(c) **APPLICATION FOR GRANT.**—To receive a grant under this part, a State or Indian tribe shall prepare and submit to the Commission,

Indians.

an application at such time, in such manner, and containing such information as the Commission may reasonably require, including—

- (1) a description of the proposed program to be established with assistance provided under the grant;
- (2) a description of the human, educational, environmental or public safety service that participants will perform and the State or community need that will be addressed under such proposed program;
- (3) a description of the target population of participants and how they will be recruited;
- (4) a description of the procedure for training supervisors and participants and for supervising and organizing participants in such proposed program;
- (5) a description of the procedures to ensure that the proposed program provides participants with an opportunity to reflect on their service experiences;
- (6) a description of the budget for the program;
- (7) assurances that, prior to the placement of a participant in the program, the applicant will consult with any local labor organization representing employees in the area who are engaged in the same or similar work as that proposed to be carried out by such project; and
- (8) assurances that, prior to the placement of a participant in the program, the applicant will consult with employees at the proposed program site who are engaged in the same or similar work as that proposed to be carried out by such program.

PART III—PEACE CORPS

SEC. 160. PROGRAM AUTHORIZED.

42 USC 12511.

(a) **GENERAL AUTHORITY.**—The Commission is authorized to make grants to the Director of the Peace Corps or the Director of ACTION to carry out training and educational benefits demonstration programs in accordance with this part.

(b) **CONTRACT AUTHORITY.**—The Director of the Peace Corps and the Director of ACTION are authorized, either directly or by way of grant, contract, or other arrangement, to carry out the provisions of this part. The authority to enter into contracts under this part shall be effective for any fiscal year only to such extent or in such amounts as are provided in appropriations Acts.

SEC. 161. ELIGIBILITY AND SELECTION PROCEDURES.

42 USC 12512.

(a) **ELIGIBILITY.**—Any individual who—

- (1) has completed at least 2 years of satisfactory study at an institution of higher education, is enrolled in an educational program of at least 4 years at an institution of higher education for which such institution awards a bachelor's degree, and will complete such program within 2 years;
- (2) enters into an agreement with the Director of the Peace Corps or the Director of ACTION to serve at least 3 years as a volunteer in the Peace Corps or in VISTA; and
- (3) is selected pursuant to the competitive process established under subsection (b);

is eligible to participate in the demonstration program authorized by this part.

(b) **SELECTION PROCEDURES.**—The Director of the Peace Corps and the Director of ACTION shall establish uniform criteria for the

selection on a competitive basis of individuals to participate in the training programs established under section 162 and to receive educational benefits under section 163. The selection procedures established under this section shall be designed to provide for the awarding of grants for benefits only to students from groups traditionally underrepresented in the Peace Corps or VISTA and to students who will specialize in courses of instruction for which there is a special need in the Peace Corps or VISTA. Not more than 50 individuals shall be selected to participate in the training programs established under section 162.

42 USC 12513.

SEC. 162. TRAINING PROGRAM.

The Director of the Peace Corps and the Director of ACTION shall each establish and carry out a training program under which each individual selected under section 161(b), as part of the course of study which the individual is pursuing at the institution of higher education of such individual, receives appropriate training in skills that such individual will employ in the Peace Corps or VISTA.

42 USC 12514.

SEC. 163. EDUCATIONAL BENEFITS.

(a) **BENEFITS PROVIDED.**—Each individual who has been selected under section 161(b) shall be eligible to receive educational benefits in an amount that the Director of the Peace Corps or the Director of ACTION finds reasonable and appropriate, but that shall not exceed the costs of tuition, room and board, books, and fees that the individual incurs in attending the institution of higher education of such individual during the remaining 2 years of the educational program in which the individual is enrolled.

(b) **FORM OF BENEFITS.**—The educational benefits provided to an individual under subsection (a) shall be in the form of grants, remissions of expenses, or such other form as the Director of the Peace Corps or the Director of ACTION considers appropriate.

(c) **REPAYMENT OF BENEFITS.**—An individual provided benefits under subsection (a) shall repay the amount of the benefits so provided, plus interest not to exceed that permitted under section 427A of the Higher Education Act of 1965 (20 U.S.C. 1077a)—

(1) if the individual fails to complete the educational program of such individual within the 2-year period specified in section 161(a)(1), or

(2) if the individual fails to serve 3 years as a volunteer in the Peace Corps or VISTA upon completing the educational program of such individual.

The Director of the Peace Corps or the Director of ACTION may waive the repayment requirement if exceptional circumstances, such as illness or death, prevent an individual from meeting such 2-year or 3-year requirement.

(d) **COLLECTION BY SECRETARY OF EDUCATION.**—The Secretary of Education shall have the authority to collect amounts owed by an individual under subsection (c). The Secretary may, for the purpose of collecting such amounts, exercise the authorities conferred on the Secretary by sections 467 and 468 of the Higher Education Act of 1965 (20 U.S.C. 1087gg and 1087hh) with respect to the collection of defaulted loans under part E of title IV of that Act. Amounts collected under this subsection shall be deposited in the general fund of the Treasury.

SEC. 164. EVALUATION AND REPORT.

The General Accounting Office shall conduct an evaluation of any program authorized by this part and shall prepare and submit to the President and the appropriate committees of Congress—

(1) not later than October 31, 1993, an interim report on such evaluation; and

(2) not later than October 31, 1995, a final report on such evaluation, together with such recommendations, including recommendations for legislation, as the Director of the Peace Corps, the Director of ACTION, and the Secretary consider appropriate.

PART IV—OTHER VOLUNTEER PROGRAMS**SEC. 165. RURAL YOUTH SERVICE DEMONSTRATION PROJECT.**

The Commission is authorized, in accordance with this subtitle, to make grants and enter into contracts under section 102 for the establishment of demonstration projects in rural areas. Such projects may include volunteer service involving the elderly and assisted-living services performed by students, school dropouts, and out-of-school youth.

42 USC 12521.

Government contracts.

SEC. 166. ASSISTANCE FOR HEAD START.

The Commission, in consultation with the Director of ACTION, is authorized to make grants under section 102 to grantees under the Foster Grandparent Program (part B of title II of the Domestic Volunteer Service Act) for the purpose of increasing the number of low-income individuals who provide services under such program to children who participate in Head Start programs.

42 USC 12522.

SEC. 167. EMPLOYER-BASED RETIREE VOLUNTEER PROGRAMS.

The Commission is authorized to make grants under section 102 to public and private nonprofit organizations for the purpose of bringing together retirees, their former employers, and community agencies to develop employer-based retiree volunteer programs.

42 USC 12523.

Subtitle F—Administrative Provisions**SEC. 171. LIMITATION ON NUMBER OF GRANTS.**

42 USC 12531.

(a) **IN GENERAL.**—The Commission shall not award more than one grant during each fiscal year to each State under section 102.

(b) **NUMBER OF APPLICATIONS.**—In submitting applications for a grant under section 102, a State shall consolidate all of the applications of such State for the conduct of programs under subtitles B through E, into a single application that meets the requirements of such subtitles.

(c) **MULTIPLE USE.**—A grant awarded under section 102 to a State may be used by the State in accordance with the applications consolidated, submitted, and approved under subtitles B through E.

SEC. 172. REPORTS.

42 USC 12532.

(a) **STATE REPORTS.**—

(1) **IN GENERAL.**—Each State receiving assistance under this title shall prepare and submit, to the Commission, an annual report concerning the use of assistance provided under this title

and the status of the national and community service programs that receive assistance under such title in such State.

(2) **LOCAL GRANTEEES.**—Each State may require local grantees that receive assistance under this title to supply such information to the State as is necessary to enable the State to complete the report required under paragraph (1), including a comparison of actual accomplishments with the goals established for the program, the number of participants in the program, the number of service hours generated, and the existence of any problems, delays or adverse conditions that have affected or will affect the attainment of program goals.

(3) **REPORT DEMONSTRATING COMPLIANCE.**—

(A) **IN GENERAL.**—Each State receiving assistance under this title shall include information in the report required under paragraph (1) that demonstrates the compliance of the State with the provisions of this Act, including sections 177 and 113(9).

(B) **LOCAL GRANTEEES.**—Each State may require local grantees to supply such information to the State as is necessary to enable the State to comply with the requirement of paragraph (1).

(4) **AVAILABILITY OF REPORT.**—Reports submitted under paragraph (1) shall be made available to the public on request.

(b) **REPORT TO CONGRESS.**—

(1) **IN GENERAL.**—Not later than 120 days after the end of each fiscal year, the Commission shall prepare and submit, to the appropriate authorizing and appropriation Committees of Congress, a report concerning the programs that receive assistance under this title.

(2) **CONTENT.**—Reports submitted under paragraph (1) shall contain a summary of the information contained in the State reports submitted under subsection (a), and shall reflect the findings and actions taken as a result of any evaluation conducted by the Commission.

42 USC 12533.

SEC. 173. SUPPLEMENTATION.

(a) **IN GENERAL.**—Assistance provided under this title shall be used to supplement the level of State and local public funds expended for services of the type assisted under this title in the previous fiscal year.

(b) **AGGREGATE EXPENDITURE.**—Subsection (a) shall be satisfied, with respect to a particular program, if the aggregate expenditure for such program for the fiscal year in which services are to be provided will not be less than the aggregate expenditure for such program in the previous fiscal year, excluding the amount of Federal assistance provided and any other amounts used to pay the remainder of the costs of programs assisted under this title.

42 USC 12534.

SEC. 174. PROHIBITION ON USE OF FUNDS.

(a) **PROHIBITED USES.**—No assistance made available under a grant under this title shall be used to provide religious instruction, conduct worship services, or engage in any form of proselytization.

(b) **POLITICAL ACTIVITY.**—Assistance provided under this title shall not be used by program participants and program staff to—

(1) assist, promote, or deter union organizing; or

(2) finance, directly or indirectly, any activity designed to influence the outcome of an election to Federal office or the outcome of an election to a State or local public office.

(c) **CONTRACTS OR COLLECTIVE BARGAINING AGREEMENTS.**—A program that receives assistance under this title shall not impair existing contracts for services or collective bargaining agreements.

SEC. 175. NONDISCRIMINATION.

42 USC 12535.

(a) **IN GENERAL.**—An individual with responsibility for the operation of a project that receives assistance under this title shall not discriminate against a participant or member of the staff of such project on the basis of race, color, national origin, sex, age, disability, or political affiliation of such member.

(b) **FEDERAL FINANCIAL ASSISTANCE.**—Any assistance provided under this title shall constitute Federal financial assistance for purposes of title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.), the Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.), and the regulations issued under such Acts.

(c) **RELIGIOUS DISCRIMINATION.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), an individual with responsibility for the operation of a project that receives assistance under this title shall not discriminate on the basis of religion against a participant or a member of the project staff who is paid with funds received under this title.

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

(d) **RULES AND REGULATIONS.**—The Commission shall promulgate rules and regulations to provide for the enforcement of this section that shall include provisions for summary suspension of assistance for not more than 30 days, on an emergency basis, until notice and an opportunity to be heard can be provided.

SEC. 176. NOTICE, HEARING, AND GRIEVANCE PROCEDURES.

42 USC 12536.

(a) **IN GENERAL.**—

(1) **SUSPENSION OF PAYMENTS.**—The Commission may in accordance with the provisions of this title, suspend or terminate payments under a contract or grant providing assistance under this title whenever the Commission determines there is a material failure to comply with this title or the applicable terms and conditions of any such grant or contract issued pursuant to this title.

(2) **PROCEDURES TO ENSURE ASSISTANCE.**—The Commission shall prescribe procedures to ensure that—

(A) assistance provided under this title shall not be suspended for failure to comply with the applicable terms and conditions of this title except, in emergency situations, a suspension may be granted for 30 days; and

(B) assistance provided under this title shall not be terminated for failure to comply with applicable terms and conditions of this title unless the recipient of such assistance has been afforded reasonable notice and opportunity for a full and fair hearing.

(b) **HEARINGS.**—Hearings or other meetings that may be necessary to fulfill the requirements of this section shall be held at locations convenient to the recipient of assistance under this title.

(c) **TRANSCRIPT OR RECORDING.**—A transcript or recording shall be made of a hearing conducted under this section and shall be available for inspection by any individual.

(d) **STATE LEGISLATION.**—Nothing in this title shall be construed to preclude the enactment of State legislation providing for the implementation, consistent with this title, of the programs administered under this title.

(e) **CONSTRUCTION.**—Nothing in this title shall be construed to link performance of service with receipt of Federal student financial assistance.

(f) **GRIEVANCE PROCEDURE.**—

(1) **IN GENERAL.**—State and local applicants that receive assistance under this title shall establish and maintain a procedure to adjudicate grievances from participants, labor organizations, and other interested individuals concerning programs that receive assistance under this title, including grievances regarding proposed placements of such participants in such projects.

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

(3) **DEADLINE FOR HEARING AND DECISION.**—

(A) **HEARING.**—A hearing on any grievance conducted under this subsection shall be conducted not later than 30 days of filing such grievance.

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

(4) **ARBITRATION.**—

(A) **IN GENERAL.**—On the occurrence of an adverse grievance decision, or 60 days after the filing of such grievance if no decision has been reached, the party filing the grievance shall be permitted to submit such grievance to binding arbitration before a qualified arbitrator who is jointly selected and independent of the interested parties.

(B) **DEADLINE FOR PROCEEDING.**—An arbitration proceeding shall be held not later than 45 days after the request for such arbitration.

(C) **DEADLINE FOR DECISION.**—A decision concerning such grievance shall be made not later than 30 days after the date of such arbitration proceeding.

(D) **COST.**—The cost of such arbitration proceeding shall be divided evenly between the parties to the arbitration.

(5) **PROPOSED PLACEMENT.**—If a grievance is filed regarding a proposed placement of a participant in a program that receives assistance under this title, such placement shall not be made unless it is consistent with the resolution of the grievance pursuant to this subsection.

(6) **REMEDIES.**—Remedies for a grievance filed under this subsection include—

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

(B) termination of such payments; and

(C) prohibition of such placement described in paragraph

(5).

SEC. 177. NONDUPLICATION AND NONDISPLACEMENT.

(a) **NONDUPLICATION.**—

(1) **IN GENERAL.**—Assistance provided under this title shall be used only for a program that does not duplicate, and is in addition to, an activity otherwise available in the locality of such program.

(2) **PRIVATE NONPROFIT ENTITY.**—Assistance made available under this title shall not be provided to a private nonprofit entity to conduct activities that are the same or substantially equivalent to activities provided by a State or local government agency that such entity resides in, unless the requirements of subsection (b) are met.

(b) **NONDISPLACEMENT.**—

(1) **IN GENERAL.**—An employer shall not displace an employee or position, including partial displacement such as reduction in hours, wages, or employment benefits, as a result of the use by such employer of a participant in a program receiving assistance under this title.

(2) **SERVICE OPPORTUNITIES.**—A service opportunity shall not be created under this title that will infringe in any manner on the promotional opportunity of an employed individual.

(3) **LIMITATION ON SERVICES.**—

(A) **DUPLICATION OF SERVICES.**—A participant in a program receiving assistance under this title shall not perform any services or duties or engage in activities that would otherwise be performed by an employee as part of the assigned duties of such employee.

(B) **SUPPLANTATION OF HIRING.**—A participant in any program receiving assistance under this title shall not perform any services or duties or engage in activities that will supplant the hiring of employed workers.

(C) **DUTIES FORMERLY PERFORMED BY ANOTHER EMPLOYEE.**—A participant in any program receiving assistance under this title shall not perform services or duties that have been performed by or were assigned to any—

(i) presently employed worker;

(ii) employee who recently resigned or was discharged;

(iii) employee who is subject to a reduction in force;

(iv) employee who is on leave (terminal, temporary, vacation, emergency, or sick); or

(v) employee who is on strike or who is being locked out.

(c) **LABOR MARKET INFORMATION.**—The Secretary of Labor shall make available to the Commission and to any program agency under this title such labor market information as is appropriate for use in carrying out the purposes of this title.

(d) **TREATMENT OF BENEFITS.**—Section 142(b) of the Job Training Partnership Act shall apply to the projects conducted under this title as such projects were conducted under the Job Training Partnership Act.

(e) **STANDARDS OF CONDUCT.**—Programs that receive assistance under this title shall establish and stringently enforce standards of conduct at the program site to promote proper moral and disciplinary conditions.

42 USC 12538.

SEC. 178. STATE ADVISORY BOARD.

(a) **FORMATION OF BOARD.**—Each State that applies for assistance under this title is encouraged to establish a State Advisory Board for National and Community Service.

(b) MEMBERS.—

(1) **IN GENERAL.**—The chief executive officer of a State referred to in subsection (a) shall appoint members to such Advisory Board from among—

(A) representatives of State agencies administering community service, youth service, education, social service, senior service, and job training programs; and

(B) representatives of labor, business, agencies working with youth, community-based organizations such as community action agencies, students, teachers, Older American Volunteer Programs as established under title II of the Domestic Volunteer Act of 1973 (42 U.S.C. 5001 et seq.), full-time youth ~~service~~ corps programs, school-based community service programs, higher education institutions, local educational agencies, volunteer public safety organizations, educational partnership programs, and other organizations working with volunteers.

(2) **BALANCE OF MEMBERSHIP.**—To the extent practicable, the chief executive officer of a State referred to in subsection (a) shall ensure that the membership of the Advisory Board is balanced according to race, ethnicity, age, and gender.

(c) **DUTIES OF BOARD.**—A State Advisory Board for National and Community Service established under subsection (a) shall assist the State agency administering a program receiving assistance under this title in—

(1) coordinating programs that receive assistance under this title and related programs within the State;

(2) disseminating information concerning service programs that receive assistance under this title;

(3) recruiting participants for programs that receive assistance under this title; and

(4) developing programs, training methods, curriculum materials, and other materials and activities related to programs that receive assistance under this title.

42 USC 12539.

Government contracts.

SEC. 179. EVALUATION.

(a) **IN GENERAL.**—The Commission shall provide, through grants or contracts, for the continuing evaluation of programs that receive assistance under this title, including evaluations that measure the impact of such programs, to determine—

(1) the effectiveness of various program models in achieving stated goals and the costs associated with such;

(2) for purposes of the reports required by subsection (h), the impact of such programs, in each State in which a program is conducted, on the ability of—

(A) the VISTA and older American volunteer programs (established under the Domestic Volunteer Services Act of 1973 (42 U.S.C. 4950 et seq.));

(B) each regular component of the Armed Forces (as defined in section 101(4) of title 10, United States Code);

(C) each of the reserve components of the Armed Forces (as described in section 216(a) of title 5, United States Code); and

(D) the Peace Corps (as established by the Peace Corps Act (22 U.S.C. 2501 et seq.)); to recruit individuals residing in such State to serve in such program; and

(3) the structure and mechanisms for delivery of services for such programs.

(b) **COMPARISONS.**—The Commission shall provide for inclusion in the evaluations required under subsection (a), where appropriate, comparisons of participants in such programs with individuals who have not participated in such programs.

(c) **CONDUCTING EVALUATIONS.**—Evaluations of programs under subsection (a) shall be conducted by individuals who are not directly involved in the administration of such program.

(d) **STANDARDS.**—The Secretary shall develop and publish general standards for the evaluation of program effectiveness in achieving the objectives of this title.

(e) **COMMUNITY PARTICIPATION.**—In evaluating a program receiving assistance under this title, the Commission shall consider the opinions of participants and members of the communities where services are delivered concerning the strengths and weaknesses of such program.

(f) **COMPARISON OF PROGRAM MODELS.**—The Commission shall evaluate and compare the effectiveness of different program models in meeting the program objectives described in subsection (g) including full- and part-time programs, programs involving different types of national service, programs using different recruitment methods, programs offering alternative voucher options, and programs utilizing individual placements and teams.

(g) **PROGRAM OBJECTIVES.**—The Commission shall ensure that programs that receive assistance under subtitle D are evaluated to determine their effectiveness in—

(1) recruiting and enrolling diverse participants in such programs, consistent with the requirements of section 145, based on economic background, race, ethnicity, age, marital status, education levels, and disability;

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

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

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

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

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

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

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

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

(h) OBTAINING INFORMATION.—

(1) IN GENERAL.—In conducting the evaluations required under subsection (g), the Commission may require each program participant and State or local applicant to provide such information as may be necessary to carry out the requirements of this section.

(2) CONFIDENTIALITY.—The Commission shall keep information acquired under this section confidential.

(i) DEADLINE.—The Commission shall complete the evaluations required under subsection (g) not later than 30 months after the date of enactment of this Act.

(j) REPORT.—Not later than 24 months after the date on which the first program is initiated under this title, the Commission shall prepare and submit, to the appropriate Committees of Congress, a report containing the results of the evaluations conducted under subsection (a)(2) with respect to the first 18 months after such initiation date.

42 USC 12540.

SEC. 180. ENGAGEMENT OF PARTICIPANTS.

A State shall not engage a participant to serve in any program that receives assistance under this title unless and until amounts have been appropriated under section 501 for the provision of post-service benefits and for the payment of other necessary expenses and costs associated with such participant.

42 USC 12541.

SEC. 181. NATIONAL SERVICE DEMONSTRATION PROGRAM AMENDMENTS.

(a) TREATMENT OF EDUCATION AND HOUSING BENEFITS.—For purposes of determining eligibility for programs under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.) (hereafter in this section referred to as the "Act"), post-service benefits received under this Act shall be considered as estimated financial assistance as defined in section 428(a)(2)(C)(i) of title IV of the Act (20 U.S.C. 1078(a)(2)(C)(i)), except that in no case shall such a post-service benefit be considered as—

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

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

(b) TREATMENT OF STIPEND FOR LIVING EXPENSES.—In no case shall living allowances received under this Act be considered in the determination of expected family contribution or independent student status under—

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

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

(c) CONTINGENT EXTENSION.—Section 414 of the General Education Provisions Act (20 U.S.C. 1226a) shall apply to this Act.

SEC. 182. PARTNERSHIPS WITH SCHOOLS.

42 USC 12542.

(a) DESIGN OF PROGRAMS.—The head of each Federal agency and department shall design and implement a comprehensive strategy to involve employees of such agencies and departments in partnership programs with elementary schools and secondary schools. Such strategy shall include—

(1) a review of existing programs to identify and expand the opportunities for such employees to be adult volunteers in schools and for students and out-of-school youth;

(2) the designation of a senior official in each such agency and department who will be responsible for establishing adult volunteer and partnership and youth service programs in each such agency and department and for developing adult volunteer and partnership and youth service programs;

(3) the encouragement of employees of such agencies and departments to participate in adult volunteer and partnership programs and other service projects;

(4) the annual recognition of outstanding service programs operated by Federal agencies; and

(5) the encouragement of businesses and professional firms to include community service among the factors considered in making hiring, compensation, and promotion decisions.

(b) REPORT.—Not later than 180 days after the date of enactment of this Act, and on a regular basis thereafter, the head of each Federal agency and department shall prepare and submit, to the appropriate Committees of Congress, a report concerning the implementation of this section.

SEC. 183. SERVICE AS TUTORS.

42 USC 12543.

Notwithstanding any other provision of this Act, a service opportunity through which a part-time participant serves as a classroom tutor under the supervision of a certified professional shall be considered an acceptable placement if the requirements of section 177(b) (1) and (2) and section 174 are met.

SEC. 184. DRUG-FREE WORKPLACE REQUIREMENTS.

42 USC 12544.

All programs receiving grants under this title shall be subject to the Drug-Free Workplace Requirements for Federal Grant Recipients under sections 5153 through 5158 of the Anti-Drug Abuse Act of 1988 (41 U.S.C. 702-707).

SEC. 185. CONFORMING AMENDMENTS.

The Higher Education Act of 1965 is amended—

(1) in section 411F(9) (20 U.S.C. 1070a-6(9)), by adding at the end thereof the following new subparagraph:

"(F) Annual adjusted family income does not include any living allowance received by a participant in programs established under the National and Community Service Act of 1990."

(2) in section 411F(12)(B)(vi) (20 U.S.C. 1070a-6(12)(B)(vi)), by striking "(including all sources of resources other than par-

ents)" and inserting "(including all sources of resources other than parents and living allowances received as a result of participation in a program established under the National and Community Service Act of 1990.)";

(3) in section 480(f) (20 U.S.C. 1087vv(f)), by—

(A) striking "and" at the end of paragraph (1);

(B) by striking the period at the end of paragraph (2) and inserting a semicolon and "and"; and

(C) adding at the end thereof the following new paragraph:

"(3) any living allowance received by a participant in a program established under the National and Community Service Act of 1990."; and

(4) in section 480(d)(2)(F) (20 U.S.C. 1087vv(d)(2)(F)), by inserting after "other than parents" "and living allowances as a result of participation in a program established under the National and Community Service Act of 1990)".

Subtitle G—Commission on National and Community Service

SEC. 190. COMMISSION ON NATIONAL AND COMMUNITY SERVICE.

(a) **ESTABLISHMENT.**—There is established a Commission on National and Community Service that shall administer the programs established under this title.

(b) **BOARD OF DIRECTORS.**—

(1) **COMPOSITION.**—

(A) **IN GENERAL.**—The Commission shall be administered by a Board of Directors (hereinafter referred to in this section as the "Board") that shall be composed of 21 members, to be appointed by the President with the advice and consent of the Senate, ~~who shall be individuals who have extensive experience in volunteer and service opportunity programs and who represent a broad range of viewpoints. The membership of the Board shall be balanced according to the race, ethnicity, age, and gender of its members.~~

(B) **EX-OFFICIO MEMBERS.**—The Secretary of Education, Secretary of Health and Human Services, Secretary of Labor, Secretary of Interior, Secretary of Agriculture, and the Director of the ACTION agency shall serve as ex-officio members of the Board.

~~(2) **POLITICAL PARTIES.**—Not more than 11 members of the Board shall belong to the same political party.~~

~~(3) **NOMINATIONS.**—Seven members of the Board shall be appointed from among individuals nominated by the Speaker of the House of Representatives, and seven of such members shall be appointed from among individuals nominated by the majority leader of the Senate.~~

(2) **TERMS.**—Each member of the Board shall serve for a term of 2 years, except that, ~~subject to the provisions of paragraph (4), 11 of the initial members of the Board shall serve for a term of 1 year, as designated by the President.~~

(5) **VACANCIES.**—As vacancies occur on the Board, new members shall be appointed by the President, with the advice and

consent of the Senate, and serve for the remainder of the term for which the predecessor of such member was appointed.

(6) **CHAIRPERSON.**—The Board shall elect a chairperson and vice-chairperson from among its membership.

(7) **MEETINGS.**—The Board shall meet not less than three times each year. The Board shall hold additional meetings if seven members of the Board request such meetings in writing. A majority of the Board shall constitute a quorum.

(8) **EXPENSES.**—While away from their homes or regular places of business on the business of the Board, members of such Board may be allowed travel expenses, including per diem in lieu of subsistence, as is authorized under section 5703 of title 5, United States Code, for persons employed intermittently in the Government service.

(c) **DUTIES.**—The Board shall—

(1) advise the President and the Congress concerning developments in national and community service that merit the attention of the President and the Congress;

(2) design, administer and disseminate information regarding the programs and initiatives established under this title;

(3) consult with appropriate Federal agencies in administering programs that receive assistance under this title;

(4) have the authority to delegate authority to administer the programs established under this title to any other agency or entity of the Federal Government, on the agreement of such agency or entity, as the Board determines appropriate;

(5) provide, directly or through contract with public or private nonprofit organizations that have extensive experience in service programs, training and technical assistance to States, school and community-based service programs, full-time youth service corps, and national service demonstration programs;

(6) arrange for the evaluation of programs established under this title, in accordance with section 179;

(7) coordinate with the Secretary of Defense in evaluating the effect of the ~~national service demonstration program~~ on the recruitment efforts of the active and reserve components of the Armed Forces; and

(8) carry out any other activities determined appropriate by the Secretary.

(d) **EXECUTIVE DIRECTOR OF THE BOARD.**—

(1) **IN GENERAL.**—The Board shall appoint an individual to serve as Executive Director of the Board (hereinafter referred to in this section as the "Director").

(2) **DUTIES.**—The Director shall advise the Board concerning developments in volunteer or national service that the Director determines merits the attention of the Board, identify promising service initiatives, and coordinate the work of the Board with the work of other Federal agencies involved in service activities and in the design of a competitive grant to provide assistance as authorized under this title.

(e) **TECHNICAL EMPLOYEES.**—The Director may, at the discretion of the Board, appoint not more than 10 technical employees to administer the Committee. Such employees shall be appointed for terms that shall not exceed 2 years, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and

Government contracts.
Manpower training programs.
Technical assistance.
Schools.
Nonprofit organizations.
Armed Forces

authority to submit

Sec. 186. Prior to the end of the 180-day period beginning on the date of enactment of the National and Community Service Act of 1990, the Commission shall issue final rules or regulations necessary to implement the provision of this title.

42 USC 12551.

To the maximum extent practicable, an effort should be made to appoint members (i) who have extensive experience in volunteer and service opportunity programs and who represent a broad range of viewpoints, and (ii) so that the Board shall be diverse according to race, ethnicity, age, gender, and political party membership.

72

regulation

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111 C

subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates.

(f) CLEARINGHOUSES.—

(1) **IN GENERAL.**—The Commission shall provide assistance to not more than four regional service clearinghouses.

(2) **PUBLIC AND PRIVATE NONPROFIT AGENCIES.**—Public and private nonprofit agencies that have extensive experience in community service, adult volunteer and partnership programs, youth service, intergenerational service programs, and programs working with at-risk youth shall be eligible to receive assistance under paragraph (1).

(3) **FUNCTION OF CLEARINGHOUSES.**—National and regional clearinghouses that receive assistance under paragraph (1) shall—

(A) assist State and local community service programs with needs assessments and planning;

(B) conduct research and evaluations concerning community service;

(C) provide leadership development and training to State and local community service program administrators, supervisors, and participants;

(D) administer award and recognition programs for outstanding community service programs and participants;

(E) facilitate communication among community service programs and participants;

(F) provide information, curriculum materials, technical assistance on program planning and operation, and training to States and local entities eligible to receive funds under this title;

(G) gather and disseminate information on successful programs, components of successful programs, innovative youth skills curriculum, and projects being implemented nationwide; and

(H) make recommendations to State and local entities on quality controls to improve program delivery and on changes in the programs under this title.

(g) PRESIDENTIAL AWARDS FOR SERVICES.—

(1) PRESIDENTIAL AWARDS.—

(A) **IN GENERAL.**—The President, acting through the Commission, is authorized to make Presidential Awards for service to—

(i) individuals demonstrating outstanding community service including school-based service;

(ii) outstanding service learning and community service programs; and

(iii) outstanding teachers in service-learning programs.

(B) **NUMBER OF AWARDS.**—The President is authorized to make one or more individual, one or more teaching, and one or more program awards in each Congressional district, and one or more Statewide individual program and teaching awards in each State.

(C) **CONSULTATION.**—The President shall consult with the Governor of each State, and with the Board, in the selection of individuals and programs for Presidential Awards.

Research.

(D) **PARTICIPANTS IN PROGRAMS.**—An individual receiving an award under this subsection need not be a participant in a program assisted under this title.

(2) **INFORMATION.**—The President shall ensure that information concerning individuals and programs receiving awards under this subsection is widely disseminated.

(h) **REPORT.**—Not later than January 1, 1993, the President shall prepare and submit to the Committee on Labor and Human Resources of the Senate and the Committee on Education and Labor of the House of Representatives, a report containing recommendations for the improvement of the administration and coordination of volunteer, national, and community service programs administered by the ACTION Agency, the Commission on National Service, and other Federal entities. Such report shall include—

President.

(1) an assessment of whether Federal volunteer, national and community service programs could be more cost effectively and efficiently administered by a single Federal entity or fewer entities, including an estimate of any cost savings that could be achieved by consolidating or centralizing the management of such programs; and

(2) a description of the roles and responsibilities of the ACTION Agency, the Commission on National Service and other Federal entities in developing and coordinating National policy on voluntarism and national and community service and any recommendations for clarifying or altering the missions and responsibilities of such entities which may be appropriate.

TITLE II—MODIFICATIONS OF EXISTING PROGRAMS

Subtitle B—Publication

SEC. 201. INFORMATION FOR STUDENTS.

Section 485(a)(1) of the Higher Education Act of 1965 (20 U.S.C. 1092(a)(1)) is amended—

(1) by striking out “and” at the end of subparagraph (J);

(2) by striking out the period at the end of subparagraph (K) and inserting in lieu thereof a semicolon and the word “and”; and

(3) by adding at the end thereof the following new subparagraph:

“(L) the terms and conditions under which students receiving guaranteed student loans under part B of this title or direct student loans under part E of this title, or both, may—

“(i) obtain deferral of the repayment of the principal and interest for service under the Peace Corps Act (as established by the Peace Corps Act (22 U.S.C. 2501 et seq.)) or under the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.), or for comparable full-time service as a volunteer for a tax-exempt organization of demonstrated effectiveness in the field of community service, and

“(ii) obtain partial cancellation of the student loan for service under the Peace Corps Act (as established by the Peace Corps Act (22 U.S.C. 2501 et seq.)) under the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.) or, for

25

comparable full-time service as a volunteer for a tax-exempt organization of demonstrated effectiveness in the field of community service."

SEC. 202. EXIT COUNSELING FOR BORROWERS.

Section 485(b) of the Higher Education Act of 1965 (20 U.S.C. 1092(b)) is amended—

- (1) by striking "and" at the end of paragraph (1);
- (2) by striking the period at the end of paragraph (2) and inserting in lieu thereof a semicolon and "and"; and

(3) by inserting after paragraph (2) the following new paragraph:

"(3) the terms and conditions under which the student may obtain partial cancellation or defer repayment of the principal and interest for service under the Peace Corps Act (as established by the Peace Corps Act (22 U.S.C. 2501 et seq.)) or under the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.) or for comparable full-time service as a volunteer for a tax-exempt organization of demonstrated effectiveness."

SEC. 203. DEPARTMENT INFORMATION ON DEFERMENTS AND CANCELLATIONS.

Section 485(d) of the Higher Education Act of 1965 (20 U.S.C. 1092(d)) is amended by inserting before the last sentence the following new sentence: "The Secretary shall provide information concerning the specific terms and conditions under which students may obtain partial or total cancellation or defer repayment of loans for service, shall indicate (in terms of the Federal minimum wage) the maximum level of compensation and allowances that a student borrower may receive from a tax-exempt organization to qualify for a deferment, and shall explicitly state that students may qualify for such partial cancellations or deferments when they serve as a paid employee of a tax-exempt organization".

SEC. 204. DATA ON DEFERMENTS AND CANCELLATIONS.

Section 485B(a) of the Higher Education Act of 1965 (20 U.S.C. 1092b(a)) is amended—

- (1) by striking "and" at the end of paragraph (3);
- (2) by striking the period at the end of paragraph (4) and inserting in lieu thereof a semicolon and "and"; and

(3) by adding the following new paragraph after paragraph (4):

"(5) the exact amount of loans partially or totally canceled or in deferment for service under the Peace Corps Act (22 U.S.C. 2501 et seq.), for service under the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.), and for comparable full-time service as a volunteer for a tax-exempt organization of demonstrated effectiveness."

Subtitle B—Youthbuild Projects

SEC. 211. YOUTHBUILD PROJECTS.

The Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.) is amended by adding at the end thereof the following new title:

"TITLE VII—YOUTHBUILD PROJECTS

Disadvantaged
persons.
Homeless
42 USC 5091.

"SEC. 701. STATEMENT OF PURPOSE.

"It is the purpose of this title—

"(1) to provide economically disadvantaged young adults with opportunities for meaningful service to their communities in helping to meet the housing needs of homeless individuals and low-income families; and

"(2) to enable economically disadvantaged young adults to obtain the education and employment skills necessary to achieve economic self-sufficiency.

"SEC. 702. AUTHORIZATION OF PROGRAM.

42 USC 5091a.

"(a) FINANCIAL ASSISTANCE.—The Director of the ACTION Agency, in consultation with the Secretary of Labor, may provide grants to pay the Federal share of the cost of carrying out Youthbuild projects in accordance with this title.

"(b) FEDERAL SHARE.—The Federal share under subsection (a) for each fiscal year shall not exceed 90 percent.

"SEC. 703. SERVICE IN CONSTRUCTION AND REHABILITATION PROJECTS.

Real property.
42 USC 5091b.

"(a) CONSTRUCTION AND REHABILITATION PROJECTS.—Eligible participants serving in Youthbuild projects receiving assistance under this title shall be employed in the construction, rehabilitation, or improvement of real property to be used for purposes of providing—

"(1) residential rental housing that is occupied primarily by, or available for occupancy primarily by, homeless individuals and low-income families;

"(2) transitional housing for homeless individuals;

"(3) facilities for the provision of health, education, and other social services to low-income families, including—

"(A) senior citizen centers;

"(B) youth recreation centers;

"(C) Head Start or child or adult day care centers; and

"(D) community health centers.

"(b) REQUIREMENTS FOR COMMUNITY FACILITIES.—No assistance may be provided under this title to support the construction, rehabilitation, or improvement of real property to be used to provide facilities described in subsection (a) unless the property—

"(1) is used principally by or for the benefit of low-income families;

"(2) is owned and occupied solely by public or private non-profit entities; and

"(3) is located in census tracts, or identifiable neighborhoods within census tracts, in which the median family income is not more than 80 percent of the median family income of the area in which the facility is located, as such median family income and area are determined for the purposes of assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f).

"(c) RESTRICTION OF USE.—Participants under this title may not be employed in the construction, operation, or maintenance of any facility used for sectarian instruction or religious worship.

42 USC 5091c.

"SEC. 704. EDUCATION AND JOB TRAINING SERVICES.

"(a) **IN GENERAL.**—Assistance provided under this title shall be used by each Youthbuild project to provide to participants the following:

"(1) **SERVICE OPPORTUNITIES.**—Service opportunities in the construction or rehabilitation projects described in section 703, which shall be integrated with appropriate skills training and coordinated with, to the extent feasible, preapprenticeship and apprenticeship programs.

"(2) **EDUCATIONAL SERVICES.**—Services and activities designed to meet the educational needs of participants, including—

"(A) basic skills instruction and remedial education;

"(B) bilingual education for individuals with limited English proficiency; and

"(C) secondary education services and activities designed to lead to the attainment of a high school diploma or its equivalent.

"(3) **PERSONAL AND PEER SUPPORTS.**—Counseling services and other activities designed to—

"(A) ensure that participants overcome personal problems that would interfere with their successful participation; and

"(B) develop a strong, mutually supportive peer context in which values, goals, cultural heritage, and life skills can be explored and strengthened.

"(4) **LEADERSHIP DEVELOPMENT.**—Opportunities to develop the decisionmaking, speaking, negotiating, and other leadership skills of participants, such as the establishment and operation of a youth council with meaningful decisionmaking authority over aspects of the project.

"(5) **PREPARATION FOR AND PLACEMENT IN UNSUBSIDIZED EMPLOYMENT.**—Activities designed to maximize the value of participants as future employees and to prepare participants for seeking, obtaining, and retaining unsubsidized employment.

"(6) **NECESSARY SUPPORT SERVICES.**—To provide support services and need-based stipends necessary to enable individuals to participate in the program and, for a period not to exceed 6 months after completion of training, to assist participants through support services in retaining employment.

"(b) **CONDITIONS.**—The provision of service opportunities to participants in Youthbuild projects shall be made conditional upon attendance and participation by such individuals in the educational services and activities described in subsection (a). The duration of participation for each individual in educational services and activities shall be at least equal to the total number of hours for which a participant serves and is paid wages by a Youthbuild project.

42 USC 5091d.

"SEC. 705. USES OF FUNDS.

"(a) **FUNDS.**—Funds provided under this title may be used only for activities that are in addition to activities that would otherwise be available in the absence of such funds.

"(b) **ASSISTANCE CRITERIA.**—Assistance provided to each Youthbuild project under this title shall be used only for—

"(1) education and job training services and activities described in paragraphs (2), (3), (4), (5), and (6) of section 704(a);

"(2) wages and benefits paid to participants in accordance with sections 704(a) and 706; and

"(3) administrative expenses incurred by the project in an amount not to exceed 10 percent of the amount of assistance provided to the project under this title unless such project receives a waiver, on the basis of substantial need, granted by the Director to use an amount not to exceed 15 percent of the amount of such assistance provided under this title for such purposes.

"SEC. 706. ELIGIBLE PARTICIPANTS.

42 USC 5091e.

"(a) **IN GENERAL.**—Except as provided in subsection (b), an individual shall be eligible to participate in a Youthbuild project receiving assistance under this title if such individual is—

"(1) 16 to 24 years of age, inclusive;

"(2) economically disadvantaged; and

"(3) an individual who has dropped out of high school whose reading and mathematics skills are at or below the 8th grade level.

"(b) **EXCEPTIONS.**—Not more than 25 percent of the participants in a Youthbuild project receiving assistance under this title may be individuals who do not meet the requirements of subsection (a).

"(c) **PARTICIPATION LIMITATION.**—Any eligible individual selected for full-time participation in a Youthbuild project may participate full-time for a period of not less than 6 months and not more than 18 months.

"SEC. 707. LIVING ALLOWANCES.

42 USC 5091f.

"(a) **AMOUNT OF ALLOWANCE.**—

"(1) **IN GENERAL.**—Each participant in a full-time Youthbuild program that receives assistance under this title shall receive a living allowance of not more than an amount equal to 100 percent of the poverty line for a family of two (as defined in section 673(2) of the Community Service Block Grant Act (42 U.S.C. 9902(2)).

"(2) **NON-FEDERAL SOURCES.**—Notwithstanding paragraph (1), a program agency may provide participants with additional amounts that are made available from non-Federal sources.

"(3) **REDUCTION IN EXISTING PROGRAM BENEFITS.**—Nothing in this section shall be construed to require a program in existence on the date of enactment of this title to decrease any stipends, salaries, or living allowances provided to participants under such program so long as the amount of any such stipend, salaries, or living allowances that is in excess of the levels provided for in this section are paid from non-Federal sources.

"(b) **NONDISCRIMINATION.**—

"(1) **IN GENERAL.**—Except as provided in paragraph (2), an individual with responsibility for the operation of a Youthbuild project shall not discriminate on the basis of religion against a participant or a member of the project staff who is paid with funds under this title.

"(2) **EXCEPTION.**—Paragraph (1) shall not apply to the employment, with funds provided under this title, of any member of the staff of a Youthbuild project who was employed with the organization operating the project on the date the grant funded under this title was awarded.

27

Colleges and
universities.
42 USC 5091g.

"SEC. 708. CONTRACTS.

"Each Youthbuild project shall carry out the services and activities under this title directly or through arrangements or under contracts with administrative entities designated under section 103(b)(1)(B) of the Job Training Partnership Act (29 U.S.C. 1501(b)(1)(B)), with State and local educational agencies, institutions of higher education, State and local housing development agencies, and with other public agencies and private organizations.

42 USC 5091h.

"SEC. 709. PERFORMANCE STANDARDS.

"(a) **IN GENERAL.**—The Director, in consultation with the Secretary of Labor, shall prescribe standards for evaluating the performance of Youthbuild projects receiving assistance under this title, including the following factors:

- "(1) Placement in unsubsidized employment.
- "(2) Retention in unsubsidized employment.
- "(3) An increase in earnings.
- "(4) Improvement of reading and other basic skills.
- "(5) Attainment of a high school diploma or its equivalent.
- "(6) Completion of projects providing a benefit to the community.

"(b) **VARIATIONS.**—The Director shall prescribe variations to the standards determined under subsection (a) by taking into account the economic conditions of the areas in which Youthbuild projects are located and appropriate special characteristics, such as the extent of English language proficiency and offender status of Youthbuild participants.

42 USC 5091i.

"SEC. 710. APPLICATIONS.

"(a) **SUBMISSION.**—To apply for a grant under this title, an eligible entity shall submit an application to the Director in accordance with procedures established by the Director.

"(b) **CRITERIA.**—Each such application shall—

- "(1) describe the educational services, job training, supportive services, service opportunities, and other services and activities that will be provided to participants;
- "(2) describe the proposed construction of rehabilitation activities to be undertaken and the anticipated schedule for carrying out such activities;
- "(3) describe the manner in which eligible youths will be recruited and selected, including a description of arrangements which will be made with community-based organizations, State and local educational agencies, public assistance agencies, the courts of jurisdiction for status and youth offenders, homeless shelters and other agencies that serve homeless youth, foster care agencies, and other appropriate public and private agencies;
- "(4) describe the special outreach efforts that will be undertaken to recruit eligible young women (including young women with dependent children);
- "(5) describe how the proposed project will be coordinated with other Federal, State, and local activities, including vocational, adult and bilingual education programs, job training supported by funds available under the Job Training Partnership Act (29 U.S.C. 1501 et seq.) and the Family Support Act of 1988, housing and economic development, and programs that

receive assistance under section 106 of the Housing and Community Development Act of 1974 (42 U.S.C. 5306);

"(6) provide assurances that there will be a sufficient number of supervisory personnel on the project and that the supervisory personnel are trained in the skills needed to carry out the project;

"(7) describe activities that will be undertaken to develop the leadership skills of participants;

"(8) set forth a detailed budget and describe the system of fiscal controls and auditing and accountability procedures that will be used to ensure fiscal soundness; and

"(9) set forth assurances, arrangements, and conditions the Director determines are necessary to carry out this title.

"SEC. 711. SELECTION OF PROJECTS.

42 USC 5091j

"In approving applications for assistance under this title, the Director shall give priority to applicants that demonstrate the following:

"(1) **POTENTIAL FOR SUCCESS.**—The greatest likelihood of success, as indicated by such factors as the past experience of an applicant with housing rehabilitation or construction, youth and youth education and employment training programs, management capacity, fiscal reliability, and community support.

"(2) **NEED.**—Have the greatest need for assistance, as determined by factors such as—

"(A) the degree of economic distress of the community from which participants would be recruited, including—

- "(i) the extent of poverty;
- "(ii) the extent of youth unemployment; and
- "(iii) the number of individuals who have dropped out of high school; and

"(B) the degree of economic distress of the locality in which the housing would be rehabilitated or constructed, including—

- "(i) objective measures of the incidence of homelessness;
- "(ii) the relation between the supply of affordable housing for low-income families and the number of such families in the locality;
- "(iii) the extent of housing overcrowding; and
- "(iv) the extent of poverty.

"SEC. 712. MANAGEMENT AND TECHNICAL ASSISTANCE.

42 USC 5091k.

"(a) **GENERAL ADMINISTRATION.**—The program established under this title shall be administered by an individual with significant experience in the administration of youth service programs that explicitly attempt to enhance the basic academic and vocational skills of participants in such programs. The Director is authorized to delegate any of the functions of the Director under this title as may be appropriate to the Secretary of Labor and provide for the performance of any of the provisions of this title on a cost-reimbursable basis by the Secretary of Labor.

"(b) **DIRECTOR ASSISTANCE.**—The Director may enter into contracts with a qualified public or private nonprofit agency to provide assistance to the Director in the management, supervision, and coordination of Youthbuild projects receiving assistance under this title.

Government
contracts.
Manpower
training
programs.
Nonprofit
organizations.

"(c) **SPONSOR ASSISTANCE.**—The Director shall enter into contracts with a qualified public or private nonprofit agency to provide appropriate training, information, and technical assistance to sponsors of projects assisted under this title.

"(d) **APPLICATION PREPARATION.**—Technical assistance may also be provided in the development of project proposals and the preparation of applications for assistance under this title to eligible entities which intend or desire to submit such applications. Community-based organizations shall be given first priority in the provision of such assistance.

"(e) **RESERVATION OF FUNDS.**—The Director shall reserve 5 percent of the amounts available in each fiscal year under section 715 to carry out subsections (c) and (d).

42 USC 50911.

"SEC. 713. DEFINITIONS.

"For purposes of this title:

"(1) **COMMUNITY-BASED ORGANIZATIONS.**—The term 'community-based organizations' has the meaning given such term in section 4(8) of the Job Training Partnership Act (29 U.S.C. 1503(8)).

"(2) **DIRECTOR.**—The term 'Director' means the Director of the ACTION agency.

"(3) **DROPPED OUT OF HIGH SCHOOL.**—The term 'individual who has dropped out of high school' means an individual who is neither attending any school nor subject to a compulsory attendance law and who has not received a secondary school diploma or a certificate of equivalency for such diploma, but does not include any individual who has attended secondary school at any time during the preceding 6 months.

"(4) **ECONOMICALLY DISADVANTAGED.**—The term 'economically disadvantaged' has the meaning given such term in section 4(8) of the Job Training Partnership Act (29 U.S.C. 1503(8)).

"(5) **ELIGIBLE ENTITY.**—The term 'eligible entity' means a public or private nonprofit agency, such as—

"(A) community-based organizations;

"(B) administrative entities designated under section 103(b)(1)(B) of the Job Training Partnership Act (29 U.S.C. 1501(b)(1)(B));

"(C) community action agencies;

"(D) State and local housing development agencies;

"(E) State and local youth service and conservation corps; and

"(F) any other entity that is eligible to provide education and employment training under other Federal employment training programs.

"(6) **HOMELESS INDIVIDUAL.**—The term 'homeless individual' has the meaning given such term in section 103 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11302).

"(7) **HOUSING DEVELOPMENT AGENCY.**—The term 'housing development agency' means any agency of a State or local government, or any private nonprofit organization that is engaged in providing housing for the homeless or low-income families.

"(8) **INSTITUTION OF HIGHER EDUCATION.**—The term 'institution of higher education' has the meaning given such term in section 1201(a) of the Higher Education Act of 1965 (20 U.S.C. 1141(a)).

"(9) **LIMITED ENGLISH PROFICIENCY.**—The term 'limited English proficiency' has the meaning given such term in section 7003 of the Bilingual Education Act (20 U.S.C. 3223).

"(10) **LOW-INCOME FAMILY.**—The term 'low-income family' has the meaning given the term 'lower income families' in section 3(b)(2) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(2)).

"(11) **OFFENDER.**—The term 'offender' means any adult or juvenile with a record of arrest or conviction for a criminal offense.

"(12) **QUALIFIED NONPROFIT AGENCY.**—The term 'qualified public or private nonprofit agency' means any nonprofit agency that has significant prior experience in the operation of projects similar to the Youthbuild program authorized under this title and that has the capacity to provide effective technical assistance under this title.

"(13) **RESIDENTIAL RENTAL PURPOSES.**—The term 'residential rental purposes' includes a cooperative or mutual housing facility that has a resale structure that enables the cooperative to maintain affordability for low-income individuals and families.

"(14) **SERVICE OPPORTUNITY.**—The term 'service opportunity' means the opportunity to perform work in return for wages and benefits in the construction or rehabilitation of real property in accordance with this title.

"(15) **STATE.**—The term 'State' means any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, the Virgin Islands, Guam, American Samoa, or any other territory or possession of the United States.

"(16) **TRANSITIONAL HOUSING.**—The term 'transitional housing' means a project that has as its purpose facilitating the movement of homeless individuals and families to independent living within a reasonable amount of time. Transitional housing includes housing primarily designed to serve deinstitutionalized homeless individuals and other homeless individuals with mental or physical disabilities and homeless families with children.

"(17) **YOUTHBUILD PROJECT.**—The term 'Youthbuild project' means any project that receives assistance under this title and provides disadvantaged youth with opportunities for service, education, and training in the construction or rehabilitation of housing for homeless and other low-income individuals.

"SEC. 715. REGULATIONS.

The ^{Director} Secretary shall issue any regulations necessary to carry out this title.

42 USC 5091m.

"SEC. 716. AUTHORIZATION OF APPROPRIATIONS.

42 USC 5091n.

"There are authorized to be appropriated to carry out this title \$1,000,000 for fiscal year 1991, \$2,000,000 for fiscal year 1992, and \$5,000,000 for fiscal year 1993."

29

Subtitle C—Amendments to Student Literacy Corps

SEC. 221. AMENDMENTS TO STUDENT LITERACY CORPS.

20 USC 1018c.

(a) **INCREASE IN HOURS OF SERVICE.**—Section 144(b)(2)(B) of the Higher Education Act of 1965 (20 U.S.C. 1018 note) is amended by striking "6" and inserting in lieu thereof "60" and by striking "each week of" and inserting in lieu thereof "during".

Disadvantaged persons.

(b) **PRIORITY.**—Section 144(b)(2)(D) of such Act is amended by inserting before the semicolon the following: "and, as provided in section 146, will give priority in providing tutoring services to—"
 "(i) educationally disadvantaged students receiving services under chapter 1 of title I of the Elementary and Secondary Education Act of 1965; and

"(ii) illiterate parents of educationally or economically disadvantaged elementary school students, with special emphasis on single-parent households."

20 USC 1018c.

(c) **AUTHORIZATION OF APPROPRIATIONS.**—Section 146 of such Act is amended—

(1) by inserting "(a)" before "In general"; and

(2) by adding at the end thereof the following new subsection:

"(b) The priorities described in section 144(b)(2)(D) shall be applied by the Secretary to funds appropriated which exceed \$10,000,000."

TITLE III—POINTS OF LIGHT FOUNDATION

SEC. 301. SHORT TITLE.

This title may be cited as the "The Points of Light Foundation Act".

SEC. 302. FINDINGS AND PURPOSES.

(a) **FINDINGS.**—Congress finds that—

(1) community service and service to others is an integral part of American tradition;

(2) existing volunteers and volunteer programs should be praised for their efforts in helping and serving others;

(3) the definition of a successful life includes service to others;

(4) individuals should be encouraged to volunteer their time and energies in community service efforts;

(5) if asked to volunteer or participate in community service, most Americans will do so;

(6) institutions should be encouraged to volunteer their resources and energies and should encourage volunteer and community service among their members, employees, affiliates; and

(7) volunteer and community service programs are intended to complement and not replace governmental responsibilities.

(b) **PURPOSE.**—It is the purpose of this title—

(1) to encourage every American and every American institution to help solve our most critical social problems by volunteering their time, energies and services through community service projects and initiatives;

(2) to identify successful and promising community service projects and initiatives, and to disseminate information concerning such projects and initiatives to other communities in order to promote their adoption nationwide; and

(3) to discover and encourage new leaders and develop individuals and institutions that serve as strong examples of a commitment to serving others and to convince all Americans that a successful life includes serving others.

SEC. 303. AUTHORITY.

42 USC 12562.

(a) **IN GENERAL.**—The President is authorized to designate a private, nonprofit organization (hereinafter referred to in this title as the Foundation) to receive funds pursuant to section 501(b), upon the determination of the President that such organization is capable of carrying out the undertakings described in section 302. Any such designation by the President shall be revocable.

(b) **CONSTRUCTION.**—Nothing in this Act shall be construed either—

(1) to cause the Foundation to be deemed an agency, establishment, or instrumentality of the United States Government; or

(2) to cause the directors, officers or employees of the Foundation to be deemed officers or employees of the United States.

SEC. 304. GRANTS TO THE FOUNDATION.

42 USC 12563.

(a) **IN GENERAL.**—Funds made available pursuant to sections 303 and 501(b) shall be granted to the Foundation by a department or agency in the executive branch of the United States Government designated by the President—

(1) to assist the Foundation in carrying out the undertakings described in section 302; and

(2) for the administrative expenses of the Foundation.

(b) **INTEREST EARNED ON ACCOUNTS.**—Notwithstanding any other provision of law, the Foundation may hold funds granted to it pursuant to this title in interest-bearing accounts, prior to the disbursement of such funds for purposes specified in subsection (a), and may retain for such purposes any interest earned on such deposits without returning such interest to the Treasury of the United States and without further appropriation by the Congress.

SEC. 305. ELIGIBILITY OF THE FOUNDATION FOR GRANTS.

42 USC 12564.

(a) **COMPLIANCE.**—Grants may be made to the Foundation pursuant to this title only if the Foundation agrees to comply with the requirements of this title. If the Foundation fails to comply with the requirements of this title, additional funds shall not be released until the Foundation brings itself into compliance with such requirements.

(b) **ACTIVITIES.**—The Foundation may use funds provided under this title only for activities and programs consistent with the purposes described in sections 302 and 304.

(c) **LIMITATION.**—The Foundation shall not issue any shares of stock or declare or pay any dividends.

(d) **COMPENSATION.**—No part of the funds available to the Foundation shall inure to the benefit of any board member, officer, or employee of the Foundation, except as salary or reasonable compensation for services or expenses. Compensation for board members shall be limited to reimbursement for reasonable costs of travel and expenses.

The Points of
Light
Foundation Act.
Public
information.

42 USC 12401
note.

42 USC 12561.

(e) **CONFLICTS OF INTEREST.**—No director, officer, or employee of the Foundation shall participate, directly or indirectly, in the consideration or determination of any question before the Foundation that affects his or her financial interests or the financial interests of any corporation, partnership, entity, or organization in which he or she has a direct or indirect financial interest.

(f) **POLITICAL ACTIVITY.**—The Foundation shall not engage in lobbying or propaganda for the purpose of influencing legislation, and shall not participate or intervene in any political campaign on behalf of any candidate for public office.

(g) **PRIVATE SECTOR CONTRIBUTIONS.**—During the second and third fiscal years in which funds are provided to the Foundation under this title, the Foundation shall raise from private sector donations an amount equal to not less than 25 percent of any funds provided to the Foundation under this title in such fiscal year. Funds shall be released to the Foundation during such fiscal year only to the extent that the matching requirement of the subsection has been met.

(h) **AUDIT OF ACCOUNTS.**—The accounts of the Foundation shall be audited annually by independent certified public accountants or independent licensed public accountants certified or licensed by a regulatory authority of a State or other political subdivision of the United States in accordance with generally accepted auditing standards. The reports, of each such independent audit shall be included in the annual report required by subsection (i).

(i) **AUDITS BY AGENCIES.**—In fiscal years in which the Foundation is receiving grants under this title, the accounts of the Foundation may be audited at any time by any agency designated by the President. The Foundation shall keep such records as will facilitate effective audits.

(j) **CONGRESSIONAL OVERSIGHT.**—In fiscal years in which the Foundation is receiving grants under this title, the Foundation shall be subject to appropriate oversight procedures of Congress.

(k) **DUTIES.**—The Foundation shall ensure—

(1) that recipients of financial assistance provided by the Foundation under this title, shall keep separate accounts with respect to such assistance and such records as may be reasonably necessary to disclose fully—

(A) the amount and the disposition by such recipient of the assistance received from the Foundation;

(B) the total cost of the project or undertaking in connection with which such assistance is given or used;

(C) the amount and nature of that portion of the cost of the project or undertaking supplied by other sources; and

(D) such other records as will facilitate effective audits; and

(2) that the Foundation, or any of its duly authorized representatives including any agency designated by the President pursuant to subsection (i) shall have access, for the purpose of audit and examination, to any books, documents, papers, and records of the recipient that are pertinent to assistance provided from funds granted pursuant to this title.

(l) **ANNUAL REPORTS.**—The Foundation shall prepare and submit to the President and to the appropriate Committees of Congress an annual report, that shall include a comprehensive and detailed description of the Foundation's operations, activities, financial condition, and accomplishments for the fiscal year preceding the

Records.

year in which the report is submitted. Such report shall be submitted not later than 3 months after the conclusion of any fiscal year in which the Foundation receives grants under this title.

TITLE IV—FOOD DONATIONS

SEC. 401. SENSE OF CONGRESS CONCERNING ENACTMENT OF GOOD SAMARITAN FOOD DONATION ACT. 42 USC 12571

(a) **IN GENERAL.**—It is the sense of Congress that each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions of the United States should—

(1) encourage the donation of apparently wholesome food or grocery products to nonprofit organizations for distribution to needy individuals; and

(2) consider the model Good Samaritan Food Donation Act (provided in section 402) as a means of encouraging the donation of food and grocery products.

(b) **DISTRIBUTION OF COPIES.**—The Archivist of the United States shall distribute a copy of this title to the chief executive officer of each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions of the United States.

SEC. 402. MODEL GOOD SAMARITAN FOOD DONATION ACT.

(a) **SHORT TITLE.**—This section may be cited as the "Good Samaritan Food Donation Act".

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

(1) **APPARENTLY FIT GROCERY PRODUCT.**—The term "apparently fit grocery product" means a grocery product that meets all quality and labeling standards imposed by Federal, State, and local laws and regulations even though the product may not be readily marketable due to appearance, age, freshness, grade, size, surplus, or other conditions.

(2) **APPARENTLY WHOLESOME FOOD.**—The term "apparently wholesome food" means food that meets all quality and labeling standards imposed by Federal, State, and local laws and regulations even though the food may not be readily marketable due to appearance, age, freshness, grade, size, surplus, or other conditions.

(3) **DONATE.**—The term "donate" means to give without requiring anything of monetary value from the recipient, except that the term shall include giving by a nonprofit organization to another nonprofit organization, notwithstanding that the donor organization has charged a nominal fee to the donee organization, if the ultimate recipient or user is not required to give anything of monetary value.

(4) **FOOD.**—The term "food" means any raw, cooked, processed, or prepared edible substance, ice, beverage, or ingredient used or intended for use in whole or in part for human consumption.

(5) **GLEANER.**—The term "gleaner" means a person who harvests for free distribution to the needy, or for donation to a nonprofit organization for ultimate distribution to the needy, an agricultural crop that has been donated by the owner.

(6) **GROCERY PRODUCT.**—The term "grocery product" means a nonfood grocery product, including a disposable paper or plastic

Good Samaritan
Food Donation
Act.
42 USC 12572.

product, household cleaning product, laundry detergent, cleaning product, or miscellaneous household item.

(7) **GROSS NEGLIGENCE.**—The term "gross negligence" means voluntary and conscious conduct by a person with knowledge (at the time of the conduct) that the conduct is likely to be harmful to the health or well-being of another person.

(8) **INTENTIONAL MISCONDUCT.**—The term "intentional misconduct" means conduct by a person with knowledge (at the time of the conduct) that the conduct is harmful to the health or well-being of another person.

(9) **NONPROFIT ORGANIZATION.**—The term "nonprofit organization" means an incorporated or unincorporated entity that—

(A) is operating for religious, charitable, or educational purposes; and

(B) does not provide net earnings to, or operate in any other manner that inures to the benefit of, any officer, employee, or shareholder of the entity.

(10) **PERSON.**—The term "person" means an individual, corporation, partnership, organization, association, or governmental entity, including a retail grocer, wholesaler, hotel, motel, manufacturer, restaurant, caterer, farmer, and nonprofit food distributor or hospital. In the case of a corporation, partnership, organization, association, or governmental entity, the term includes an officer, director, partner, deacon, trustee, council member, or other elected or appointed individual responsible for the governance of the entity.

(c) **LIABILITY FOR DAMAGES FROM DONATED FOOD AND GROCERY PRODUCTS.**—A person or gleaner shall not be subject to civil or criminal liability arising from the nature, age, packaging, or condition of apparently wholesome food or an apparently fit grocery product that the person or gleaner donates in good faith to a nonprofit organization for ultimate distribution to needy individuals, except that this paragraph shall not apply to an injury to or death of an ultimate user or recipient of the food or grocery product that results from an act or omission of the donor constituting gross negligence or intentional misconduct.

(d) **COLLECTION OR GLEANING OF DONATIONS.**—A person who allows the collection or gleaning of donations on property owned or occupied by the person by gleaners, or paid or unpaid representatives of a nonprofit organization, for ultimate distribution to needy individuals shall not be subject to civil or criminal liability that arises due to the injury or death of the gleaner or representative, except that this paragraph shall not apply to an injury or death that results from an act or omission of the person constituting gross negligence or intentional misconduct.

(e) **PARTIAL COMPLIANCE.**—If some or all of the donated food and grocery products do not meet all quality and labeling standards imposed by Federal, State, and local laws and regulations, the person or gleaner who donates the food and grocery products shall not be subject to civil or criminal liability in accordance with this section if the nonprofit organization that receives the donated food or grocery products—

(1) is informed by the donor of the distressed or defective condition of the donated food or grocery products;

(2) agrees to recondition the donated food or grocery products to comply with all the quality and labeling standards prior to distribution; and

(3) is knowledgeable of the standards to properly recondition the donated food or grocery product.

(f) **CONSTRUCTION.**—This section shall not be construed to create any liability.

SEC. 403. EFFECT OF SECTION 402.

The model Good Samaritan Food Donation Act (provided in section 402) is intended only to serve as a model law for enactment by the States, the District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions of the United States. The enactment of section 402 shall have no force or effect in law.

42 USC 12573.

TITLE V—AUTHORIZATION OF APPROPRIATIONS

SEC. 501. AUTHORIZATION OF APPROPRIATIONS.

42 USC 12581.

(a) TITLE I.—

(1) **IN GENERAL.**—There are authorized to be appropriated to carry out title I, \$56,000,000 for fiscal year 1991, \$95,500,000 for fiscal year 1992, and \$105,000,000 for fiscal year 1993.

(2) **EARMARKS.**—Of the aggregate amount appropriated under paragraph (1) for title I for each fiscal year—

(A) \$2,000,000 shall be made available to carry out subtitle G of such title in each such fiscal year;

(B) not less than 30 percent shall be available to carry out subtitle B of such title in each such fiscal year;

(C) not less than 30 percent shall be available to carry out subtitle C of such title in each such fiscal year; and

(D) not less than 30 percent shall be available to carry out subtitle D of such title in each such fiscal year.

(b) **TITLE III.**—There are authorized to be appropriated to carry out title III, \$5,000,000 for fiscal year 1991, \$7,500,000 for fiscal year 1992, and \$10,000,000 for fiscal year 1993.

TITLE VI—MISCELLANEOUS PROVISIONS

SEC. 601. AMTRAK WASTE DISPOSAL.

(a) **AMENDMENT TO RAIL PASSENGER SERVICE ACT.**—Section 306(i) of the Rail Passenger Service Act is amended—

45 USC 546.

(1) by inserting "and other Federal, State and local laws" after "Public Health Service Act (42 U.S.C. 264)"; and

(2) by adding at the end thereof the following new sentences: "New intercity rail passenger cars manufactured on or after October 15, 1990, shall be built to provide for the discharge of human wastes only at servicing facilities. The Corporation shall retrofit those of its intercity rail passenger cars that were manufactured after May 1, 1971 and before October 15, 1990, with human waste disposal systems that provide for the discharge of human wastes only at servicing facilities. Subject to the appropriation of funds, (1) such retrofit program shall be completed within not later than October 15, 1996, and (2) all cars that do not provide for the discharge of human wastes only at servicing facilities shall be removed from service after such date. The United States district courts shall have original juris-

Courts.

diction over any civil actions brought by the Corporation to enforce the exemption conferred hereunder and may grant equitable or declaratory relief as requested by the Corporation."

45 USC 546 note.

(b) **PLAN.**—Not later than 1 year after the date of enactment of this Act, the National Railroad Passenger Corporation shall prepare and submit to the appropriate committees of Congress a plan that sets forth a schedule and projected cost for the completion of the retrofit program referred to in the amendment made by subsection (a) within the time limit set forth under such amendment.

45 USC 546 note.

(c) **EFFECTIVE DATE.**—The amendments made by subsection (a) shall take effect as if enacted on February 5, 1976.

45 USC 546 note.

(d) **ENVIRONMENTALLY SENSITIVE AREAS.**—Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation, after appropriate notice and comment, and in consultation with the National Railroad Passenger Corporation, the Administrator of the Environmental Protection Agency, the Surgeon General, and State and local officials, shall promulgate such regulations as may be necessary to mitigate the impact of the discharge of human waste from railroad passenger cars on areas that may be considered environmentally sensitive.

45 USC 546 note.

(e) **AVAILABILITY OF INFORMATION CONCERNING DISPOSAL OF WASTE.**—Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall promulgate regulations directing the National Railroad Passenger Corporation to, where appropriate, publish printed information, and make public address announcements, explaining its existing disposal technology and the retrofit and new equipment program, and encouraging passengers using existing equipment not to dispose of wastes in stations, railroad yards, or while the train is moving through environmentally sensitive areas.

SEC. 602. EXCHANGE PROGRAM WITH COUNTRIES IN TRANSITION FROM TOTALITARIANISM TO DEMOCRACY.

22 USC 2452a.

(a) **AUTHORIZATION OF ACTIVITIES; GRANTS OR CONTRACTS FOR EXCHANGES WITH FOREIGN COUNTRIES.**—Pursuant to the Mutual Educational and Cultural Exchange Act of 1961 and using the authorities contained therein, the President is authorized, when the President considers that it would strengthen international cooperative relations, to provide, by grant, contract, or otherwise, for exchanges with countries that are in transition from totalitarianism to democracy, which include, but are not limited to Poland, Hungary, Czechoslovakia, Bulgaria, and Romania—

(1) by financing studies, research, instruction, and related activities—

(A) of or for American citizens and nationals in foreign countries; and

(B) of or for citizens and nationals of foreign countries in American private businesses, trade associations, unions, chambers of commerce, and local, State, and Federal Government agencies, located in or outside the United States; and

(2) by financing visits and interchanges between the United States and countries in transition from totalitarianism to democracy.

The program under this section shall be coordinated by the United States Information Agency.

(b) **TRANSFER OF FUNDS.**—The President is authorized to transfer to the appropriations account of the United States Information Agency such sums as the President shall determine to be necessary out of the travel accounts of the departments and agencies of the United States, except for the Department of State and the United States Information Agency, as the President shall designate. Such transfers shall be subject to the approval of the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate. In addition, the President is authorized to accept such gifts or cost-sharing arrangements as may be proffered to sustain the program under this section.

Approved November 16, 1990.

LEGISLATIVE HISTORY—S. 1430 (H.R. 4330):

HOUSE REPORTS: No. 101-677, Pt. 1 (Comm. on Education and Labor) and No. 101-893 (Comm. of Conference, both accompanying H.R. 4330).

SENATE REPORTS: No. 101-176 (Comm. on Labor and Human Resources).

CONGRESSIONAL RECORD, Vol. 136 (1990):

Feb. 26-28, Mar. 1, considered and passed Senate.

Sept. 13, H.R. 4330 considered and passed House; S. 1430, amended, passed in lieu.

Oct. 16, Senate agreed to conference report.

Oct. 24, House agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 26 (1990):

Nov. 16, Presidential statement.

THE WHITE HOUSE
Office of the Press Secretary

For Immediate Release

November 15, 1990

STATEMENT BY THE PRESIDENT

Today I am signing S. 1430, the "National and Community Service Act of 1990." There can be no nobler goal than to strengthen the American ethic of community service and to help translate this ethic into meaningful action. S. 1430 will make an important contribution to achieving this goal.

I am particularly pleased that S. 1430 includes provisions for the initial funding of a private, nonprofit foundation that will promote the ethic of community service, disseminate information about successful local activities to other communities across the Nation, and stimulate the development of new leaders and their community service initiatives. Government cannot rebuild a family or reclaim a sense of neighborhood, and no bureaucratic program will ever solve the pressing human problems that can be addressed by a vast galaxy of people working voluntarily in their own backyards. The Points of Light Foundation will help that galaxy to grow and flourish in the years ahead.

S. 1430 also includes a number of new programs that use more traditional techniques of fostering community service, including Federal grants and demonstration projects. An important role can be played by programs of this kind, and I am committed to ensuring that these new initiatives are administered in an effective fashion. I note that participants in some of the new programs will be paid by the Government to engage in community service. Although the use of financial incentives may be appropriate in some circumstances, I have reservations about the wisdom of employing "paid volunteers" to the extent contemplated by S. 1430.

I must also note that there are constitutional defects in two provisions of S. 1430. Section 190 creates a Commission on National and Community Service to administer several of the programs established by the Act. The Commission in turn is to be administered by a Board of Directors composed of 21 members appointed by the President and confirmed by the Senate. Section 190(b), however, purports to limit the President's choice of nominees to the Board. Under section 190(b), the Board must be "balanced according to the race, ethnicity[,] age and gender of its members"; must include no more than 11 members of the same political party; must include seven members nominated by the Speaker of the House of Representatives; and must include seven members nominated by the Majority Leader of the Senate.

Under the Appointments Clause of the Constitution, article II, section 2, clause 2, congressional participation in such appointments may be exercised only through the Senate's advice and consent with respect to Presidential nominees. Accordingly, the restrictions in section 190(b) on my choice of nominees to the Board of Directors are without legal force or effect. I direct the Attorney General to prepare remedial legislation for submission to the Congress during its next session, so that the Act can be brought into compliance with the Constitution's requirements.

more

(OVER)

In addition, section 602(b) of S. 1410 purports to condition my authority to transfer certain funds from one account to another on the subsequent approval of congressional committees. This attempt to condition my authority constitutes a legislative veto device of the kind declared unconstitutional in INS v. Chadha, 462 U.S. 919 (1983), and I will treat it as having no legal force or effect.

GEORGE BUSH

THE WHITE HOUSE,
November 16, 1990.

HOW THEY VOTED ON THE NATIONAL AND COMMUNITY SERVICE ACT: THE HOUSE

[Roll No. 512]

YEAS—235

Ackerman	Aspin	Bevill
Alexander	Atkins	Bilbray
Anderson	AuCoin	Boehliert
Andrews	Bates	Boggs
Annunzio	Beilenson	Bonior
Anthony	Bereuter	Borski
Applegate	Berman	Bosco
Boucher	Hertel	Payne (NJ)
Boxer	Hoagland	Pease
Brennan	Hochbrueckner	Pelosi
Brooks	Horton	Perkins
Browder	Hoyer	Pickett
Brown (CA)	Jacobs	Pickle
Bruce	Johnson (SD)	Poshard
Bryant	Johnston	Price
Bustamante	Jones (NC)	Quillen
Campbell (CO)	Jontz	Rahall
Cardin	Kastenmeier	Rangel
Carper	Kennedy	Regula
Carr	Kennelly	Richardson
Chapman	Kildee	Roe
Clarke	Kleczka	Rose
Clay	Kolter	Rostenkowski
Coleman (TX)	LaFalce	Rowland (GA)
Collins	Lancaster	Roybal
Condit	Lantos	Russo
Conte	Leach (IA)	Sabo
Conyers	Lehman (CA)	Sangmeister
Cooper	Lehman (FL)	Savage
Costello	Lent	Sawyer
Coyne	Levin (MI)	Scheuer
Crockett	Levine (CA)	Schiff
Darden	Lewis (GA)	Schneider
Davis	Lipinski	Schroeder
de la Garza	Lloyd	Schumer
DeFazio	Long	Serrano
Dellums	Lowey (NY)	Sharp
Derrick	Luken, Thomas	Shays
Dicks	Machtley	Sikorski
Dingell	Manton	Siskiy
Dixon	Markey	Skaggs
Donnelly	Martinez	Skelton
Downey	Matsui	Slaughter (NY)
Durbin	Mavroules	Smith (FL)
Dwyer	Mazzoli	Smith (IA)
Dymally	McCloskey	Solarz
Dyson	McCurdy	Spratt
Early	McDermott	Staggers
Eckart	McGrath	Stark
Edwards (CA)	McHugh	Stokes
Engel	McMillen (MD)	Studds
Erdreich	McNulty	Swift
Espy	Mfume	Synar
Evans	Mineta	Tallon
Fascell	Mink	Tanner
Fazio	Moakley	Thomas (GA)
Feighan	Molnari	Torres
Fish	Mollohan	Torricelli
Flake	Moody	Towns
Foglietta	Morella	Trafficant
Ford (MI)	Morrison (CT)	Traxler
Frank	Morrison (WA)	Udall
Frost	Mrazek	Unsoeld
Gaydos	Murphy	Vento
Gejdenson	Murtha	Visclosky
Gephardt	Nagle	Walgren
Gibbons	Natcher	Washington
Gillmor	Neal (MA)	Watkins
Gillman	Neal (NC)	Waxman
Gonzalez	Nelson	Weiss
Goodling	Nowak	Wheat
Gordon	Oakar	Whitten
Gray	Oberstar	Williams

Hall (OH)
Hamilton
Harris
Hawkins
Hayes (IL)
Hefner

Obey
Ortiz
Owens (NY)
Owens (UT)
Pallone
Panetta

Wise
Wolpe
Wyden
Wyllie

NAYS—186

Archer	Combest	Gingrich
Armey	Coughlin	Glickman
Baker	Courter	Goss
Ballenger	Cox	Gradison
Barnard	Craig	Grandy
Bartlett	Crane	Grant
Barton	Dannemeyer	Green
Bateman	DeLay	Guarini
Bennett	DeWine	Gunderson
Bentley	Dickinson	Hall (TX)
Billirakis	Dorgan (ND)	Hammerschmidt
Bliley	Dornan (CA)	Hancock
Broomfield	Douglas	Hansen
Brown (CO)	Dreier	Hastert
Buechner	Duncan	Hatcher
Bunning	Emerson	Hayes (LA)
Burton	English	Hefley
Byron	Fawell	Henry
Callahan	Fields	Herger
Campbell (CA)	Flippo	Hill
Chandler	Frenzel	Holloway
Clement	Gallely	Hopkins
Clinger	Gallo	Houghton
Coble	Gekas	Hubbard
Coleman (MO)	Geren	Huckaby
Hughes	Myers	Smith (NJ)
Hunter	Nielsen	Smith (TX)
Hutto	Olin	Smith, Denny
Hyde	Oxley	(OR)
Inhofe	Packard	Smith, Robert
Ireland	Parker	(NH)
James	Parris	Smith, Robert
Jenkins	Pashayan	(OR)
Johnson (CT)	Patterson	Snowe
Jones (GA)	Paxon	Solomon
Kanjorski	Penne (VA)	Spence
Kasich	Penny	Stallings
Kolbe	Petri	Stangeland
Kostmayer	Porter	Stearns
Kyl	Pursell	Stenholm
Lagomarsino	Ravenel	Stump
Laughlin	Rhodes	Sundquist
Leath (TX)	Ridge	Tauke
Lewis (CA)	Rinaldo	Tauzin
Lewis (FL)	Ritter	Taylor
Lightfoot	Roberts	Thomas (CA)
Livingston	Robinson	Thomas (WY)
Lowery (CA)	Rogers	Upton
Madigan	Rohrabacher	Valentine
Marlenee	Ros-Lehtinen	Vander Jagt
Martin (NY)	Roth	Volkmer
McCandless	Roukema	Vucanovich
McCollum	Sarpalius	Walker
McDade	Saxton	Walsh
McEwen	Schaefer	Weber
McMillan (NC)	Schuette	Weldon
Meyers	Sensenbrenner	Whittaker
Michel	Shaw	Wilson
Miller (CA)	Shuster	Wolf
Miller (OH)	Skeen	Yates
Miller (WA)	Slattery	Yatron
Montgomery	Slaughter (VA)	Young (AK)
Moorhead	Smith (NE)	Young (FL)

NOT VOTING—12

Edwards (OK)	Martin (IL)	Salki
Ford (TN)	McCrery	Schulze
Kaptur	Ray	Shumway
Lukens, Donald	Rowland (CT)	Smith (VT)

HOW THEY VOTED ON THE NATIONAL AND COMMUNITY SERVICE: THE SENATE

[Rollcall Vote No. 274 Leg.]

YEAS—75

Adams	Dodd	McConnell
Akaka	Dole	Metzenbaum
Baucus	Domenici	Mikulski
Bentsen	Durenberger	Mitchell
Biden	Ford	Moynihan
Bingaman	Fowler	Murkowski
Bond	Glenn	Numm
Boren	Gore	Packwood
Bradley	Graham	Pell
Breaux	Harkin	Pressler
Bryan	Hatch	Pryor
Bumpers	Heflin	Reid
Burdick	Heinz	Riegle
Burns	Hollings	Robb
Byrd	Inouye	Rockefeller
Chafee	Jeffords	Sanford
Cochran	Johnston	Sarbanes
Cohen	Kasten	Sasser
Conrad	Kennedy	Shelby
Cranston	Kohl	Simon
D'Amato	Lautenberg	Simpson
Danforth	Leahy	Specter
Daschle	Levin	Warner
DeConcini	Lieberman	Wilson
Dixon	Lugar	Wirth

NAYS—21

Armstrong	Helms	McClure
Boschwitz	Humphrey	Nickles
Coats	Kassebaum	Roth
Garn	Kerrey	Rudman
Gorton	Lott	Symms
Gramm	Mack	Thurmond
Grassley	McCain	Wallop

NOT VOTING—4

Exon	Kerry
Hatfield	Stevens

SUMMARY OF NATIONAL AND COMMUNITY SERVICE ACT OF 1990
CONFERENCE AGREEMENT

Federal Administration

All new grant programs will be administered by a Commission on National Service, which shall have the authority to delegate administrative duties to appropriate agencies.

Title I -- New Grant Programs

A. New grant programs are included in a modified block grant. States may submit a single application for any or all of the program options covered by the block grant. The program options include:

B.1. K-12 school-aged programs, adult volunteer and partnership programs and community-based programs for dropouts, out-of-school youth and other youth.

B.2. Grants to higher education institutions for student community service.

C. Youth Service Corps and Conservation Corps programs.

D. National and Community Service Act Demonstration Program.

E.1. Innovative and Demonstration Programs and Projects:

2. Governors' Innovative Service Programs
3. Peace Corps and VISTA Training Program
4. Rural Youth Service Demonstration Project, Foster Grandparent/Head Start Assistance, Employer-based Retiree Volunteer Programs.

F. Administrative provisions, including nondisplacement and nonduplication provisions, optional state advisory boards, anti-discrimination provisions, limitations on use of funds, reporting and evaluation requirements.

G. Authorizes funding of not more than four regional clearinghouses.

Title II -- Modification of Existing Programs

Includes a modification of the Student Literacy Corps Program, an amendment to the Domestic Volunteer Service Act authorizing funding of a Youthbuild program, and a requirement for publication of existing student loan deferral and forgiveness provisions.

Title III -- Points of Light Initiative Foundation

Authorizes funding of the Points of Light Foundation.

Title IV -- Good Samaritan Food Donation Act

Expresses the Sense of the Congress that states should limit liability for donors of food.

Title V -- Authorization of Appropriations

	FY1991	FY1992	FY1993
Title I	\$56 m	\$95.5 m	\$105 m
Divided 30% for school-aged and college programs 30% for conservation and youth service corps 30% for full- and part-time national and community service \$2 million for the National Service Commission			
Title III (Points of Light Foundation)	\$5 m	\$7.5 m	\$10 m
<u>Title II (Youthbuild)</u>	<u>\$1 m</u>	<u>\$2 m</u>	<u>\$5 m</u>
Total:	\$62 m	\$105 m	\$120 m

Title IV -- Miscellaneous Provisions

Places limitations on Amtrak waste disposal. Authorizes exchange programs with countries in transition from totalitarianism to democracy.

OUTLINE OF THE NATIONAL AND COMMUNITY SERVICE ACT, S. 1430

I. The National and Community Service State Grant Program

A. States may apply to the Commission on National Service to fund one or more of the following program options. In some cases, local applicants may apply directly to the Commission for funding; in other cases, if a state applies, the local applicant must seek funding from the state.

B.I. School- and community-based programs for students and out-of-school youth

Federal Administration: Makes grants for youth community service programs, which enable youth to serve their communities on a part-time basis, and education partnership programs, which enable adult community members to volunteer in schools.

State Administration: State Department of Education. At least 60% of funds must be used to make grants to school/community agency partnerships for service-learning programs; at least 15% of funds will be used to make grants to youth organization/community agency partnerships for youth community service programs; up to 10% of funds may be used to make grants to school/community agency partnerships for education partnership programs; up to 10% of funds may be used for state-level planning and capacity building activities, including training, technical assistance, and curriculum development (may subcontract). Not more than 5% of funds may be used for administration.

Local Administration: Schools or youth organizations partnered with community agencies that will make service opportunities available are eligible for grants. Local advisory committee includes representatives of community agencies, service recipients, youth-serving agencies, agencies that serve older adults, youth, parents, teachers, administrators, school boards, labor, and business. Youth community service program must include: an age-appropriate learning component, training for youth and supervisors, sustained commitment by youth participants. Service opportunities include projects to help meet human, educational, and environmental community needs, especially those relating to poverty. Priority for funding is based on: need, involvement of participants in program design, diversity of program participants, programs tying service to the academic program, programs with a focus on substance abuse- or school dropout-prevention. Funds may be used by schools and community agencies for: start-up costs, a program coordinator, training of supervisors or participants, supervision, transportation, and insurance. Local match (in cash or in kind): 90% in first year, declining 10% a year for 3 years.

B.II. Higher Education Innovative Projects for Community Service

Federal Administration: Makes grants for creation or expansion of student community service activities, including projects designed by students, programs integrated into the academic curriculum, and teacher training in organizing community service activities.

Local Administration: Institutions of higher education and nonprofit organizations working in partnership with such institutions are eligible to receive grants. Local match (in cash or in kind): 50%

C. Full-Time Youth Service Corps

Federal Administration: Makes competitive grants to establish or expand full-time or summer youth service/conservation corps programs. Such programs offer full-time, productive work with visible community benefits in a natural resource or human service setting and give participants a mix of work experience, basic and life skills, education, training, and support services. Work may include service in government agencies, nursing homes, hospitals, libraries, parks, day care centers, schools, law enforcement agencies, other private nonprofit social service organizations, or on public lands, including improvement of parks, wetlands, and forests, and urban revitalization.

State Administration: State may administer program directly or make grants to entities within the state. Locality may apply directly to federal government if state does not apply. Federal money must supplement not supplant state funds. Preference for programs that: provide long-term public benefits, instill work ethic and sense of public service, involve youth operating in teams, can be planned and initiated promptly, will enhance educational level and opportunities, and meet unmet needs.

Eligibility: 16-25 for full-time, 15-21 for summer programs.

Stipend: not less than 100% of the poverty line nor more than 100% of minimum wage.

Benefits: Education and/or training benefits equal to not less than \$50 per week in the program nor more than \$100 per week or \$5,000 per year, whichever is less.

D. National Service Full- and Part-time Program

Federal Administration: Makes competitive grants to states to run civilian service program, taking into consideration the ability of the proposed program to be a national model and the extent to which it builds on existing programs.

State Administration: State designs and administers program to enable participants to provide full- or part-time service in the area of education, human service, environmental service, or public safety. Part-time participants must provide an average of nine hours a week of service. Senior citizens can participate as a regular full- or part-time participant, or become a special senior service participant. State match: states pay half of post-service benefit (see below).

Eligibility: 17 or older; 60 or older for senior service.

Stipend for full-time participants only: not less than 100% of the poverty line nor more than 100% of minimum wage. **Benefits:** Education and/or housing post-service benefit equal to \$5,000/year for up to two years full-time service; \$2,000/year for at least 3 but

not more than 6 years part-time service. Education benefit may be used to pay education expenses or to pay back student loans. Housing benefit may be used for down payment or closing costs on a first home.

E.I. Innovative Programs

Part II. Governors' Innovative Service Program.

Federal Administration: Makes grants to states for innovative full- or part-time service programs. Program selection based on ability of the proposed program to serve as a model, quality of application, extent that proposed program builds on existing programs, and the degree to which the program responds to human, educational, environmental, and public safety needs in an innovative manner.

State Administration: States design and operates program, determines eligibility, determines level of stipend or benefits, if any, and type of service participants will perform.

Part III. Peace Corps/VISTA Demonstration Program

Federal Administration: Makes grants to the Director of the Peace Corps or the Direction of Action to carry out training and educational benefits demonstration programs through grant, contract, or other arrangement with institutions of higher education. Up to 50 students may receive two years of educational assistance in exchange for an agree to serve for three years in the Peace Corps or VISTA.

Part IV. Additional Volunteer Programs

Makes grants for rural youth demonstration projects, programs to involve Foster Grandparents in Head Start programs, and Employer-based retiree volunteer programs.

F. Administrative Provisions

Reporting requirements, limitations on use of funds, state advisory committee requirement, anti-displacement language and grievance procedure, nondiscrimination provisions, extensive evaluation provisions.

G. Commission on National and Community Service

Administers National and Community Service State Grant Program. Funds regional clearinghouses on service to provide training and technical assistance to state and local programs. Commission is governed by a Board of 21 members appointed by the President and confirmed by the Senate.

II. Modification of existing programs

A. Requires Department of Education to publicize loan forgiveness and deferral options for Peace Corps and VISTA volunteers, and individuals performing comparable service in tax-exempt organizations.

B. **Youthbuild**. Authorizes Director of Action to make grants for Youthbuild projects involving youth in constructing and rehabilitating property for homeless and low-income individuals.

C. **Student Literacy Corps**. Creates priority in existing program for programs that tutor children served in the Chapter 1 program or parents of children who are educationally or economically disadvantaged.

III. Points of Light Foundation

Points of Light Foundation is governed by a Board consisting of 19 - 25 members appointed by the President. Foundation provides national leadership on national and community service.

Authorization of Appropriations:

Title I

FY1991 \$56 million
FY1992 \$95.5 million
FY1993 \$105 million

Title I funding is divided as follows:

Subtitle B -- not less than 30%
Subtitle C -- not less than 30%
Subtitle D -- not less than 30%
Subtitle G -- \$2 million

Title II, Subtitle B

FY1991 \$1 million
FY1992 \$2 million
FY1993 \$5 million

Title III

FY1991 \$5 million
FY1992 \$7.5 million
FY1993 \$10 million

work of the Corps, which erected 3,400 fire lookout towers, built untold numbers of National Park facilities, and hand-planted more than two billion trees. A quarter century ago, President, Kennedy urged all Americans to ask what they could do for their country. The legacy of that charge—the Peace Corps, VISTA, and the Older Americans Volunteer Programs—survives, and each year, hundreds of thousands of adults, young and old, serve their communities, their country, and underdeveloped nations throughout the world.

The American tradition involves many streams of service. Members of the military, VISTA, and the Peace Corps receive living support and education benefits such as grants or loan deferrals. Members of the fifty conservation and youth service corps across the country also work full-time and receive living expenses. Foster Grandparents and Senior Companions volunteer part-time and receive an hourly stipend. Retired Senior Volunteer Program participants and volunteers in thousands of local programs volunteer part-time and receive no stipend.

Throughout the last decade, numerous legislative proposals have been introduced to expand the federal commitment to national service. While many of these bills were modest in scope and cost, none was enacted. During the same period, federal commitment for federal volunteer programs declined dramatically—in 1981, the VISTA program was cut in half; the Young Adult Conservation Corps was eliminated.

This year however, has brought an unprecedented number of national service proposals. Witnesses at hearings on national and community service attribute the revival of support for service programs in part to demographic and social factors. According to Admiral James D. Watkins, Secretary of Energy:

[A]t the center of many of our worst domestic problems are good people who are almost totally disconnected from a healthy, close-knit, caring, strong and supportive community, including a family. A disintegrated community is what leaves an individual desolate, alone, alienated, disoriented, powerless, unloved, insecure, unhappy, and most debilitating of all, without any self-esteem.

Watkins, testifying on behalf of the Bush Administration, advocated a national services foundation to "tap and channel the energy and enthusiasm of America's young people" as a response to this "disintegration" of society.

The W.T. Grant Foundation offered similar justifications for the expansion of youth service opportunities in a report released in August 1988. The report, entitled "Facts and Faith: A Status Report on Youth Service," suggested that young people used to be initiated into a lifelong commitment to caring for others through family, church, and school, influences that have diminished in recent years. As a result, young people feel isolated from society, a condition that helps account for high rates of school dropouts, drug and alcohol abuse, teenage pregnancy, and suicide. The report urged action to increase youth service opportunities, particularly through schools.

Senate Report

I. BACKGROUND AND NEED

Service to others is an ideal that has served America well throughout history. John Winthrop, the first elected governor of the Massachusetts Bay Colony, captured this idea in words that ring true even three-and-a-half centuries later. "We must delight in each other," Winthrop told the colonists, "make others' conditions our own, rejoice together, mourn together, labor and suffer together, always having before our eyes our community. . . ." In this spirit, volunteers have served the nation in times of crisis—in war, depression, or natural disaster. In quieter times, they have served the community, helping a neighbor in need or a stranger in trouble. It is understood that the rights of citizenship carry with them the responsibilities of looking out for the good of the community.

At times, the nation has called citizens into service—both civilian and military—to meet a national need or to revitalize the national spirit. In the 1930s, President Franklin Roosevelt created the Civilian Conservation Corps. Today we continue to benefit from the

The Carnegie Foundation for the Advancement of Teaching reached a similar conclusion. Foundation President Ernest L. Boyer notes:

Time and again, students complained that they felt isolated, unconnected to the larger world. We were struck during our study that teenagers can go through twelve years of formal education without becoming socially engaged, without spending time with older people who may be lonely, helping a child who has not learned to read, cleaning up the litter on the street, or even rendering some useful service to the school itself. And this life of detachment occurs at the very time students are deciding who they are and where they fit. * * * Students do not see formal education as having a consequential relationship to who they are, or even, in a fundamental way, what they might become.

The Foundation advocated the creation of a "Carnegie Unit," based on 120 hours of community service, as one remedy for the disconnectedness of youth.

Similar interest in national service has been demonstrated by a wide range of organizations with an interest in the consequences of such community dysfunction—education and children's groups, labor and business, state and local government, organizations representing youth and older Americans, and civic and community service groups. Recently, a series of special reports from diverse organizations have called attention to a wide variety of service programs across the country that could provide a foundation for a larger effort. On October 13, 1988, Youth Service America and the Campus Outreach Opportunity League surveyed 1,000 youth service programs in 50 states and documented their day's activities in a "Report on a Day in the Life of Youth Service." Several months later, the Children's Defense Fund released a report entitled "Service Opportunities for Youth," which listed service programs targeted at disadvantaged youth. The report called for national service proposals to work through the existing community service structure, to reach out to disadvantaged youth by removing barriers to service, and to ensure that programs involved careful supervision, training, and the opportunity for participants to reflect on their experiences. Most recently, the National Governors association released a resource guide for states intending to implement community service programs. The report identified over 100 program models in 30 states, and advocated a federal, state, and local partnership to expand full- and part-time service opportunities for citizens of all ages.

In response to these various findings and recommendations, the National and Community Service Act of 1990 provides for a wide range of full- and part-time service opportunities for Americans of all ages. It incorporates elements of fourteen proposals introduced in the Senate in the 101st Congress, allowing for a series of complementary approaches that will accommodate the needs of diverse communities, organizations, and individuals.

The legislation provides funding for several new and innovative programs. Title IA, the Service-America Act, provides service op-

portunities, to students and out-of-school youth through programs run by schools and community-based agencies. Title II, the American Service and Conservation Corps Act, offers grants to states to expand or create youth service corps. To encourage innovative full- and part-time service programs and to test the value of offering education and housing benefits for service, Title III establishes a National Service Demonstration Program. All three programs will be rigorously evaluated to measure their benefits and costs. In each case, states and other grantees are encouraged to use existing organizations to administer the programs, to avoid duplicating existing services and creating new bureaucracy.

In addition, S. 1430 expands several existing volunteer service programs. Funding for the VISTA program is increased to restore the program to its peak level of the past. The Older American Volunteer Programs are expanded to involve senior citizens in the struggle against AIDS, teenage pregnancy, drug and alcohol abuse, and other national needs. The legislation increases the incentive for higher education institutions to use work study funds for community service placements, and allows VISTA, Peace Corps, and other full-time volunteers to reduce their student loan indebtedness. S. 1430 also expands the community service program administered by the Fund for Improvement of Postsecondary Education so that more college students will have opportunities to service their communities as a part of their studies.

Finally, the legislation encourages national leadership to advance the ideal of service. Through a program of Presidential Awards, outstanding individuals and programs will be recognized for their contributions. The legislation calls on the president to design a comprehensive federal strategy to involve every federal agency and employee in service projects. S. 1430 also establishes an independent Corporation for National Service, to foster innovation and increase the visibility of volunteer efforts.

BENEFITS TO THE COMMUNITY

By creating new programs, expanding existing efforts, and promoting national leadership in the area of national and community service, S. 1430 will generate over one billion hours of service. According to Richard Danzig and Peter Szanton, in their book "National Service," 3.5 million service opportunities exist nationwide, including 1,200,000 in the schools, 750,000 in health care and care for severely restricted elderly and disabled individuals, 165,000 in energy, environmental protection and urban/rural conservation, 820,000 in child care, and 250,000 in public safety. While a volunteer service program is no substitute for government programs targeted to meet specific needs, it is the Committee's strongly held view that enactment of national and community legislation will make a significant contribution toward meeting some of our nation's greatest challenges.

The National and Community Service Act strongly emphasizes the creation of meaningful opportunities for participants to provide services that would not otherwise be provided. Only in this way can we ensure that regular employees are not displaced. Similarly, it is critical that participants perform not "make-work" or "leaf-

raking" jobs, but activities that will provide real benefits to the community. This criterion ensures that both the community and the participant will benefit.

Programs authorized by S. 1430 leave great flexibility for states and localities to design programs best suited to their needs. Many types of placements offer the opportunity for volunteers to make a real contribution to the community that would not be possible through regular employment. For example, the Committee received testimony by Mr. Bobby Heard, a junior at the University of Texas, who works with other youth volunteers in a statewide drug prevention program. According to Heard, his peer program is effective because it uses young volunteers. He explained that "[t]he impact of a high school student on a classroom of elementary or junior high school kids is overwhelming . . . finally these young students have someone whom they can relate to, someone who is a real friend."

Other programs similarly lend themselves to volunteer projects. Mentoring and tutoring programs have great potential for using volunteers to help economically and educationally disadvantaged youth succeed in and out of the classroom. Reliable, caring volunteers can help elderly or disabled individuals live independently, saving thousands of dollars that would otherwise be necessary to institutionalize a healthy but dependent individual. Each year, thousands of illiterate Americans learn to read through the efforts of volunteers. An estimated 23 million more could benefit from literacy tutoring. Indeed, examples of the benefits derived from the spirit of service can be found in every state and community in our nation.

Short-term efforts addressing unmet needs of the community, such as renovation of abandoned buildings for the homeless, cleanups of unused parkland, or home repairs for the low-income elderly, are also appropriate volunteer service projects, particularly those involving a group of volunteers prepared to tackle a difficult job as a team. Such projects may be integrated into a larger program that allows participants to reflect on their service and understand it in the context of larger local and national needs. Because such projects would not otherwise be undertaken, the labors of volunteers yield clear benefits to the community.

BENEFITS TO PARTICIPANTS

The special focus of this legislation is on youth and young adults. Unlike service programs of the past, the National and Community Service Act of 1989 reaches down to elementary students and engages them in service as part of their school day or extracurricular hours. As part of a comprehensive strategy to involve all Americans in volunteer service, S. 1430 encourages students to develop "habits of the heart" when they are young. Upon learning the benefits of helping others, young people will volunteer their time throughout their lives. Numerous studies bear this theory out—

A 1982 study compared eighty-seven participants on the summer Youth Conservation Corps (YCC) with a national sample of over two hundred of their peers. Less than one percent of the national sample reported participating in communi-

ty affairs or volunteer work almost every day, and only 54 percent reported participating at all. In comparison, 6 percent of the YCC alumni reported daily volunteer activities, and more than 80 percent participated at least occasionally.

Seventy-three percent of young people from low-income families enrolled in the Young Volunteers program funded by ACTION from 1981 to 1986 expected to continue to do volunteer work as adults. Ninety-one percent of the approximately 40,000 young adults surveyed said they would encourage others to do volunteer work.

In an analysis of eight established school community service programs, researchers Newmann and Rutter observed that students involved in school service programs participate more frequently in non-school volunteer work, clubs, scouting, and religious groups than control groups.

Equally important are the benefits young people themselves gain from their involvement in community service—greater connection to the community, an easier transition from school to work, improved reliability, punctuality and perseverance, development of self-esteem and a sense of personal worth, and stronger basic skills and ability to work with others, and critical thinking. For example, evaluations of the Ontario Montclair California School district tutorial program in which seventh and eighth grade students tutored low-achieving fourth through sixth graders three times a week, showed that both tutors and tutees made greater academic gains than control groups. A Public/Private Ventures study of the California Conservation Corps found that participation in the corps improved youths' attitudes and behaviors, and increased the future earnings of low-income youth who participated in the program. Research by K.P. Luchs at the University of Maryland found that after only thirty hours of community service work, high school students—“displayed significantly more positive attitudes toward others, a greater sense of efficacy and self-esteem, and larger gains in career planning” than those who did not participate in community work.

These findings have been supported by numerous other studies. Most persuasive, however, are the words of young volunteers. When twelve-year-old Katy Evans joined her community service organization, she was the only one of her friends to do so. It didn't matter. “It gave me a great feeling about really helping someone who was in need of help,” Ms. Evans told the Committee. Her schoolmates quickly changed their minds. “I kept talking to my friends about all the experiences it provided. When it came time to sign up again after the summer, all my friends signed up.” Phil Braden, age 22, found his work with the Montgomery County Conservation Corps changed his life. When he joined the Corps, he was facing the future without a high school education. Now, he has both a diploma earned while in the program and a new view of himself. As he told the Committee, “the projects I completed were challenging, but when I complete a project, I feel good about myself . . . The Corps made me realize that I am somebody and that anybody can learn to do what they put their minds to.”

Community service can also be a valuable tool in the regular school curriculum. A tracking of seventy-nine high school students

who participated in semester-long internships in New York county governments affirmed the benefits of a community-based approach rather than pure textbook theory for learning about how government works. Another report showed significantly greater gains in understanding nutrition for tenth graders who participated in a food coop than for those who spent the same amount of time studying nutrition in the classroom. With creativity, virtually any subject can include a community service component. The National Student Volunteer Program, created by the Office of Economic Opportunity in 1969, helped to pioneer the concept of service learning. While this program has been eliminated, experiential learning is now well-accepted by educators and volunteer advocates.

One of the most important aspects of this legislation is its potential for encouraging young people to become invested in the well-being of their communities. Many youth are eager to be "good citizens." But as focus group research conducted by People for the American Way indicates, young people often are unable to define what being a "good citizen" entails. "I don't break any laws," was one response. Clearly a carefully structured program of youth service could help young people define their role in the community. Working with the homeless changed the world view of Emily del Pino, a sixth grader in Springfield, Massachusetts. "[T]here are some times when even just to see the homeless people, . . . can sort of let you down about your city. . . . But I've never come to the point where I say . . . it's just so bad that I don't feel that I can help."

Finally, it is important to note that young people themselves indicate a willingness to participate in a national service program. The Youth Attitude Tracking Study conducted by the Department of Defense found that 55 percent of 16- to 18-year-olds would voluntarily participate in a program of national service. This data is supported by a Gallup poll released in September, 1989, that indicated a majority of teenagers favor national service for both young men and women. Of particular interest to the Committee is the poll's finding that ninety percent of these young people agreed that such a program could help their peers stay away from drugs.

The second focus of the legislation is older Americans. As our population ages, a larger and larger army of senior citizens is waiting to be asked to help America do a better job of meeting its basic needs. Older Americans have skills and knowledge that make them an important community resource. A study by the American Association of Retired Persons found that the most often-cited reason that older Americans do community service work is personal enjoyment. It is not surprising that research suggests that by helping others, older volunteers enjoy the benefits of living longer, healthier lives.

Ideally, many of the programs funded under this Act will be intergenerational—young people helping older neighbors, senior citizens lending their knowledge and caring to children in need, and volunteers of all ages working side by side toward a common goal. Although the Committee has focused heavily on youth and older American volunteers, we hope to close the age gap and encourage every American to give their time and caring to their communities.

That is the long-term goal of S. 1430, and we believe, a realistic one.

teens, delinquent or suicidal young people, AIDS victims, homeless, hungry, unemployed and lonely, millions of essentially good people [who] are enduring a walking nightmare of want and isolation" who need the help that can be provided through service programs. The Committee recognizes that service programs and volunteers also help to address society's unmet needs.

Report after report catalogues the fact that youth are among the most alienated and the most "disconnected." Service programs help to break down that sense of alienation. According to a recent report issued by the William T. Grant Commission on Work, Family and Citizenship, "the Commission believes that this sense of futility, and the consequent preoccupation with self, can be redirected into an ethic of service and commitment to others. When young people have a chance to act on their humanitarian ideals, they build self-respect and strong attachments to family and community."

Polls indicate that youth want to serve. A 1980 survey, for example, found that roughly 92% at 14- to 20-year-olds wanted to participate in improving their communities. The findings of a 1985 Gallup poll suggests that Americans act on this desire: about 89 million people, nearly one-half of all Americans 14 years or older, volunteered, including 52% of teenagers. Pollster Louis Harris corroborates the Gallup findings in a 1985 survey, concluding that the "youth population has been misnamed the self-centered generation. There is a strong desire to serve others. The problem we face in America today is not a lack of willingness to serve or to help others but to find the appropriate outlet. . . ." With 2.9 million Americans turning 18 each year, and 25 percent of them estimated to desire placement in civilian service, the need to develop well-thought-out opportunities is clear.

Community service and conservation needs are virtually limitless. As states and localities struggle to confront slow economic growth and declining revenues and to compensate for lost federal funding for social programs, shortages in service delivery are growing. A 1986 study by service experts Richard Danzig and Peter Szanton, for example, estimates that the national gap is sufficiently wide to accommodate 3.5 million youth service slots annually. The broad array of needs that volunteers address—from child care to elder care, reforestation to urban rehabilitation—suggests that Danzig and Szanton's estimate may be low.

H.R. 4330 authorizes federal funds to stimulate the development and implementation of service learning programs to encourage the concept of service and good citizenship among elementary and secondary school students. The Committee also believes there is evidence that service learning can improve student achievement in measurable ways including improved grades and attendance, and reduced instances of absenteeism and misconduct.

On January 19, 1990, Committee staff visited P.S. 38, an elementary school located in Brooklyn, N.Y., which employs a service learning curriculum developed by the College for Human Services in New York City. The Committee staff observed fifth and sixth grade classes engaged in service learning and spoke with teachers and the school's principal about the impact of the curriculum on

House Report

III. BACKGROUND AND NEED FOR THE LEGISLATION

H.R. 4330 seeks to maintain and, where necessary, revive the American spirit of civilian service. While Americans have a rich history of commitment to service efforts, the availability of service opportunities has been less consistent. This bill intends to build upon existing Federal programs like VISTA, Peace Corps, Older American Volunteer Programs and the Student Literacy Corps to expand service opportunities and to increase the number of Americans who perform community service. It recognizes the large number of service efforts underway in virtually every American community and intends to nurture and expand these efforts, not smother them. The Committee believes that notwithstanding these local efforts, the Federal role defined in H.R. 4330, is appropriate.

H.R. 4330 provides ample opportunities for adults to participate in service, but it make special efforts to promote service programs for youth, including those who are at-risk or who have dropped out of school. In his call for a Points of Light Initiative, President Bush pointed to "illiterates, dropouts, drug abusers, uneducated, and

the students. According to Mrs. Millicent Goodman, Principal of P.S. 38:

1. Attendance in classes using the College's system has been higher than overall attendance at P.S. 38. This is particularly noteworthy since attendance at the school is good to start with.

2. During the fall semester which began in September, 1989, there was no suspension of any student in classes using the College's system of education. This is a first—a landmark event. We are now well into the spring term, and behavior continues to be at a high standard.

3. The sixth and fifth grade teachers and I have observed that youngsters have become excited about learning when they must apply their learning outside the classroom. Our fifth and sixth graders do help others in the "Constructive Actions" they carry out at their internships and simultaneously describe and analyze. Doing well has become a primary goal for these students. They come to school on time. They come to school prepared. Certainly, an atmosphere has been created which is conducive to learning.

4. Students learning under the College's system are reading better and improving their arithmetic skills.

5. Teachers are enthusiastic even though working under the College's system involved additional preparation, time and work. Organizing the mandated curriculum around a purpose combined with the collaborative planning that is essential under the College's system are generating new teaching approaches and excellent student response. Teachers know what other classes are doing. Integrating the curriculum around key purposes keeps them focused and builds learning in all the classes. The system minimizes teachers' sense of isolation, since they now have ongoing opportunities to share information and support each other. Most important, through the collaboration, teachers see the results they are hoping to achieve. They see youngsters learning.

6. P.S. 38 is a community school, and the College's program is philosophically consistent with the premises upon which a community school is based. A community school engages in ongoing outreach to parents and to the community as a whole. The College's system which links learning to helping others and making a difference through improved service offers total support to the community school concept. The system has received widespread enthusiastic support from parents whose youngsters are participating. More parents are collaborating with teachers on various activities and projects. It is gratifying that the College's system is oriented towards their increased involvement.

Such programs also offer educators potential help in the fight against dropouts. For example, Pennsylvania has made community service an integral part of its dropout prevention program (The Successful Student Partnership) which now operates in 30 school districts and will soon expand to 15 more. There have been some significant gains. In Pittsburgh, 100 at-risk seventh graders participated in an intensive service program. After one year, 18 were on the honor roll.

Michael Jones is a graduate of Fremont High School's Youth Community Service (YCS), a program sponsored by the Constitutional Rights Foundation in Los Angeles, California. He told the Committee:

I joined because I heard how YCS helps people, and, most of all, our schools and communities. In my community, kids drop out of school because things in the family go wrong. I have seen kids—even my friends—get involved with gangs and drugs. This leads nowhere, except maybe death or jail. There is no life, no future, a lifetime of suffering.

YCS gave me the opportunities to learn and practice skills I do not do in my classrooms. I learned about leadership and cooperation, how to organize, plan, and run meetings, make and follow agendas, how to publicize events, recruit volunteers, being creative, and solving problems.

I found out about what my community needs and how to make things happen.

We brought Black and Hispanic youth together. We learned about teamwork. As a group, we studied the community to find out what needed to be done. Volunteer projects I have participated in and helped start, include: Campus beautification, helping with student elections, assisting the impact in their anti-drug campaign by selling "Say No to Drugs" buttons, hosting as a speaker for the DARE Program, organizing a school-wide food drive with over 300 students donating food cans, painting out graffiti during wipe-out weekend which involved 1,000 kids throughout Los Angeles.

YCS introduced me to all kinds of people from different backgrounds, religion, and color. I made friends through YCS. More schools should have community service programs so students can learn what I learned. Kids have a rough time up there. I see it daily where I live. They need programs like YCS. Schools need a lot of activities to keep kids off the streets.

Todd Clark, the Education Director of the Constitutional Rights Foundation, summed up the benefits that service provides to youth:

Our experience as well as other research demonstrates that service programs stimulate intellectual development and academic achievement by increasing motivation, providing a learning style different from traditional school, stimulating greater retention and helping students learn high order reasoning/problem-solving skills. Youth community service programs have a powerful impact on students from all socioeconomic groups. They build self-esteem, teach leadership and organizational skills, develop a strong sense of community as well as responsibility, social bonding, and improved relationships with peers and with adults.

The Committee believes that the benefits that accrue to elementary and secondary school students also accrue to college students.

A Department of Education study, "A Review of Programs Involving College Students as Tutors or Mentors in Grades K-12", reported that "the sponsoring projects generally report that tutoring and mentoring services have positive effects on (1) the test scores, grades, and overall academic performance of disadvantaged elementary and secondary students; (2) their motivation and attitude towards education; (3) their familiarity with environments other than their own; and (4) their self-esteem and self-confidence." Sponsors also report that participation helps college students, as well. Other research on tutoring and mentoring services to disadvantaged students confirms the capacity of such programs to produce beneficial results. The expansion of the Student Literacy Corps and the creation of the Student Tutorial Corps are intended to build on these findings.

H.R. 4330 also recognizes the role the Governor can play in promoting service opportunities at the State level. According to a 1989 National Governors Association (NGA) survey, more than thirteen States have statewide policy and/or legislation supporting community service programs. Opportunities for service include school and campus-based programs; full-time conservation and youth corps; full- and part-time volunteer activities; literacy corps; senior citizens programs; and programs for youth offenders. Many State governments are actively promoting community service by training volunteers, evaluating programs, providing public recognition, collecting and disseminating program information, and providing coordination. At least twenty States have specific gubernatorial initiatives on community service.

For example, Pennsylvania has been among the leaders in developing youth and community service programs and currently invests more than \$7 million directly into youth service through the Pennsylvania Conservation Corps and PennSERVE. Since 1988, PennSERVE has created 60 model school-based community service programs, launched two full-time year-round service corps in McKeesport and Pittsburgh, worked to expand the Pennsylvania Campus Compact to 28 colleges, initiated the Pennsylvania Model Literacy Corps on 13 college campuses, strengthened volunteer programs for 180,000 State employees, and collaborated with the United Way to establish the Pennsylvania Citizen Service Project. Funds authorized in the bill are intended to allow governors to continue to develop and promote innovative programs at the State level.

The need for conservation and corps programs is reflected in the 1987 report of the President's Commission on the American Outdoors: "... the need is acute for the type of activities which outdoor corps can offer. Recreation and conservation agencies at every level report severe staff shortages ... outdoor corps can and do help meet these critical needs, usually at great cost savings." The California Conservation Corps, for example, typically has from six months to two years worth of backlogged project work. On the local level, the Sacramento Local Conservation Corps normally maintains up to six months worth of backlog.

Data suggest that Youth Service programs are cost-effective. A recent study of several conservation corps programs by Public/Private Ventures found that, by even the most conservative measure,

these programs return to society at least as much as is spent on them. Other studies agree. The Congressional Research Service of the Library of Congress reported in 1985 that, for the federally-funded Youth Conservation Corps and Young Adult Conservation Corps, "between 1979 and 1982, the program costs were less than the appraised value of the work accomplished."

Evaluations of individual service programs are even more flattering. In Pennsylvania, for example, in the course of the past five years, more than 10,000 citizens have participated in the State's youth and conservation corps. All of them were unemployed, 52 percent were high school dropouts, and nearly 40 percent were on some form of public assistance. After serving, nearly three-quarters, 72 percent, successfully completed their assignments and have moved on to jobs or further education. As further proof of the success, for every dollar invested, the State received \$1.31 in completed projects.

As impressively, the California Conservation Corps estimates a return of \$1.77—and \$2.82 during natural disasters.

Moreover, these analyses do not consider the substantial economic and social benefits that result from the investment in the participants. Among other considerations, these evaluations explicitly exclude long term societal benefits, such as reduced welfare costs, reduced criminal activity, increased tax revenues and additional productivity. The Michigan Civilian Conservation Corps has attempted to account for these benefits and estimates that cumulative benefits to the State exceed costs by a staggering 3 to 1.

This bill seeks to lure volunteers with the opportunity to improve themselves through service. It is through this attention to self-empowerment that National Service differs from conventional job training programs. According to at-risk youth expert Justice Anthony Kline, traditional jobs programs often fail young people because they are "based on the false assumption, among others, that the lack of a conventional job skill is the major obstacle to their employment. In reality, the major obstacle for these youths is not the lack of a particular job skill, but the lack of life skills, such as basic literacy, punctuality, accountability and so on." With 100,000 men entering the Civilian Conservation Corps as functional illiterates and exiting able to read and write, service corps clearly offer a time-tested means to achieve these most basic ends.

This conclusion is echoed in a recent study on non-college bound youth, published by William T. Grant Foundation. It found that service offers "some of the most exciting opportunities available anywhere in America for learning and personal development ... The skills and values youth learn in conservation and service corps are not only in short supply, but highly transferable to the workplace and to the community at large."

It is clear that disadvantaged youth stand to benefit more than other participants economically, in terms of their ability to increase their potential post-service wages. But, the Committee believes that service offers significant benefits to all. Studies have shown that service by in-school youth and graduates has many of the same results as for those at-risk: increased self-esteem, civic pride, and maturity.

Today, young people believe they are only asked to be consumers of goods and services. H.R. 4330 offers them opportunities to be much more. It asks that they serve themselves and their country through education and meaningful work. This bill attempts to address the unmet needs of both the server and the served.

MAKING APPROPRIATIONS FOR THE DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND FOR SUNDRY INDEPENDENT AGENCIES, COMMISSIONS, CORPORATIONS, AND OFFICES FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 1991, AND FOR OTHER PURPOSES

OCTOBER 18, 1990.—Ordered to be printed

Mr. TRAXLER, from the committee of conference,
submitted the following

CONFERENCE REPORT

[To accompany H.R. 5158]

COMMISSION ON NATIONAL AND COMMUNITY SERVICE

Amendment No. 65: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter inserted by said amendment, insert the following:

COMMISSION ON NATIONAL AND COMMUNITY SERVICE

SALARIES AND EXPENSES

For use in establishing and paying the salaries and expenses of the Commission on National and Community Service under subtitle G of title I of the National and Community Service Act of 1990 (S. 1430, as passed by the Senate on October 16, 1990), \$2,000,000.

PROGRAMS AND ACTIVITIES

For use in carrying out the programs, activities and initiatives under subtitles B through F of title I of the National and Community Service Act of 1990 (S. 1430, as passed by the Senate on October 16, 1990), \$55,000,000.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate. The conferees agree on the allocation of funds as follows:

\$2,000,000 for salaries and expenses of the Commission on National and Community Service,

\$16,500,000 for school-based and community-based programs for students and out-of-school youth,

\$16,500,000 for the Youth Services Corps,

\$22,000,000 for the National Service full-time and part-time program.

POINTS OF LIGHT FOUNDATION

For necessary expenses of the President in carrying out title III of the National and Community Service Act of 1990 (S. 1430, as passed by the Senate on October 16, 1990), relating to the Points of Light Foundation's promotion of local problem solving through voluntary community service, \$5,000,000: Provided, That not later than 6 months after the date of enactment of this Act the President shall prepare and submit to the appropriate committees of Congress a report describing the use of funds made available by this appropriation.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

This new foundation is a government, nonprofit corporation within the Executive Office of the President which encourages individuals to volunteer their time and services to community service projects.

<u>Program</u>	<u>States eligible?</u>	<u>Local applicants</u>	<u>Conditions for local funding</u>
Serve-America (K-12)	Yes	Partnerships: Public or private nonprofit organi- zation that provides service opportunities plus either a local educational agency or a public or private non- profit organization that works with disadvantaged youth (private schools or business may also be part of partnerships)	Apply to state educational agency or to Commission if state does not apply
Higher Education Project for Community Service	No	Institutions of higher education or public or private nonprofit organization in partnership with higher ed inst.	Apply directly to Commission
American Conservation and Youth Corps	Yes	Public or private nonprofit organ- izations with experience with youth programs	Apply to state or to Commission if state does not apply
National and Community Service Demonstration	Yes	Public or private nonprofit organizations	May receive grant or contract only from state
Governors' Innovative Service Programs	Yes	No	
Peace Corps/VISTA Demonstration	No	No	
Rural Youth Demon- stration Project	Yes	Open	Apply to Commission
Assistance for Head Start	No	Foster Grandparent Grantees	Apply to Commission
Employer-Based Retiree Volunteer Program	No	Public or private nonprofit organizations	Apply to Commission
Regional Clearinghouses	No	Public or private nonprofit agencies	Apply to Commission

WHEN WILL FUNDS BE AVAILABLE?

Several steps must occur before organizations will be receive funds under title I of the National and Community Service Act.

1. Appointment of the Board of Directors of the National and Community Service Commission. The President will nominate and appoint 21 members of the Board of Directors. Currently, the White House Office of National Service is coordinating appointment of the Board.
2. Confirmation of the members of the Board. Once the President has submitted appointments, the Senate must confirm them. This process can be completed relatively quickly, once the official papers have been received by the Senate Labor and Human Resources Committee.
3. Hiring of staff. The Commission is authorized to hire up to ten staff members, including an executive director.
4. Issuance of rules or guidelines. The Commission must prepare and issue rules or guidelines governing distribution of the funds. The legislation does not require formal notice and comment rulemaking. The legislation, as amended, requires that final rules be issued no later than 180 days from the date of enactment of the legislation (which was signed into law on November 16, 1990).

If everything goes as scheduled, applications could be published in May, with funds being distributed over the summer. For more information, contact the White House Office of National Service, (202) 456-6266.

HOW DO I GET A GRANT UNDER THE "SERVE-AMERICA" PROGRAM?
(Title I, Subtitle B, Part 1)

How do I receive funds from "Serve-America"?

States, applying through the State Educational Agency, have first priority for funding. This is to encourage states to make service part of the state's overall education program, to facilitate coordination among service programs in the state, and to minimize administration costs at the federal level. States apply to the newly established "Commission on National Service" for grants. In fiscal year 1991, up to \$16.5 million will be available for "Serve-America" grants. In future years, if more than \$20 million is available for this program, states will receive grants through a formula that is based on the Chapter 1 formula and school-aged population in the state.

Local applicants will apply to the State Educational Agency for funds. However, if the state has not applied for a grant, local applicants may apply directly to the Commission for a share of the state's funds.

What type of programs will "Serve-America" fund?

Four types of programs may be funded under the "Serve-America" program:

- 1) **State planning and capacity building.** A states may apply for a special grant for state planning and capacity building if it has not previously received funds under the program. Or the state may use 10 percent of a regular grant for these activities. Such activities include training, service-learning curriculum development, research and evaluation, and outreach and dissemination.
- 2) **School-based service learning programs.** Not less than sixty percent of a state's regular grant will be used to provide assistance to local applicants for implementation, operation, or expansion of school-based service-learning programs.
- 3) **Community service programs for school dropouts, out-of-school youth, and other youth.** Not less than 15 percent of a state's regular grant will be used to provide assistance to local applicants for implementation, operation, or expansion of community-based service programs for youth.
- 4) **School-based adult volunteer and partnership programs.** Not more than 10 percent of a state's regular grant may be used to provide assistance to local applicants for for implementation, operation, or expansion of programs through which adult volunteers, public or private agencies, institutions of higher education, or businesses assist local education agencies to improve the education of disadvantaged youth.

How does a local organization become eligible for funding?

Criteria vary for each of the above options:

- 1) **State planning and capacity building.** An organization with experience in service-learning programs may receive a grant or contract from the State Educational Agency to conduct state-level planning and capacity building activities such as training of teachers or development of curricula.
- 2) **School-based service learning programs.** Grants will be available to partnerships consisting of one or more local educational agencies and one or more public or private nonprofit organizations that will make service opportunities available. Partnerships may also include a business organization or a private school.
- 3) **Community service programs.** Grants will be available to partnerships consisting of one or more public or private nonprofit organizations that work with disadvantaged youth and one or more public or private nonprofit organizations that will make service opportunities available.
- 4) **Adult volunteer and partnership programs.** Grants will be available to partnerships of one or more local educational agencies and one or more public or private nonprofit organizations or for-profit businesses.

What information will a local application include?

Each local application must include the following:

- 1) A written agreement stating that the program was jointly developed and will be jointly executed by the members of the local partnerships;
- 2) The membership of a local advisory committee consisting of representatives of community-based agencies, service recipients, youth-serving agencies, youth, parents, teachings, administrators, agencies that serve older adults, school board members, labor, and business;
- 3) The goals of the program, including benefits to participants and the community;
- 4) The service opportunities that will be provided and evidence that participants will make a sustained commitment to the project;
- 5) The manner of recruitment, including special efforts to recruit out-of-school youth;
- 6) The manner in which participants will be involved in the design and operation of the program;

- 7) The qualifications and responsibilities of the program coordinator;
- 8) The preservice and inservice training for supervisors, teachers, and participants;
- 9) The manner in which exemplary service will be recognized;
- 10) Potential resources that will permit continuation of the program after the grant has expired;
- 11) Whether or not the program plans include preventing and treating school-age substance abuse; and
- 12) Assurances that the program will consult with local labor organizations prior to placing participants in service opportunities.

Except for adult volunteer and partnership program grant applications, applications will also include:

- 13) Assurances that the program will include an age-appropriate learning component;
- 14) Whether or not the participants will receive academic credit;
- 15) Target levels of participants and number of hours they will serve;
- 16) Proportion of participants who will be educationally or economically disadvantaged;
- 17) Ages, grade levels, and other demographic information about participants; and
- 18) Assurances that participants will receive information about other service programs such as VISTA and the Peace Corps.

What programs will receive priority for funding?

In the case of **school-based service-learning and community service programs**, an application will receive priority for funding if the program:

- 1) Involves participants in the design and operation of the program;
- 2) Is in need of assistance, such as a program targeting low-income areas;
- 3) Involve students from both public and private elementary and secondary schools or individuals of different ages, races, sexes, ethnic groups, disabilities and economic backgrounds serving together;
- 4) Is integrated into the academic program; or

5) Involves a focus on substance abuse prevention or school-dropout prevention.

In the case of adult volunteer and partnership programs, an application will receive priority for funding if the program:

- 1) Involves older Americans or parents as volunteers;
- 2) Involves a partnership with a private business;
- 3) Includes a focus on substance abuse prevention, school dropout prevention, or nutrition; or
- 4) Will improve basic skills or reduce illiteracy.

What other requirements will local programs be subject to?

- 1) Local educational agencies must make provision for inclusion of local private school students and teachers in the program.
- 2) Local grantees may be required to provide a share of the total cost of the program. Such share will be 10 percent in the first year, 20 percent in the second year, and 30 percent in the third year. The match may be met through "in kind" contributions as well as cash.
- 3) Local grantees may be required to supply information for a state report on or evaluations of programs funded under the Act.
- 4) Assistance provided under the Act must be used to supplement, not supplant, local public funds being used for any existing program.
- 5) No funds may be used to provide religious instruction, conduct worship services, or engage in any form of proselytization; to promote or deter union organization; or to finance activities designed to influence the outcome of elections.
- 6) A program that receives assistance shall not impair existing contracts for services or collective bargaining agreements.
- 7) Programs shall not discriminate against participants or staff based on race, color, national origin, sex, age disability, or political affiliation. Programs shall comply with title VI of the Civil Rights Act of 1964, title IX of the Education Amendments of 1972, the Age Discrimination Act of 1975, and the Rehabilitation Act of 1973.
- 8) Programs shall not discriminate on the basis of religion against a participant or staff paid with funds received under the Act, except that this prohibition does not apply to staff members employed by the organization on the date the grant was awarded.
- 9) Assistance may be not be used to duplicate existing services or displace paid workers.

10) Programs receiving funds will establish and enforce standards of conduct at the program site to promote proper moral and disciplinary conditions.

What may funds be used for?

Funds may be used for supervision, administration, training, transportation, evaluation, insurance, and other reasonable expenses, including reimbursement for meals and out-of-pocket expenses of participants. Funds may not be used to pay stipends or financial support.

Are any other federal sources of funds available?

The Student Community Service Program administered by the Action agency also funds programs that encourage students to undertake volunteer service in their communities in a way that enhances the educational value of the service experience. The maximum grant is \$15,000 in the first year, \$10,000 in the second year, and \$5,000 in the third year. A \$3,000 match is required. \$976,000 is available for this program in FY1991. For more information, contact Action, 1100 Vermont Ave., NW, Washington, DC 20525. Phone: (202) 634-9135.

HOW DO I GET A GRANT UNDER THE HIGHER EDUCATION INNOVATIVE PROJECTS FOR COMMUNITY SERVICE PROGRAM? (Title I, Subtitle B, Part 2)

Who is eligible to receive funds under this program?

The following are eligible to apply for funds:

- 1) institutions of higher education (as defined in section 1201 of the Higher Education Act of 1965 -- see attached)
- 2) combinations of higher education institutions
- 3) public or nonprofit organizations working in partnership with institutions of higher education.

How do I apply?

Eligible organizations apply directly to the Commission on National Service.

What may grants be used for?

Grants may be used for any of the following broad types of activities:

- 1) To enable the institution to create or expand community service activities for its students;
- 2) To encourage student-initiated and student-designed community service projects;
- 3) To facilitate the integration of community service into academic curricula, so that students can obtain credit for their community service activities;
- 4) To encourage students to participate in community service activities that will engender a sense of social responsibility and commitment to the community;
- 5) To encourage students to assist in the teaching of individuals with limited basic skills or an inability to read and write; and
- 6) To provide for the training of teachers, prospective teachers, related education personnel, and community leaders in the skills necessary to develop, supervise, and organize community service activities. Such training must take into consideration the particular needs of a community and the ability of the grantee to actively involve a major part of the community in, and substantially benefit the community by, the proposed community service activities.

What information must the application include?

- 1) A description of the proposed program;

- 2) A description of the human, educational, environmental, or public safety service that participants will perform and the community need that will be addressed;
- 3) Whether or not students will receive academic credit for their community service activities;
- 4) a description of the procedure for training supervisors and participants, and for supervising and organizing participants in the program;
- 5) a description of procedures to ensure that the proposed program provides participants with an opportunity to reflect on their service experiences;
- 6) the proposed program budget; and
- 7) assurances that prior to the placement of a participant, the applicant will consult with any local labor organization representing employees in the area who are engaged in similar work.

What other requirements will the program be subject to?

- 1) Grantees must provide 50 percent of the total program cost. The match may be met through "in kind" contributions as well as cash.
- 2) Local grantees may be required to supply information for a state report on or evaluations of programs funded under the Act.
- 3) Assistance provided under the Act must be used to supplement, not supplant, local public funds being used for any existing program.
- 4) No funds may be used to provide religious instruction, conduct worship services, or engage in any form of proselytization; to promote or deter union organization; or to finance activities designed to influence the outcome of elections.
- 5) A program that receives assistance shall not impair existing contracts for services or collective bargaining agreements.
- 6) Programs shall not discriminate against participants or staff based on race, color, national origin, sex, age disability, or political affiliation. Programs shall comply with title VI of the Civil Rights Act of 1964, title IX of the Education Amendments of 1972, the Age Discrimination Act of 1975, and the Rehabilitation Act of 1973.
- 7) Programs shall not discriminate on the basis of religion against a participant or staff paid with funds received under the Act, except that this prohibition does not apply to staff members employed by the organization on the date the grant was awarded.
- 8) Assistance may not be used to duplicate existing services or displace paid workers.

9) Programs receiving funds will establish and enforce standards of conduct at the program site to promote proper moral and disciplinary conditions.

Are any other federal sources of funds available?

The Student Community Service Program administered by the Action agency funds programs that encourage students to undertake volunteer service in their communities in a way that enhances the educational value of the service experience. The maximum grant is \$15,000 in the first year, \$10,000 in the second year, and \$5,000 in the third year. A \$3,000 match is required. \$976,000 is available for this program in FY1991. For more information, contact the Action Agency, 1100 Vermont Avenue, N.W., Washington, D.C. 20525. Phone: (202) 634-9135.

The Innovative Projects for Community Services and Student Financial Independence administered by the Education Department funds innovative projects in order to determine the feasibility of encouraging student participation in community service projects in exchange for educational services or financial assistance. Grants are for one or two years. \$1.5 million is available for this program in FY1991. For more information, contact The Fund for the Improvement of Postsecondary Education, 7th and D Streets, S.W., Room 3100, Washington, D.C. 20202-5175. Phone: (202) 732-5750.

TITLE XII—GENERAL PROVISIONS

DEFINITIONS

SEC. 1201. As used in this Act—

(a) The term "institution of higher education" ¹ means an educational institution in any State which (1) admits as regular students only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of such a certificate, (2) is legally authorized within such State to provide a program of education beyond secondary education, (3) provides an educational program for which it awards a bachelor's degree or provides not less than a two-year program which is acceptable for full credit toward such a degree, (4) is a public or other nonprofit institution, and (5) is accredited by a nationally recognized accrediting agency or association, or if not so accredited, (A) is an institution with respect to which the Secretary has determined that there is satisfactory assurance, considering the resources available to the institution, the period of time, if any, during which it has operated, the effort it is making to meet accreditation standards, and the purpose for which this determination is being made, that the institution will meet the accreditation standards of such an agency or association within a reasonable time, or (B) is an institution whose credits are accepted, on transfer, by not less than three institutions which are so accredited, for credit on the same basis as if transferred from an institution so accredited. Such term also includes any school which provides not less than a one-year program of training to prepare students for gainful employment in a recognized occupation and which meets the provision of clauses (1), (2), (4), and (5). Such term also includes a public or nonprofit private educational institution in any State which, in lieu of the requirement in clause (1), admits as regular students persons who are beyond the age of compulsory school attendance in the State in which the institution is located and who meet the requirements of section 484(d) of this Act.² For purposes of this subsection, the Secretary shall publish a list of nationally recognized accrediting agencies or associations which he determines to be reliable authority as to the quality of training offered.

HOW DO I GET A GRANT UNDER THE YOUTH AND CONSERVATION CORPS PROGRAM?
(Title I, Subtitle C)

How do I receive funds?

In fiscal year 1991, \$16.5 million will be available to state and local applicants for full-time or summer youth corps programs.

States apply directly to the newly established Commission on National Service. States receiving grants will establish a state grant program to distribute funds to public and private nonprofit agencies within the state. In addition, states may use funds to establish or expand a state-run youth or conservation corps.

Local applicants should apply to the state agency that is designated by the state to administer the grant program (no state agency is specified by the legislation). In the event that the state has not applied to the Commission on National Service for a grant under this subtitle, the local applicant -- a private or public nonprofit agency with experience in youth programs -- may apply directly to the Commission.

Establishing a grant program: What information must a state include in its application?

- 1) The manner in which local applicants will be evaluated;
- 2) How service programs within the state will be coordinated;
- 3) How economically and educationally disadvantaged youth will be recruited (including disabled youth, youth with limited basic skills, homeless youth, youth with limited English proficiency, and youth in foster care who are becoming too old for foster care);
- 4) How programs will be evaluated;
- 5) How states will encourage cooperation among corps programs and appropriate state job training councils established under the Job Training Partnership Act;
- 6) How states will certify the training skills and provide credit for competencies developed by participants through involvement in the program;
- 7) How states will ensure that prior to the placement of participants, programs consult with each local labor organization representing employees engaged in work similar to the work to be performed by participants.

Establishing or expanding a youth corps: What information must a state or local applicant include in its application?

Each state or local applicant wanting to establish or expand a youth corps program must include the following in its application:

- 1) A description of the program objectives and performance goals, the management and funding plan, and the types of projects to be conducted, including the duration and type of training and work experience to be provided by the program;
- 2) A plan for the certification of skills and awarding of academic credit for competencies acquired by participants in the program;
- 3) An age-appropriate learning component for participants, including procedures that permit them to reflect on their service experience;
- 4) The estimated number of participants and crew leaders; the length of service required; the support services required for participants and crew leaders; and a plan for recruiting participants and crew leaders, including educationally and economically disadvantaged youth, youth with limited basic skills, homeless youth, disabled youth, youth with limited English proficiency, and youth in foster care who are becoming too old for foster care.
- 5) A list of the requirements that will be imposed on organizations that sponsor corps programs, including a requirement that preference be given to organizations that make investments in the program through cash or the training of participants.
- 6) The manner of appointing and training supervisory staff;
- 7) A plan for the on-site presence of knowledgeable supervisory staff at program facilities;
- 8) A description of facilities, quarters and board (in the case of residential facilities), limited emergency medical care, transportation between administrative facilities and worksites, accommodations for disabled individuals, and other appropriate supplies, services and equipment that will be provided by the applicant;
- 9) A description of basic standards of health, nutrition, sanitation, safety, and work requirements and their manner of enforcement;
- 10) A plan to assign participants to facilities that are as near their homes as feasible;
- 11) An assurance that, prior to the placement of participants, programs will consult with local labor organizations representing employees engaged in similar work;
- 12) The formal and social counseling arrangements that will be made available to participants;
- 13) A plan to ensure that individuals do not drop out of school to participate in the program;

14) A plan for ensuring that post-service education and training benefits are used solely for such purposes;

15) And any other information the Commission requires.

What must be the focus of the corps programs?

Conservation Corps engage participants in land-conservation activities on public or Indian lands. Reforestation, park renovation, pollution control, urban revitalization, flood control, road and trail maintenance, and making public facilities accessible to the disabled are just a few examples cited in the legislation.

Youth Service Corps involve participants in social service activities that result in a public benefit, such as work in nursing homes and senior centers, rehabilitation of neighborhoods, basic-repairs to low-income housing, drug and alcohol education, law enforcement, and other activities that help meet unmet human, educational or environmental needs.

Activities may not be conducted through any business organized for profit, labor union, partisan political organization, domestic or personal service company, or organization engaged in religious activities (unless such activities do not involve the use of funds by participants and program staff to give religious instruction, conduct worship services, or engage in any form of proselytization).

The legislation requires the Commission on National Service to award an equal number of grants to conservation corps and youth service corps. Programs may combine Human Service Corps and Conservation Corps activities.

Who can participate in the corps programs?

Individuals aged 16 through 25 who are citizens or nationals of the United States or lawful permanent resident aliens can participate, except that summer programs are limited to individuals aged 15 through 21. Funded programs may restrict enrollment to any age group within these parameters. Programs may enroll a limited number of participants with special skills who are over 25 years old -- preferably senior citizens. Priority must be given to individuals without high school diplomas. Disadvantaged youth must be given opportunities to enroll.

Programs may also use up to 2% of their funds to conduct join programs with senior citizens organizations to enable senior citizens to serve as mentors for corpsmembers.

What kind of benefits must be provided to participants?

Full-time participants receive a living allowance of up to 100% of the poverty line for a family of two. (In FY1990, 100% of the poverty line for a family of two was \$8,420 a year). In the event that the program has residential facilities, room and board may be

deducted from the living allowance and deposited into rollover accounts limited to this purpose. Participants also receive post-service benefits not in excess of \$100 per week or \$5000 per year, whichever is less. Programs are expected, but not required to provide participants with health insurance if they do not otherwise have access to health insurance.

Participants also receive training and education services. Not less than 10% of the funds received under this subtitle must be used for this purpose, with priority for participants with no high school diploma.

- Programs must assess the educational level of participants at the time of their entrance into the program, and, if appropriate, be referred for testing for learning disabilities.
- Programs may enter into agreements with colleges and other education providers to help meet the educational needs of participants.
- Participants must receive career and educational and job counseling and appropriate job placement services.
- Participants without high school diplomas must participate in a curriculum that will help them earn a diploma or GED.
- Participants must receive information concerning the benefits to the community that result from their service activities.
- State and local officials shall establish that standards and procedures in place for participants to earn academic credit or a high school diploma or its equivalent are consistent with applicable State and local law.

What programs will receive priority for funding?

An application will receive priority for funding if the program:

- 1) Provides long-term benefit to the public;
- 2) Instills a work ethic and a sense of public service in participants;
- 3) Is labor intensive and involves youth operating in crews;
- 4) Can be planned and initiated promptly;
- 5) Will enhance the skills and raise the educational level of participants.

In addition, the Commission is required to ensure the equitable treatment of urban and rural areas.

How will the Commission decide what amount each grantee will receive?

In determining the amount of each grant award, the Commission will consider the type of service projects proposed to be carried out, the number of participants to be served, and the youth unemployment rate in the state.

How much will the federal government pay?

The federal share of the total cost of the State program cannot exceed 75%.

Can volunteers be involved in the program?

Program agencies may use volunteer services to assist projects and may expend program funds received under this subtitle to provide for services or costs incidental to using volunteers (such as transportation, supplies, lodging, recruiting, training, and supervision). However, the use of volunteer services may not result in the displacement of any participant.

What other requirements will local programs be subject to?

- 1) State and local program agencies may not use more than 10% of funds for the purchase of major capital equipment nor more than 5% of funds for administration.
- 2) Participants may not work on any one project for more than six months and may not be enrolled in the program for longer than two years.
- 3) State and local program agencies must provide limited emergency medical care, transportation from administrative facilities to work sites, accommodations for disabled individuals, and other appropriate services, supplies, and equipment.
- 4) State and local program agencies and the Commission will establish health and safety standards and enforcement procedures for all projects, consistent with federal, state, and local health and safety standards.
- 5) Local grantees may be required to supply information for a state report on or evaluations of programs funded under this Act.
- 6) Assistance provided under this Act must be used to supplement, not supplant, local public funds being used for any existing program, and shall only be used for activities that are in addition to those that would otherwise be carried out in the absence of such funds.
- 7) No funds may be used to provide religious instruction, conduct worship services, or engage in any form of proselytization; to promote or deter union organization; or to finance activities designed to influence the outcome of elections.
- 8) A program that receives assistance shall not impair existing contracts for services or collective bargaining agreements.
- 9) Programs shall not discriminate against participants or staff based on race, color, national origin, sex, age, disability, or political affiliation. Programs shall comply with title VI of the Civil Rights Act of 1964, title IX of the Education Amendments of

1972, and the Age Discrimination Act of 1975, and the Rehabilitation Act of 1973.

10) Programs shall not discriminate on the basis of religion against a participant or staff paid with funds received under the Act, except that this prohibition does not apply to staff members employed by the organization on the date the grant was awarded.

11) Assistance may not be used to duplicate existing services or displace paid workers.

12) Programs receiving funds will establish and enforce standards of conduct at the program site to promote proper moral and disciplinary conditions.

13) Programs carried out on public or Indian lands must conform to the laws, policies, plans and documents relating to the management and administration of such lands.

14) State and local programs must demonstrate that the effectiveness of the project will be enhanced by the use of federal funds.

15) State and local program agencies shall coordinate programs with related federal, state, local, and private activities.

16) Participants and crew leaders shall be responsible to, or be the responsibility of, the program agency administering the program.

HOW DO I GET A GRANT UNDER THE NATIONAL AND COMMUNITY SERVICE ACT
"DEMONSTRATION PROGRAM"? (Title I, Subtitle D)

What types of programs are eligible for funding?

Programs involving either full-time or part-time participants who perform national service to meet unmet educational, human, environmental, and public safety needs, especially those relating to poverty, are eligible for funding. States may limit the type of service to a specific category, consistent with the needs of the state. For example, a state with a high rate of illiteracy could design a program in which all participants work in literacy programs.

Who is eligible to receive grants?

Grants will be awarded by the National Service Commission to no more than eight states or Indian tribes in FY1991. States may carry out the program or any of its functions through grant or contract with public or private nonprofit organizations. Twenty-two million dollars is available for grants under this subtitle.

Which states will receive funds?

Grants will be made on a competitive basis according to the following criteria:

- 1) the ability of the proposed program to serve as an effective model for a large-scale national service program;
- 2) the quality of the application, including the plan for training, recruitment, placement, and data collection;
- 3) the extent that the program builds on existing programs; and
- 4) the expediency with which the program will become operational.

The Commission must also ensure that:

- 1) programs meet the unique needs of the state;
- 2) funded programs are geographically diverse and are located in both urban and rural areas;
- 3) at least two programs include full-time, part-time and special senior service participants;
- 4) at least some programs enroll individuals who have completed undergraduate education or specialized post-secondary training and whose training and skills enable them to provide needed services in the state; and
- 5) opportunities are available for public/private partnerships in funding and implementation of programs receiving assistance, including cost-sharing arrangements with sponsoring organizations.

Who is eligible to participate?

PART-TIME: Participants must be 17 or older and a citizen or lawfully admitted for permanent residence. Priority for applicants who are currently employed.

FULL-TIME: Participants must be 17 or older, a citizen or lawfully admitted for permanent residence, and have a high school diploma or its equivalent or agree to achieve such diploma or its equivalent while participating in the program.

SPECIAL SENIOR SERVICE: Participants must be 60 or older and meet any additional criteria established by the Commission.

SPECIAL RULE: States may limit participation to a more limited age subgroup.

What are the obligations of a participant?

PART-TIME: A part-time participant must agree to perform service two weekends a month and two weeks a year, or an average of nine hours a week, for at least three years.

FULL-TIME: A full-time participant must agree to perform service for at least 40 hours a week for at least one year but not more than two years.

SPECIAL SENIOR SERVICE: The Commission will establish criteria regarding the obligations of special senior service participants.

What benefits do participants receive upon completion of their service obligation?

PART-TIME: Each part-time participant will receive a nontransferrable post-service benefit worth up to \$2,000 for each year of service. The post-service benefit may be used for payment of a student loan, tuition for a full-time program at an institution of higher education, expenses associated with a full-time apprenticeship program, or downpayment or closing costs associated with purchase of a first home.

FULL-TIME: Each full-time participant will receive a nontransferrable post-service benefit worth up to \$5,000 for each year of service. The post-service benefit may be used for payment of a student loan, tuition, room and board, books and fees for a full-time program at an institution of higher education, or expenses associated with a full-time apprenticeship program.

SPECIAL RULE: The maximum amount of post-service benefit will increase each year according to the increase in costs associated with attending a 4-year institution of higher education, as determined by the Commission. States may choose to exceed the maximum post-service benefit in any year with funds provided by non-federal sources.

Do participants receive living expenses during the program?

PART-TIME: Part-time participants do not receive living expenses.

FULL-TIME: Full-time participants receive a living allowance worth up to the poverty line for a family of two (in FY1990, \$8,420). A program may exceed this limit with funds provided through nonfederal sources. Programs are also encourage to provide health insurance to each participant who does not otherwise have access to health insurance.

SPECIAL SENIOR SERVICE: Full-time participants receive the same living allowance as regular full-time participants. Part-time participants receive a living allowance in an amount prorated for the number of hours they serve.

Is there a required state match?

States must contribute half of the value of the post-service benefit. However, they may seek a waiver to reduce the state share so the total amount of the post-service benefit does not exceed, in the case of part-time programs, the average cost of tuition and fees at public, four-year universities in the state, or, in the case of a full-time program, the average cost of tuition and fees, room and board at public four-year universities in the state.

What information must be included in the state application?

- 1) a description of the state administrative plan for implementation of the program, including any functions that will be carried out by public and private nonprofit organizations pursuant to grant or contract;
- 2) a description of the manner in which an ethnically and economically diverse group of participants, including economically and educationally disadvantaged individuals, college-bound youth, individuals with disabilities, youth becoming too old for foster care, and employed individuals;
- 3) a description of procedures for training supervisors and participants and for supervising and organizing participants;
- 4) a description of the way that the program provides participants with an opportunity to reflect on their service experience;
- 5) a description of the geographical areas within the state in which the program will be operated to match participants with needs of the state;
- 6) a plan for making individual placements or organizing participants in teams;

- 7) assurances that prior to placement the state will consult with any local labor organization representing employees engaged in similar work and that proposed to be carried out by the program;
- 8) assurances that prior to placement the state will consult with employees at the proposed project site engaged in similar work as that proposed to be carried out by the program;
- 9) a description of the anticipated number of full- and part-time participants and special senior service members;
- 10) a plan for the recruitment and selection of sponsoring organizations that will provide service opportunities for participants;
- 11) a description of the procedures for matching participants with service projects;
- 12) a description of the procedures to be used to assure that sponsoring organizations not matched with participants will be informed about VISTA and Older American Volunteer Programs;
- 13) the state budget for the program;
- 14) a plan for evaluating the program and assurances that the state will cooperate with federal evaluation efforts; and
- 15) any other information the Commission may reasonably require.

What other requirements will the program be subject to?

- 1) Assistance provided under the Act must be used to supplement, not supplant, local public funds being used for any existing program.
- 2) No funds may be used to provide religious instruction, conduct worship services, or engage in any form of proselytization; to promote or deter union organization; or to finance activities designed to influence the outcome of elections.
- 3) A program that receives assistance shall not impair existing contracts for services or collective bargaining agreements.
- 4) Programs may not discriminate against participants or staff based on race, color, national origin, sex, age disability, or political affiliation. Programs shall comply with title VI of the Civil Rights Act of 1964, title IX of the Education Amendments of 1972, the Age Discrimination Act of 1975, and the Rehabilitation Act of 1973.
- 5) Programs may not discriminate on the basis of religion against a participant or staff paid with funds received under the Act, except that this prohibition does not apply to staff members employed by the organization on the date the grant was awarded.

- 6) Assistance may be not be used to duplicate existing services or displace paid workers.
- 7) Programs receiving funds will establish and enforce standards of conduct at the program site to promote proper moral and disciplinary conditions.
- 8) States must provide each full-time participant who does not have a high school diploma or its equivalent with educational services and materials to enable the participant to obtain a high school diploma or its equivalent.
- 9) States must cooperate with the Commission in providing three weeks of training to each participant to orient participants to the program, build an ethic of service, and enable the participants to perform their assigned program tasks. The state may provide additional training, and the sponsoring organization will provide training in specific skills relevant to the specific work to be performed. Such training must include reasonable accommodations for individuals with disabilities.

IV. COMMITTEE VIEWS

S. 1430, the National and Community Service Act of 1989, establishes three new grant programs and expands several existing federal programs to increase service opportunities for Americans of all ages, and especially for youth and senior citizens.

TITLE I—SCHOOL-BASED COMMUNITY SERVICE

Part A—Service-America

While programs in title I of this Act are referred to as "school-based" community service, it is the Committee's strong intention that programs involve "school-aged" youth, including both students and school dropouts. Similarly, the Committee intends that community agencies as well as schools receive grants to operate programs under this part.

Section 103(16) defines "service opportunity" as a program or project enabling students or out-of-school youth to perform meaningful and constructive service in agencies, institutions, and situations where the application of young people's talent and dedication may help to meet educational, and environmental community needs, especially those relating to poverty. The Committee stresses the importance of ensuring that service opportunities be visibly productive and clearly related to community needs and that participants find their service experience satisfying, enriching, and nonexploitative. Such opportunities should not duplicate existing services and must not displace paid employees, but should supply a service that would not otherwise be provided and that benefits the community.

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The Committee intends that states receive sufficient funds to establish or expand programs effectively. If a state does not apply, an education institution, local government agency, community-based agency or consortia thereof may apply directly to the Department of Education for funding. The Committee prefers that the majority of programs be administered through states, rather than directly at the local level, as this facilitates sharing of resources, coordination of programs, and integration with state educational policy. The Committee is aware of several excellent state-sponsored student community service programs, including the Maryland Student Service Alliance, which implements a state bylaw that community service should be offered in every high school for elective credit, and ServeVermont, which provides opportunities for school children to do voluntary community service that is integrated with academic coursework.

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Section 105 specifies the content of the state application. The Committee expects states to design and describe a coordinated program that encourages cooperative efforts among education institutions, local government agencies, community-based agencies, businesses, and state agencies. This state plan shall also describe how economically and educationally disadvantaged youth, including individuals with handicapping conditions, school dropouts, and high school graduates who have not gone on to college, will be assured service opportunities. The state application shall also indicate how information about the program will be disseminated to ensure the participation of a broad range of organizations. The Committee notes that state education departments may be unaccustomed to dealing with community-based organizations. The Committee intends that Serve-America grantees include both education institutions and community agencies, and that the state education departments engage in substantial outreach to community-based organizations.

101(23)
~~101(23)~~

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NOTE - correct section references from Conference Report
are indicated in right margin
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Local applicants may apply to establish or expand a student community service program, through which students or out-of-school youth are provided service opportunities, or a school volunteer and partnership program, through which members of the community volunteer in schools.

Under section 106(b)(1)(A), student community service programs must include an age-appropriate learning component for participants to reflect on their service experiences. The Committee is aware of several successful school-based programs that have incorporated service-learning into the academic program. In Waseca High School, in Waseca, Minnesota, for example, the Youth Service Leadership Class involves students in the design of their own curriculum for the class. In Springfield, Massachusetts, every elementary school class performs community service in conjunction with its academic program.

While the Committee encourages schools to integrate service opportunities into the academic curriculum and to award academic credit for service experience, the Committee is aware that this is a local decision and recognizes that the learning component requirement may also be met outside the regular academic program.

Under section 106(b)(1) (B) and (C), student community service programs must provide both preservice and inservice training for both supervisors and participants involving representatives of the community where service opportunities will be provided and must encourage participants to make a sustained commitment to the service project. The Committee does not have a view about the precise number of hours of training and service that must be provided to meet these requirements, but expects that the length of time should vary with the age of the participant. A sustained commitment could involve a portion of the school day, an afterschool period or evening one or more days a week, several weekends, or several weeks during the summer. The Committee encourages high school programs to consider the recommendations of the Carnegie Foundation for the Advancement of Teaching in "Student Service, the New Carnegie Unit," as an example of how programs can be structured.

In the case of student community service programs, states shall give priority to programs that involve participants in the design and operation of the program, demonstrate need for assistance, involve a diverse group of participants working together, or, in the case of a program administered by an education institution, are integrated into the academic program. To receive priority, programs need not meet all of the above criteria.

The Committee is aware of the benefits of student community service programs for at-risk students. We have refrained from limiting these programs to those involving only at-risk students as volunteers because it is the Committee's strong belief that all Americans, not just those with limited incomes, should develop the ethic of service. Nonetheless, the experience of the Oases program in the Pittsburgh Public Middle Schools, which targets students who have not responded well to traditional education programs, the Learning Through Service program operated by Community Educational Services in San Francisco, which enrolls a high percentage of minority and limited English proficiency students, and the Valued Youth Partnerships in San Antonio, Texas, which recruits and trains at-risk students to tutor younger children, suggest that student community service programs are an effective means to reach educationally and economically disadvantaged students.

In the case of school volunteer and partnership programs, states shall award grants only to programs that provide opportunities for school volunteers to work with at-risk students to be economically or educationally disadvantaged students, including individuals with handicapping conditions. Programs must also provide preservice and inservice training for supervisors and school volunteers.

In the case of school volunteer and partnership programs, section 106(c)(2) requires states to give priority to programs involving older Americans as school volunteers, involving a partnership between a school and a business (or business organization), or which include a focus on drug and alcohol abuse prevention, drop-out prevention, or nutrition and health education. The Committee intends that programs may qualify under the "drug and alcohol abuse prevention" priority even if such activities are not their sole focus.

114(c)(1)

114(b)(4)+C

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115(b)

The Committee is particularly interested in intergenerational programs involving the pairing of senior citizens with at-risk youth. A report entitled *Partners in Growth*, by Public/Private Ventures (fall 1988), provides strong evidence that such programs benefit both youth and the elder mentor and are an effective and inexpensive way to improve the life chances of troubled young people.

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The Committee is aware of many model student community service programs in which a school initiates the program, and of others in which community agencies take the lead. For example, the Challenger Middle School of Colorado Springs, Colorado, operates a program through which "academic teams" adopt a community agency or project each school year. Alternatively, the Thomas Jefferson Forum helps faculty coordinators at 23 Boston-area high schools recruit, place, and administer student volunteers at human services agencies. The Committee intends for both types of programs be funded under the Serve-America program and expresses no preference between applications from community agencies or schools.

To ensure that programs meet the needs of students and the community, local applicants are required to organize an advisory committee consisting of representatives of community agencies, service recipients, youth-serving agencies, students, parents, teachers, administrators, school board members, labor, business, and others as appropriate.

To encourage students participating in Serve-America programs to continue their commitment to national and community service, local applicants are required to provide participants with information on VISTA, the Peace Corps, the Montgomery G.I. bill, and other service programs, including those funded under this Act.

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Section 108 specifies uses of funds for states and local applications. States may use up to 20 percent of funds for administration, including training, technical assistance, curriculum development, and coordination activities. The Committee intends for states to make grants or contracts with public or private nonprofit organizations to provide training, technical assistance, and curriculum development, as necessary.

Section 108(a)(2) authorizes states to use up to 10 percent of funds for school volunteer and partnership programs. School volunteer programs utilize members of the community in support of school objectives as tutors, mentors, guest lecturers, teaching assistants, etc. An education partnership is a cooperative program between a school and a business, college or university, government agency, or community organization. These programs may use employees as volunteers in schools, but many also provide such services as funding college scholarships, providing equipment, making laboratories and other facilities available, or giving part-time employment and career guidance to students. The Committee believes this approach could be particularly effective in the teaching of math, science, and technology.

Section 108(c) prohibits the use of Serve-America funds to pay stipends to participants. Funds may be used to reimburse participants for transportation, meals, and other reasonable out-of-pocket expenses incurred while participating in a program. The Committee does not intend to prohibit programs from paying stipends to participants from funds raised from other sources.

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TITLE II—YOUTH SERVICE CORPS

Section 203 authorizes the National Service Board, established in Title IV of this bill, to provide grants to State or local applicants to create or expand full-time or summer youth service corps programs. Such programs, as defined in section 202, offer full-time, productive work with visible community benefits in a natural resource or human service setting and give participants a mix of work experience, basic and life skills, education, training, and support services. Youth service corps programs include both conservation corps and human services corps programs. Conservation Corps have their roots in the Civilian Conservation Corps of the 1930s and involve primarily environmental and conservation work. Human service corps programs accomplish needed human services; examples include the New York City Volunteer Corps, City Year in Boston, and the Washington Service Corps in Washington state. The Committee intends for the authorized types of projects specified in section 206 to be interpreted broadly, as long as the projects take place on public or Indian lands or provide a public benefit, and do not violate the restrictions noted in section 206(b).

Any program application proposing the use of public or Indian lands shall be reviewed by the Department of Interior and shall be consistent with existing laws and administration governing such lands. The Committee does not intend to interfere with current law or administration governing public or Indian lands and consequently intends the Board to include the Secretary of the Interior in the process of determining what projects are appropriate for conservation corps programs.

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States may apply to the Board for a grant to establish or expand a state-run youth service corps program, to distribute grants to local applicants within the state, or a combination of the two. If the state intends to administer a youth service corps program directly, it shall include in its application a detailed description of the program, including its goals, type of work to be carried out, training and work experience to be provided, an estimate of the number of participants and crew leaders, a plan for recruiting such individuals, services, supplies and equipment to be provided to participants, and other information required in section 205(c). If the state intends to conduct a grant program, the application shall describe how local applications will be educationally disadvantaged youth (including youth who have recently left foster care and youth with handicapping conditions) will be recruited, skills will be certified, programs will be evaluated, cooperation will be encouraged between program agencies and JTPA job training coordinating councils, and the state will ensure that program agencies will consult with appropriate local labor organizations regarding placements of participants.

If a state elects not to apply for assistance under this title, the Board may make a grant directly to a local applicant within that state. Local applicants are defined as public or private non-profit agencies, including the governing body of an Indian tribe. Grants may be used to establish new programs or expand existing programs. The Committee intends for the Board to give equal consideration to applications requesting funds to establish new programs and those requesting funds to expand existing programs.

In reviewing applications from state or local applicants, the Board should give priority for funding to programs that will provide long-term benefits to the public by addressing unmet environmental or human needs, promote the work ethic and the value of public service, enhance the education and skill levels of the participants, be initiated promptly, and are labor intensive with youth working in crews or teams.

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The Board may reserve up to five percent of funds appropriated for this title for Federal disaster relief programs. An example of such an effort is the Department of Interior's arrangement with the Student Conservation Association to coordinate a volunteer effort to restore Yellowstone park facilities and forest destroyed in

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the summer of 1988. Youth service corps are also assisting Charleston, South Carolina, in recovering from Hurricane Hugo, and San Francisco, California, in responding of the city's needs after the recent earthquake.

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Section 209 specifies the in-service and post-service education and training services that will be made available to participants. Program agencies receiving funds under this title will assess the educational levels of participants at the start of the program and will provide appropriate in-service education and training. Program agencies are required to spend at least ten percent of funds to provide skill enhancement, education and training opportunities, and career counseling to participants. The Committee intends that the greatest priority for these services be given to program participants who have not graduated from high school, and then to those in need of skills necessary for employment. However, education and training opportunities should be made available to all participants. The Committee strongly encourages program agencies to develop arrangements with local or state academic institutions and federal or state job training programs in carrying out the requirements of section 209.

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Section 211 states that the federal grant award shall not exceed 75 percent of the cost of operating a state or local Youth Service Corps Program. The State or local program shall be responsible for 25 percent of all program costs. The Committee has set this match to guarantee a commitment by the state or local applicant to the program they wish to establish.

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Section 214 specifies the age and education criteria for enrollment in a conservation or youth service corps program. The Committee has determined that the youth who would most benefit from full-time service are at least 16 years of age and not older than 25. Participants in summer programs will range from 15 to 21 years of age. The Committee intends for high school dropouts to be eligible for a corps program; however, such participants would be required to participate in the program outlined in Section 209 and work towards acquiring a GED.

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Section 215 requires that each participant receives post-service education and training benefits, such as scholarships or grants, worth not less than \$50 per week nor more than \$100 per week that the participant served in the program. The Committee intends that participants serving in the same program, in the same year, for the same period of time, receive equitable post-service benefits.

The Committee intends each Corps program to provide health insurance and a living allowance of not less than 100 percent of the poverty line for a single individual and not more than 100 percent of the minimum wage for a 40-hour workweek. The living allowance should reflect the cost of living, including transportation, food, housing, and utilities, in the area in which the program operates. If room and board are provided to a participant, the program agency may deduct a reasonable fee for room and board from the living allowance. The Committee intends for program agencies to provide guidance regarding opportunities for employment, education, and service opportunities to participants to assist them upon leaving the program.

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TITLE III—NATIONAL SERVICE DEMONSTRATION PROGRAM

The Committee intends to provide the maximum possible flexibility for the Board to negotiate agreements with states for creation of national service demonstration programs. These agreements, and the grants subsequently awarded, may be for multiple fiscal years ~~within the limitation set out in section 303(b)~~ though actual release of funds may be limited to specific fiscal years.

Under section 303(d), the Board is encouraged to select demonstration program states in a manner that tests full- and part-time national service in sites which together supply a diversity of geographic and demographic characteristics, along with a diversity of community service needs.

It is the Committee's intention to require the Board to make every effort to satisfy the minimum number of participating states specified in section 303(g)(1) for each fiscal year. However, it is understood that satisfaction of this condition will depend on the submission of the requisite number of quality applications by states.

It is the Committee's belief that *at least* 25 percent of the demonstration programs created under Title III should include full-time, part-time and special senior service participants. States are encouraged to offer all of these service programs to its citizens; however, the Board is authorized to allow states to offer only full-time or part-time service and, in fact, may want to fund such limited programs to better test the models. For the purposes of section 303(f), it is the Committee's belief that states applying for full-time service grants should be given preference if they include special senior service participants in the program.

In the final two years of the demonstration program, the Board will necessarily make more part-time than full-time grants to states as stated in Section 303(g). Nevertheless, the Committee believes that varied service programs at one site will allow the Board to better compare and assess the benefits of full- and part-time service to the community and to the volunteer.

The Committee does not intend to create any presumption that full- or part-time national service demonstration programs should be operated on a statewide basis. Instead, the Board should encourage states to determine, in fulfilling the requirements of Section 303(h) (8)-(10) relating to the number, recruitment and placement of participants, the most appropriate demonstration site for the program. This site may be statewide, a substate region or regions, or even a non-contiguous combination of substate regions, so long as the site selection and resulting administrative arrangements promotes effective establishment and execution of a demonstration program. The state may also choose to work with a non-profit agency with a network that extends beyond state boundaries and also to those with national networks.

The State budget required in section 303(h)(11) should include both a budget for use of federal funds and a budget for use of state funds, especially state administration of the demonstration program. The Committee understands that state budgeting and appropriations timetables vary tremendously, and does not intend that the Board discriminate in selecting demonstration programs based on these varying state procedures. Thus, states should be allowed to submit applications including a budget for state funds that will be secured by a subsequent state appropriation, along with such assurances that the appropriation can be made (such as a resolution of support from the state legislature) as deemed suitable by the Board.

The national service program will enhance, support, and build on the vast and effective network of service organizations already in place in American communities. Relying on existing structures, resources, and experience is absolutely essential in the pursuit of economy and efficiency. It is equally essential to maintaining the self-starting spirit, the pluralism, and the adaptation to local conditions that have always been the basis for creative response to community needs by local government.

Building on existing structures has a number of implications for the administration of a national service program. First of all, the emphasis of the program must remain on the timely and effective delivery of needed services first, and on the development of volunteers second. This means that agencies must be permitted to maintain high standards and to apply their personnel policies to the volunteer cadre. It also means that local government and non-profit agencies participating in a national service program should not be

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unnecessarily encumbered by restrictions or directives so as to detract from their previous capacity to serve the community.

For these reasons, the Committee directs the Board to consider the extent to which the state plan for demonstrating full- and part-time national service builds on existing programs in awarding grants under this title. It is the Committee's expectation that states will utilize the existing network of social service, educational, public safety and environmental programs within the state to recruit, place and train national service volunteers, rather than duplicating on-going service delivery systems.

The national service legislation rests on the belief that optimum community service delivery requires the joint efforts of the public, non-profit, and corporate sectors and that volunteerism thrives in the climate created by such joint efforts. The Board and state advisory boards will through their membership and their work embody the joint commitment of all three sectors to community betterment and community service.

It is the intent of the Committee in section 303(h)(1) to require state plans to specify how public and private agencies will interact to meet unmet social needs. The Committee seeks to encourage plans in which: public and private programs expand, but do not duplicate, already existing public programs; and/or new programs are created by the public and/or the private sector. The Committee intends that the Board should give preference to state plans that give priority to the agency's or organization's programs of proven effectiveness in delivering community services and shall give appropriate consideration to the degree to which the agency or organization is community-based.

Section 304 specifies the types of service that may be made available to participants. The Committee intends for the list to be interpreted broadly, but with special priority for needs relating to poverty. Generally, it is essential that participating individuals find their service experience satisfying and enriching. This means:

that work assignments should be visibly productive and clearly related to community needs;

that job preparation should include provisions for adequate structure, supervision, and logistical support;

that opportunities for personal development as well as skills training should be made available to participants;

that recognition should include opportunities for volunteers to assume supervisory and decision-making responsibilities in their programs thus engendering a sense of ownership and full participation; and

that work assignments need not be related to the regular employment of the volunteer.

Section 304 suggests a broad array of types of service in the education, human service, environmental, and public safety areas. States may design their programs to give participants the choice of the entire spectrum of types of service, or may limit service to those filling a particular need or needs in the state or substate region.

The Committee observes that particular needs are especially well-suited to a national service response. For example, today in America there are more than three million people who need Independent Living Assistance—non-institutionalized, home-based assistance for people with physical limitations. Their needs are not medical in nature in the traditional sense; they do not require nursing services or the administration of medicine. They need help in basic human functions, getting up, dressing, moving about. For want of this assistance, many disabled men and women are confined to nursing homes or hospitals or fall back on family members who must leave the work force as taxpayers. It is estimated that programs through which young volunteers provide independent living assistance would result in substantial savings by keeping the disabled out of nursing homes and long-term care facilities and by permitting them and their family members to return to the workplace. The Committee hopes to encourage the development of pilot programs through this legislation to meet this need and document the predicted savings.

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A national service program should be inclusive in nature. It must become neither an elite preserve for the affluent and well-educated, nor a sub-minimum wage holding pattern for the poor and disadvantaged. For this reason, S. 1430 does not eliminate incentives altogether, but avoids the type of incentives that make service attractive only to the non-affluent. On the other hand, its stipend, voucher, and reimbursement provisions show awareness of the fact that economic barriers to participating in long-term service programs do exist for many segments of the population and tries to reduce or eliminate these barriers to the degree possible.

Inclusiveness can also be achieved by offering the widest possible range of service opportunities. Title III does so by offering both full- and part-time opportunities in a broad range of types of service.

In keeping with the Committee's intention to involve Americans of all backgrounds, the Board shall give preference to States that demonstrate a willingness to recruit a diverse group of applicants. States shall reach out to potential participants of all ages, economic levels, ethnic backgrounds and gender and to individuals with handicapping conditions.

Under section 306(h)(2), State administrative plans must specify the method of recruitment of economically and educationally disadvantaged youth including individuals with handicapping conditions, college-bound individuals, and employed individuals with the goal of enrolling such individuals in proportions roughly equal to their share of the population of the State or each participating community within the State.

The part-time demonstration program, in particular, is to be made available to working people who will devote a limited amount of time on a regular, long-term basis. Although the program is to be made available to students and others, preference should be given to applicants who are employed, pursuant to section 306(2). The Committee believes that people who are already integrated into a community will provide the long-term commitment to service which the Act is intended to foster.

In section 306(b)(2) of the bill, the Committee provides for the participation of those without high school diplomas in the national service demonstration program. Specifically, an individual 17 or over may serve if he or she agrees to complete high school or to complete a high school equivalency program in conjunction with fulfilling the service requirement. Section 312 also directs States receiving grants under this title to provide each participant in the full-time program with in-service educational services and materials needed to obtain a high school diploma or its equivalency.

The Committee urges States to consider seeking private contributions to pay for a share of program costs. The Committee intends for the Board, in its review of applications, to look favorably on such public and private partnerships and community "investment" in State programs.

In the case of part-time programs, the Board shall give preference to State plans which call for volunteers to work in teams, composed of people from a variety of backgrounds. In hearings and in discussions with volunteer organizations, the Committee has heard persuasive testimony that teamwork is especially conducive to development of community spirit and commitment. Because this spirit is to be fostered in all participants, through training and work, all reasonable methods likely to engender that spirit are to be employed.

Inclusiveness in national service should also relate to the age of the participants. While national service is often closely identified with youth service, its focus should not exclude other population segments. The middle-aged and elderly not only represent a valuable and expanding community resources, but the idea of different generations working together in a common effort is a proven, effective, and mutually enriching approach to community service.

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145(b)(2)

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Therefore, the Committee encourages States to make volunteer opportunities under Title III available to people of all ages, in both the full-time and part-time programs. In particular, States shall use creative and innovative approaches to encourage participation by older people. Outreach shall be specifically targeted at the older population, and States shall take steps to remove barriers to participation that older people face, including lack of transportation and inaccessibility of facilities.

SubTitle D

Under section 305, seniors are eligible to participate in the part-time program as regular volunteers, in the full-time program as regular volunteers, or in the full-time program as Special Senior Service volunteers. As regular participants in the part-time and full-time programs, senior citizens are required to meet the same requirements as other participants and receive the same benefits. If seniors elect to enroll as special senior service participants in a full-time National Service Demonstration Program, they may serve either full time or less than full time. The Board shall determine the appropriate length and terms of service required by special senior service participants. Special senior service participants serving full-time will receive ~~health insurance and~~ a living allowance equal to that received by a full-time national service participant (no less than 100 percent of the poverty line for a single individual and no more than 100 percent of the minimum wage for a 40-hour workweek.) Special senior service participants serving less than full-time will receive a pro-rated portion of the living allowance provided to full-time special senior service participants.

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Special senior service participants are ineligible to receive a voucher under Section 307 of this title. However, section 308(c) permits the Board to provide other assistance to special senior service participants serving both full time and less than full time if the Board considers such assistance necessary and appropriate for a senior participant to carry out the service obligation. Such assistance may include transportation, meals, health insurance, or other benefits and services equivalent to the cost of the education and housing vouchers provided to regular participants.

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In hearings and consultation with existing volunteer programs and organizations, the Committee repeatedly has been advised of the importance of adequate and proper training of participants to ensure a valuable volunteer experience. Further, the Committee believes that a well-trained participant will develop the enthusiasm and commitment necessary to maintain a long-term involvement with volunteerism.

Section 309 requires all full- and part-time participants to participate in a three-week training session provided by the Board, to be conducted by a team of trainers and organized and employed by the corporation to travel to participating states. The model for this method is the highly successful training provided by Special Olympics. Training should provide a grounding in the ethic of volunteerism and the spirit of helping others.

148

The three weeks of training shall be considered to be a period of "service" for purposes of calculation of benefits. Any other training, including that necessary to give volunteers the technical skills they need to perform their assigned tasks, shall be paid for and developed by the states, working with volunteer organizations to maximize efficiency and provide training specifically suited to the needs of the particular states.

States receiving grants under title III are not required to provide matching funds. In lieu of this match, states are to assume responsibility for costs related to building and maintaining an infrastructure in the state, including administration, recruitment, supervision of participants; the provision of inservice education benefits to

SubTitle D

participants who have not graduated from high school; grievance and arbitration procedures specified in section 411(e); the collection of such data as the Board considers necessary to evaluate the program and enforce the provisions of this Act; the expenses of state advisory committees; the construction or renovation of any physical structure required to implement the program; and additional training for participants and supervisors not provided by the Board. The Board will assume federal administration; evaluation expenses; and costs related to support of individual participants, including three-weeks of training, education and housing vouchers, benefits for special senior service participants, living allowances and health insurance.

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Section 312 of the bill requires each state participating in a demonstration program to provide in-service educational services so that all participants will have obtained a high school diploma or its equivalent by completion of service. It is the Committee's belief that participants in the national service program will reap a number of positive benefits from their service. By assuring completion of a high school diploma, participants will be assured that the options before them have expanded because of their service. Such a credential will also assure participants that they can make full use of the educational voucher they have earned at the college of their choice.

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However, the Committee does not intend this accommodation to non-high school graduates to encourage or permit states to recruit current school-aged children into service. Rather it is the Committee's intent that this provision be used primarily with adult participants who may have not previously completed high school.

Also, it is the Committee's intent that students who participate in the national service program and receive educational vouchers not be penalized in their eligibility for federal education grants. However, the Committee would like to see a reduction in the loan burden of students who have successfully earned such a voucher. Towards this end, Section 313 of the bill requires the voucher to be considered as estimated financial assistance for purposes of determining student loan eligibility. Thus the voucher will effectively reduce a student's eligibility for student loans.

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Neither the voucher nor the stipend will be considered as income for purposes of Pell Grant eligibility. This will keep the monies received under either the stipend or the voucher from raising the amount poor students are expected to contribute simply because of their participation in national service.

It is also the Committee's intent that students who participate in national service programs not be able to use their low income under the stipend to qualify for financial aid programs for which they would not otherwise qualify. To accomplish this, the stipend can not be counted as a resource to determine student independence. Thus, in order to be considered independent upon completion of the national service program, students would have to demonstrate independence without reliance upon the stipend received during their service.

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Subtitle F

The Committee is aware that several states, particularly Minnesota and Pennsylvania, have established comprehensive, state-wide service programs involving all the major streams of service contemplated by this Act. One factor responsible for the success of these state-wide programs is that they involve several different state and local agencies and are coordinated by an interagency or community board. The Committee hopes that other states will follow the lead of Pennsylvania and Minnesota in establishing multi-faceted service programs. To encourage states to implement a variety of service programs, and to facilitate their coordination, section 413 ~~requires~~ that each state applying for funds under part A of title I or titles II or III form a State Advisory Board for National and Community Service. If a state already operates such an advisory board, it will be deemed in compliance with this provision if such board is designated to perform the functions required in this section.

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encourages

The Governor will appoint members of the Advisory Board, including representatives of state agencies administering community service, youth service, education, social service, and job training programs. In addition, the Advisory Board should include representatives of labor, business, agencies working with youth, community-based organizations, students, teachers, Older American Volunteer Programs, full-time youth service corps programs, school-based community service programs, higher education institutions, local education agencies, local government, state legislatures, volunteer public safety organizations, educational programs, and other organizations working with volunteers. Appointments should be made based on experience in these areas and not be based on political affiliation. The Advisory Board will assist state agencies administering programs funded under this Act in coordinating service programs and related programs within the state, disseminating information about the programs, recruiting participants, and developing programs, training methods, curriculum materials, and other materials and activities related to service programs. States are encouraged to use the Advisory Board to increase the visibility of programs funded under this Act, to raise matching funds, and ensure that programs are responsive to the needs of both participants and those served by the program.

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programs funded
under title I

Section 414 provides for an extensive evaluation of the American Conservation and Youth Service Corps Act of 1989 and the National Service Demonstration Program Act. Such evaluation shall be conducted by individuals who are not directly involved in the administration of the programs but who have expertise in community service programs or other relevant areas. The evaluations shall examine both the implementation of the programs and their effectiveness in achieving stated goals, and shall include a comparison of the relative merits and limitations of alternative approaches attempted under Titles II and III of this Act. In addition, such evaluation shall measure the impact of the programs on related programs, including VISTA, the Peace Corps, the Armed Services, the National Guard, the Older American Volunteer Programs, and Title V of the Older Americans Act.

The Committee is also concerned about the possible effects of a national service program on recruitment and retention of personnel for the Armed Forces. The Committee intends and believes that nothing contained within this bill will have any adverse effect upon the military. States are specifically directed to collect data on this subject from participants, which shall be analyzed by the Board with this concern in mind. The Board should assess the impact of a program of national service on the manpower needs of the Armed Forces with attention given the experience of the Army with two-year enlistments in the non-combat arms.

The Committee believes that it is also important to determine the effects of the Act on the National Guard and Reserves, which play an important role in the overall defense of the nation. The Board shall take special care to examine the effects of the bill on the Guard and Reserves when conducting its evaluation.

The Committee also intends for the Board to measure carefully the impact of programs funded under this Act on recruitment of participants in other civilian service opportunities. In particular, the Board shall focus on the impact of the special senior service authorized under title III of this Act on the Older American Volunteer Programs and title V of the Older Americans Act. The Board shall also undertake to evaluate the effect of programs funded under titles I, II, and III on recruitment for VISTA and the Peace Corps.

While the Board is encouraged to make, where appropriate, comparisons of participants in the programs with individuals who have not participated in the programs, it is not the Committee's intention to require that every program funded under Title II or III of this Act include a such control group. Rather, a sufficient number of programs should include randomly assigned control groups to allow for the evaluation of a sample of programs.

The Committee recognizes that because the Act has multiple objectives and will involve differing approaches with varying components, evaluations will face many technical issues and will have to be tailored to meet the realities of program development. Without seeking to prescribe particular evaluation methods, the Committee notes that the following are among the specific questions that the evaluation of Title III should address:

Implementation

What types of individuals respond to enrollment opportunities? Why do significant groups enroll in larger or smaller numbers? What is the relative significance of the differing inducements for enrollment? What are the attrition rates and duration of participation of different groups, and the reasons for early departure or longer-term participation?

What are the program costs, short-term and longer-term, such as the deferred costs of providing college and housing vouchers? What are the major operational problems encountered by the programs? How effective are the differing types of efforts made to overcome them? In the opinion of program participants, program staff, and members of communities receiving the youth services, what are the strengths, and weaknesses of such programs?

Effects

What are effects on the participants, and on major participant groups, including improvements in educational attainment achieved while enrolled in the program and after? Beyond measurement of participants' educational and other experience, what are the estimated net effects attributable to the program, as indicated by tracking of randomly assigned control groups? What are the effects on participants' attitudes toward themselves, as measured by test items already validated to the maximum extent feasible? What is the post-program employment experience of participants and how does it relate to their program service experience? What are the nature and magnitude of the effects of youth service on recruitment for VISTA, the Peace Corps, the National Guard, and the military? To what extent are regular paid workers displaced rather than supplemented by participants? What is the value of the service work performed by participants, in dollar terms and in terms of their roles in agencies and organization where they are placed? To what extent do early, short-term effects continue, dissipate, or build up further over the longer-term?

Upon completion, copies of the evaluation and an executive summary shall be distributed to the Senate Committee on Labor and Human Resources and the House Committee on Education and Labor.

IV. EXPLANATION OF THE BILL

It is the intent of the Committee that prohibitions on sectarian activity in the performance of program responsibilities found in Title I, Section 157 shall not be interpreted to abridge or interfere with the rights of such individuals or organizations to freedom of speech and expression.

174

In the interest of maintaining programs of the highest caliber, it is the intent of the Committee that directors of programs receiving funds under Title II may set and stringently enforce standards of conduct and behavior to promote proper moral and disciplinary conditions among enrollees while on the job or otherwise engaged in the performance of their duties.

Given that religious organizations have a role to play in addressing secular problems, the Committee wishes to make clear that sectarian institutions may be considered Community Based Organizations (CBO's) for purposes of this Act and may compete for funds on an equal basis with all other eligible entities.

The Committee recognizes that the country's 960 Community Action Agencies mobilize a vast and committed network of volunteers representing a broad cross-section of the local community. CAPs coordinate volunteers who are professionals in the fields of accounting, health care and teaching and their services have considerable value. Their experience in using volunteers in areas such as delivering meals to elderly individuals, distributing surplus commodities and providing emergency food and clothing to needy families will enable CAPs to effectively carry out programs authorized in this bill.

While H.R. 4330 states that youth and conservation corps enrollees must be between 16 and 25 years of age, the Committee intends that programs may choose the age range of participants they will enroll, but the range cannot go below 16 years or above 25 years of age.

The Committee expects the Secretary to limit the number of clearinghouses and to insure that they be geographically dispersed so as to provide adequate regional coverage. The Committee expects that the clearinghouses will have a demonstrated record of experience with school-based community service programs that emphasize student community service at the elementary and secondary school levels, school volunteer and partnership programs, higher education programs, the development and implementation of youth and conservation corps programs, and service programs that involve at-risk youth, as well as other relevant subjects.

RESOURCE ORGANIZATIONS FOR NATIONAL AND COMMUNITY SERVICE

Youth Service America
1319 F Street, NW
Suite 900
Washington, DC 20004
(202) 783-8855

Campus Compact
c/o Brown University
Box 1975
Providence, RI 02912
(401) 863-1119

Campus Outreach Opportunity League
386 McNeal Hall
University of Minnesota
St. Paul, MN 55108
(612) 624-3018

National Youth Leadership Council
Center for Youth Development and Research
386 McNeal Hall
1985 Buford Avenue
St. Paul, MN 55108
(612) 631-3672

National Association of Partners in Education
601 Wythe Street
Suite 200
Alexandria, VA 22314
(703) 836-4880

Massachusetts Youth Service Alliance
131 State Street
Suite 628
Boston, MA 02109
(617) 248-8685

Community Service Learning Center
258 Washington Blvd.
Springfield, MA 01108
(413) 787-7078

National Association of Service and Conservation Corps
1001 Connecticut Ave., NW
Suite 827
Washington, DC 20036
(202) 331-9647

National Crime Prevention Council
1700 K Street, NW
2nd Floor
Washington, DC 20006
(202) 383-7141

Points of Light Foundation
736 Jackson Place, NW
Washington, DC 20006
(202) 293-7654

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