

103<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. 919

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

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## IN THE SENATE OF THE UNITED STATES

MAY 6 (legislative day, APRIL 19), 1993

Mr. KENNEDY (for himself, Mr. DURENBERGER, Ms. MIKULSKI, Mr. JEFFORDS, Mr. NUNN, Mr. SPECTER, Mr. BOREN, Mr. CHAFEE, Mr. BREAUX, Mr. PELL, Mr. DODD, Mr. SIMON, Mr. WELLSTONE, Mr. WOFFORD, Mr. CAMPBELL, Mr. ROCKEFELLER, Mr. ROBB, Mr. LIEBERMAN, Mr. AKAKA, and Mr. RIEGLE) (by request) introduced the following bill; which was read twice and referred to the Committee on Labor and Human Resources

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## A BILL

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

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

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

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

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

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings and purpose.

TITLE I—PROGRAMS AND RELATED PROVISIONS

Subtitle A—Programs

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

Subtitle B—Related Provisions

- Sec. 111. Definitions.
- Sec. 112. Authority to make State grants.
- Sec. 113. Family and medical leave.
- Sec. 114. Reports.
- Sec. 115. Nondiscrimination.
- Sec. 116. Notice, hearing, and grievance procedures.
- Sec. 117. Nondisplacement.
- Sec. 118. Evaluation.
- Sec. 119. Engagement of participants.
- Sec. 120. Contingent extension.
- Sec. 121. Repeals.

TITLE II—ORGANIZATION

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

TITLE III—REAUTHORIZATION

Subtitle A—National and Community Service Act of 1990

- Sec. 301. Authorization of appropriations.

Subtitle B—Domestic Volunteer Service Act of 1973

- Sec. 311. Short title; references.

CHAPTER 1—VISTA AND OTHER ANTI-POVERTY PROGRAMS

- Sec. 321. Purpose of the VISTA program.
- Sec. 322. Selection and assignment of VISTA volunteers.
- Sec. 323. Terms and periods of service.
- Sec. 324. Support for VISTA volunteers.
- Sec. 325. Participation of younger and older persons.
- Sec. 326. Literacy activities.
- Sec. 327. Applications for assistance.
- Sec. 328. Repeal of authority for student community service programs.

- Sec. 329. University year for VISTA.
- Sec. 330. Authority to establish and operate special volunteer and demonstration programs.
- Sec. 331. Technical and financial assistance.
- Sec. 332. Elimination of separate authority for drug abuse programs.

#### CHAPTER 2—NATIONAL SENIOR VOLUNTEER CORPS

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

#### CHAPTER 3—ADMINISTRATION

- Sec. 361. Purpose of agency.
- Sec. 362. Authority of the Director.
- Sec. 363. Compensation for volunteers.
- Sec. 364. Repeal of report.
- Sec. 365. Application of Federal law.
- Sec. 366. Evaluation of programs.
- Sec. 367. Nondiscrimination provisions.
- Sec. 368. Elimination of separate requirements for setting regulations.
- Sec. 369. Clarification of role of Inspector General.
- Sec. 370. Copyright protection.
- Sec. 371. Center for research and training.
- Sec. 372. Deposit requirement credit for service as a volunteer.

#### CHAPTER 4—AUTHORIZATION OF APPROPRIATIONS AND OTHER AMENDMENTS

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

#### CHAPTER 5—GENERAL PROVISIONS

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

#### TITLE IV—TECHNICAL AND CONFORMING AMENDMENTS

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

Sec. 405. References to Directors of the Commission on National and Community Service.  
Sec. 406. Effective date.

1 **SEC. 2. FINDINGS AND PURPOSE.**

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

5 **“SEC. 2. FINDINGS AND PURPOSE.**

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

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

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

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

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

19 “(5) Nonprofit organizations, local govern-  
20 ments, States, and the Federal Government are al-  
21 ready supporting a wide variety of national service  
22 programs that deliver needed services in a cost-effec-  
23 tive manner.

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

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

4           “(2) renew the ethic of civic responsibility and  
5           the spirit of community throughout the United  
6           States;

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

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

14          “(5) reinvent government to eliminate duplica-  
15          tion, support locally established initiatives, require  
16          measurable goals for performance, and offer flexibil-  
17          ity in meeting those goals;

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

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

24          (b) TABLE OF CONTENTS.—Section 1(b) of the Na-  
25          tional and Community Service Act of 1990 (Public Law

1 101–610; 104 Stat. 3127) is amended by striking the item  
2 relating to section 2 and inserting the following new item:

“Sec. 2. Findings and purpose.”.

3           **TITLE I—PROGRAMS AND**  
4           **RELATED PROVISIONS**  
5           **Subtitle A—Programs**

6 **SEC. 101. FEDERAL INVESTMENT IN SUPPORT OF NA-**  
7           **TIONAL SERVICE.**

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

12           **“Subtitle C—National Service Trust**  
13           **Program**

14           **“PART I—INVESTMENT IN NATIONAL SERVICE**  
15           **“SEC. 121. AUTHORITY TO PROVIDE ASSISTANCE AND AP-**  
16           **PROVED NATIONAL SERVICE POSITIONS.**

17           “(a) PROVISION OF ASSISTANCE.—The Corporation  
18 for National Service may make grants to States, subdivi-  
19 sions of States, Indian tribes, public and private not-for-  
20 profit organizations, and institutions of higher education  
21 for the purpose of assisting the recipients of the grants—

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

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

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

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

20                 “(1) approve the provision of national service  
21                 educational awards described in subtitle D for the  
22                 participants who serve in national service programs  
23                 carried out using such assistance; and

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

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

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

8           “(d) FIVE PERCENT LIMITATION ON ADMINISTRA-  
9           TIVE COSTS.—

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

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

16                           “(B) national service programs carried out  
17                           or supported with the assistance.

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

20                   “(A) assistance provided under subsection  
21                   (a) or (b) may be used to cover administrative  
22                   costs; and

23                   “(B) that portion of the assistance avail-  
24                   able to cover administrative costs should be dis-  
25                   tributed between—



1           “(i) the original recipient of the grant  
2           or transfer of assistance under such sub-  
3           section; and

4           “(ii) national service programs carried  
5           out or supported with the assistance.

6           “(e) MATCHING FUNDS REQUIREMENTS.—

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

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

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

20                 “(B) may provide for such share through  
21                 State sources, local sources, or other Federal  
22                 sources (other than the use of funds made  
23                 available under the national service laws).

24          “(3) WAIVER.—The Corporation may waive in  
25          whole or in part the requirements of paragraph (1)

1 with respect to a national service program in any fis-  
2 cal year if the Corporation determines that such a  
3 waiver would be equitable due to a lack of available  
4 financial resources at the local level.

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

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

17 “(1) A community corps program that meets  
18 unmet human, educational, environmental, or public  
19 safety needs and promotes greater community unity  
20 through the use of organized teams of participants  
21 of varied social and economic backgrounds, skill lev-  
22 els, physical capabilities, ages, ethnic backgrounds,  
23 or genders.

24 “(2) A youth corps program, such as a con-  
25 servation corps or youth service corps (including a

1 conservation corps or youth service corps that per-  
2 forms service on Federal or other public lands or on  
3 Indian lands), that—

4 “(A) undertakes meaningful full-time serv-  
5 ice projects with visible benefits to a commu-  
6 nity, including natural resource, urban renova-  
7 tion, or human services projects;

8 “(B) includes as participants youths and  
9 young adults between the ages of 16 and 25, in-  
10 clusive, including out-of-school youths and other  
11 disadvantaged youths who are between those  
12 ages; and

13 “(C) provides those participants who are  
14 youths and young adults with—

15 “(i) crew-based, highly structured,  
16 and adult-supervised work experience, life  
17 skills, education, career guidance and  
18 counseling, employment training, and sup-  
19 port services; and

20 “(ii) the opportunity to develop citi-  
21 zenship values and skills through service to  
22 their community and the United States.

23 “(3) A program that provides specialized train-  
24 ing to individuals in service-learning and places the  
25 individuals after such training in positions, including

1 positions as service-learning coordinators, to facili-  
2 tate service-learning in programs eligible for funding  
3 under part I subtitle B.

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

7 “(A) recruits individuals with special skills  
8 or provides specialized preservice training to en-  
9 able participants to be placed individually or in  
10 teams in positions in which the participants can  
11 meet such unmet needs; and

12 “(B) brings participants together for addi-  
13 tional training and other activities designed to  
14 foster civic responsibility, increase the skills of  
15 participants, and improve the quality of the  
16 service provided.

17 “(5) An individualized placement program that  
18 includes regular group activities, such as leadership  
19 training and special service projects.

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

24 “(A) students who are attending an insti-  
25 tution of higher education, including students

1 supported by work-study funds under part C of  
2 title IV of the Higher Education Act of 1965  
3 (42 U.S.C. 2751 et seq.);

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

5 “(C) teams composed of a combination of  
6 such students and community residents.

7 “(7) A preprofessional training program in  
8 which students enrolled in an institution of higher  
9 education—

10 “(A) receive training in specified fields,  
11 which may include classes containing service-  
12 learning;

13 “(B) perform service related to such train-  
14 ing outside the classroom during the school  
15 term and during summer or other vacation peri-  
16 ods; and

17 “(C) agree to provide service upon gradua-  
18 tion to meet unmet human, educational, envi-  
19 ronmental, or public safety needs related to  
20 such training.

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

23 “(A) as teachers, nurses, police officers,  
24 early childhood development staff, or other pro-  
25 fessionals providing service to meet educational,

1 human, environmental, or public safety needs in  
2 communities with an inadequate number of  
3 such professionals;

4 “(B) that may include a salary in excess of  
5 the maximum living allowance authorized in  
6 subsection (a)(3) of section 140, as provided in  
7 subsection (c) of such section; and

8 “(C) that are sponsored by public or pri-  
9 vate not-for-profit employers who agree to pay  
10 100 percent of the salaries and benefits (other  
11 than any national service educational award  
12 under subtitle D) of the participants.

13 “(9) A program in which economically dis-  
14 advantaged individuals who are between the ages of  
15 16 and 24 years of age, inclusive, are provided with  
16 opportunities to perform service that, while enabling  
17 such individuals to obtain the education and employ-  
18 ment skills necessary to achieve economic self-suffi-  
19 ciency, will help their communities meet—

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

22 “(B) the need for community facilities in  
23 low-income areas.

24 “(10) A national service entrepreneur program  
25 that identifies, recruits, and trains gifted young

1 adults of all backgrounds and assists them in de-  
2 signing solutions to community problems.

3 “(11) An intergenerational program that com-  
4 bines students, out-of-school youths, and older  
5 adults as participants to provide needed community  
6 services.

7 “(12) Such other national service programs ad-  
8 dressing unmet human, educational, environmental,  
9 or public safety needs as the Corporation may des-  
10 ignate.

11 “(b) QUALIFICATION CRITERIA TO DETERMINE ELI-  
12 GIBILITY.—

13 “(1) ESTABLISHMENT BY CORPORATION.—The  
14 Corporation shall establish qualification criteria for  
15 different types of national service programs for the  
16 purpose of determining whether a particular national  
17 service program should be considered to be a na-  
18 tional service program eligible to receive assistance  
19 or approved national service positions under this  
20 subtitle.

21 “(2) CONSULTATION.—In establishing qualifica-  
22 tion criteria under paragraph (1), the Corporation  
23 shall consult with organizations and individuals who  
24 are experts regarding national service or regarding

1 the delivery of human, educational, environmental,  
2 or public safety services to communities or persons.

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

9 “(c) NATIONAL SERVICE PRIORITIES.—

10 “(1) ESTABLISHMENT BY CORPORATION.—In  
11 order to concentrate national efforts on meeting cer-  
12 tain unmet human, educational, environmental, or  
13 public safety needs and to achieve the other pur-  
14 poses of this Act, the Corporation may establish,  
15 and periodically alter, priorities regarding the types  
16 of national service programs to be assisted under  
17 section 121 and the purposes for which such assist-  
18 ance may be used.

19 “(2) NOTICE TO APPLICANTS.—The Corpora-  
20 tion shall provide advance notice to potential appli-  
21 cants of any national service priorities to be in effect  
22 under this subsection for a fiscal year. The notice  
23 shall specifically include—

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



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

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

12       **“SEC. 123. TYPES OF NATIONAL SERVICE POSITIONS ELIGI-**  
13                               **BLE FOR APPROVAL FOR NATIONAL SERVICE**  
14                               **EDUCATIONAL AWARDS.**

15          “The Corporation may approve of any of the follow-  
16          ing service positions as an approved national service posi-  
17          tion that includes the national service educational award  
18          described in subtitle D as one of the benefits to be pro-  
19          vided for successful service in the position:

20               “(1) A position for a participant in a national  
21               service program described in section 122(a) that re-  
22               ceives assistance under subsection (a) or (b) of sec-  
23               tion 121.

24               “(2) A position for a participant in a program  
25               that—

1           “(A) is carried out by a State, a subdivi-  
2           sion of a State, an Indian tribe, a public or pri-  
3           vate not-for-profit organization, an institution  
4           of higher education, or a Federal agency; and

5           “(B) would be eligible to receive assistance  
6           under section 121(a), based on criteria estab-  
7           lished by the Corporation, but has not applied  
8           for such assistance.

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

12          “(4) A position facilitating service-learning in a  
13          program described in section 122(a)(3) that is eligi-  
14          ble for assistance under part I of subtitle B.

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

17          “(6) A position involving service as a crew lead-  
18          er in a youth corps program or a similar position  
19          supporting a national service program that receives  
20          an approved national service position.

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

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

24          “(a) PLANNING ASSISTANCE.—The Corporation may  
25          provide assistance under section 121 to a qualified appli-

1 cant that submits an application under section 130 for the  
2 planning of a national service program. Assistance pro-  
3 vided in accordance with this subsection may cover a pe-  
4 riod of not more than 1 year.

5 “(b) OPERATIONAL ASSISTANCE.—The Corporation  
6 may provide assistance under section 121 to a qualified  
7 applicant that submits an application under section 130  
8 for the establishment, operation, or expansion of a na-  
9 tional service program. Assistance provided in accordance  
10 with this subsection may cover a period of not more than  
11 3 years, but may be renewed by the Corporation upon con-  
12 sideration of a new application under section 130.

13 “(c) REPLICATION ASSISTANCE.—The Corporation  
14 may provide assistance under section 121 to a qualified  
15 applicant that submits an application under section 130  
16 for the expansion of a proven national service program to  
17 another geographical location. Assistance provided in ac-  
18 cordance with this subsection may cover a period of not  
19 more than 3 years, but may be renewed by the Corpora-  
20 tion upon consideration of a new application under section  
21 130.

22 “(d) APPLICATION TO SUBGRANTS.—The require-  
23 ments of this section shall apply to any State or other  
24 applicant receiving assistance under section 121 that pro-

1 poses to conduct a grant program using the assistance to  
2 support other national service programs.

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

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

7 “(1) improve the ability of national service pro-  
8 grams assisted under section 121 to meet human,  
9 educational, environmental, or public safety needs in  
10 communities—

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

12 “(B) where programs do not currently  
13 exist or are currently too limited to meet com-  
14 munity needs;

15 “(2) promote leadership development in such  
16 programs;

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

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

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

24 “(b) TECHNICAL ASSISTANCE.—The Corporation  
25 may make appropriate technical assistance available to

1 States, labor organizations, organizations operated by  
2 young adults, and other entities described in section 121  
3 that desire—

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

5 “(2) to apply for assistance under such section or  
6 under a grant program conducted using assistance pro-  
7 vided under such section.

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

9 “(a) SUPPORT FOR STATE COMMISSIONS.—

10 “(1) ASSISTANCE AUTHORIZED.—The Corpora-  
11 tion may make assistance available to assist a State  
12 to establish or operate the State Commission on Na-  
13 tional Service required to be established by the State  
14 under section 178.

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

20 “(A) 85 percent of the total cost to estab-  
21 lish or operate the State Commission for the  
22 first year for which the State Commission re-  
23 ceives assistance under this subsection; and

24 “(B) such smaller percentage of such cost  
25 as the Corporation may establish for the sec-

1           ond, third, and fourth years of such assistance  
2           in order to ensure that the Federal share does  
3           not exceed 50 percent of such costs for the fifth  
4           year, and any subsequent year, for which the  
5           State Commission receives assistance under this  
6           subsection.

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

12          “(c) CHALLENGE GRANTS FOR NATIONAL SERVICE  
13          PROGRAMS.—

14                 “(1) ASSISTANCE AUTHORIZED.—The Corpora-  
15                 tion may make challenge grants under this sub-  
16                 section to a national service program that receives  
17                 assistance under section 121. The Corporation shall  
18                 develop criteria for the selection of challenge grant  
19                 recipients so as to make the grants widely available  
20                 to a variety of high-quality national service pro-  
21                 grams.

22                 “(2) AMOUNT OF ASSISTANCE.—A challenge  
23                 grant under this subsection may provide not more  
24                 than \$1 of assistance under this subsection for each  
25                 \$1 in cash raised by the national service program

1 from private sources in excess of amounts required  
2 to be provided by the program to satisfy matching  
3 funds requirements under section 121(e). The Cor-  
4 poration shall establish a ceiling on the amount of  
5 assistance that may be provided to a national service  
6 program under this subsection.

7 **“PART II—APPLICATION AND APPROVAL**  
8 **PROCESS**

9 **“SEC. 129. PROVISION OF ASSISTANCE AND APPROVED NA-**  
10 **TIONAL SERVICE POSITIONS BY COMPETI-**  
11 **TIVE AND OTHER MEANS.**

12 **“(a) ALLOTMENTS OF ASSISTANCE AND APPROVED**  
13 **POSITIONS TO STATES AND INDIAN TRIBES.—**

14 **“(1) 33<sup>1</sup>/<sub>3</sub> PERCENT ALLOTMENT OF ASSIST-**  
15 **ANCE.—**Of the funds allocated by the Corporation  
16 for provision of assistance under subsections (a) and  
17 (b) of section 121 for a fiscal year, the Corporation  
18 shall make a grant under section 121(a) (and a cor-  
19 responding allotment of approved national service  
20 positions) to each of the several States, the District  
21 of Columbia, and the Commonwealth of Puerto Rico  
22 that has an application approved by the Corporation  
23 under section 133. The amount allotted as a grant  
24 to each such State under this paragraph for a fiscal  
25 year shall be equal to the amount that bears the

1 same ratio to  $33\frac{1}{3}$  percent of the allocated funds for  
2 that fiscal year as the population of the State bears  
3 to the total population of the several States, the Dis-  
4 trict of Columbia, and the Commonwealth of Puerto  
5 Rico.

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

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



1 lotted under this subsection to the State or Indian  
2 tribe—

3 “(A) to make grants (and provide ap-  
4 proved national service positions in connection  
5 with such grants) to other eligible entities  
6 under section 121 that propose to carry out na-  
7 tional service programs in the State or on be-  
8 half of the Indian tribe; and

9 “(B) after making grants under paragraph  
10 (1), to make a reallocation to other States and  
11 Indian tribes with approved applications under  
12 section 130.

13 “(b) RESERVATION OF APPROVED POSITIONS.—

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

1       deducted from the total funding for approved na-  
2       tional service positions to be available for distribu-  
3       tion under subsections (a) and (d) for that fiscal  
4       year.

5           “(2) EXCEPTION.—If the total number of ap-  
6       proved national service positions to be available for  
7       distribution under subsections (a) and (d) for a fis-  
8       cal year does not exceed 200 percent of the number  
9       of such positions that would be required to satisfy  
10      paragraph (1) for that fiscal year, the Corporation  
11      shall not reserve the national service educational  
12      award for individuals described in such paragraph  
13      who are selected during that fiscal year.

14      “(c) RESERVATION FOR SPECIAL ASSISTANCE.—  
15      Subject to section 501(a)(2), of the funds allocated by the  
16      Corporation for provision of assistance under subsections  
17      (a) and (b) of section 121 for a fiscal year, the Corpora-  
18      tion may reserve such amount as the Corporation consid-  
19      ers to be appropriate for the purpose of making assistance  
20      available under sections 125 and 126. However, the Cor-  
21      poration may not reserve more than \$10,000,000 for a  
22      fiscal year for challenge grants under section 126(c).

23      “(d) COMPETITIVE DISTRIBUTION OF REMAINING  
24      FUNDS AND APPROVED POSITIONS.—

1           “(1) STATE COMPETITION.—Of the funds allo-  
2 cated by the Corporation for provision of assistance  
3 under subsections (a) and (b) of section 121 for a  
4 fiscal year, the Corporation shall use not less than  
5  $33\frac{1}{3}$  percent of the allocated funds to make grants  
6 to States on a competitive basis under section  
7 121(a).

8           “(2) FEDERAL AGENCIES AND OTHER APPLI-  
9 CANTS.—The Corporation shall distribute on a com-  
10 petitive basis to subdivisions of States, Indian tribes,  
11 public and private not-for-profit organizations (in-  
12 cluding labor organizations), institutions of higher  
13 education, and Federal agencies the remainder of  
14 the funds allocated by the Corporation for provision  
15 of assistance under section 121 for a fiscal year,  
16 after operation of paragraph (1) and subsections (a)  
17 and (c).

18           “(3) LIMITATIONS.—The Corporation may limit  
19 the categories of eligible applicants for assistance  
20 under paragraph (2) consistent with the priorities  
21 established by the Corporation under section  
22 133(d)(2).

23           “(e) APPLICATION REQUIRED.—The allotment of as-  
24 sistance and approved national service positions to a State  
25 or Indian tribe under subsection (a), and the competitive

1 distribution of assistance and approved national service  
2 positions under subsection (d), shall be made by the Cor-  
3 poration only pursuant to an application submitted by a  
4 State or other applicant under section 130 and approved  
5 by the Corporation under section 133.

6       “(f) DISTRIBUTION OF APPROVED POSITIONS SUB-  
7 JECT TO AVAILABLE FUNDS.—The Corporation may not  
8 distribute approved national service positions under this  
9 section for a fiscal year in excess of the number of such  
10 positions for which the Corporation has sufficient available  
11 funds in the National Service Trust for that fiscal year  
12 to satisfy the maximum possible obligations to be incurred  
13 by the United States to provide the national service edu-  
14 cational award corresponding to service in these positions.

15       “(g) SPONSORSHIP OF APPROVED NATIONAL SERV-  
16 ICE POSITIONS.—

17               “(1) SPONSORSHIP AUTHORIZED.—The Cor-  
18 poration may enter into agreements with persons or  
19 entities who offer to sponsor national service posi-  
20 tions for which the person or entity will be respon-  
21 sible for supplying the funds necessary to provide a  
22 national service educational award. The distribution  
23 of these approved national service positions shall be  
24 made pursuant to the agreement, and the creation  
25 of these positions shall not be taken into consider-

1       ation in determining the number of approved na-  
2       tional service positions to be available for distribu-  
3       tion under this section.

4               “(2) DEPOSIT OF CONTRIBUTION.—Funds pro-  
5       vided pursuant to an agreement under paragraph  
6       (1) and any other funds contributed to the Corpora-  
7       tion to support the activities of the Corporation  
8       under the national service laws shall be deposited in  
9       the National Service Trust established in section  
10       145 until such time as the funds are needed.

11   **“SEC. 130. APPLICATION FOR ASSISTANCE AND APPROVED**  
12                               **NATIONAL SERVICE POSITIONS.**

13       “(a) TIME, MANNER, AND CONTENT OF APPLICA-  
14   TION.—To be eligible to receive assistance under section  
15   121 and approved national service positions for partici-  
16   pants who serve in the national service programs to be  
17   carried out using the assistance, a State, subdivision of  
18   a State, Indian tribe, public or private not-for-profit orga-  
19   nization, institution of higher education, or Federal agen-  
20   cy shall prepare and submit to the Corporation an applica-  
21   tion at such time, in such manner, and containing such  
22   information as the Corporation may reasonably require.

23       “(b) TYPES OF APPLICATION INFORMATION.—In  
24   order to have adequate information upon which to consider  
25   an application under section 133, the Corporation may re-

1 require the following information to be provided in an appli-  
2 cation submitted under subsection (a):

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

6           “(2) A description of the national service pro-  
7 grams that are selected by the applicant to receive  
8 a grant from assistance requested under section 121  
9 and a description of the process and criteria by  
10 which the programs were selected.

11           “(3) A description of other funding sources to  
12 be used, or sought to be used, for the national serv-  
13 ice programs referred to in paragraphs (1) and (2),  
14 and, if the application is submitted for the purpose  
15 of seeking a renewal of assistance, a description of  
16 the success of the programs in reducing their reli-  
17 ance on Federal funds.

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

23           “(5) A description of the plan to be used to re-  
24 cruit participants, including economically disadvan-

1       tagged youth, for the national service programs re-  
2       ferred to in paragraphs (1) and (2).

3               “(6) A description of the manner in which the  
4       national service programs referred to in paragraphs  
5       (1) and (2) build on existing programs, including  
6       Federal programs;

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

10               “(A) in projects that build an ethic of civic  
11       responsibility and produce a positive change in  
12       the lives of participants through training and  
13       participation in meaningful service experiences  
14       and opportunities for reflection on such experi-  
15       ences; and

16               “(B) in leadership positions in implement-  
17       ing and evaluating the program.

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

21               “(A) the impact to be made in meeting  
22       unmet human, educational, environmental, or  
23       public safety needs; and

24               “(B) the service experience to be provided  
25       to participants in the programs.

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

6           “(10) A description of the past experience of  
7           the applicant in operating a comparable program or  
8           in conducting a grant program in support of other  
9           comparable programs.

10           “(11) A description of the type and number of  
11           proposed service positions in which participants will  
12           receive the national service educational award de-  
13           scribed in subtitle D and a description of the man-  
14           ner in which approved national service positions will  
15           be apportioned by the applicant.

16           “(12) A description of the manner and extent  
17           to which participants, representatives of the commu-  
18           nity served, community-based agencies with a dem-  
19           onstrated record of experience in providing services,  
20           and labor organizations contributed to the develop-  
21           ment of the national service programs referred to in  
22           paragraphs (1) and (2), including the identity of the  
23           individual representing the labor organization who  
24           was consulted and the nature of the consultation.



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

3           “(c) APPLICATION TO RECEIVE ONLY APPROVED  
4 NATIONAL SERVICE POSITIONS.—

5           “(1) APPLICABILITY OF SUBSECTION.—This  
6           subsection shall apply in the case of an application  
7           in which—

8                   “(A) the applicant is not seeking assist-  
9                   ance under subsection (a) or (b) of section 121,  
10                  but requests national service educational  
11                  awards for individuals serving in service posi-  
12                  tions described in section 123; or

13                   “(B) the applicant requests national serv-  
14                   ice educational awards for service positions de-  
15                   scribed in section 123, but the positions are not  
16                   positions in a national service program de-  
17                   scribed in section 122(a) for which assistance  
18                   may be provided under subsection (a) or (b) of  
19                   section 121.

20           “(2) SPECIAL APPLICATION REQUIREMENTS.—  
21           For the applications described in paragraph (1), the  
22           Corporation shall establish special application re-  
23           quirements in order to determine—

24                   “(A) whether the service positions meet  
25                   unmet human, educational, environmental, or

1 public safety needs and meet the criteria for as-  
2 sistance under this subtitle; and

3 “(B) whether the Corporation should ap-  
4 prove the positions as approved national service  
5 positions that include the national service edu-  
6 cational award described in subtitle D as one of  
7 the benefits to be provided for successful service  
8 in the position.

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

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

14 “(2) COMPETITIVE SELECTION.—The applica-  
15 tion of a State shall contain an assurance that all  
16 assistance provided under section 121(a) to the  
17 State will be used to support national service pro-  
18 grams that were selected by the State on a competi-  
19 tive basis.

20 “(3) ASSISTANCE TO NONSTATE ENTITIES.—  
21 The application of a State shall also contain an as-  
22 surance that not less than 60 percent of the assist-  
23 ance will be used to make grants in support of na-  
24 tional service programs other than national service  
25 programs carried out by a State agency. The Cor-

1       poration may permit a State to deviate from the per-  
2       centage specified by this subsection if the State has  
3       not received a sufficient number of acceptable appli-  
4       cations to comply with the percentage.

5       “(e) SPECIAL RULE FOR CERTAIN SERVICE SPON-  
6       SORS.—In the case of an applicant that proposes to serve  
7       as the service sponsor, the application shall include the  
8       written concurrence of any local labor organization rep-  
9       resenting employees of the applicant who are engaged in  
10      the same or substantially similar work as that proposed  
11      to be carried out.

12      “(f) LIMITATION ON SAME PROJECT IN MULTIPLE  
13      APPLICATIONS.—The Corporation shall reject an applica-  
14      tion submitted under this section if a project proposed to  
15      be conducted using assistance requested by the applicant  
16      is already described in another application pending before  
17      the Corporation.

18      **“SEC. 131. NATIONAL SERVICE PROGRAM ASSISTANCE RE-**  
19    **QUIREMENTS.**

20      “(a) IMPACT ON COMMUNITIES.—An application sub-  
21      mitted under section 130 shall include an assurance by  
22      the applicant that any national service program carried  
23      out by the applicant using assistance provided under sec-  
24      tion 121 and any national service program supported by  
25      a grant made by the applicant using such assistance will—

1           “(1) address unmet human, educational, envi-  
2           ronmental, or public safety needs through services  
3           that provide a direct benefit to the community in  
4           which the service is performed; and

5           “(2) comply with the nonduplication and  
6           nondisplacement requirements of section 177.

7           “(b) IMPACT ON PARTICIPANTS.—An application  
8           submitted under section 130 shall also include an assur-  
9           ance by the applicant that any national service program  
10          carried out by the applicant using assistance provided  
11          under section 121 and any national service program sup-  
12          ported by a grant made by the applicant using such assist-  
13          ance will—

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

18           “(2) provide support services to participants,  
19           such as the provision of appropriate information and  
20           support—

21           “(A) to those participants who are com-  
22           pleting a term of service and making the transi-  
23           tion to other educational and career opportuni-  
24           ties; and

1           “(B) to those participants who are school  
2           dropouts in order to assist those participants in  
3           earning the equivalent of a high school diploma.

4           “(c) CONSULTATION.—An application submitted  
5 under section 130 shall also include an assurance by the  
6 applicant that any national service program carried out  
7 by the applicant using assistance provided under section  
8 121 and any national service program supported by a  
9 grant made by the applicant using such assistance will—

10           “(1) provide in the design, recruitment, and op-  
11           eration of the program for broad-based input from  
12           the community served, community-based agencies  
13           with a demonstrated record of experience in provid-  
14           ing services, and local labor organizations represent-  
15           ing employees of service sponsors;

16           “(2) prior to the placement of participants, con-  
17           sult with any local labor organization representing  
18           employees in the area who are engaged in the same  
19           or similar work as that proposed to be carried out  
20           by such program to ensure compliance with the  
21           nondisplacement requirements specified in section  
22           177; and

23           “(3) in the case of a program that is not fund-  
24           ed through a State, consult with and coordinate ac-

1       tivities with the State Commission for the State in  
2       which the program operates.

3       “(d) EVALUATION AND PERFORMANCE GOALS.—

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

7             “(A) arrange for an independent evalua-  
8       tion of any national service program carried out  
9       using assistance provided to the applicant under  
10      section 121;

11            “(B) develop measurable performance  
12      goals and evaluation methods (such as the use  
13      of surveys of participants and persons served),  
14      which are to be used as part of such evaluation  
15      to determine the impact of the program—

16            “(i) on communities and persons  
17      served by the projects performed by the  
18      program;

19            “(ii) on participants who take part in  
20      the projects; and

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

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

1           “(2) ALTERNATIVE EVALUATION REQUIRE-  
2           MENTS.—The Corporation may establish alternative  
3           evaluation requirements for national service pro-  
4           grams based upon the amount of assistance received  
5           under section 121 or received by a grant made by  
6           a recipient of assistance under such section. The de-  
7           termination of whether a national service program is  
8           covered by this paragraph shall be made in such  
9           manner as the Corporation may prescribe.

10          “(e) LIVING ALLOWANCES AND OTHER INSERVICE  
11          BENEFITS.—Except as provided in section 140(c), an ap-  
12          plication submitted under section 124 shall also include  
13          an assurance by the applicant that the applicant will—

14                 “(1) provide a living allowance and other bene-  
15                 fits specified in section 140 to participants in any  
16                 national service program carried out by the appli-  
17                 cant using assistance provided under section 121;  
18                 and

19                 “(2) require that each national service program  
20                 that receives a grant from the applicant using such  
21                 assistance will also provide a living allowance and  
22                 other benefits specified in section 140 to participants  
23                 in the program.

24          “(f) SELECTION OF PARTICIPANTS FROM INDIVID-  
25          UALS RECRUITED BY CORPORATION OR STATE COMMIS-

1 SIONS.—The Corporation may also require an assurance  
2 by the applicant that any national service program carried  
3 out by the applicant using assistance provided under sec-  
4 tion 121 and any national service program supported by  
5 a grant made by the applicant using such assistance will  
6 select a portion of the participants for the program from  
7 among prospective participants recruited by the Corpora-  
8 tion or State Commissions under section 138(d). The Cor-  
9 poration may specify a minimum percentage of partici-  
10 pants to be selected from the national leadership pool es-  
11 tablished under section 138(e) and may vary the percent-  
12 age for different types of national service programs.

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

14 “An application submitted to the Corporation under  
15 section 130 shall include an assurance by the applicant  
16 that any national service program carried out using assist-  
17 ance provided under section 121 and any approved na-  
18 tional service position provided to an applicant will not be  
19 used to perform service that provides a direct benefit to  
20 any—

21 “(1) business organized for profit;

22 “(2) labor union;

23 “(3) partisan political organization; or

24 “(4) organization engaged in religious activities,

25 unless such service does not involve the use of assist-



1       ance provided under section 121 or participants to  
2       give religious instruction, conduct worship services,  
3       or engage in any form of proselytization.

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

5       “(a) CORPORATION CONSIDERATION OF CERTAIN  
6 CRITERIA.—The Corporation shall apply the criteria de-  
7 scribed in subsections (c) and (d) in determining wheth-  
8 er—

9               “(1) to approve an application submitted under  
10       section 130 and provide assistance under section  
11       121 to the applicant; and

12               “(2) to approve service positions described in  
13       the application as national service positions that in-  
14       clude the national service educational award de-  
15       scribed in subtitle D and provide such approved na-  
16       tional service positions to the applicant.

17       “(b) APPLICATION TO SUBGRANTS.—A State or  
18       other entity that uses assistance provided under section  
19       121(a) to support national service programs selected on  
20       a competitive basis to receive a share of the assistance  
21       shall use the criteria described in subsections (c) and (d)  
22       when considering an application submitted by a national  
23       service program to receive a portion of such assistance or  
24       an approved national service position. The application of  
25       the State or other entity under section 130 shall contain

1 a certification that the State or other entity complied with  
2 these criteria in the selection of national service programs  
3 to receive assistance.

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

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

10 “(2) The innovative aspects of the national  
11 service program, and the feasibility of replicating the  
12 program.

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

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

17 “(B) of multiple funding sources or private  
18 funding for the program.

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

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

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

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

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

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

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

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

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

23 “(d) OTHER CONSIDERATIONS.—

24 “(1) GEOGRAPHIC DIVERSITY.—The Corpora-  
25 tion shall ensure that recipients of assistance pro-

1 vided under section 121 are geographically diverse  
2 and include projects to be conducted in those urban  
3 and rural areas in a State with the highest rates of  
4 poverty.

5 “(2) PRIORITIES.—The Corporation may des-  
6 ignate, under such criteria as may be established by  
7 the Corporation, certain national service programs  
8 or types of national service programs described in  
9 section 122(a) for priority consideration in the com-  
10 petitive distribution of funds under section  
11 129(d)(2). In designating national service programs  
12 to receive priority, the Corporation may include—

13 “(A) national service programs carried out  
14 by another Federal agency;

15 “(B) national service programs that con-  
16 form to the national service priorities in effect  
17 under section 122(c);

18 “(C) innovative national service programs;

19 “(D) national service programs that are  
20 well established in one or more States at the  
21 time of the application and are proposed to be  
22 expanded to additional States using assistance  
23 provided under section 121;

24 “(E) grant programs in support of other  
25 national service programs if the grant programs

1           are to be conducted by not-for-profit organiza-  
2           tions with a demonstrated and extensive exper-  
3           tise in the provision of services to meet human,  
4           educational, environmental, or public safety  
5           needs; and

6                   “(F) professional corps programs described  
7           in section 122(a)(8).

8           “(e) REJECTION OF STATE APPLICATIONS.—

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

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

24                   “(3) REALLOTMENT.—The amount of any  
25           State’s allotment under section 129(a) for a fiscal

1 year that the Corporation determines will not be  
2 provided for that fiscal year shall be available for  
3 distribution by the Corporation as provided in para-  
4 graph (3) of such subsection.

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

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

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

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

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

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

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

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

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

3           “(b) SPECIAL RULES FOR CERTAIN YOUTH PRO-  
4 GRAMS.—An individual shall be considered to be a partici-  
5 pant in a youth corps program described in section  
6 122(a)(2) or a program described in section 122(a)(9)  
7 that is carried out with assistance provided under section  
8 121(a) if the individual—

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

12          “(2) is between the ages of 16 and 25, inclu-  
13          sive, at the time the individual begins the term of  
14          service.

15 **“SEC. 138. SELECTION OF NATIONAL SERVICE PARTICI-**  
16 **PANTS.**

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

1 assistance and approved national service positions are  
2 provided.

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

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

13       “(d) RECRUITMENT AND PLACEMENT.—The Cor-  
14 poration and each State Commission shall establish a sys-  
15 tem to recruit individuals who desire to perform national  
16 service and to assist the placement of these individuals in  
17 approved national service positions, including positions  
18 available under title I of the Domestic Volunteer Service  
19 Act of 1973 (42 U.S.C. 4951). The Corporation and State  
20 Commissions shall disseminate information regarding  
21 available approved national service positions through co-  
22 operation with secondary schools, institutions of higher  
23 education, employment service offices, and other appro-  
24 priate entities, particularly those organizations that pro-  
25 vide outreach to disadvantaged youths.



1 “(e) NATIONAL LEADERSHIP POOL.—

2 “(1) SELECTION AND TRAINING.—From among  
3 individuals recruited under subsection (d), the Cor-  
4 poration may select individuals with significant lead-  
5 ership potential, as determined by the Corporation,  
6 to receive special training to enhance their leader-  
7 ship ability. The leadership training shall be pro-  
8 vided by the Corporation directly or through a grant  
9 or contract.

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

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

1 **“SEC. 139. TERMS OF SERVICE.**

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

7       “(b) TERM OF SERVICE.—

8           “(1) FULL-TIME SERVICE.—An individual per-  
9 forming full-time national service in an approved na-  
10 tional service position shall agree to participate in  
11 the program sponsoring the position for not less  
12 than 1,700 hours during a period of not less than  
13 9 months and not more than 1 year.

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

21           “(3) REDUCTION IN HOURS OF PART-TIME  
22 SERVICE.—The Corporation may reduce the number  
23 of hours required to be served to successfully com-  
24 plete part-time national service to a level determined  
25 by the Corporation, except that any reduction in the  
26 required term of service shall include a correspond-

1       ing reduction in the amount of any national service  
2       educational award that may be available under sub-  
3       title D with regard to that service.

4       “(c) RELEASE FROM COMPLETING TERM OF SERV-  
5       ICE.—

6               “(1) RELEASE AUTHORIZED.—A recipient of  
7       assistance under section 121 or a program sponsor-  
8       ing an approved national service position may re-  
9       lease a participant from completing a term of service  
10      in the position—

11               “(A) for compelling personal circumstances  
12              as demonstrated by the participant; or

13               “(B) for cause.

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

22      **“SEC. 140. LIVING ALLOWANCES FOR NATIONAL SERVICE**  
23                      **PARTICIPANTS.**

24               “(a) PROVISION OF LIVING ALLOWANCE.—

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

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

12                   “(A) 85 percent of the total average an-  
13 nual subsistence allowance provided to VISTA  
14 volunteers under section 105 of the Domestic  
15 Volunteer Service Act of 1973 (42 U.S.C.  
16 4955); and

17                   “(B) 85 percent of the annual living allow-  
18 ance established by the national service pro-  
19 gram involved.

20           “(3) MAXIMUM LIVING ALLOWANCE.—Except  
21 as provided in subsection (c), the total amount of an  
22 annual living allowance that may be provided to a  
23 participant in a national service program shall not  
24 exceed 200 percent of the average annual subsist-  
25 ence allowance provided to VISTA volunteers under

1 section 105 of the Domestic Volunteer Service Act  
2 of 1973 (42 U.S.C. 4955).

3 “(4) PRORATION OF LIVING ALLOWANCE.—The  
4 amount provided as a living allowance under this  
5 subsection shall be prorated in the case of a partici-  
6 pant who is authorized to serve a reduced term of  
7 service under section 139(b)(3).

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

21 “(b) COVERAGE OF CERTAIN EMPLOYMENT-RELAT-  
22 ED TAXES.—To the extent a national service program that  
23 receives assistance under section 121 is subject, with re-  
24 spect to the participants in the program, to the taxes im-  
25 posed on an employer under sections 3111 and 3301 of

1 the Internal Revenue Code of 1986 (26 U.S.C. 3111,  
2 3301) and taxes imposed on an employer under a work-  
3 men's compensation act, the assistance provided to the  
4 program under section 121 shall include an amount suffi-  
5 cient to cover 85 percent of such taxes based upon the  
6 lesser of—

7           “(1) the total average annual subsistence allow-  
8           ance provided to VISTA volunteers under section  
9           105 of the Domestic Volunteer Service Act of 1973  
10          (42 U.S.C. 4955); and

11          “(2) the annual living allowance established by  
12          the program.

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

19               “(1) any assistance provided to the applicant  
20               under section 121 may not be used to pay for any  
21               portion of the allowance;

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

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

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

19          “(e) CHILD CARE.—

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

22                          “(A) make child care available for children  
23                          of each full-time participant who serves in a na-  
24                          tional service program carried out or supported  
25                          by the recipient using the assistance, including

1 individuals who need such child care in order to  
2 participate in the program; or

3 “(B) provide a child care allowance to each  
4 full-time participant in a national service pro-  
5 gram who needs such assistance in order to  
6 participate in the program.

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

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

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

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



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

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

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

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

                  “Subtitle C—National Service Trust Program

                  “PART I—INVESTMENT IN NATIONAL SERVICE

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

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

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

          “Sec. 124. Types of program assistance.

          “Sec. 125. Training and technical assistance.

          “Sec. 126. Other special assistance.

                  “PART II—APPLICATION AND APPROVAL PROCESS

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

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

          “Sec. 131. National service program assistance requirements.

          “Sec. 132. Ineligible service categories.

“Sec. 133. Consideration of applications.

“PART III—NATIONAL SERVICE PARTICIPANTS

“Sec. 137. Description of participants.

“Sec. 138. Selection of national service participants.

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

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

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

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

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

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

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

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

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

1           “(A) national service educational awards;  
2           and

3           “(B) interest expenses pursuant to sub-  
4           section (e);

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

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

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

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

1       “(d) REPORTS TO CONGRESS ON RECEIPTS AND EX-  
2 PENDING.—The Corporation shall submit an annual  
3 report to the Congress on the financial status of the Trust.

4 Such report shall—

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

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

14           “(3) identify the number of individuals whose  
15 ability to claim national service educational awards  
16 during the period covered by the report—

17           “(A) has been reduced pursuant to section  
18 147(b); or

19           “(B) has lapsed pursuant to section  
20 146(d); and

21           “(4) estimate the number of additional ap-  
22 proved national service positions which the Corpora-  
23 tion will be able to make available under subtitle C  
24 on the basis of any accumulated surplus in the  
25 Trust above the amount required to provide national

1 service educational awards to individuals identified  
2 under paragraph (2), including any amounts avail-  
3 able as a result of the circumstances referred to in  
4 paragraph (3).

5 **“SEC. 146. INDIVIDUALS ELIGIBLE TO RECEIVE A NATIONAL**  
6 **SERVICE EDUCATIONAL AWARD FROM THE**  
7 **TRUST.**

8 “(a) ELIGIBLE INDIVIDUALS.—An individual shall  
9 receive a national service educational award from the Na-  
10 tional Service Trust if the individual—

11 “(1) successfully completes the required term of  
12 service described in subsection (b) in an approved  
13 national service position;

14 “(2) was 17 years of age or older at the time  
15 the individual began serving in the approved na-  
16 tional service position or was an out-of-school youth  
17 serving in an approved national service position with  
18 a youth corps program described in section  
19 122(a)(2) or a program described in section  
20 122(a)(9);

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

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

1       “(b) TERM OF SERVICE.—The term of service for an  
2 approved national service position shall not be less than  
3 the full- or part-time term of service specified in section  
4 139(b).

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

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

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

20           “(2) EXCEPTION.—The Corporation may ex-  
21 tend the period within which an individual may use  
22 a national service educational award if the Corpora-  
23 tion determines that the individual—

1           “(A) was unavoidably prevented from  
2           using the national service educational award  
3           during the original 5-year period; or

4           “(B) performed another term of service in  
5           an approved national service position during  
6           that period.

7   **“SEC. 147. DETERMINATION OF THE AMOUNT OF THE NA-**  
8                                   **TIONAL SERVICE EDUCATIONAL AWARD.**

9           “(a) AMOUNT GENERALLY.—Except as provided in  
10          subsection (b), an individual described in section 146(a)  
11          who successfully completes a required term of service in  
12          an approved national service position shall receive a na-  
13          tional service educational award having a value equal to  
14          \$5,000 for each of not more than 2 of such terms of  
15          service.

16          “(b) AWARD FOR PARTIAL COMPLETION OF SERV-  
17          ICE.—If an individual serving in an approved national  
18          service position is released in accordance with section  
19          139(c)(1)(A) from completing the term of service agreed  
20          to by the individual, the Corporation may provide the indi-  
21          vidual with that portion of the national service educational  
22          award approved for the individual that corresponds to the  
23          quantity of the term of service actually completed by the  
24          individual.

1 **“SEC. 148. DISBURSEMENT OF NATIONAL SERVICE EDU-**  
2 **CATIONAL AWARDS.**

3 “(a) IN GENERAL.—Amounts in the Trust shall be  
4 available—

5 “(1) to repay student loans in accordance with  
6 subsection (b);

7 “(2) to pay all or part of the cost of attendance  
8 at an institution of higher education in accordance  
9 with subsection (c);

10 “(3) to pay expenses incurred in participating  
11 in an approved school-to-work program in accord-  
12 ance with subsection (d); and

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

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

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

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



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

4           “(C) contains or is accompanied by such  
5           other information as the Corporation may re-  
6           quire.

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

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

23          “(4) REPORTS BY HOLDERS.—Any holder re-  
24          ceiving a loan payment pursuant to this subsection  
25          shall submit to the Corporation such information as

1 the Corporation may require to verify that such pay-  
2 ment was applied in accordance with this subsection  
3 and any regulations prescribed to carry out this sub-  
4 section.

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

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

11 “(A) any loan made, insured, or guaran-  
12 teed pursuant to title IV of the Higher Edu-  
13 cation Act of 1965 (20 U.S.C. 1070 et seq.),  
14 other than a loan to a parent of a student pur-  
15 suant to section 428B of such Act (20 U.S.C.  
16 1078-2); and

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

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

1 right to receive payments from the borrower, such  
2 other person.

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

5 “(1) APPLICATION BY ELIGIBLE INDIVIDUAL.—

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

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

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

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

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

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

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

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

1           “(4) MULTIPLE DISBURSEMENTS REQUIRED.—

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

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

1 additional approved national service positions under  
2 subtitle C.

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

8 “(A) the eligible individual’s cost of attend-  
9 ance for such period of enrollment, determined  
10 in accordance with section 472 of the Higher  
11 Education Act of 1965 (20 U.S.C. 1087ll); and

12 “(B) the sum of (i) the student’s estimated  
13 financial assistance for such period under part  
14 A of title IV of such Act (20 U.S.C. 1070 et  
15 seq.), and (ii) the student’s veterans’ education  
16 benefits, determined in accordance with section  
17 480(c) of such Act (20 U.S.C. 1087vv(c)).

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

24 “(e) INTEREST PAYMENTS DURING FORBEARANCE  
25 ON LOAN REPAYMENT.—The Corporation may provide by

1 regulation for the payment on behalf of an eligible individ-  
2 ual of interest that accrues during a period for which such  
3 individual has obtained forbearance in the repayment of  
4 a qualified student loan (as defined in subsection (b)(6)),  
5 if the eligible individual successfully completes his or her  
6 required term of service (as determined under section  
7 146(b)). Such regulations shall be prescribed after con-  
8 sultation with the Secretary of Education.

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

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

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

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

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

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

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

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

6 (c) CONFORMING AMENDMENTS.—

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

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

18 (A) in subsection (b)(1)—

19 (i) by redesignating subparagraphs  
 20 (W), (X), and (Y) as subparagraphs (X),  
 21 (Y), and (Z), respectively; and



1 (ii) by inserting immediately after  
2 subparagraph (V) the following new sub-  
3 paragraph:

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

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

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

20 (B) in subsection (c)(3)(A), by striking  
21 “subsection (b)(1)(V)” and inserting “sub-  
22 section (b)(1) (V) and (W)”.

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

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

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

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

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

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

24 (4) ELIGIBILITY FOR PERKINS LOAN FORGIVE-  
25 NESS.—Section 465(a) of the Higher Education Act

1 of 1965 (20 U.S.C. 1087ee(a)) is amended by add-  
2 ing at the end the following new paragraph:

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

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

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

18 **SEC. 103. SCHOOL-BASED AND COMMUNITY-BASED SERV-**  
19 **ICE-LEARNING PROGRAMS.**

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

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

1 Corporation for National Service, and the entities  
2 receiving financial assistance under such part, to—

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

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

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

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

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

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

4 **“PART I—SERVE-AMERICA PROGRAMS**

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

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

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

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

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

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

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

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

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

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

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

25 “(A) local educational agencies; and

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

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

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

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

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

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

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

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

7                   “(A) local educational agencies; and

8                   “(B) one or more—

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

11                           “(ii) other educational agencies; or

12                           “(iii) private for-profit businesses,

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

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

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

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



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

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

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

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

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

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

1 requirements of section 113 and such other requirements  
2 as the Chairperson may determine to be appropriate, the  
3 Corporation may use the allotment of that State to make  
4 direct grants to pay for the Federal share of the cost of—

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

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

11 that is located in the State.

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

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

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

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

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

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

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

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

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

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

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

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

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

3           “(2) ALLOTMENTS.—

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

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

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

1 on the day before the date of enactment of this part.  
2 If the amount of funds made available in a fiscal  
3 year to carry out paragraph (2) is insufficient to  
4 make such allotments, the Corporation shall make  
5 available sums from the 25 percent described in  
6 paragraph (1) for such fiscal year to make such  
7 allotments.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

1 grants or contracts with such individ-  
2 uals;

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

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

14 “(2) assurances that—

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

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

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

1 **“SEC. 114. LOCAL APPLICATIONS.**

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

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

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

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

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

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

6 “(1) IN GENERAL.—Any—

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

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

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

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

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

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

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

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

13 “(1) information specifying the membership and  
14 role of an established advisory committee, consisting  
15 of representatives of community-based agencies in-  
16 cluding service recipients, students, parents, teach-  
17 ers, administrators, representatives of agencies that  
18 serve school-age youth or older adults, school board  
19 members, representatives of local labor organiza-  
20 tions, and representatives of business, that will pro-  
21 vide advice with respect to the program;

22 “(2) a description of—

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

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

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

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

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

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

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

19          “(3) information that shall include—

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

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

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

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

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

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

16 “(5) assurances that—

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

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

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

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

12          “(a) CRITERIA FOR APPLICATIONS.—In approving  
13 applications for financial assistance under subsection (a),  
14 (b), (c), or (d) of section 112, the Corporation shall con-  
15 sider such criteria with respect to sustainability,  
16 replicability, innovation, and quality of programs under  
17 this subpart as the Chairperson may by regulation specify.  
18 In providing assistance under this subpart, a State edu-  
19 cational agency, Indian tribe, or grantmaking entity shall  
20 consider such criteria.

21          “(b) PRIORITY FOR LOCAL APPLICATIONS.—

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



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

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

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

8 “(C) involve—

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

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

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

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

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

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

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

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

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

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

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

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

13 “(a) SHARE.—

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

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

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

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

1           gram receives assistance under this subpart;  
2           and

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

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

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

14                   “(B) may provide for such share through  
15          State sources, local sources, or Federal sources  
16          (other than funds made available under the na-  
17          tional service laws).

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

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

25                   “(a) ADMINISTRATIVE COSTS.—

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

8           “(A) the original recipient; or

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

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

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

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

19           “(i) the original recipient; and

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

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

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

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

14 **“SEC. 116B. DEFINITIONS.**

15 “As used in this subpart:

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

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

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

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

3 **“SEC. 117. DEFINITIONS.**

4 “As used in this subpart:

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

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

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

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

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

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

22 **“SEC. 117A. GENERAL AUTHORITY.**

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

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

3 “(b) USE OF FUNDS.—

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

12       “(a) FEDERAL SHARE.—

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

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

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

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

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

8 “(1) the original recipient; or

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

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

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

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

19 “(A) the original recipient; and

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

23 **“Subpart C—Clearinghouse**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

5           “(c) FEDERAL SHARE.—

6           “(1) SHARE.—

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

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

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

17          “(d) APPLICATION FOR GRANT.—

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

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

1           “(A) such information as the Chairperson  
2 may reasonably require, such as a description  
3 of—

4                   “(i) the proposed program to be es-  
5 tablished with assistance provided under  
6 the grant or contract;

7                   “(ii) the human, educational, environ-  
8 mental, or public safety service that par-  
9 ticipants will perform and the community  
10 need that will be addressed under such  
11 program;

12                   “(iii) whether or not students will re-  
13 ceive academic credit for community serv-  
14 ice projects under the program;

15                   “(iv) the procedure for training super-  
16 visors and participants and for supervising  
17 and organizing participants in such pro-  
18 gram;

19                   “(v) the procedures to ensure that the  
20 program includes the age-appropriate  
21 learning component described in section  
22 114(d)(5)(B);

23                   “(vi) the roles played by students and  
24 community members, including service re-

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

3 “(vii) the budget for the program;

4 “(B) assurances that—

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

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

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

20 “(e) PRIORITY.—

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

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

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

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

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

18                   “(i) the institution;

19                   “(ii) (I) a community-based agency;

20                   “(II) a local government agency; or

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

24                   “(iii) a student organization;

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

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

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

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

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

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

1                   **“PART III—GENERAL PROVISIONS**

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

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

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

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

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

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

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

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

“PART I—SERVE-AMERICA PROGRAMS

“SUBPART A—SCHOOL-BASED PROGRAMS FOR STUDENTS

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

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

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

“Sec. 112. Grants and allotments.

“Sec. 113. State or tribal applications.

“Sec. 114. Local applications.

“Sec. 115. Consideration of applications.

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

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

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

“Sec. 116B. Definitions.



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

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

“SUBPART C—CLEARINGHOUSE

- “Sec. 118. Service-learning clearinghouse.

“PART II—HIGHER EDUCATION INNOVATIVE PROGRAMS FOR COMMUNITY  
SERVICE

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

“PART III—GENERAL PROVISIONS

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

**1 SEC. 104. QUALITY AND INNOVATION ACTIVITIES.**

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

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

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

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

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

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

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

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

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

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

11 “(b) INNOVATION AND QUALITY IMPROVEMENT.—

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

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

18 “(B) employer-based retiree programs;

19 “(C) intergenerational programs;

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

23 “(E) programs sponsored by Governors.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 **“SEC. 198A. CLEARINGHOUSES.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

22           “(a) PRESIDENTIAL AWARDS.—

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

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

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

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

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

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

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

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

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

23 (d) TABLE OF CONTENTS.—

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



1 (Public Law 101–610; 104 Stat. 3127) is amended  
 2 by striking the items relating to subtitle E of title  
 3 I of such Act and inserting the following:

“Subtitle E—Civilian Community Corps

- “Sec. 151. Purpose.
- “Sec. 152. Establishment of Civilian Community Corps Demonstration Program.
- “Sec. 153. National service program.
- “Sec. 154. Summer national service program.
- “Sec. 155. Civilian Community Corps.
- “Sec. 156. Training.
- “Sec. 157. Service projects.
- “Sec. 158. Authorized benefits for Corps personnel under Federal law.
- “Sec. 159. Administrative provisions.
- “Sec. 160. Status of Corps members and Corps personnel under Federal law.
- “Sec. 161. Contract and grant authority.
- “Sec. 162. Responsibilities of other departments.
- “Sec. 163. Advisory board.
- “Sec. 164. Annual evaluation.
- “Sec. 165. Funding limitation.
- “Sec. 166. Definitions.”.

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

“Subtitle H—Investment for Quality and Innovation

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

9 (e) TECHNICAL AND CONFORMING AMENDMENTS.—

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

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

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

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

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

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

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

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

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

1 (C) Section 155 of such Act (as redesignig-  
2 nated in subsection (b)(3) of this section) (42  
3 U.S.C. 12653d) is amended—

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

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

8 and

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

11 (D) Section 156 of such Act (as redesignig-  
12 nated in subsection (b)(3) of this section) (42  
13 U.S.C. 12653e) is amended—

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

16 and

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

19 (E) Section 159 of such Act (as redesignig-  
20 nated in subsection (b)(3) of this section) (42  
21 U.S.C. 12653h) is amended—

22 (i) in subsection (a)—

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

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

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

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

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

15 (H) Section 166 of such Act (as redesi-  
16 gnated in subsection (b)(3) of this section) (42  
17 U.S.C. 12653o) is amended—

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

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

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

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

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

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

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

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

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

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

## 7       **Subtitle B—Related Provisions**

### 8       **SEC. 111. DEFINITIONS.**

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

#### 12       **“SEC. 101. DEFINITIONS.**

13       “For purposes of this title:

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

4           “(16) PARTICIPANT.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7           “(B) that—

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

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

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

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

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

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

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

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

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

22 (b) TECHNICAL AND CONFORMING AMENDMENTS.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

19 **SEC. 114. REPORTS.**

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

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



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

3 **SEC. 115. NONDISCRIMINATION.**

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

7 **“SEC. 175. NONDISCRIMINATION.**

8           “(a) IN GENERAL.—

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

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

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

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

5 “(c) RELIGIOUS DISCRIMINATION.—

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

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

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

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

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

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

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

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

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

18 “(f) GRIEVANCE PROCEDURE.—

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

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

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

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

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

15           “(4) ARBITRATION.—

16           “(A) IN GENERAL.—

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

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

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

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

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

21          “(D) COST.—

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

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

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

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

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

22                  “(B) termination of such payments;

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

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

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

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

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

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

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

1 **SEC. 117. NONDISPLACEMENT.**

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

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

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

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

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

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

18 “(iii) employee who—

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

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

24 **SEC. 118. EVALUATION.**

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



1 (1) in subsection (a)—

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

5 (B) in paragraph (2)—

6 (i) in the matter preceding subpara-  
7 graph (A), by striking “for purposes of the  
8 reports required by subsection (j),” and in-  
9 serting “with respect to the programs au-  
10 thorized under subtitle C”; and

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

15 (2) in subsection (g)—

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

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

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

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

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

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

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

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

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

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

“Sec. 181. Contingent extension.”.

18 **SEC. 121. REPEALS.**

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

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

23 and

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

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

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

## 6 **TITLE II—ORGANIZATION**

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

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

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

14 “(a) EXISTENCE REQUIRED.—

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

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

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

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

16 “(c) COMPOSITION AND MEMBERSHIP.—

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

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

25 “(B) Local governments in the State.

1           “(C) Local labor organizations.

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

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

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

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

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

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

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

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

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

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

11 “(d) MISCELLANEOUS MATTERS.—

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

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

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

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

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

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

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

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

23 “(A) covers a 3-year period;

24 “(B) is updated annually; and

1           “(C) contains such information as the  
2           State Commission considers to be appropriate  
3           or as the Corporation may require.

4           “(2) Preparation of the applications of the  
5           State under sections 117B and 130 for financial as-  
6           sistance.

7           “(3) Assistance in the preparation of the appli-  
8           cation of the State educational agency for assistance  
9           under section 113.

10          “(4) Preparation of the application of the State  
11          under section 130 for the approval of service posi-  
12          tions that include the national service educational  
13          award described in subtitle D.

14          “(5) Assistance in the provision of health care  
15          and child care benefits under section 140 to partici-  
16          pants in national service programs that receive as-  
17          sistance under section 121.

18          “(6) Development of a State system for the re-  
19          cruitment and placement of participants in national  
20          service programs that receive assistance under sec-  
21          tion 121 and dissemination of information concern-  
22          ing national service programs that receive assistance  
23          and approved national service positions.

24          “(7) Administration of the grant program in  
25          support of national service programs that is con-



1 ducted by the State using assistance provided to the  
2 State under section 121, including selection, over-  
3 sight, and evaluation of grant recipients.

4 “(8) Development of projects, training methods,  
5 curriculum materials, and other materials and activi-  
6 ties related to national service programs that receive  
7 assistance directly from the Corporation or from the  
8 State using assistance provided under section 121.

9 “(f) ACTIVITY INELIGIBLE FOR ASSISTANCE.—A  
10 State Commission may not directly carry out any national  
11 service program that receives assistance under section  
12 121.

13 “(g) DELEGATION.—Subject to such requirements as  
14 the Corporation may prescribe, a State Commission may  
15 delegate nonpolicymaking duties to a State agency or pub-  
16 lic or private not-for-profit organization.

17 “(h) APPROVAL OF STATE COMMISSION OR ALTER-  
18 NATIVE.—

19 “(1) SUBMISSION TO CORPORATION.—The chief  
20 executive officer for a State shall notify the Corpora-  
21 tion of the establishment or designation of the State  
22 Commission for the State. The notification shall in-  
23 clude a description of—

24 “(A) the composition and membership of  
25 the State Commission; and

1           “(B) the authority of the State Commis-  
2           sion regarding national service activities carried  
3           out by the State.

4           “(2) APPROVAL OF ALTERNATIVE ADMINISTRA-  
5           TIVE ENTITY.—Any use of an alternative adminis-  
6           trative entity to carry out the duties of a State Com-  
7           mission shall be subject to the approval of the Cor-  
8           poration.

9           “(3) REJECTION.—The Corporation may reject  
10          a State Commission if the Corporation determines  
11          that the composition, membership, or duties of the  
12          State Commission do not comply with the require-  
13          ments of this section. The Corporation shall reject a  
14          request to use an alternative administrative entity in  
15          lieu of a State Commission if the Corporation deter-  
16          mines that use of the alternative administrative en-  
17          tity does not allow the individuals described in para-  
18          graphs (1) and (2) of subsection (c) to play a sig-  
19          nificant policy-making role in carrying out the duties  
20          otherwise entrusted to a State Commission. If the  
21          Corporation rejects a State Commission or alter-  
22          native administrative entity under this paragraph,  
23          the Corporation shall promptly notify the State of  
24          the reasons for the rejection.

1           “(4) RESUBMISSION AND RECONSIDERATION.—  
2           The Corporation shall provide a State notified under  
3           paragraph (3) with a reasonable opportunity to re-  
4           vise the rejected State Commission or alternative ad-  
5           ministrative entity. At the request of the State, the  
6           Corporation shall provide technical assistance to the  
7           State as part of the revision process. The Corpora-  
8           tion shall promptly reconsider any resubmission of a  
9           notification under paragraph (1) or application to  
10          use an alternative administrative entity under para-  
11          graph (2).

12           “(5) SUBSEQUENT CHANGES.—This subsection  
13          shall also apply to any change in the composition or  
14          duties of a State Commission or an alternative ad-  
15          ministrative entity made after approval of the State  
16          Commission or the alternative administrative en-  
17          tity.”.

18          (b) TABLE OF CONTENTS.—Section 1(b) of the Na-  
19          tional and Community Service Act of 1990 (Public Law  
20          101–610; 104 Stat. 3127) is amended by striking the item  
21          relating to section 178 and inserting the following new  
22          item:

          “Sec. 178. State Commissions on National Service.”.

23          (c) EFFECTIVE DATE.—The amendments made by  
24          this section shall take effect on the date of the enactment  
25          of this Act.

1 (d) TRANSITIONAL PROVISIONS.—

2 (1) USE OF ALTERNATIVES TO STATE COMMIS-  
3 SION.—If a State does not have a State Commission  
4 on National Service that satisfies the requirements  
5 specified in section 178 of the National and Commu-  
6 nity Services Act of 1990, as amended by subsection  
7 (a), the Corporation for National Service may au-  
8 thorize the chief executive of the State to use an ex-  
9 isting agency of the State to perform the duties oth-  
10 erwise reserved to a State Commission under sub-  
11 section (e) of such section.

12 (2) APPLICATION OF SUBSECTION.—This sub-  
13 section shall apply only during the 1-year period be-  
14 ginning on the date of the enactment of this Act.

15 **SEC. 202. INTERIM AUTHORITIES OF THE CORPORATION**  
16 **FOR NATIONAL SERVICE AND ACTION**  
17 **AGENCY.**

18 (a) NATIONAL AND COMMUNITY SERVICE ACT OF  
19 1990.—Subtitle G of title I of the National and Commu-  
20 nity Service Act of 1990 (42 U.S.C. 12651) is amended  
21 to read as follows:

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

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

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

9   **“SEC. 192. BOARD OF DIRECTORS.**

10          “(a) COMPOSITION.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

24 “(c) OFFICERS.—

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

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

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

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

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



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

4 “(g) STATUS OF MEMBERS.—

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

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

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

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

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

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

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

12         “(h) DUTIES.—The Board shall—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

5 “(B) as necessary or appropriate—

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

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

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

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

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

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

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

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

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

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



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

6           “(d) DELEGATION.—

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

11           “(2) IN GENERAL.—Except as otherwise pro-  
12 hibited by law or provided in this Act, the Chair-  
13 person may delegate any function under this Act,  
14 and authorize such successive redelegations of such  
15 function as may be necessary or appropriate. No del-  
16 egation of a function by the Chairperson under this  
17 subsection or under any other provision of this Act  
18 shall relieve such Chairperson of responsibility for  
19 the administration of such function.

20           “(3) FUNCTION OF BOARD.—The Chairperson  
21 may not delegate a function of the Board without  
22 the permission of the Board.

23           “(e) ACTIONS.—In an action described in subsection  
24 (c)(8)—

1           “(1) a district court referred to in such sub-  
2           section shall have jurisdiction of such a civil action  
3           without regard to the amount in controversy;

4           “(2) such an action brought by the Chairperson  
5           shall survive notwithstanding any change in the per-  
6           son occupying the office of Chairperson or any va-  
7           cancy in that office;

8           “(3) no attachment, injunction, garnishment, or  
9           other similar process, mesne or final, shall be issued  
10          against the Chairperson or the Board or property  
11          under the control of the Chairperson or the Board;  
12          and

13          “(4) nothing in this section shall be construed  
14          to except litigation arising out of activities under  
15          this Act from the application of sections 509, 517,  
16          547, and 2679 of title 28, United States Code.

17 **“SEC. 194. OFFICERS.**

18          “(a) MANAGING DIRECTORS.—

19                 “(1) IN GENERAL.—There shall be in the Cor-  
20                 poration 2 Managing Directors, who shall be ap-  
21                 pointed by the President, by and with the advice and  
22                 consent of the Senate.

23                 “(2) COMPENSATION.—The Managing Direc-  
24                 tors shall be compensated at the rate provided for

1 level IV of the Executive Schedule under section  
2 5315 of title 5, United States Code.

3 “(3) DUTIES.—

4 “(A) FEDERAL PROGRAMS.—One of the  
5 Managing Directors shall be primarily respon-  
6 sible for the Federal programs carried out by  
7 the Corporation.

8 “(B) INVESTMENT PROGRAMS.—The other  
9 Managing Director shall be primarily respon-  
10 sible for the financial assistance programs car-  
11 ried out by the Corporation.

12 “(b) INSPECTOR GENERAL.—

13 “(1) OFFICE.—There shall be in the Corpora-  
14 tion an Office of the Inspector General.

15 “(2) APPOINTMENT.—

16 “(A) IN GENERAL.—The Office shall be  
17 headed by an Inspector General, appointed by  
18 the President, by and with the consent of the  
19 Senate.

20 “(B) REPORTING.—The Inspector General  
21 shall report directly to the oversight committee.

22 “(3) COMPENSATION.—The Inspector General  
23 shall be compensated at the rate provided for level  
24 IV of the Executive Schedule under section 5315 of  
25 title 5, United States Code.

1 “(4) DUTIES.—

2 “(A) IN GENERAL.—Except as provided in  
3 subparagraph (B), for purposes of the Inspector  
4 General Act of 1978 (5 U.S.C. App.)—

5 “(i) the Corporation shall be consid-  
6 ered to be a designated Federal entity, as  
7 defined in section 8E(2) of such Act; and

8 “(ii) except as provided in paragraph  
9 (2)(A), the oversight committee shall be  
10 considered to be the head of the designated  
11 Federal entity, as defined in section 8E(4)  
12 of such Act.

13 “(B) PROGRAM FRAUD.—For purposes of  
14 chapter 38 of title 31, United States Code  
15 (commonly known as the ‘Program Fraud Civil  
16 Remedies Act of 1986’)—

17 “(i) the Corporation shall be consid-  
18 ered to be an authority, as defined in sec-  
19 tion 3801(a)(1) of such Act;

20 “(ii) the oversight committee shall be  
21 considered to be an authority head, as de-  
22 fined in section 3801(a)(2) of such Act;  
23 and

24 “(iii) the Inspector General shall be  
25 considered to be an investigating official,

1 as defined in section 3801(a)(4) of such  
2 Act.

3 “(c) CHIEF FINANCIAL OFFICER.—

4 “(1) OFFICE.—There shall be in the Corpora-  
5 tion a Chief Financial Officer, who shall be ap-  
6 pointed by the President, by and with the advice and  
7 consent of the Senate.

8 “(2) COMPENSATION.—The Chief Financial Of-  
9 ficer shall be compensated at the rate provided for  
10 level IV of the Executive Schedule under section  
11 5315 of title 5, United States Code.

12 “(3) DUTIES.—The Chief Financial Officer  
13 shall—

14 “(A) report directly to the Chairperson re-  
15 garding financial management matters;

16 “(B) oversee all financial management ac-  
17 tivities relating to the programs and operations  
18 of the Corporation;

19 “(C) develop and maintain an integrated  
20 accounting and financial management system  
21 for the Corporation, including financial report-  
22 ing and internal controls;

23 “(D) develop and maintain any joint finan-  
24 cial management systems with the Department

1 of Education necessary to carry out the pro-  
2 grams of the Corporation; and

3 “(E) direct, manage, and provide policy  
4 guidance and oversight of the financial manage-  
5 ment personnel, activities, and operations of the  
6 Corporation.

7 **“SEC. 195. EMPLOYEES, CONSULTANTS, AND OTHER PER-**  
8 **SONNEL.**

9 “(a) EMPLOYEES.—

10 “(1) IN GENERAL.—The Chairperson may ap-  
11 point and determine the compensation of such em-  
12 ployees as the Chairperson determines to be nec-  
13 essary to carry out the duties of the Corporation.

14 “(2) TERMS.—

15 “(A) INITIAL TERM.—

16 “(i) LENGTH OF TERM.—Such an em-  
17 ployee shall be appointed for an initial  
18 term that shall not exceed 5 years.

19 “(ii) PROBATION PERIOD.—The  
20 Chairperson shall take such action, includ-  
21 ing the issuance of rules, regulations, and  
22 directives, as shall provide, as nearly as  
23 conditions of good administration warrant,  
24 for a 1-year period of probation before  
25 such an appointment becomes final.

1           “(B) APPOINTMENT EXTENSIONS.—The  
2 appointment of an employee may be extended if  
3 the Chairperson determines that such an exten-  
4 sion is necessary to ensure the continuity of  
5 functions under this Act.

6           “(C) APPOINTMENT IN THE COMPETITIVE  
7 SERVICE AFTER EMPLOYMENT IN THE COR-  
8 PORATION.—

9           “(i) EMPLOYEES WITH NOT LESS  
10 THAN 3 YEARS OF EMPLOYMENT.—If an  
11 employee, other than a representative de-  
12 scribed in section 195(b), is separated  
13 from the Corporation (other than by re-  
14 moval for cause), and has been continu-  
15 ously employed by the Corporation for a  
16 period of not less than 3 years, such period  
17 shall be treated as a period of service in  
18 the competitive service for purposes of  
19 chapter 33 of title 5, United States Code.

20           “(ii) EMPLOYEES WITH NOT LESS  
21 THAN 1 BUT LESS THAN 3 YEARS OF EM-  
22 PLOYMENT.—If an employee, other than a  
23 representative described in section 195(b),  
24 is separated from the Corporation (other  
25 than by removal for cause), and has been

1 continuously employed by the Corporation  
2 for a period of not less than 1 year, but  
3 less than 3 years, such period shall be  
4 treated as a period of service in the com-  
5 petitive service for purposes of chapter 33  
6 of title 5, United States Code, until the  
7 date that is 3 years after the date of sepa-  
8 ration.

9 “(iii) DEFINITION.—As used in this  
10 subparagraph, the term ‘competitive serv-  
11 ice’ has the meaning given the term in sec-  
12 tion 2102 of title 5, United States Code.

13 “(3) APPOINTMENT AND COMPENSATION.—

14 “(A) IN GENERAL.—Except as provided in  
15 subparagraphs (B)(iv) and (C)(ii), the Chair-  
16 person may appoint and determine the com-  
17 pensation of employees under this subsection  
18 without regard to the provisions of title 5, Unit-  
19 ed States Code, governing appointments in the  
20 competitive service, and without regard to the  
21 provisions of chapter 51 and subchapter III of  
22 chapter 53 of such title relating to classification  
23 and General Schedule pay rates.

24 “(B) CORPORATION SELECTION AND COM-  
25 PENSATION SYSTEMS.—



1           “(i) ESTABLISHMENT OF SYSTEM.—  
2           The Chairperson, after consultation with  
3           the Director of the Office of Personnel  
4           Management and after reviewing the rec-  
5           ommendations of the Board under section  
6           192A(h)(3), shall issue regulations estab-  
7           lishing selection and compensation systems  
8           for the Corporation. In issuing such regu-  
9           lations, the Chairperson shall take into  
10          consideration the need for flexibility in  
11          such a system.

12          “(ii) APPLICATION.—The Chairperson  
13          shall appoint and determine the compensa-  
14          tion of employees referred to in paragraph  
15          (1), other than representatives described in  
16          section 195(b), in accordance with the se-  
17          lection and compensation systems referred  
18          to in clause (i).

19          “(iii) SELECTION SYSTEM.—The se-  
20          lection system shall provide for the selec-  
21          tion of such an employee for such a posi-  
22          tion—

23                  “(I) through a competitive proc-  
24                  ess; and

1           “(II) on the basis of the quali-  
2           fications of applicants and the re-  
3           quirements of the position.

4           “(iv) COMPENSATION SYSTEM.—The  
5           compensation system shall include a  
6           scheme for the classification of positions in  
7           the Corporation. The system shall require  
8           that the compensation of such an employee  
9           be determined based in part on the job  
10          performance of the employee, and in a  
11          manner consistent with the principles de-  
12          scribed in section 5301 of title 5, United  
13          States Code. The rate of compensation for  
14          each employee compensated through the  
15          system shall not exceed the annual rate of  
16          basic pay payable for level IV of the Exec-  
17          utive Schedule under section 5315 of title  
18          5, United States Code.

19          “(C) SELECTION AND COMPENSATION OF  
20          CORPORATION REPRESENTATIVES.—

21                 “(i) IN GENERAL.—The Chairperson  
22                 may appoint and determine the compensa-  
23                 tion of representatives described in section  
24                 195(b) without regard to the selection and

1 compensation systems described in sub-  
2 paragraph (B).

3 “(ii) LIMITATION ON COMPENSA-  
4 TION.—The rate of compensation for each  
5 representative described in section 195(b)  
6 shall not exceed the maximum rate of basic  
7 pay payable for GS-15 of the General  
8 Schedule under section 5332 of title 5,  
9 United States Code.

10 “(b) CORPORATION REPRESENTATIVE IN EACH  
11 STATE.—

12 “(1) DESIGNATION OF REPRESENTATIVE.—The  
13 Corporation shall designate 1 employee of the Cor-  
14 poration for each State or group of States to serve  
15 as the representative of the Corporation in the State  
16 or States and to assist the Corporation in carrying  
17 out the activities described in this Act in the State  
18 or States.

19 “(2) DUTIES.—The representative designated  
20 under this subsection for a State or group of States  
21 shall serve as the liaison between—

22 “(A) the Corporation and the State Com-  
23 mission that is established in the State or  
24 States; and

1           “(B) the Corporation and any subdivision  
2           of a State, Indian tribe, public or private non-  
3           profit organization, or institution of higher edu-  
4           cation, in the State or States, that is awarded  
5           a grant under section 121 directly from the  
6           Corporation.

7           “(3) MEMBER OF STATE COMMISSION.—The  
8           representative designated under this subsection for a  
9           State or group of States shall also serve as a voting  
10          member of the State Commission established in the  
11          State or States.

12          “(c) CONSULTANTS.—The Chairperson may procure  
13          the temporary and intermittent services of experts and  
14          consultants and compensate the experts and consultants  
15          in accordance with section 3109(b) of title 5, United  
16          States Code.

17          “(d) DETAILS OF PERSONNEL.—The head of any  
18          Federal department or agency may detail on a reimburs-  
19          able basis, or on a nonreimbursable basis for not to exceed  
20          180 calendar days during any fiscal year, as agreed upon  
21          by the Chairperson and the head of the Federal agency,  
22          any of the personnel of that department or agency to the  
23          Corporation to assist the Corporation in carrying out the  
24          duties of the Corporation under this Act. Any detail shall

1 not interrupt or otherwise affect the civil service status  
2 or privileges of the Federal employee.

3 “(e) ADVISORY COMMITTEES.—

4 “(1) ESTABLISHMENT.—The Chairperson, act-  
5 ing upon the recommendation of the Board, may es-  
6 tablish advisory committees in the Corporation to  
7 advise the Board with respect to national service is-  
8 sues, such as the type of programs to be established  
9 or assisted under the national service laws, priorities  
10 and criteria for such programs, and methods of con-  
11 ducting outreach for, and evaluation of, such pro-  
12 grams.

13 “(2) COMPOSITION.—Such an advisory commit-  
14 tee shall be composed of members appointed by the  
15 Chairperson, with such qualifications as the Chair-  
16 person may specify.

17 “(3) EXPENSES.—Members of such an advisory  
18 committee may be allowed travel expenses as de-  
19 scribed in section 192A(e).

20 “(4) STAFF.—The Chairperson is authorized to  
21 appoint and fix the compensation of such staff as  
22 the Chairperson determines to be necessary to carry  
23 out the functions of the advisory committee, in ac-  
24 cordance with subsection (a)(3)(A), and without re-  
25 gard to the selection and compensation systems de-

1 scribed in subsection (a)(3)(B). Such compensation  
2 shall not exceed the rate described in subsection  
3 (a)(3)(C)(ii).

4 **“SEC. 196. ADMINISTRATION.**

5 “(a) DONATIONS.—

6 “(1) SERVICES.—

7 “(A) VOLUNTEERS.—Notwithstanding sec-  
8 tion 1342 of title 31, United States Code, the  
9 Corporation may solicit and accept the vol-  
10 untary services of individuals to assist the Cor-  
11 poration in carrying out the duties of the Cor-  
12 poration under this Act, and may provide to  
13 such individuals the travel expenses described in  
14 section 192A(e).

15 “(B) LIMITATION.—Such a volunteer shall  
16 not be considered to be a Federal employee and  
17 shall not be subject to the provisions of law re-  
18 lating to Federal employment, including those  
19 relating to hours of work, rates of compensa-  
20 tion, leave, unemployment compensation, and  
21 Federal employee benefits, except that—

22 “(i) for the purposes of the tort  
23 claims provisions of chapter 171 of title  
24 28, United States Code, a volunteer under

1           this subtitle shall be considered to be a  
2           Federal employee; and

3           “(ii) for the purposes of subchapter I  
4           of chapter 81 of title 5, United States  
5           Code, relating to compensation to Federal  
6           employees for work injuries, volunteers  
7           under this subtitle shall be considered to  
8           be employees, as defined in section  
9           8101(1)(B) of title 5, United States Code,  
10          and the provisions of such subchapter shall  
11          apply.

12          “(2) PROPERTY.—The Corporation may solicit,  
13          accept, use, and dispose of, in furtherance of the  
14          purposes of this Act, donations of any money or  
15          property, real, personal, or mixed, tangible or intan-  
16          gible, received by gift, devise, bequest, or otherwise.

17          “(3) RULES.—The Chairperson shall establish  
18          written rules setting forth the criteria to ensure that  
19          the solicitation or acceptance of contributions of  
20          money or property, real, personal, or mixed, tangible  
21          or intangible, received by gift, devise, bequest, or  
22          otherwise (pursuant to paragraph (2)) will not re-  
23          flect unfavorably upon the ability of the Corporation  
24          or any employee of the Corporation to carry out the  
25          responsibilities or official duties of the Corporation

1 in a fair and objective manner, or compromise the  
2 integrity of the programs of the Corporation or any  
3 official involved in such programs.

4 “(4) DISPOSITION.—Upon completion of the  
5 use by the Corporation of any property described in  
6 paragraph (2), such completion shall be reported to  
7 the General Services Administration and such prop-  
8 erty shall be disposed of in accordance with title II  
9 of the Federal Property and Administrative Services  
10 Act of 1949 (40 U.S.C. 481 et seq.).

11 “(5) VOLUNTEER.—As used in this subsection,  
12 the term ‘volunteer’ does not include a participant.

13 “(b) CONTRACTS.—Subject to the Federal Property  
14 and Administrative Services Act of 1949, the Corporation  
15 may enter into contracts, and cooperative and interagency  
16 agreements, with Federal and State agencies, private  
17 firms, institutions, and individuals to conduct activities  
18 necessary to carry out the duties of the Corporation under  
19 this Act.”.

20 (b) DOMESTIC VOLUNTEER SERVICE ACT OF  
21 1973.—Section 401 of the Domestic Volunteer Service Act  
22 of 1973 (42 U.S.C. 5041) is amended by inserting after  
23 the second sentence the following: “The Director shall re-  
24 port directly to the Chairperson of the Corporation for Na-  
25 tional Service.”.



1 (c) TRANSFER OF FUNCTIONS OF COMMISSION ON  
2 NATIONAL AND COMMUNITY SERVICE.—

3 (1) DEFINITIONS.—For purposes of this sub-  
4 section, unless otherwise provided or indicated by  
5 the context, each term specified in section 203(c)(1)  
6 shall have the meaning given the term in such sec-  
7 tion.

8 (2) TRANSFER OF FUNCTIONS.—There are  
9 transferred to the Corporation the functions that the  
10 Board of Directors or Executive Director of the  
11 Commission on National and Community Service ex-  
12 exercised before the effective date of this subsection  
13 (including all related functions of any officer or em-  
14 ployee of the Commission).

15 (3) APPLICATION.—The provisions of para-  
16 graphs (3) through (10) of section 203(c) shall  
17 apply with respect to the transfer described in para-  
18 graph (2), except that—

19 (A) for purposes of such application, ref-  
20 erences to the term “ACTION Agency” shall be  
21 deemed to be references to the Corporation; and

22 (B) paragraph (10) of such section shall  
23 not preclude the transfer of the members of the  
24 Board of Directors of the Commission to the  
25 Corporation if, on the effective date of this sub-

1 section, the Board of Directors of the Corpora-  
2 tion has not been confirmed.

3 (d) CONTINUING PERFORMANCE OF CERTAIN FUNC-  
4 TIONS.—The individuals who, on the day before the date  
5 of enactment of this Act, are performing any of the func-  
6 tions required by section 190 of the National and Commu-  
7 nity Service Act of 1990 (42 U.S.C. 12651), as in effect  
8 on such date, to be performed by the members of the  
9 Board of Directors of the Commission on National and  
10 Community Service may, subject to section 193A of the  
11 National and Community Service Act of 1990, as added  
12 by subsection (a) of this section, continue to perform such  
13 functions until the date on the Board of Directors of the  
14 Corporation for National Service conducts the first meet-  
15 ing of the Board. The service of such individuals as mem-  
16 bers of the Board of Directors of such Commission, and  
17 the employment of such individuals as special government  
18 employees, shall terminate on such date.

19 (e) JOB SEARCH ASSISTANCE.—The Chairperson  
20 shall establish a program to provide, or shall seek to enter  
21 into a memorandum of understanding with the Director  
22 of the Office of Personnel Management to provide, job  
23 search and related assistance to employees of the ACTION  
24 agency who are not transferred to the Corporation for Na-  
25 tional Service under section 203(c).

1 (f) GOVERNMENT CORPORATION CONTROL.—

2 (1) WHOLLY OWNED GOVERNMENT CORPORA-  
3 TION.—Section 9101(3) of title 31, United States  
4 Code, is amended by inserting after subparagraph  
5 (D) the following:

6 “(E) the Corporation for National Serv-  
7 ice.”.

8 (2) AUDITS.—Section 9105(a)(1) of title 31,  
9 United States Code, is amended by inserting “, or  
10 under other Federal law,” before “or by an inde-  
11 pendent”.

12 (g) DISPOSAL OF PROPERTY.—Section 203(k) of the  
13 Federal Property and Administrative Services Act of 1949  
14 (40 U.S.C. 484(k)) is amended by adding at the end the  
15 following:

16 “(5)(A) Under such regulations as the Administrator  
17 may prescribe, the Administrator is authorized, in the dis-  
18 cretion of the Administrator, to assign to the Chairperson  
19 of the Corporation for National Service for disposal such  
20 surplus property as is recommended by the Chairperson  
21 as being needed for national service activities.

22 “(B) Subject to the disapproval of the Administrator,  
23 within 30 days after notice to the Administrator by the  
24 Chairperson of a proposed transfer of property for such  
25 activities, the Chairperson, through such officers or em-

1 ployees of the Corporation as the Chairperson may des-  
 2 ignate, may sell, lease, or donate such property to any en-  
 3 tity that receives financial assistance under the National  
 4 and Community Service Act of 1990 for such activities.

5 “(C) In fixing the sale or lease value of such property,  
 6 the Chairperson shall comply with the requirements of  
 7 paragraph (1)(C).”.

8 (h) TABLE OF CONTENTS.—Section 1(b) of the Na-  
 9 tional and Community Service Act of 1990 (Public Law  
 10 101–610; 104 Stat. 3127) is amended by striking the  
 11 items relating to subtitle G of title I of such Act and in-  
 12 serting the following:

“Subtitle G—Corporation for National Service

“Sec. 191. Corporation for National Service.

“Sec. 192. Board of Directors.

“Sec. 192A. Authorities and duties of the Board of Directors.

“Sec. 193. Chairperson and Director.

“Sec. 193A. Authorities and duties of the Chairperson.

“Sec. 194. Officers.

“Sec. 195. Employees, consultants, and other personnel.

“Sec. 196. Administration.”.

13 (i) EFFECTIVE DATES.—

14 (1) IN GENERAL.—Except as provided in para-  
 15 graph (2), the amendments made by this section  
 16 shall take effect on October 1, 1993.

17 (2) ESTABLISHMENT AND APPOINTMENT AU-  
 18 THORITIES.—Sections 191, 192, and 193 of the Na-  
 19 tional and Community Service Act of 1990, as added  
 20 by subsection (a), shall take effect on the date of en-  
 21 actment of this Act.

1 **SEC. 203. FINAL AUTHORITIES OF THE CORPORATION FOR**  
2 **NATIONAL SERVICE.**

3 (a) NATIONAL AND COMMUNITY SERVICE ACT OF  
4 1990.—

5 (1) APPLICATION.—Subtitle I of the National  
6 and Community Service Act of 1990 (as amended by  
7 section 202 of this Act) is amended in section 191,  
8 paragraphs (2) and (4) of section 192A(h), section  
9 193(c), subsections (b), (c) (other than paragraph  
10 (8)), and (d) of section 193A, subsections (a), (b),  
11 and (d) of section 195, and subsections (a) and (b)  
12 of section 196, by striking “this Act” each place the  
13 term appears and inserting “the national service  
14 laws”.

15 (2) GRANTS.—Section 192A(h) of the National  
16 and Community Service Act of 1990 (as added by  
17 section 202 of this Act) is amended—

18 (A) by striking “and” at the end of para-  
19 graph (9);

20 (B) by redesignating paragraph (10) as  
21 paragraph (11); and

22 (C) by inserting after paragraph (9) the  
23 following:

24 “(10) notwithstanding any other provision of  
25 law, make grants to or contracts with Federal or  
26 other public departments or agencies and private

1 nonprofit organizations for the assignment or refer-  
2 ral of volunteers under the provisions of the Domes-  
3 tic Volunteer Service Act of 1973 (except as pro-  
4 vided in section 108 of the Domestic Volunteer Serv-  
5 ice Act of 1973), which may provide that the agency  
6 or organization shall pay all or a part of the costs  
7 of the program; and”.

8 (b) AUTHORITIES OF ACTION AGENCY.—Sections  
9 401 and 402 of the Domestic Volunteer Service Act of  
10 1973 (42 U.S.C. 5041 and 5042) are repealed.

11 (c) TRANSFER OF FUNCTIONS FROM ACTION  
12 AGENCY.—

13 (1) DEFINITIONS.—For purposes of this sub-  
14 section, unless otherwise provided or indicated by  
15 the context—

16 (A) the term “Chairperson” means the  
17 Chairperson of the Corporation;

18 (B) the term “Corporation” means the  
19 Corporation for National Service, established  
20 under section 191 of the National and Commu-  
21 nity Service Act of 1990;

22 (C) the term “Federal agency” has the  
23 meaning given to the term “agency” by section  
24 551(1) of title 5, United States Code;

1 (D) the term “function” means any duty,  
2 obligation, power, authority, responsibility,  
3 right, privilege, activity, or program; and

4 (E) the term “office” includes any office,  
5 administration, agency, institute, unit, organi-  
6 zational entity, or component thereof.

7 (2) TRANSFER OF FUNCTIONS.—There are  
8 transferred to the Corporation such functions as the  
9 President determines to be appropriate that the Di-  
10 rector of the ACTION Agency exercised before the  
11 effective date of this subsection (including all related  
12 functions of any officer or employee of the ACTION  
13 Agency).

14 (3) DETERMINATIONS OF CERTAIN FUNCTIONS  
15 BY THE OFFICE OF MANAGEMENT AND BUDGET.—  
16 If necessary, the Office of Management and Budget  
17 shall make any determination of the functions that  
18 are transferred under paragraph (2).

19 (4) REORGANIZATION.—The Chairperson is au-  
20 thorized to allocate or reallocate any function trans-  
21 ferred under paragraph (2) among the officers of the  
22 Corporation.

23 (5) TRANSFER AND ALLOCATIONS OF APPRO-  
24 PRIATIONS AND PERSONNEL.—Except as otherwise  
25 provided in this subsection, the personnel employed

1 in connection with, and the assets, liabilities, con-  
2 tracts, property, records, and unexpended balances  
3 of appropriations, authorizations, allocations, and  
4 other funds employed, used, held, arising from,  
5 available to, or to be made available in connection  
6 with the functions transferred by this subsection,  
7 subject to section 1531 of title 31, United States  
8 Code, shall be transferred to the Corporation. Unex-  
9 pended funds transferred pursuant to this paragraph  
10 shall be used only for the purposes for which the  
11 funds were originally authorized and appropriated.

12 (6) INCIDENTAL TRANSFER.—The Director of  
13 the Office of Management and Budget, at such time  
14 or times as the Director shall provide, is authorized  
15 to make such determinations as may be necessary  
16 with regard to the functions transferred by this sub-  
17 section, and to make such additional incidental dis-  
18 positions of personnel, assets, liabilities, grants, con-  
19 tracts, property, records, and unexpended balances  
20 of appropriations, authorizations, allocations, and  
21 other funds held, used, arising from, available to, or  
22 to be made available in connection with such func-  
23 tions, as may be necessary to carry out the provi-  
24 sions of this subsection. The Director of the Office  
25 of Management and Budget shall provide for the ter-



1 mination of the affairs of all entities terminated by  
2 this subsection and for such further measures and  
3 dispositions as may be necessary to effectuate the  
4 purposes of this subsection.

5 (7) EFFECT ON PERSONNEL.—

6 (A) IN GENERAL.—Except as otherwise  
7 provided by this subsection, the transfer pursu-  
8 ant to this subsection of full-time personnel (ex-  
9 cept special Government employees) and part-  
10 time personnel holding permanent positions  
11 shall not cause any such employee to be sepa-  
12 rated or reduced in grade or compensation, or  
13 to have the benefits of the employee reduced,  
14 for 1 year after the date of transfer of such em-  
15 ployee under this subsection.

16 (B) EXECUTIVE SCHEDULE POSITIONS.—

17 Except as otherwise provided in this subsection,  
18 any person who, on the day preceding the effec-  
19 tive date of this subsection, held a position com-  
20 pensated in accordance with the Executive  
21 Schedule prescribed in chapter 53 of title 5,  
22 United States Code, and who, without a break  
23 in service, is appointed in the Corporation to a  
24 position having duties comparable to the duties  
25 performed immediately preceding such appoint-

1           ment shall continue to be compensated in such  
2           new position at not less than the rate provided  
3           for such previous position, for the duration of  
4           the service of such person in such new position.

5           (C) TERMINATION OF CERTAIN POSI-  
6           TIONS.—Positions whose incumbents are ap-  
7           pointed by the President, by and with the ad-  
8           vice and consent of the Senate, the functions of  
9           which are transferred by this subsection, shall  
10          terminate on the effective date of this sub-  
11          section.

12          (8) SAVINGS PROVISIONS.—

13           (A) CONTINUING EFFECT OF LEGAL DOCU-  
14           MENTS.—All orders, determinations, rules, reg-  
15           ulations, permits, agreements, grants, contracts,  
16           certificates, licenses, registrations, privileges,  
17           and other administrative actions—

18                   (i) that have been issued, made,  
19                   granted, or allowed to become effective by  
20                   the President, any Federal agency or offi-  
21                   cial thereof, or by a court of competent ju-  
22                   risdiction, in the performance of functions  
23                   that are transferred under this subsection;  
24                   and

1           (ii) that are in effect at the time this  
2           subsection takes effect, or were final before  
3           the effective date of this subsection and  
4           are to become effective on or after the ef-  
5           fective date of this subsection,  
6           shall continue in effect according to their terms  
7           until modified, terminated, superseded, set  
8           aside, or revoked in accordance with law by the  
9           President, the Chairperson, or other authorized  
10          official, a court of competent jurisdiction, or by  
11          operation of law.

12           (B) PROCEEDINGS NOT AFFECTED.—The  
13          provisions of this subsection shall not affect any  
14          proceedings, including notices of proposed rule-  
15          making, or any application for any license, per-  
16          mit, certificate, or financial assistance pending  
17          before the ACTION Agency at the time this  
18          subsection takes effect, with respect to func-  
19          tions transferred by this subsection but such  
20          proceedings and applications shall be continued.  
21          Orders shall be issued in such proceedings, ap-  
22          peals shall be taken therefrom, and payments  
23          shall be made pursuant to such orders, as if  
24          this subsection had not been enacted, and or-  
25          ders issued in any such proceedings shall con-

1           tinue in effect until modified, terminated, su-  
2           perseded, or revoked by a duly authorized offi-  
3           cial, by a court of competent jurisdiction, or by  
4           operation of law. Nothing in this subparagraph  
5           shall be deemed to prohibit the discontinuance  
6           or modification of any such proceeding under  
7           the same terms and conditions and to the same  
8           extent that such proceeding could have been  
9           discontinued or modified if this subsection had  
10          not been enacted.

11           (C) SUITS NOT AFFECTED.—The provi-  
12          sions of this subsection shall not affect suits  
13          commenced before the effective date of this sub-  
14          section, and in all such suits, proceedings shall  
15          be had, appeals taken, and judgments rendered  
16          in the same manner and with the same effect  
17          as if this subsection had not been enacted.

18           (D) NONABATEMENT OF ACTIONS.—No  
19          suit, action, or other proceeding commenced by  
20          or against the ACTION Agency, or by or  
21          against any individual in the official capacity of  
22          such individual as an officer of the ACTION  
23          Agency, shall abate by reason of the enactment  
24          of this subsection.

1           (E) ADMINISTRATIVE ACTIONS RELATING  
2 TO PROMULGATION OF REGULATIONS.—Any ad-  
3 ministrative action relating to the preparation  
4 or promulgation of a regulation by the AC-  
5 TION Agency relating to a function transferred  
6 under this subsection may be continued by the  
7 Corporation with the same effect as if this sub-  
8 section had not been enacted.

9           (9) SEVERABILITY.—If a provision of this sub-  
10 section or its application to any person or cir-  
11 cumstance is held invalid, neither the remainder of  
12 this subsection nor the application of the provision  
13 to other persons or circumstances shall be affected.

14           (10) TRANSITION.—Prior to, or after, any  
15 transfer of a function under this subsection, the  
16 Chairperson is authorized to utilize—

17           (A) the services of such officers, employ-  
18 ees, and other personnel of the ACTION Agen-  
19 cy with respect to functions that will be or have  
20 been transferred to the Corporation by this sub-  
21 section; and

22           (B) funds appropriated to such functions  
23 for such period of time as may reasonably be  
24 needed to facilitate the orderly implementation  
25 of this subsection.

1 (d) EFFECTIVE DATE.—

2 (1) IN GENERAL.—Except as provided in para-  
3 graph (2), this section, and the amendments made  
4 by this section, shall take effect—

5 (A) 18 months after the date of enactment  
6 of this Act; or

7 (B) on such earlier date as the President  
8 shall determine to be appropriate and announce  
9 by proclamation published in the Federal Reg-  
10 ister.

11 (2) TRANSITION.—Subsection (c)(10) shall take  
12 effect on the date of enactment of this Act.

13 **TITLE III—REAUTHORIZATION**  
14 **Subtitle A—National and**  
15 **Community Service Act of 1990**

16 **SEC. 301. AUTHORIZATION OF APPROPRIATIONS.**

17 Section 501 of the National and Community Service  
18 Act of 1990 (42 U.S.C. 12681) is amended to read as  
19 follows:

20 **“SEC. 501. AUTHORIZATION OF APPROPRIATIONS.**

21 **“(a) TITLE I.—**

22 **“(1) SUBTITLE B.—**There are authorized to be  
23 appropriated to provide financial assistance under  
24 subtitle B of title I, \$45,000,000 for fiscal year

1 1994, and such sums as may be necessary for each  
2 of the fiscal years 1995 through 1998.

3 “(2) SUBTITLES C, D, AND H.—There are au-  
4 thorized to be appropriated to provide financial as-  
5 sistance under subtitles C and H of title I, and to  
6 provide national service educational awards under  
7 subtitle D of title I, \$389,000,000 for fiscal year  
8 1994, and such sums as may be necessary for each  
9 of the fiscal years 1995 through 1998. Of the funds  
10 appropriated under this paragraph for a fiscal year,  
11 not more than 15 percent of such funds may be  
12 made available to provide financial assistance for ac-  
13 tivities in subtitle H, section 125, or section 126.

14 “(3) ADMINISTRATION.—There are authorized  
15 to be appropriated for the administration of this Act  
16 such sums as may be necessary for each of the fiscal  
17 years 1994 through 1998.

18 “(b) TITLE III.—There are authorized to be appro-  
19 priated to carry out title III \$5,000,000 for each of the  
20 fiscal years 1994 through 1998.

21 “(c) AVAILABILITY OF APPROPRIATIONS.—Funds ap-  
22 propriated under this section shall remain available until  
23 expended.”.

1       **Subtitle B—Domestic Volunteer**  
2                   **Service Act of 1973**

3       **SEC. 311. SHORT TITLE; REFERENCES.**

4           (a) **SHORT TITLE.**—This subtitle may be cited as the  
5 “Domestic Volunteer Service Act Amendments of 1993”.

6           (b) **REFERENCES.**—Except as otherwise specifically  
7 provided, whenever in this subtitle an amendment or re-  
8 peal is expressed in terms of an amendment to, or repeal  
9 of, a section or other provision, the reference shall be con-  
10 sidered to be made to a section or other provision of the  
11 Domestic Volunteer Service Act of 1973 (42 U.S.C. 4950  
12 et seq.).

13       **CHAPTER 1—VISTA AND OTHER ANTI-**  
14                   **POVERTY PROGRAMS**

15       **SEC. 321. PURPOSE OF THE VISTA PROGRAM.**

16           The last sentence of section 101 (42 U.S.C. 4951)  
17 is amended to read as follows: “In addition, the objectives  
18 of this part are to generate the commitment of private  
19 sector resources, to encourage volunteer service at the  
20 local level, and to strengthen local agencies and organiza-  
21 tions to carry out the purpose of this part.”.

22       **SEC. 322. SELECTION AND ASSIGNMENT OF VISTA VOLUN-**  
23                   **TEERS.**

24           (a) **VOLUNTEER ASSIGNMENTS.**—Section 103(a) (42  
25 U.S.C. 4953(a)) is amended—



1 (1) in the matter preceding paragraph (1), by  
2 striking “a public” and inserting “public”;

3 (2) in paragraph (2), by striking “and” at the  
4 end;

5 (3) in paragraph (3), by striking “illiterate or  
6 functionally illiterate youth and other individuals,”;

7 (4) in paragraph (5), by striking “and” at the  
8 end;

9 (5) in paragraph (6)—

10 (A) by striking “or the Community Eco-  
11 nomic” and inserting “the Community Eco-  
12 nomic”;

13 (B) by inserting “or other similar Acts,”  
14 after “1981,”; and

15 (C) by striking the period and inserting “;  
16 and”; and

17 (6) by adding at the end the following new  
18 paragraph:

19 “(7) in strengthening, supplementing, and ex-  
20 panding efforts to address the problem of illiteracy  
21 throughout the United States.”.

22 (b) RECRUITMENT PROCEDURES.—Section 103(b)  
23 (42 U.S.C. 4953(b)) is amended—

24 (1) by striking paragraphs (2), (4), (5) and (6);

1           (2) by redesignating paragraphs (3) and (7) as  
2 paragraphs (2) and (3), respectively;

3           (3) in paragraph (2) (as redesignated in para-  
4 graph (2) of this subsection), by striking “paragraph  
5 (7)” and inserting “paragraph (3)”; and

6           (4) in paragraph (3) (as redesignated in para-  
7 graph (2) of this subsection)—

8           (A) in subparagraph (A), by striking  
9 “paragraph (4)” and inserting “paragraph  
10 (2)”;

11           (B) by striking subparagraphs (B), (C),  
12 and (E);

13           (C) by redesignating subparagraphs (D)  
14 and (F) as subparagraphs (C) and (D), respec-  
15 tively; and

16           (D) by inserting after subparagraph (A)  
17 the following new subparagraph:

18           “(B) A sponsoring organization may recruit volun-  
19 teers for service under this part, subject to final approval  
20 by the Director.”.

21           (c) PUBLIC AWARENESS AND RECRUITMENT.—Sub-  
22 section (c) of section 103 (42 U.S.C. 4953(c)) is amend-  
23 ed—

24           (1) in paragraph (1), to read as follows:

1       “(1)(A) The Director shall conduct national and local  
2 public awareness and recruitment activities in order to  
3 meet the volunteer goals of the program. Such activities  
4 shall be coordinated with recruitment authorized under  
5 subtitle C or E of the National and Community Service  
6 Act of 1990 and may include public service announce-  
7 ments, advertisements, publicity on loan deferments and  
8 cancellations available to VISTA volunteers, maintenance  
9 of a toll-free telephone system, and provision of technical  
10 assistance for the recruitment of volunteers to programs  
11 and projects receiving assistance under this part.

12       “(B) The Director shall take steps to recruit individ-  
13 uals 18 through 27 years of age, 55 years of age and older,  
14 recent graduates of institutions of higher education, and  
15 special skilled volunteers and to promote diverse participa-  
16 tion in the program.”;

17               (2) in paragraph (3), by adding at the end the  
18 following new sentence: “In addition, the Director  
19 shall take steps to provide opportunities for returned  
20 Peace Corps volunteers to serve in the VISTA pro-  
21 gram.”;

22               (3) by striking paragraphs (4), (5), and (6);  
23 and

24               (4) by adding at the end the following new  
25 paragraph:

1       “(4) From the amounts appropriated under section  
2 501(a) for fiscal year 1994 and each subsequent fiscal  
3 year, the Director shall obligate such sums as may be nec-  
4 essary for the purpose of carrying out this subsection in  
5 such fiscal year.”.

6       (d) COORDINATION WITH OTHER FEDERAL AGEN-  
7 CIES.—Section 103 (42 U.S.C. 4953) is amended by add-  
8 ing at the end the following new subsection:

9       “(h) The Director is encouraged to enter into agree-  
10 ments with other Federal agencies to use VISTA volun-  
11 teers in furtherance of program objectives that are consist-  
12 ent with the purposes described in section 101.”.

13 **SEC. 323. TERMS AND PERIODS OF SERVICE.**

14       (a) CLARIFICATION AND PERIODS OF SERVICE.—  
15 Subsection (b) of section 104 (42 U.S.C. 4954(b)) is  
16 amended to read as follows:

17       “(b)(1) Volunteers serving under this part may be en-  
18 rolled initially for periods of service of not less than 1 year,  
19 nor more than 2 years, except as provided in paragraph  
20 (2) or subsection (e).

21       “(2) Volunteers serving under this part may be en-  
22 rolled for periods of service of less than 1 year if the Direc-  
23 tor determines, on an individual basis, that a period of  
24 service of less than 1 year is necessary to meet a critical  
25 scarce skill need.

1 “(3) Volunteers serving under this part may be  
2 reenrolled for periods of service in a manner to be deter-  
3 mined by the Director. No volunteer shall serve for more  
4 than a total of 5 years under this part.”.

5 (b) SUMMER PROGRAM.—Section 104 (42 U.S.C.  
6 4954) is amended by adding at the end the following new  
7 subsection:

8 “(e)(1) Notwithstanding any other provision of this  
9 part, the Director may enroll full-time VISTA summer as-  
10 sociates in a program for the summer months only, under  
11 such terms and conditions as the Director shall determine  
12 to be appropriate. Such individuals shall be assigned to  
13 projects that meet the criteria set forth in section 103(a).

14 “(2) In preparing reports relating to programs under  
15 this Act, the Director shall report on participants, costs,  
16 and accomplishments under the summer program sepa-  
17 rately.

18 “(3) The limitation on funds appropriated for grants  
19 and contracts, as contained in section 108, shall not apply  
20 to the summer program.”.

21 **SEC. 324. SUPPORT FOR VISTA VOLUNTEERS.**

22 (a) POSTSERVICE STIPEND.—Section 105(a)(1) (42  
23 U.S.C. 4955(a)(1)) is amended—

24 (1) by inserting “(A)” after “(a)(1)”; and

1           (2) by striking the second sentence and insert-  
2           ing the following:

3           “(B) Such stipend shall not exceed \$95 per month  
4 in fiscal year 1994, but shall be set at a minimum of \$125  
5 per month during the service of the volunteer after Octo-  
6 ber 1, 1994, assuming the availability of funds to accom-  
7 plish this increase. The Director may provide a stipend  
8 of a minimum of \$200 per month in the case of persons  
9 who have served as volunteers under this part for at least  
10 1 year and who, in accordance with standards established  
11 in such regulations as the Director shall prescribe, have  
12 been designated volunteer leaders on the basis of experi-  
13 ence and special skills and a demonstrated leadership  
14 among volunteers.

15           “(C) The Director shall not provide a stipend under  
16 this subsection to an individual who elects to receive a na-  
17 tional service education award under subtitle D of title I  
18 of the National and Community Service Act of 1990.”.

19           (b) SUBSISTENCE ALLOWANCE.—Section 105(b) (42  
20 U.S.C. 4955(b)) is amended—

21           (1) in paragraph (3)—

22                   (A) by striking subparagraph (A);

23                   (B) in subparagraph (B), by striking the  
24           subparagraph designation; and

1 (C) by adding at the end the following new  
2 sentence: “The Director shall review such ad-  
3 justments on an annual basis to ensure that the  
4 adjustments are current.”; and  
5 (2) by striking paragraph (4).

6 **SEC. 325. PARTICIPATION OF YOUNGER AND OLDER PER-**  
7 **SONS.**

8 Section 107 (42 U.S.C. 4957) is amended to read as  
9 follows:

10 **“SEC. 107. PARTICIPATION OF YOUNGER AND OLDER PER-**  
11 **SONS.**

12 “In carrying out this part and part C, the Director  
13 shall take necessary steps, including the development of  
14 special projects, where appropriate, to encourage the full-  
15 est participation of individuals 18 through 27 years of age,  
16 and individuals 55 years of age and older, in the various  
17 programs and activities authorized under such parts.”.

18 **SEC. 326. LITERACY ACTIVITIES.**

19 Section 109 (42 U.S.C. 4959) is amended—

20 (1) in subsection (g)—

21 (A) by striking paragraph (1); and

22 (B) by striking the paragraph designation  
23 of paragraph (2); and

24 (2) in subsection (h), by striking paragraph (3).

1 **SEC. 327. APPLICATIONS FOR ASSISTANCE.**

2 Section 110 (42 U.S.C. 4960) is amended to read as  
3 follows:

4 **“SEC. 110. APPLICATIONS FOR ASSISTANCE.**

5 “In reviewing an application for assistance under this  
6 part, the Director shall not deny such assistance to any  
7 project or program, or any public or private nonprofit or-  
8 ganization, solely on the basis of the duration of the assist-  
9 ance such project, program, or organization has received  
10 under this part prior to the date of submission of the ap-  
11 plication. The Director shall grant assistance under this  
12 part on the basis of merit and to accomplish the goals  
13 of the VISTA program, and shall consider the needs and  
14 requirements of projects in existence on such date as well  
15 as potential new projects.”.

16 **SEC. 328. REPEAL OF AUTHORITY FOR STUDENT COMMU-  
17 NITY SERVICE PROGRAMS.**

18 Part B of title I (42 U.S.C. 4971 et seq.) is amended  
19 by repealing section 114 (42 U.S.C. 4974).

20 **SEC. 329. UNIVERSITY YEAR FOR VISTA.**

21 (a) PROGRAM TITLE.—Part B of title I (42 U.S.C.  
22 4971 et seq.) is amended—

23 (1) in the part heading to read as follows:



1 “PART B—UNIVERSITY YEAR FOR VISTA”;

2 (2) by striking “University Year for ACTION”  
3 each place that such term appears in such part and  
4 inserting “University Year for VISTA”;

5 (3) by striking “UYA” each place that such  
6 term appears in such part and inserting “UYV”;  
7 and

8 (4) in section 112 (42 U.S.C. 4972) by striking  
9 the section heading and inserting the following new  
10 section heading:

11 “AUTHORITY TO OPERATE UNIVERSITY YEAR FOR VISTA  
12 PROGRAM”.

13 (b) SPECIAL CONDITIONS.—Section 113(a) (42  
14 U.S.C. 4973(a)) is amended—

15 (1) by striking “of not less than the duration  
16 of an academic year” and inserting “of not less than  
17 the duration of an academic semester or its equiva-  
18 lent”; and

19 (2) by adding at the end the following new sen-  
20 tence: “Volunteers may receive a living allowance  
21 and such other support or allowances as the Director  
22 determines to be appropriate.”.

1 **SEC. 330. AUTHORITY TO ESTABLISH AND OPERATE SPE-**  
2 **CIAL VOLUNTEER AND DEMONSTRATION**  
3 **PROGRAMS.**

4 Section 122 (42 U.S.C. 4992) is amended to read as  
5 follows:

6 **“SEC. 122. AUTHORITY TO ESTABLISH AND OPERATE SPE-**  
7 **CIAL VOLUNTEER AND DEMONSTRATION**  
8 **PROGRAMS.**

9 “(a) IN GENERAL.—The Director is authorized to  
10 conduct special volunteer programs for demonstration pro-  
11 grams, or award grants to or enter into contracts with  
12 public or nonprofit organizations to carry out such pro-  
13 grams. Such programs shall encourage wider volunteer  
14 participation on a full-time, part-time, or short-term basis  
15 to further the purpose of this part, and identify particular  
16 segments of the poverty community that could benefit  
17 from volunteer and other antipoverty efforts.

18 “(b) ASSIGNMENT AND SUPPORT OF VOLUNTEERS.—  
19 The assignment of volunteers under this section, and the  
20 provision of support for such volunteers, including any  
21 subsistence allowances and stipends, shall be on such  
22 terms and conditions as the Director shall determine to  
23 be appropriate, but shall not exceed the level of support  
24 provided under section 105. Projects using volunteers who  
25 do not receive stipends may also be supported under this  
26 section.

1       “(c) CRITERIA AND PRIORITIES.—In carrying out  
2 this section and section 123, the Director shall establish  
3 criteria and priorities for awarding grants and entering  
4 into contracts under this part in each fiscal year. No grant  
5 or contract exceeding \$100,000 shall be made under this  
6 part unless the recipient of the grant or contractor has  
7 been selected by a competitive process that includes public  
8 announcement of the availability of funds for such grant  
9 or contract, general criteria for the selection of recipients  
10 or contractors, and a description of the application process  
11 and application review process.”.

12 **SEC. 331. TECHNICAL AND FINANCIAL ASSISTANCE.**

13       Section 123 (42 U.S.C. 4993) is amended to read as  
14 follows:

15 **“SEC. 123. TECHNICAL AND FINANCIAL ASSISTANCE.**

16       “The Director may provide technical and financial as-  
17 sistance to Federal agencies, State and local governments  
18 and agencies, private nonprofit organizations, employers,  
19 and other private organizations that utilize or desire to  
20 utilize volunteers in carrying out the purpose of this  
21 part.”.

22 **SEC. 332. ELIMINATION OF SEPARATE AUTHORITY FOR**  
23 **DRUG ABUSE PROGRAMS.**

24       Section 124 (42 U.S.C. 4994) is repealed.

1           **CHAPTER 2—NATIONAL SENIOR**  
2                           **VOLUNTEER CORPS**

3   **SEC. 341. NATIONAL SENIOR VOLUNTEER CORPS.**

4           (a) TITLE HEADING.—The heading for title II is  
5 amended to read as follows:

6           **“TITLE II—NATIONAL SENIOR**  
7                           **VOLUNTEER CORPS”**

8           (b) REFERENCES.—

9           (1) Section 200(1) (42 U.S.C. 5000(1)) is  
10 amended by striking “Older America Volunteer Pro-  
11 grams” and inserting “National Senior Volunteer  
12 Corps”.

13           (2) The heading for section 221 (42 U.S.C.  
14 5021) is amended by striking “OLDER AMERICAN  
15 VOLUNTEER PROGRAMS” and inserting “NATIONAL  
16 SENIOR VOLUNTEER CORPS”.

17           (3) Section 224 (42 U.S.C. 5024) is amended—

18           (A) in the section heading by striking  
19 “OLDER AMERICAN VOLUNTEER PROGRAMS”  
20 and inserting “NATIONAL SENIOR VOLUNTEER  
21 CORPS”; and

22           (B) by striking “volunteer projects for  
23 Older Americans” and inserting “National Sen-  
24 ior Volunteer Corps projects”.

1           (4) Section 205(c) of the Older Americans  
2           Amendments of 1975 (Public Law 94-135; 89 Stat.  
3           727; 42 U.S.C. 5001 note) is amended by striking  
4           “national older American volunteer programs” each  
5           place the term appears and inserting “National Sen-  
6           ior Volunteer Corps programs”.

7   **SEC. 342. THE RETIRED AND SENIOR VOLUNTEER PRO-**  
8                                   **GRAM.**

9           (a) PART HEADING.—The heading for part A of title  
10          II is amended by striking “RETIRED SENIOR VOLUNTEER  
11          PROGRAM” and inserting “RETIRED AND SENIOR VOLUN-  
12          TEER PROGRAM”.

13          (b) REFERENCES.—Section 200 (42 U.S.C. 5000) is  
14          amended by striking “retired senior volunteer program”  
15          each place that such term appears in such section and the  
16          Act and inserting “Retired and Senior Volunteer Pro-  
17          gram”.

18   **SEC. 343. OPERATION OF THE RETIRED AND SENIOR VOL-**  
19                                   **UNTEER PROGRAM.**

20          (a) ELIGIBILITY FOR PARTICIPANTS IN THE PRO-  
21          GRAM.—Section 201(a) (42 U.S.C. 5001(a)) is amend-  
22          ed—

23                  (1) in the matter preceding paragraph (1), by  
24                  inserting “and older working persons” after “retired  
25                  persons”; and

1           (2) in paragraph (2), by striking “aged sixty”  
2           and inserting “age 55”.

3           (b) DELETION OF REQUIREMENT FOR STATE AGEN-  
4           CY REVIEW.—Section 201 (42 U.S.C. 5001) is amended—

5           (1) by striking subsection (c); and

6           (2) by redesignating subsection (d) as sub-  
7           section (c).

8           **SEC. 344. SERVICES UNDER THE FOSTER GRANDPARENT**  
9   **PROGRAM.**

10          Section 211(a) (42 U.S.C. 5011(a)) is amended by  
11          striking “, including services” and all that follows through  
12          “with special needs.” and inserting a period and the fol-  
13          lowing: “Such services may include services by individuals  
14          serving as foster grandparents to children who are receiv-  
15          ing care in hospitals, who are residing in homes for de-  
16          pendent and neglected children, or who are receiving serv-  
17          ices provided by day care centers, schools, Head Start  
18          projects, or any of a variety of other establishments and  
19          institutions providing services for children with special or  
20          exceptional needs. Individual foster grandparents may  
21          provide person-to-person services to one or more children,  
22          depending on the needs of the project and local site.”.

23          **SEC. 345. STIPENDS FOR LOW-INCOME VOLUNTEERS.**

24          Section 211(d) (42 U.S.C. 5011(d)) is amended in  
25          the second sentence by striking “Any stipend or allowance

1 provided under this subsection shall not be less than \$2.20  
2 per hour until October 1, 1990, \$2.35 per hour during  
3 fiscal year 1991, and \$2.50 per hour on and after October  
4 1, 1992,” and inserting “Any stipend or allowance pro-  
5 vided under this section shall not be less than \$2.45 per  
6 hour on and after October 1, 1993, and shall be adjusted  
7 once prior to December 31, 1997, to account for inflation,  
8 as determined by the Director and rounded to the nearest  
9 five cents,”.

10 **SEC. 346. PARTICIPATION OF NON-LOW-INCOME PERSONS**

11 **UNDER PARTS B AND C.**

12 Subsection (f) of section 211(f) (42 U.S.C. 5011(f))  
13 is amended to read as follows:

14 “(f) Individuals who are not low-income persons may  
15 serve as volunteers under parts B and C, in accordance  
16 with such regulations as the Director shall issue, at the  
17 discretion of the local project. Such individuals shall not  
18 receive any allowance, stipend, or other financial support  
19 for such service except reimbursement for transportation,  
20 meals, and out-of-pocket expenses related to such serv-  
21 ice.”.

22 **SEC. 347. CONDITIONS OF GRANTS AND CONTRACTS.**

23 Section 212 (42 U.S.C. 5012) is repealed.

1 **SEC. 348. EVALUATION OF THE SENIOR COMPANION PRO-**  
2 **GRAM.**

3 Section 213(c) (42 U.S.C. 5013(c)) is amended by  
4 striking paragraph (3).

5 **SEC. 349. AGREEMENTS WITH OTHER FEDERAL AGENCIES.**

6 Section 221(a) (42 U.S.C. 5021(a)) is amended—

7 (1) by striking “(1)” and inserting “(1)(A)”;

8 and

9 (2) by adding at the end the following:

10 “(2) The Director is encouraged to enter into  
11 agreements with—

12 “(A) the Department of Health and  
13 Human Services to—

14 “(i) involve retired or senior volun-  
15 teers and foster grandparents in Head  
16 Start projects; and

17 “(ii) promote in-home care in coopera-  
18 tion with the Administration on Aging;

19 “(B) the Department of Education to pro-  
20 mote intergenerational tutoring and mentoring  
21 for at-risk children; and

22 “(C) the Environmental Protection Agency  
23 to support conservation efforts.”.

24 **SEC. 350. PROGRAMS OF NATIONAL SIGNIFICANCE.**

25 Section 225 (42 U.S.C. 5025) is amended—

26 (1) in subsection (a)—



1 (A) by striking paragraph (1) and insert-  
2 ing the following new paragraph:

3 “(1) The Director is authorized to make grants under  
4 parts A, B, and C to support programs that address na-  
5 tional problems that are also of local concern. The Direc-  
6 tor may, in any fiscal year, determine which programs of  
7 national significance will receive priority in that year.”;

8 (B) in paragraph (2)(B), by striking  
9 “paragraph (10)” and inserting “paragraphs  
10 (10) and (12)”; and

11 (C) in paragraph (2)(C), by striking “and  
12 (10)” and inserting “(10), (12), (15), and  
13 (16)”;

14 (2) in subsection (b), by adding at the end the  
15 following new paragraphs:

16 “(12) Programs that address environmental  
17 needs.

18 “(13) Programs that reach out to organizations  
19 not previously involved in addressing local needs,  
20 such as labor unions and profit-making organiza-  
21 tions.

22 “(14) Programs that provide for ethnic out-  
23 reach.

24 “(15) Programs that support criminal justice  
25 activities.

1           “(16) Programs that involve older volunteers  
2           working with young people in apprenticeship pro-  
3           grams.”; and

4           (3) in subsection (d), by striking paragraph (1)  
5           and inserting the following new paragraph:

6           “(1) Except as provided in paragraph (2), from the  
7           amounts appropriated under subsection (a), (b), (c), or (d)  
8           of section 502, for each fiscal year there shall be available  
9           to the Director such sums as may be necessary to make  
10          grants under subsection (a).”.

11 **SEC. 351. ADJUSTMENTS TO FEDERAL FINANCIAL ASSIST-**  
12 **ANCE.**

13          Section 226 (42 U.S.C. 5026) is amended—

14           (1) in subsection (a)(1)—

15                (A) in subparagraph (A), by striking

16                “(A)”; and

17                (B) by striking subparagraph (B); and

18           (2) in subsection (b)—

19                (A) in paragraph (1), by striking “(1)”;

20                and

21                (B) by striking paragraph (2).

22 **SEC. 352. DEMONSTRATION PROGRAMS.**

23          Title II is amended by adding at the end the following  
24          new part:

1           “PART E—DEMONSTRATION PROGRAMS

2   **“SEC. 231. AUTHORITY OF DIRECTOR.**

3           “(a) IN GENERAL.—The Director is authorized to  
4 make grants to or enter into contracts with public or non-  
5 profit organizations, including organizations funded under  
6 part A, B, or C, for the purposes of demonstrating innova-  
7 tive activities involving older Americans as volunteers. The  
8 Director may support under this part both volunteers re-  
9 ceiving stipends and volunteers not receiving stipends.

10          “(b) ACTIVITIES.—An organization that receives a  
11 grant or enters into a contract under subsection (a) may  
12 use funds made available through the grant or contract  
13 for activities such as—

14           “(1) linking youth groups and older American  
15 organizations in volunteer activities;

16           “(2) involving older volunteers in programs and  
17 activities different from those currently supported in  
18 the community; and

19           “(3) testing whether older American volunteer  
20 programs may contribute to new objectives or cer-  
21 tain national priorities.

22   **“SEC. 232. PROHIBITION.**

23           “The Director may not reduce the activities, projects,  
24 or volunteers funded under the other parts of this title  
25 in order to support projects under this part.”.

1           **CHAPTER 3—ADMINISTRATION**

2   **SEC. 361. PURPOSE OF AGENCY.**

3       Section 401 (42 U.S.C. 5041) is amended—

4           (1) by inserting after the first sentence the fol-  
5       lowing: “This Agency shall also promote the coordi-  
6       nation of volunteer efforts among Federal, State,  
7       and local agencies and organizations, exchange tech-  
8       nical assistance information among them, and pro-  
9       vide technical assistance to other nations concerning  
10      domestic volunteer programs within their coun-  
11      tries.”; and

12          (2) by striking “Older American Volunteer Pro-  
13      grams” each place the term appears and inserting  
14      “National Senior Volunteer Corps”.

15   **SEC. 362. AUTHORITY OF THE DIRECTOR.**

16      Section 402 (42 U.S.C. 5042) is amended in para-  
17      graphs (5) and (6) by inserting “solicit and” before “ac-  
18      cept” in each such paragraph.

19   **SEC. 363. COMPENSATION FOR VOLUNTEERS.**

20      Section 404 (42 U.S.C. 5044) is amended—

21          (1) in subsection (c), by inserting “from such  
22      volunteers or from beneficiaries” after “compensa-  
23      tion”;

24          (2) by striking subsection (f); and

1           (3) by redesignating subsection (g) as sub-  
2           section (f).

3 **SEC. 364. REPEAL OF REPORT.**

4           Section 407 (42 U.S.C. 5047) is repealed.

5 **SEC. 365. APPLICATION OF FEDERAL LAW.**

6           Section 415(b)(4)(A) (42 U.S.C. 5055(b)(4)(A)) is  
7 amended by striking “a grade GS–7 employee” and insert-  
8 ing “an employee at grade GS–5 of the General Schedule  
9 under section 5332 of title 5, United States Code”.

10 **SEC. 366. EVALUATION OF PROGRAMS.**

11           Section 416 (42 U.S.C. 5056) is amended—

12           (1) in subsection (a)—

13                   (A) in the first sentence, by striking “(in-  
14 cluding the VISTA Literacy Corps which shall  
15 be evaluated as a separate program at least  
16 once every 3 years)”;

17                   (B) in the second sentence, by striking “at  
18 least once every 3 years” and inserting “peri-  
19 odically”;

20           (2) in subsection (b) to read as follows:

21           “(b) In carrying out evaluations of programs under  
22 this Act, the Director shall create appropriate manage-  
23 ment information systems that will summarize informa-  
24 tion on volunteer activities and accomplishments across  
25 the programs supported under this Act. The Director shall

1 periodically prepare and submit to the appropriate com-  
2 mittees of Congress a report containing such informa-  
3 tion.”; and

4 (3) by striking subsections (d), (e), (f), and (g).

5 **SEC. 367. NONDISCRIMINATION PROVISIONS.**

6 Section 417 (42 U.S.C. 5057) is amended to read as  
7 follows:

8 **“SEC. 417. NONDISCRIMINATION PROVISIONS.**

9 “(a) IN GENERAL.—

10 “(1) BASIS.—An individual with responsibility  
11 for the operation of a program that receives assist-  
12 ance under this Act shall not discriminate against a  
13 participant in, or member of the staff of, such pro-  
14 gram on the basis of race, color, national origin, sex,  
15 age, or political affiliation of such participant or  
16 member, or on the basis of disability, if the partici-  
17 pant or member is a qualified individual with a dis-  
18 ability.

19 “(2) DEFINITION.—As used in paragraph (1),  
20 the term ‘qualified individual with a disability’ has  
21 the meaning given the term in section 101(8) of the  
22 Americans with Disabilities Act of 1990 (42 U.S.C.  
23 12111(8)).

24 “(b) FEDERAL FINANCIAL ASSISTANCE.—Any assist-  
25 ance provided under this Act shall constitute Federal fi-

1 nancial assistance for purposes of title VI of the Civil  
2 Rights Act of 1964 (42 U.S.C. 2000d et seq.), title IX  
3 of the Education Amendments of 1972 (20 U.S.C. 1681  
4 et seq.), section 504 of the Rehabilitation Act of 1973 (29  
5 U.S.C. 794), and the Age Discrimination Act of 1975 (42  
6 U.S.C. 6101 et seq.).

7 “(c) RELIGIOUS DISCRIMINATION.—

8 “(1) IN GENERAL.—Except as provided in para-  
9 graph (2), an individual with responsibility for the  
10 operation of a program that receives assistance  
11 under this Act shall not discriminate on the basis of  
12 religion against a participant in such program or a  
13 member of the staff of such program who is paid  
14 with funds received under this Act.

15 “(2) EXCEPTION.—Paragraph (1) shall not  
16 apply to the employment, with assistance provided  
17 under this Act, of any member of the staff, of a pro-  
18 gram that receives assistance under this Act, who  
19 was employed with the organization operating the  
20 program on the date the grant under this Act was  
21 awarded.

22 “(d) RULES AND REGULATIONS.—The Director shall  
23 promulgate rules and regulations to provide for the en-  
24 forcement of this section that shall include provisions for  
25 summary suspension of assistance for not more than 30

1 days, on an emergency basis, until notice and an oppor-  
2 tunity to be heard can be provided.”.

3 **SEC. 368. ELIMINATION OF SEPARATE REQUIREMENTS FOR**  
4 **SETTING REGULATIONS.**

5 Section 420 (42 U.S.C. 5060) is repealed.

6 **SEC. 369. CLARIFICATION OF ROLE OF INSPECTOR GEN-**  
7 **ERAL.**

8 Section 422 (42 U.S.C. 5062) is amended—

9 (1) in subsection (a), by inserting “or the In-  
10 spector General” after “Director”; and

11 (2) in subsection (b), by inserting “, the Inspec-  
12 tor General,” after “Director” each place that such  
13 term appears.

14 **SEC. 370. COPYRIGHT PROTECTION.**

15 Title IV is amended by adding at the end, the follow-  
16 ing new section:

17 **“SEC. 425. PROTECTION AGAINST IMPROPER USE.**

18 “Whoever falsely—

19 “(1) advertises or represents; or

20 “(2) publishes or displays any sign, symbol, or  
21 advertisement, reasonably calculated to convey the  
22 impression,

23 that an entity is affiliated with, funded by, or operating  
24 under the authority of ACTION, VISTA, or any of the  
25 programs of the National Senior Volunteer Corps may be



1 enjoined under an action filed by the Attorney General,  
2 on a complaint by the Director.”.

3 **SEC. 371. CENTER FOR RESEARCH AND TRAINING.**

4 Title IV (as amended by section 370 of this Act) is  
5 further amended by adding at the end the following new  
6 section:

7 **“SEC. 426. CENTER FOR RESEARCH AND TRAINING.**

8 “The Director may establish, directly or by grant or  
9 contract, a Center for Research and Training on Vol-  
10 unteerism to carry out research concerning the impact of  
11 volunteerism on individuals, organizations, and commu-  
12 nities, provide training to help improve programs across  
13 the United States, and carry out such other functions as  
14 the Director determines to be appropriate.”.

15 **SEC. 372. DEPOSIT REQUIREMENT CREDIT FOR SERVICE AS**  
16 **A VOLUNTEER.**

17 (a) CIVIL SERVICE RETIREMENT SYSTEM.—

18 (1) CREDITABLE SERVICE.—Section 8332(j) of  
19 title 5, United States Code, is amended—

20 (A) in paragraph (1)—

21 (i) in the first sentence, by inserting  
22 “the period of an individual’s services as a  
23 full-time volunteer enrolled in a program of  
24 at least 1 year in duration under part A,  
25 B, or C of title I of the Domestic Volun-

1           teer Service Act of 1973,” after “Economic  
2           Opportunity Act of 1964,”;

3           (ii) in the second sentence, by insert-  
4           ing “, as a full-time volunteer enrolled in  
5           a program of at least 1 year in duration  
6           under part A, B, or C of title I of the Do-  
7           mestic Volunteer Service Act of 1973,”  
8           after “Economic Opportunity Act of  
9           1964,”; and

10           (iii) in the last sentence—

11           (I) by inserting “or under the  
12           Domestic Volunteer Service Act of  
13           1973” after “Economic Opportunity  
14           Act of 1964”; and

15           (II) by inserting “or the Director  
16           of ACTION, as appropriate,” after  
17           “Director of the Office of Economic  
18           Opportunity”; and

19           (B) by adding at the end the following new  
20           paragraph:

21           “(3) The provisions of paragraph (1) relating to  
22           credit for service as a volunteer or volunteer leader  
23           under the Economic Opportunity Act of 1964 or the  
24           Domestic Volunteer Service Act of 1973 shall not  
25           apply to any period of service as a volunteer or vol-

1       unteer leader of an employee or Member with re-  
2       spect to which the employee or Member has made  
3       the deposit with interest, if any, required by section  
4       8334(l).”.

5               (2) DEDUCTIONS, CONTRIBUTIONS, AND DEPOS-  
6       ITS.—

7               (A) IN GENERAL.—Section 8334 of title 5,  
8       United States Code, is amended by adding at  
9       the end the following new subsection:

10       “(l)(1) Each employee or Member who has performed  
11       service as a volunteer or volunteer leader under part A  
12       of title VIII of the Economic Opportunity Act of 1964,  
13       or as a full-time volunteer enrolled in a program of at least  
14       1 year in duration under part A, B, or C of title I of the  
15       Domestic Volunteer Service Act of 1973, before the date  
16       of the separation from service on which the entitlement  
17       to any annuity under this subchapter is based may pay,  
18       in accordance with such regulations as the Office of Per-  
19       sonnel Management shall issue, to the agency by which  
20       the employee is employed or, in the case of a Member or  
21       a congressional employee, to the Secretary of the Senate  
22       or the Clerk of the House of Representatives, as appro-  
23       priate, an amount equal to 7 percent of the readjustment  
24       allowance paid to the employee or Member under title VIII  
25       of the Economic Opportunity Act of 1964 or title I of the

1 Domestic Volunteer Service Act of 1973 for each period  
2 of service as such a volunteer or volunteer leader.

3 “(2) Any deposit made under paragraph (1) more  
4 than 2 years after the later of—

5 “(A) the date of enactment of this subsection;  
6 or

7 “(B) the date on which the employee or Mem-  
8 ber making the deposit first becomes an employee or  
9 Member,

10 shall include interest on such amount, computed and  
11 compounded annually beginning on the date of the expira-  
12 tion of the 2-year period. The interest rate that is applica-  
13 ble in computing interest in any year under this paragraph  
14 shall be equal to the interest rate that is applicable for  
15 such year under subsection (e).

16 “(3) Any payment received by an agency, the Sec-  
17 retary of the Senate, or the Clerk of the House of Rep-  
18 resentatives under this subsection shall be immediately re-  
19 mitted to the Office of Personnel Management for deposit  
20 in the Treasury of the United States to the credit of the  
21 Fund.

22 “(4) The Director shall furnish such information to  
23 the Office of Personnel Management as the Office may  
24 determine to be necessary for the administration of this  
25 subsection.”.

1 (B) CONFORMING AMENDMENT.—Section  
2 8334(e) of title 5, United States Code, is  
3 amended in paragraphs (1) and (2) by striking  
4 “or (k)” each place that such term appears and  
5 inserting “(k), or (l)”.

6 (b) FEDERAL EMPLOYEES RETIREMENT SYSTEM.—

7 (1) CREDITABLE SERVICE.—Section 8411 of  
8 title 5, United States Code, is amended—

9 (A) in subsection (b)(3), by striking “sub-  
10 section (f)” and inserting “subsection (f) or  
11 (h)”; and

12 (B) by adding at the end the following new  
13 subsection:

14 “(h) An employee or Member shall be allowed credit  
15 for service as a volunteer or volunteer leader under part  
16 A of title VIII of the Economic Opportunity Act of 1964,  
17 or as a full-time volunteer enrolled in a program of at least  
18 1 year in duration under part A, B, or C of title I of the  
19 Domestic Volunteer Service Act of 1973, performed at any  
20 time prior to the separation from service on which the en-  
21 titlement to any annuity under this subchapter is based  
22 if the employee or Member has made a deposit with inter-  
23 est, if any, with respect to such service under section  
24 8422(f).”.

1           (2) DEDUCTIONS, CONTRIBUTIONS.—Section  
2           8422 of title 5, United States Code, is amended by  
3           adding at the end the following new subsection:

4           “(f)(1) Each employee or Member who has performed  
5           service as a volunteer or volunteer leader under part A  
6           of title VIII of the Economic Opportunity Act of 1964,  
7           or as a full-time volunteer enrolled in a program of at least  
8           1 year in duration under part A, B, or C of title I of the  
9           Domestic Volunteer Service Act of 1973, before the date  
10          of the separation from service on which the entitlement  
11          to any annuity under this subchapter, or subchapter V of  
12          this chapter, is based may pay, in accordance with such  
13          regulations as the Office of Personnel Management shall  
14          issue, to the agency by which the employee is employed  
15          or, in the case of a Member or a congressional employee,  
16          to the Secretary of the Senate or the Clerk of the House  
17          of Representatives, as appropriate, an amount equal to 3  
18          percent of the readjustment allowance paid to the em-  
19          ployee or Member under title VIII of the Economic Oppor-  
20          tunity Service Act of 1964 or title I of the Domestic Vol-  
21          unteer Service Act of 1973 for each period of service as  
22          such a volunteer or volunteer leader.

23          “(2) Any deposit made under paragraph (1) more  
24          than 2 years after the later of—

1           “(A) the date of enactment of this subsection,  
2           or

3           “(B) the date on which the employee or Mem-  
4           ber making the deposit first becomes an employee or  
5           Member,

6 shall include interest on such amount computed and  
7 compounded annually beginning on the date of the expira-  
8 tion of the 2-year period. The interest rate that is applica-  
9 ble in computing interest in any year under this paragraph  
10 shall be equal to the interest rate that is applicable for  
11 such year under section 8334(e).

12           “(3) Any payment received by an agency, the Sec-  
13 retary of the Senate, or the Clerk of the House of Rep-  
14 resentatives under this subsection shall be immediately re-  
15 mitted to the Office of Personnel Management for deposit  
16 in the Treasury of the United States to the credit of the  
17 Fund.

18           “(4) The Director shall furnish such information to  
19 the Office of Personnel Management as the Office may  
20 determine to be necessary for the administration of this  
21 subsection.”.

22           (c) APPLICABILITY AND OTHER PROVISIONS.—

23                   (1) APPLICABILITY.—

24                           (A) TIMING.—The amendments made by  
25                           subsections (a) and (b) shall apply with respect

1 to credit for service as a volunteer or volunteer  
2 leader under the Economic Opportunity Act of  
3 1964 or the Domestic Volunteer Service Act of  
4 1973 to individuals who are entitled to an an-  
5 nuity on the basis of a separation from service  
6 occurring before, on, or after the effective date  
7 of this Act.

8 (B) SEPARATION.—In the case of any indi-  
9 vidual whose entitlement to an annuity is based  
10 on a separation from service occurring before  
11 the date of enactment of this Act, any increase  
12 in such individual's annuity on the basis of a  
13 deposit made pursuant to section 8334(l) or  
14 section 8442(f) of title 5, United States Code,  
15 as amended by this Act, shall be effective only  
16 with respect to annuity payments payable for  
17 calendar months beginning after the date of en-  
18 actment of this Act.

19 (2) ACTION TO INFORM INDIVIDUALS.—The Di-  
20 rector of the Office of Personnel Management shall  
21 take such action as may be necessary and appro-  
22 priate to inform individuals entitled to credit under  
23 this section for service as a volunteer or volunteer  
24 leader, or to have any annuity recomputed, or to



1 make a deposit under this section, of such entitle-  
2 ment.

3 **CHAPTER 4—AUTHORIZATION OF APPRO-**  
4 **PRIATIONS AND OTHER AMENDMENTS**

5 **SEC. 381. AUTHORIZATION OF APPROPRIATIONS FOR**  
6 **TITLE I.**

7 Section 501 (42 U.S.C. 5081) is amended to read as  
8 follows:

9 **“SEC. 501. NATIONAL VOLUNTEER ANTIPOVERTY PRO-**  
10 **GRAMS.**

11 “(a) AUTHORIZATIONS.—

12 “(1) VOLUNTEERS IN SERVICE TO AMERICA.—

13 There are authorized to be appropriated to carry out  
14 part A of title I, excluding sections 104(e) and 109,  
15 \$40,000,000 for fiscal year 1994, and such sums as  
16 may be necessary for each of the fiscal years 1995  
17 through 1998.

18 “(2) SUMMER PROGRAM.—There are authorized  
19 to be appropriated to carry out section 104(e), such  
20 sums as may be necessary for each of the fiscal  
21 years 1994 through 1998.

22 “(3) LITERACY ACTIVITIES.—There are author-  
23 ized to be appropriated to carry out section 109,  
24 such sums as may be necessary for each of the fiscal  
25 years 1994 through 1998.

1           “(4) UNIVERSITY YEAR FOR VISTA.—There are  
2 authorized to be appropriated to carry out part B of  
3 title I, such sums as may be necessary for each of  
4 the fiscal years 1994 through 1998.

5           “(5) SPECIAL VOLUNTEER PROGRAMS.—There  
6 are authorized to be appropriated to carry out part  
7 C of title I, excluding section 125, such sums as may  
8 be necessary for each of the fiscal years 1994  
9 through 1998.

10           “(6) LITERACY CHALLENGE GRANTS.—There  
11 are authorized to be appropriated to carry out sec-  
12 tion 125, such sums as may be necessary for each  
13 of the fiscal years 1994 through 1998.

14           “(b) SUBSISTENCE.—The minimum level of an  
15 allowance for subsistence required under section  
16 105(b)(2), to be provided to each volunteer under title I,  
17 may not be reduced or limited in order to provide for an  
18 increase in the number of volunteer service years under  
19 part A of title I.

20           “(c) LIMITATION.—No part of the funds appro-  
21 priated to carry out part A of title I may be used to pro-  
22 vide volunteers or assistance to any program or project  
23 authorized under part B or C of title I, or under title II,  
24 unless the program or project meets the antipoverty cri-  
25 teria of part A of title I.

1       “(d) AVAILABILITY.—Amounts appropriated for part  
2 A of title I shall remain available for obligation until the  
3 end of the fiscal year following the fiscal year for which  
4 the amounts were appropriated.

5       “(e) VOLUNTEER SERVICE REQUIREMENT.—

6           “(1) VOLUNTEER SERVICE YEARS.—Of the  
7 amounts appropriated under this section for parts A,  
8 B, and C of title I, including section 125, there shall  
9 first be available for part A of title I, including sec-  
10 tions 104(e) and 109, an amount not less than the  
11 amount necessary to provide 3,700 volunteer service  
12 years in fiscal year 1994, 4,000 volunteer service  
13 years in fiscal year 1995, 4,500 volunteer service  
14 years in fiscal year 1996, 5,500 volunteer service  
15 years in fiscal year 1997, and 7,500 volunteer serv-  
16 ice years in fiscal year 1998.

17           “(2) PLAN.—If the Director determines that  
18 funds appropriated to carry out part A, B, or C of  
19 title I are insufficient to provide for the years of vol-  
20 unteer service required by paragraph (1), the Direc-  
21 tor shall submit a plan to the relevant authorizing  
22 and appropriations committees of Congress that will  
23 detail what is necessary to fully meet this require-  
24 ment.”.

1 **SEC. 382. AUTHORIZATION OF APPROPRIATIONS FOR**  
2 **TITLE II.**

3 Section 502 (42 U.S.C. 5082) is amended to read as  
4 follows:

5 **“SEC. 502. NATIONAL SENIOR VOLUNTEER CORPS.**

6 “(a) RETIRED AND SENIOR VOLUNTEER PRO-  
7 GRAM.—There are authorized to be appropriated to carry  
8 out part A of title II, \$35,800,000 for fiscal year 1994,  
9 and such sums as may be necessary for each of the fiscal  
10 years 1995 through 1998.

11 “(b) FOSTER GRANDPARENT PROGRAM.—There are  
12 authorized to be appropriated to carry out part B of title  
13 II, \$68,800,000 for fiscal year 1994, and such sums as  
14 may be necessary for each of the fiscal years 1995 through  
15 1998.

16 “(c) SENIOR COMPANION PROGRAM.—There are au-  
17 thorized to be appropriated to carry out part C of title  
18 II, \$31,700,000 for fiscal year 1994, and such sums as  
19 may be necessary for each of the fiscal years 1995 through  
20 1998.

21 “(d) DEMONSTRATION PROGRAMS.—There are au-  
22 thorized to be appropriated to carry out part E of title  
23 II, such sums as may be necessary for each of the fiscal  
24 years 1994 through 1998.”.

1 **SEC. 383. AUTHORIZATION OF APPROPRIATIONS FOR**  
2 **TITLE IV.**

3 Section 504 (42 U.S.C. 5084) is amended to read as  
4 follows:

5 **“SEC. 504. ADMINISTRATION AND COORDINATION.**

6 “(a) IN GENERAL.—For each of the fiscal years 1994  
7 through 1998, there are authorized to be appropriated for  
8 the administration of this Act as provided for in title IV,  
9 20 percent of the total amount appropriated under sec-  
10 tions 501 and 502 with respect to such year.

11 “(b) EVALUATION AND CENTER FOR RESEARCH AND  
12 TRAINING.—For each of the fiscal years 1994 through  
13 1998, the Director is authorized to expend not less than  
14 one-half of 1 percent, and not more than 1 percent, from  
15 the amounts appropriated under sections 501 and 502, for  
16 the purposes prescribed in sections 416 and 426.”.

17 **SEC. 384. CONFORMING AMENDMENTS; COMPENSATION**  
18 **FOR VISTA FECA CLAIMANTS.**

19 Section 8143(b) of title 5, United States Code, is  
20 amended by striking “GS-7” and inserting “GS-5 of the  
21 General Schedule under section 5332 of title 5, United  
22 States Code”.

23 **SEC. 385. REPEAL OF AUTHORITY.**

24 Title VII (42 U.S.C. 5091 et seq.) is repealed.

1       **CHAPTER 5—GENERAL PROVISIONS**

2       **SEC. 391. TECHNICAL AND CONFORMING AMENDMENTS.**

3       The Domestic Volunteer Service Act of 1973 (42  
4 U.S.C. 4950 et seq.) is amended by striking “That this  
5 Act” and all that follows through the end of the table of  
6 contents and inserting the following:

7       **“SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

8       “(a) SHORT TITLE.—This Act may be cited as the  
9 ‘Domestic Volunteer Service Act of 1973’.

10       “(b) TABLE OF CONTENTS.—The table of contents  
11 is as follows:

“Sec. 1. Short title; table of contents.

“Sec. 2. Volunteerism policy.

“TITLE I—NATIONAL VOLUNTEER ANTIPOVERTY PROGRAMS

“PART A—VOLUNTEERS IN SERVICE TO AMERICA

“Sec. 101. Statement of purpose.

“Sec. 102. Authority to operate VISTA program.

“Sec. 103. Selection and assignment of volunteers.

“Sec. 104. Terms and periods of service.

“Sec. 105. Support service.

“Sec. 106. Participation of beneficiaries.

“Sec. 107. Participation of younger and older persons.

“Sec. 108. Limitation.

“Sec. 109. VISTA Literacy Corps.

“Sec. 110. Applications for assistance.

“PART B—UNIVERSITY YEAR FOR VISTA

“Sec. 111. Statement of purpose.

“Sec. 112. Authority to operate University Year for VISTA program.

“Sec. 113. Special conditions.

“PART C—SPECIAL VOLUNTEER PROGRAMS

“Sec. 121. Statement of purpose.

“Sec. 122. Authority to establish and operate special volunteer and demonstra-  
tion programs.

“Sec. 123. Technical and financial assistance for improvement of volunteer pro-  
grams.

“Sec. 125. Literacy challenge grants.

“TITLE II—NATIONAL SENIOR VOLUNTEER CORPS

“Sec. 200. Statement of purposes.

“PART A—RETIRED AND SENIOR VOLUNTEER PROGRAM

“Sec. 201. Grants and contracts for volunteer service projects.

“PART B—FOSTER GRANDPARENT PROGRAM

“Sec. 211. Grants and contracts for volunteer service projects.

“PART C—SENIOR COMPANION PROGRAM

“Sec. 213. Grants and contracts for volunteer service projects.

“PART D—GENERAL PROVISIONS

“Sec. 221. Promotion of National Senior Volunteer Corps.

“Sec. 222. Payments.

“Sec. 223. Minority group participation.

“Sec. 224. Use of locally generated contributions in National Senior Volunteer Corps.

“Sec. 225. Programs of national significance.

“Sec. 226. Adjustments to Federal financial assistance.

“Sec. 227. Multiyear grants or contracts.

“PART E—DEMONSTRATION PROGRAMS

“Sec. 231. Authority of Director.

“Sec. 232. Prohibition.

“TITLE IV—ADMINISTRATION AND COORDINATION

“Sec. 403. Political activities.

“Sec. 404. Special limitations.

“Sec. 406. Labor standards.

“Sec. 408. Joint funding.

“Sec. 409. Prohibition of Federal control.

“Sec. 410. Coordination with other programs.

“Sec. 411. Prohibition.

“Sec. 412. Notice and hearing procedures for suspension and termination of financial assistance.

“Sec. 414. Distribution of benefits between rural and urban areas.

“Sec. 415. Application of Federal law.

“Sec. 416. Evaluation.

“Sec. 417. Nondiscrimination provisions.

“Sec. 418. Eligibility for other benefits.

“Sec. 419. Legal expenses.

“Sec. 421. Definitions.

“Sec. 422. Audit.

“Sec. 423. Reduction of paperwork.

“Sec. 424. Review of project renewals.

“Sec. 425. Protection against improper use.

“Sec. 426. Center for Research and Training.

“TITLE V—AUTHORIZATION OF APPROPRIATIONS

“Sec. 501. National volunteer antipoverty programs.

“Sec. 502. National Senior Volunteer Corps.

“Sec. 504. Administration and coordination.

“Sec. 505. Availability of appropriations.

“TITLE VI—AMENDMENTS TO OTHER LAWS AND REPEALERS

“Sec. 601. Supersedence of Reorganization Plan No. 1 of July 1, 1971.

“Sec. 602. Creditable service for civil service retirement.

“Sec. 603. Repeal of title VIII of the Economic Opportunity Act.

“Sec. 604. Repeal of title VI of the Older Americans Act.”.

1 **SEC. 392. EFFECTIVE DATE.**

2 This subtitle shall become effective on October 1,  
3 1993.

4 **TITLE IV—TECHNICAL AND**  
5 **CONFORMING AMENDMENTS**

6 **SEC. 401. DEFINITION OF DIRECTOR.**

7 Section 421 of the Domestic Volunteer Service Act  
8 of 1973 (42 U.S.C. 5061) is amended by striking para-  
9 graph (1) and inserting the following new paragraph:

10 “(1) the term ‘Director’ means the Chairperson  
11 and Director of the Corporation for National Service  
12 appointed under section 193 of the National and  
13 Community Services Act of 1990;”.

14 **SEC. 402. REFERENCES TO ACTION AND THE ACTION**  
15 **AGENCY.**

16 (a) DOMESTIC VOLUNTEER SERVICE ACT OF  
17 1973.—

18 (1) Section 2(b) of the Domestic Volunteer  
19 Service Act of 1973 (42 U.S.C. 4950(b)) is amend-  
20 ed—



1 (A) by striking “ACTION, the Federal do-  
2 mestic volunteer agency,” and inserting “this  
3 Act”; and

4 (B) by striking “ACTION” and inserting  
5 “the Corporation for National Service”.

6 (2) Section 125(b) of such Act (42 U.S.C.  
7 4995(b)) is amended by striking “the ACTION  
8 Agency” and inserting “the Corporation”.

9 (3) Section 225(e) of such Act (42 U.S.C.  
10 5025(e)) is amended by striking “the ACTION  
11 Agency” and inserting “the Corporation”.

12 (4) Section 403(a) of such Act (42 U.S.C.  
13 5043(a) is amended—

14 (A) by striking “the ACTION Agency” the  
15 first place it appears and inserting “the Cor-  
16 poration under this Act”; and

17 (B) by striking “the ACTION Agency” the  
18 second place it appears and inserting “the Cor-  
19 poration”.

20 (5) Section 408 of such Act (42 U.S.C. 5048)  
21 is amended by striking “the ACTION Agency” and  
22 inserting “the Corporation”.

23 (6) Section 421(11) of such Act (as added by  
24 section 403 of this Act) is further amended by strik-  
25 ing “ACTION” and inserting “the Corporation”.

1           (7) Section 425 of such Act (as added by sec-  
2           tion 370 of this Act) is further amended by striking  
3           “ACTION” and inserting “the Corporation”.

4           (b) CIVIL SERVICE RETIREMENT SYSTEM.—Section  
5           8332(j)(1) of title 5, United States Code (as amended by  
6           section 372(a)(1)(A)(iii)(II) of this Act) is amended by  
7           striking “the Director of ACTION” and inserting “the  
8           Chairperson of the Corporation for National Service”.

9           (c) INSPECTOR GENERAL.—Section 8E(a)(2) of the  
10          Inspector General Act of 1978 (5 U.S.C. App.) is amend-  
11          ed—

12                 (1) by striking “ACTION,”; and

13                 (2) by inserting “the Corporation for National  
14          Service (except as provided in section 194(b) of the  
15          National and Community Service Act of 1990),”  
16          after “the Consumer Product Safety Commission,”.

17          (d) PUBLIC HOUSING SECURITY.—Section 207(c) of  
18          the Public Housing Security Demonstration Act of 1978  
19          (Public Law 95–557; 92 Stat. 2093; 12 U.S.C. 1701z–  
20          6 note) is amended—

21                 (1) in paragraph (3)(ii), by striking “ACTION”  
22          and inserting “the Corporation for National Serv-  
23          ice”; and

1           (2) in paragraph (4), by striking “ACTION”  
2           and inserting “the Corporation for National Serv-  
3           ice”.

4           (e) NATIONAL FOREST VOLUNTEERS.—Section 1 of  
5           the Volunteers in the National Forests Act of 1972 (16  
6           U.S.C. 558a) is amended by striking “ACTION” and in-  
7           serting “the Corporation for National Service”.

8           (f) PEACE CORPS.—Section 2A of the Peace Corps  
9           Act (22 U.S.C. 2501–1) is amended by inserting after  
10          “the ACTION Agency” the following: “, the successor to  
11          the ACTION Agency,”.

12          (g) INDIAN ECONOMIC DEVELOPMENT.—Section 502  
13          of the Indian Financing Act of 1974 (25 U.S.C. 1542)  
14          is amended by striking “ACTION Agency” and inserting  
15          “the Corporation for National Service”.

16          (h) OLDER AMERICANS.—The Older Americans Act  
17          of 1965 is amended—

18                 (1) in section 202(c)(1) (42 U.S.C. 3012(c)(1)),  
19                 by striking “the Director of the ACTION Agency”  
20                 and inserting “the Corporation for National Serv-  
21                 ice”;

22                 (2) in section 203(a)(1) (42 U.S.C.  
23                 3013(a)(1)), by striking “the ACTION Agency” and  
24                 inserting “the Corporation for National Service”;  
25                 and

1           (3) in section 422(b)(12)(C) (42 U.S.C.  
2           3035a(b)(12)(C)), by striking “the ACTION Agen-  
3           cy” and inserting “the Corporation for National  
4           Service”.

5           (i) VISTA SERVICE EXTENSION.—Section 101(c)(1)  
6 of the Domestic Volunteer Service Act Amendments of  
7 1989 (Public Law 101–204; 103 Stat. 1810; 42 U.S.C.  
8 4954 note) is amended by striking “Director of the AC-  
9 TION Agency” and inserting “Chairperson of the Cor-  
10 poration for National Service”.

11          (j) AGING RESOURCE SPECIALISTS.—Section 205(c)  
12 of the Older Americans Amendments of 1975 (Public Law  
13 94–135; 89 Stat. 727; 42 U.S.C. 5001 note) is amended—

14           (1) in paragraph (1)—

15               (A) by striking “the ACTION Agency,”  
16               and inserting “the Corporation for National  
17               Service,”; and

18               (B) by striking “the Director of the AC-  
19               TION Agency” and inserting “the Chairperson  
20               of the Corporation”;

21           (2) in paragraph (2)(A), by striking “ACTION  
22           Agency” and inserting “Corporation”; and

23           (3) in paragraph (3), by striking subparagraph  
24           (A) and inserting the following new subparagraph:

1           “(A) the term ‘Corporation’ means the Cor-  
2           poration for National Service established by section  
3           191 of the National and Community Service Act of  
4           1990.”.

5           (k) PROMOTION OF PHOTOVOLTAIC ENERGY.—Sec-  
6           tion 11(a) of the Solar Photovoltaic Energy Research, De-  
7           velopment, and Demonstration Act of 1978 (42 U.S.C.  
8           5590) is amended by striking “the Director of ACTION,”.

9           (l) COORDINATING COUNCIL ON JUVENILE JUS-  
10          TICE.—Section 206(a)(1) of the Juvenile Justice and De-  
11          linquency Prevention Act of 1974 (42 U.S.C. 5616(a)(1))  
12          is amended by striking “the Director of the ACTION  
13          Agency” and inserting “the Chairperson of the Corpora-  
14          tion for National Service”.

15          (m) ENERGY CONSERVATION.—Section 413(b)(1) of  
16          the Energy Conservation and Production Act (42 U.S.C.  
17          6863(b)(1)) is amended by striking “the Director of the  
18          ACTION Agency,”.

19          (n) INTERAGENCY COUNCIL ON THE HOMELESS.—  
20          Section 202(a) of the Stewart B. McKinney Homeless As-  
21          sistance Act (42 U.S.C. 11312(a)) is amended by striking  
22          paragraph (12) and inserting the following new para-  
23          graph:

1           “(12) The Chairperson of the Corporation for  
2           National Service, or the designee of the Chair-  
3           person.”.

4           (o) ANTI-DRUG ABUSE.—Section 3601 of the Anti-  
5           Drug Abuse Act of 1988 (42 U.S.C. 11851) is amended  
6           by striking paragraph (6) and inserting the following new  
7           paragraph:

8           “(6) the term ‘Director’ means the Chairperson  
9           and Director of the Corporation for National Serv-  
10          ice,”.

11          (p) ADMINISTRATION ON CHILDREN, YOUTH, AND  
12          FAMILIES.—Section 916(b) of the Claude Pepper Young  
13          Americans Act of 1990 (42 U.S.C. 12312(b)) is amended  
14          by striking “the Director of the ACTION Agency” and  
15          inserting “the Chairperson of the Corporation for Na-  
16          tional Service”.

17          **SEC. 403. DEFINITIONS.**

18          Section 421 of the Domestic Volunteer Service Act  
19          of 1973 (42 U.S.C. 5061) is amended—

20                 (1) by striking “and” at the end of paragraph  
21                 (6);

22                 (2) by striking the period at the end of para-  
23                 graph (7) and inserting a semicolon; and

24                 (3) by adding at the end the following new  
25                 paragraphs:

1           “(8) the term ‘Corporation’ means the Corpora-  
2           tion for National Service established under section  
3           191 of the National and Community Service Act of  
4           1990;

5           “(9) the term ‘foster grandparent’ means a vol-  
6           unteer in the Foster Grandparent Program;

7           “(10) the term ‘Foster Grandparent Program’  
8           means the program established under part B of title  
9           II;

10           “(11) the term ‘Inspector General’ means the  
11           Inspector General of ACTION;

12           “(12) the term ‘national senior volunteer’  
13           means a volunteer in the National Senior Volunteer  
14           Corps;

15           “(13) the term ‘National Senior Volunteer  
16           Corps’ means the programs established under parts  
17           A, B, C, and E of title II;

18           “(14) the term ‘Retired and Senior Volunteer  
19           Program’ means the program established under part  
20           A of title II;

21           “(15) the term ‘retired or senior volunteer’  
22           means a volunteer in the Retired and Senior Volun-  
23           teer Program;

24           “(16) the term ‘senior companion’ means a vol-  
25           unteer in the Senior Companion Program;

1           “(17) the term ‘Senior Companion Program’  
2 means the program established under part C of title  
3 II;

4           “(18) the terms ‘VISTA’ and ‘Volunteers in  
5 Service to America’ mean the program established  
6 under part A of title I; and

7           “(19) the term ‘VISTA volunteer’ means a vol-  
8 unteer in VISTA.”.

9 **SEC. 404. REFERENCES TO THE COMMISSION ON NATIONAL**  
10 **AND COMMUNITY SERVICE.**

11           (a) NATIONAL DEFENSE AUTHORIZATION ACT FOR  
12 FISCAL YEAR 1993.—

13           (1) Section 1092(b) of the National Defense  
14 Authorization Act for Fiscal Year 1993 (42 U.S.C.  
15 12653a note) is amended—

16           (A) in paragraph (1)—

17           (i) by striking “Commission on Na-  
18 tional Community Service” and inserting  
19 “Corporation for National Service”; and

20           (ii) by striking “Commission shall pre-  
21 pare” and inserting “Board of Directors of  
22 the Corporation shall prepare”; and

23           (B) in paragraph (2), by striking “Board  
24 of Directors of the Commission on National and  
25 Community Service” and inserting “Board of



1 Directors of the Corporation for National Serv-  
2 ice”.

3 (2) Section 1093(a) of such Act (42 U.S.C.  
4 12653a note) is amended by striking “the Board of  
5 Directors and Executive Director of the Commission  
6 on National and Community Service” and inserting  
7 “the Board of Directors and Chairperson of the Cor-  
8 poration for National Service”.

9 (3) Section 1094 of such Act (Public Law 102-  
10 484; 106 Stat. 2535) is amended—

11 (A) in the title, by striking “**COMMISSION**  
12 **ON NATIONAL AND COMMUNITY SERVICE**”  
13 and inserting “**CORPORATION FOR NA-**  
14 **TIONAL SERVICE**”;

15 (B) in subsection (a)—

16 (i) in the heading, by striking “COM-  
17 MISSION” and inserting “CORPORATION”;

18 (ii) in the first sentence, by striking  
19 “Commission on National and Community  
20 Service” and inserting “Corporation for  
21 National Service”; and

22 (iii) in the second sentence, by strik-  
23 ing “The Commission” and inserting “The  
24 Chairperson of the Corporation”; and

25 (C) in subsection (b)—

1 (i) in paragraph (1), by striking  
2 “Board of Directors of the Commission on  
3 National and Community Service” and in-  
4 serting “Chairperson of the Corporation  
5 for National Service”; and

6 (ii) in paragraph (2), by striking “the  
7 Commission” and inserting “the Chair-  
8 person of the Corporation for National  
9 Service”.

10 (4) Section 1095 of such Act (Public Law 102-  
11 484; 106 Stat. 2535) is amended in the heading for  
12 subsection (b) by striking “COMMISSION ON NA-  
13 TIONAL AND COMMUNITY SERVICE” and inserting  
14 “CORPORATION FOR NATIONAL SERVICE”.

15 (5) Section 2(b) of such Act (Public Law 102-  
16 484; 106 Stat. 2315) is amended by striking the  
17 item relating to section 1094 of such Act and insert-  
18 ing the following:

“Sec. 1094. Other programs of the Corporation for National Service.”.

19 (b) NATIONAL AND COMMUNITY SERVICE ACT OF  
20 1990.—

21 (1) Sections 159(b)(2) (as redesignated in sec-  
22 tion 104(b)(3) of this Act) and 165 (as redesignated  
23 in section 104(b)(3) of this Act), subsections (a) and  
24 (b) of section 172, sections 176(a) and 177(c), and  
25 subsections (a), (b), and (d) through (h) of section

1 179, of the National and Community Service Act of  
2 1990 (42 U.S.C. 12653h(b)(2), 12653n, 12632 (a)  
3 and (b), 12636(a), 12637(c), and 12639 (a), (b),  
4 and (d) through (h)) are each amended by striking  
5 the term “Commission” each place the term appears  
6 and inserting “Corporation”.

7 (2) Sections 152, 157(b)(2), 159(b),  
8 162(a)(2)(C), 164, and 166(1) of such Act (in each  
9 case, as redesignated in section 104(b)(3) of this  
10 Act) (42 U.S.C. 12653a, 12653f(b)(2), 12653h(b),  
11 12653k(a)(2)(C), 12653m, and 12653o(1)) are each  
12 amended by striking “Commission on National and  
13 Community Service” and inserting “Corporation”.

14 (3) Section 163(b)(9) of such Act (as redesignated  
15 in section 104(b)(3) of this Act) (42 U.S.C.  
16 12635l(b)(9)) is amended by striking “Chair of the  
17 Commission on National and Community Service”  
18 and inserting “Chairperson”.

19 (4) Section 303(a) of such Act (42 U.S.C.  
20 12662(a)) is amended—

21 (A) by striking “The President” and in-  
22 serting “The President, acting through the Cor-  
23 poration,”;

1 (B) by inserting “in furtherance of activi-  
2 ties under section 302” after “section 501(b)”;  
3 and

4 (C) by striking “the President” both places  
5 it appears and inserting “the Corporation”.

6 **SEC. 405. REFERENCES TO DIRECTORS OF THE COMMIS-**  
7 **SION ON NATIONAL AND COMMUNITY SERV-**  
8 **ICE.**

9 (a) CHAIRPERSON.—

10 (1) Section 159(a) of such Act (as redesignated  
11 in section 104(b)(3) of this Act) (42 U.S.C.  
12 12653h(b)) is amended—

13 (A) by striking “BOARD.—The Board”  
14 and inserting “SUPERVISION.—The Chair-  
15 person”;

16 (B) by striking “the Board” in the matter  
17 preceding the paragraphs and in paragraph (1)  
18 and inserting “the Chairperson”; and

19 (C) by striking “the Director” in para-  
20 graph (1) and inserting “the Board”.

21 (2) Section 159(b) of such Act (as redesignated  
22 in section 104(b)(3) of this Act) (42 U.S.C.  
23 12653h(b)) is amended by striking “(b)” and all  
24 that follows through “Commission on National and

1 Community Service” and inserting “(b) MONITOR-  
2 ING AND COORDINATION.—The Chairperson”.

3 (3) Section 159(c)(1) (as redesignated in sec-  
4 tion 104(b)(3) of this Act) (12653h(c)(1)) is amend-  
5 ed—

6 (A) in subparagraph (A), by striking “the  
7 Board, in consultation with the Executive Di-  
8 rector,” and inserting “Chairperson”; and

9 (B) in subparagraph (B)(iii), by striking  
10 “the Board through the Executive Director”.

11 (4) Section 166(6) (as redesignated in section  
12 104(b)(3) of this Act) (42 U.S.C. 12653o(6)) is  
13 amended—

14 (A) by striking paragraph (6); and

15 (B) by redesignating paragraphs (7)  
16 through (11) as paragraphs (6) through (10),  
17 respectively.

18 (b) DIRECTOR OF CIVILIAN COMMUNITY CORPS.—  
19 Sections 155(a), 157(b)(1)(A), 158(a), 159(c)(1)(A), and  
20 163(a) (in each case, as redesignated in section 104(b)(3)  
21 of this Act) of the National and Community Service Act  
22 of 1990 (42 U.S.C. 12653d(a), 12653f(b)(1)(A),  
23 12653g(a), 12653h(c)(1)(A), and 12653l(a)) are amended  
24 by striking “Director of Civilian Community Corps” each  
25 place the term appears and inserting “Director”.

1 **SEC. 406. EFFECTIVE DATE.**

2 (a) ACTION.—The amendments made by sections  
3 401 and 402 (except subsection (c)(2)) shall take effect  
4 on the effective date of section 203.

5 (b) COMMISSION.—The amendments made by section  
6 402(c)(2), and sections 403 through 405, will take effect  
7 on October 1, 1993.

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