

Calendar No. 110

103D CONGRESS  
1ST SESSION

S. 919

[Report No. 103-70]

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.

JUNE 29 (legislative day, JUNE 22), 1993  
Reported with an amendment

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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

JUNE 29 (legislative day, JUNE 22), 1993

Reported by Mr. KENNEDY, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

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**A BILL**

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

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

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

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

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

Sec. 1. Short title; table of contents.

Sec. 2. Findings and purpose.

**TITLE I—PROGRAMS AND RELATED PROVISIONS**

**Subtitle A—Programs**

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

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

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

Sec. 104. Quality and innovation activities.

**Subtitle B—Related Provisions**

Sec. 111. Definitions.

Sec. 112. Authority to make State grants.

Sec. 113. Family and medical leave.

Sec. 114. Reports.

Sec. 115. Nondiscrimination.

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

Sec. 117. Nondisplacement.

Sec. 118. Evaluation.

Sec. 119. Engagement of participants.

Sec. 120. Contingent extension.

Sec. 121. Repeals.

**TITLE H—ORGANIZATION**

Sec. 201. State Commissions on National Service.

Sec. 202. Interim authorities of the Corporation for National Service and AC-  
 TION 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-

1 ready supporting a wide variety of national service  
2 programs that deliver needed services in a cost-effective  
3 manner.

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

5 “(1) meet the unmet human, educational, environmental,  
6 and public safety needs of the United  
7 States, without displacing existing workers;

8 “(2) renew the ethic of civic responsibility and  
9 the spirit of community throughout the United  
10 States;

11 “(3) expand educational opportunity by rewarding  
12 individuals who participate in national service  
13 with an increased ability to pursue higher education  
14 or job training;

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

18 “(5) reinvent government to eliminate duplication,  
19 support locally established initiatives, require  
20 measurable goals for performance, and offer flexibility  
21 in meeting those goals;

22 “(6) build on the existing organizational service  
23 infrastructure of Federal, State, and local programs  
24 and agencies to expand full-time and part-time service  
25 opportunities for all citizens; and

(b) TABLE OF CONTENTS.—Section 1(b) of the National and Community Service Act of 1990 (Public Law 101–610; 104 Stat. 3127) is amended by striking the item relating to section 2 and inserting the following new item: “Sec. 2. Findings and purpose.”.

7 **TITLE I—PROGRAMS AND**  
8 **RELATED PROVISIONS**  
9 **Subtitle A—Programs**

10 SEC. 101. FEDERAL INVESTMENT IN SUPPORT OF NA-  
11 TIONAL SERVICE.

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

16 **“Subtitle C—National Service Trust**  
17 **Program**

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

19 ~~“SEC. 121. AUTHORITY TO PROVIDE ASSISTANCE AND AP-~~  
20 ~~PROVED NATIONAL SERVICE POSITIONS.~~

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

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

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

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

20          ~~“(c) PROVISION OF APPROVED NATIONAL SERVICE~~  
 21          ~~POSITIONS.—As part of the provision of assistance under~~  
 22          ~~subsections (a) and (b), the Corporation shall—~~

23                 ~~“(1) approve the provision of national service~~  
 24                 ~~educational awards described in subtitle D for the~~



1 participants who serve in national service programs  
 2 carried out using such assistance; and

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

6 ~~“(A) the value of a national service edu-~~  
 7 ~~cational award under section 147; and~~

8 ~~“(B) the total number of approved national~~  
 9 ~~service positions to be provided.~~

10 ~~“(d) FIVE PERCENT LIMITATION ON ADMINISTRA-~~  
 11 ~~TIVE COSTS.—~~

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

17 ~~“(A) the recipient of the assistance; and~~

18 ~~“(B) national service programs carried out~~  
 19 ~~or supported with the assistance.~~

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

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

1           “(B) that portion of the assistance avail-  
 2           able to cover administrative costs should be dis-  
 3           tributed between—

4                   “(i) the original recipient of the grant  
 5                   or transfer of assistance under such sub-  
 6                   section; and

7                   “(ii) national service programs carried  
 8                   out or supported with the assistance.

9           ~~“(e) MATCHING FUNDS REQUIREMENTS.—~~

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

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

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

23                   ~~“(B) may provide for such share through~~  
 24                   ~~State sources, local sources, or other Federal~~

1 sources (other than the use of funds made  
2 available under the national service laws).

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

9 **~~“SEC. 122. TYPES OF NATIONAL SERVICE PROGRAMS ELIGI-~~**  
10 **~~BLE FOR PROGRAM ASSISTANCE.~~**

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

21 ~~“(1) A community corps program that meets~~  
22 unmet human, educational, environmental, or public  
23 safety needs and promotes greater community unity  
24 through the use of organized teams of participants  
25 of varied social and economic backgrounds, skill lev-

1       els, physical capabilities, ages, ethnic backgrounds,  
2       or genders.

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

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

12          ~~“(B) includes as participants youths and~~  
13      ~~young adults between the ages of 16 and 25, in-~~  
14      ~~clusive, including out-of-school youths and other~~  
15      ~~disadvantaged youths who are between those~~  
16      ~~ages; and~~

17          ~~“(C) provides those participants who are~~  
18      ~~youths and young adults with—~~

19           ~~“(i) crew-based, highly structured,~~  
20      ~~and adult-supervised work experience, life~~  
21      ~~skills, education, career guidance and~~  
22      ~~counseling, employment training, and sup-~~  
23      ~~port services; and~~

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

4           “(3) A program that provides specialized train-  
5           ing to individuals in service-learning and places the  
6           individuals after such training in positions, including  
7           positions as service-learning coordinators, to facili-  
8           tate service-learning in programs eligible for funding  
9           under part I subtitle B.

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

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

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

23          “(5) An individualized placement program that  
24          includes regular group activities, such as leadership  
25          training and special service projects.

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

5                   “(A) students who are attending an insti-  
6                   tution of higher education, including students  
7                   supported by work-study funds under part C of  
8                   title IV of the Higher Education Act of 1965  
9                   (42 U.S.C. 2751 et seq.);

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

11                   “(C) teams composed of a combination of  
12                   such students and community residents.

13           “(7) A preprofessional training program in  
14           which students enrolled in an institution of higher  
15           education—

16                   “(A) receive training in specified fields,  
17                   which may include classes containing service-  
18                   learning;

19                   “(B) perform service related to such train-  
20                   ing outside the classroom during the school  
21                   term and during summer or other vacation peri-  
22                   ods; and

23                   “(C) agree to provide service upon gradua-  
24                   tion to meet unmet human, educational, envi-

1       ronmental, or public safety needs related to  
2       such training.

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

5               “(A) as teachers, nurses, police officers,  
6       early childhood development staff, or other pro-  
7       fessionals providing service to meet educational,  
8       human, environmental, or public safety needs in  
9       communities with an inadequate number of  
10      such professionals;

11             “(B) that may include a salary in excess of  
12      the maximum living allowance authorized in  
13      subsection (a)(3) of section 140, as provided in  
14      subsection (c) of such section; and

15             “(C) that are sponsored by public or pri-  
16      vate not-for-profit employers who agree to pay  
17      100 percent of the salaries and benefits (other  
18      than any national service educational award  
19      under subtitle D) of the participants.

20       “(9) A program in which economically dis-  
21      advantaged individuals who are between the ages of  
22      16 and 24 years of age, inclusive, are provided with  
23      opportunities to perform service that, while enabling  
24      such individuals to obtain the education and employ-

1       ment skills necessary to achieve economic self-suffi-  
2       ciency, will help their communities meet—

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

5               “(B) the need for community facilities in  
6       low-income areas.

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

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

15              “(12) Such other national service programs ad-  
16      dressing unmet human, educational, environmental,  
17      or public safety needs as the Corporation may des-  
18      ignate.

19              “(b) QUALIFICATION CRITERIA TO DETERMINE ELI-  
20      GIBILITY.—

21              “(1) ESTABLISHMENT BY CORPORATION.—The  
22      Corporation shall establish qualification criteria for  
23      different types of national service programs for the  
24      purpose of determining whether a particular national  
25      service program should be considered to be a na-



1 tional service program eligible to receive assistance  
2 or approved national service positions under this  
3 subtitle.

4 “(2) CONSULTATION.—In establishing qualifica-  
5 tion criteria under paragraph (1), the Corporation  
6 shall consult with organizations and individuals who  
7 are experts regarding national service or regarding  
8 the delivery of human, educational, environmental,  
9 or public safety services to communities or persons.

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

16 “(c) NATIONAL SERVICE PRIORITIES.—

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

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

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

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

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

19   **“SEC. 123. TYPES OF NATIONAL SERVICE POSITIONS ELIGI-**  
 20                   **BLE FOR APPROVAL FOR NATIONAL SERVICE**  
 21                   **EDUCATIONAL AWARDS.**

22           “The Corporation may approve of any of the follow-  
 23   ing service positions as an approved national service posi-  
 24   tion that includes the national service educational award

1 described in subtitle D as one of the benefits to be pro-  
 2 vided for successful service in the position:

3       “(1) A position for a participant in a national  
 4 service program described in section 122(a) that re-  
 5 ceives assistance under subsection (a) or (b) of sec-  
 6 tion 121.

7       “(2) A position for a participant in a program  
 8 that—

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

13               “(B) would be eligible to receive assistance  
 14 under section 121(a), based on criteria estab-  
 15 lished by the Corporation, but has not applied  
 16 for such assistance.

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

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

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

1           “(6) A position involving service as a crew lead-  
 2           er in a youth corps program or a similar position  
 3           supporting a national service program that receives  
 4           an approved national service position.

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

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

8           “(a) PLANNING ASSISTANCE.—The Corporation may  
 9           provide assistance under section 121 to a qualified appli-  
 10          cant that submits an application under section 130 for the  
 11          planning of a national service program. Assistance pro-  
 12          vided in accordance with this subsection may cover a pe-  
 13          riod of not more than 1 year.

14          “(b) OPERATIONAL ASSISTANCE.—The Corporation  
 15          may provide assistance under section 121 to a qualified  
 16          applicant that submits an application under section 130  
 17          for the establishment, operation, or expansion of a na-  
 18          tional service program. Assistance provided in accordance  
 19          with this subsection may cover a period of not more than  
 20          3 years, but may be renewed by the Corporation upon con-  
 21          sideration of a new application under section 130.

22          “(c) REPLICATION ASSISTANCE.—The Corporation  
 23          may provide assistance under section 121 to a qualified  
 24          applicant that submits an application under section 130  
 25          for the expansion of a proven national service program to

1 another geographical location. Assistance provided in ac-  
 2 cordance with this subsection may cover a period of not  
 3 more than 3 years, but may be renewed by the Corpora-  
 4 tion upon consideration of a new application under section  
 5 130.

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

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

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

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

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

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

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

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

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

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

8           ~~“(b) TECHNICAL ASSISTANCE.—The Corporation~~  
 9           ~~may make appropriate technical assistance available to~~  
 10           ~~States, labor organizations, organizations operated by~~  
 11           ~~young adults, and other entities described in section 121~~  
 12           ~~that desire—~~

13           ~~“(1) to develop national service programs; or~~

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

17           ~~“SEC. 126. OTHER SPECIAL ASSISTANCE.~~

18           ~~“(a) SUPPORT FOR STATE COMMISSIONS.—~~

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

24           ~~“(2) AMOUNT OF ASSISTANCE.—The amount of~~  
 25           ~~assistance that may be provided to a State Commis-~~

1       sion under this subsection, together with other Fed-  
 2       eral funds available to establish or operate the State  
 3       Commission, may not exceed—

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

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

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

21      “(c) CHALLENGE GRANTS FOR NATIONAL SERVICE  
 22      PROGRAMS.—

23               “(1) ASSISTANCE AUTHORIZED.—The Corpora-  
 24      tion may make challenge grants under this sub-  
 25      section to a national service program that receives

1 assistance under section 121. The Corporation shall  
 2 develop criteria for the selection of challenge grant  
 3 recipients so as to make the grants widely available  
 4 to a variety of high-quality national service pro-  
 5 grams.

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

16 **~~“PART II—APPLICATION AND APPROVAL~~**  
 17 **~~PROCESS~~**

18 **~~“SEC. 129. PROVISION OF ASSISTANCE AND APPROVED NA-~~**  
 19 **~~TIONAL SERVICE POSITIONS BY COMPETI-~~**  
 20 **~~TIVE AND OTHER MEANS.~~**

21 ~~“(a) ALLOTMENTS OF ASSISTANCE AND APPROVED~~  
 22 ~~POSITIONS TO STATES AND INDIAN TRIBES.—~~

23 ~~“(1) 33⅓ PERCENT ALLOTMENT OF ASSIST-~~  
 24 ~~ANCE.—Of the funds allocated by the Corporation~~  
 25 ~~for provision of assistance under subsections (a) and~~



1       ~~(b)~~ of section 121 for a fiscal year, the Corporation  
2       shall make a grant under section 121(a) (and a cor-  
3       responding allotment of approved national service  
4       positions) to each of the several States, the District  
5       of Columbia, and the Commonwealth of Puerto Rico  
6       that has an application approved by the Corporation  
7       under section 133. The amount allotted as a grant  
8       to each such State under this paragraph for a fiscal  
9       year shall be equal to the amount that bears the  
10      same ratio to  $33\frac{1}{3}$  percent of the allocated funds for  
11      that fiscal year as the population of the State bears  
12      to the total population of the several States, the Dis-  
13      trict of Columbia, and the Commonwealth of Puerto  
14      Rico.

15           ~~“(2) ONE PERCENT ALLOTMENT OF ASSIST-~~  
16      ~~ANCE.—~~Of the funds allocated by the Corporation  
17      for provision of assistance under subsections (a) and  
18      ~~(b)~~ of section 121 for a fiscal year, the Corporation  
19      shall reserve 1 percent of the allocated funds for  
20      grants under section 121(a) to Indian tribes, the  
21      Virgin Islands, Guam, American Samoa, and the  
22      Commonwealth of the Northern Mariana Islands, to  
23      be allotted by the Corporation on a competitive basis  
24      in accordance with their respective needs. Palau  
25      shall also be eligible for a grant under this para-

graph from the 1 percent allotment until such time as the Compact of Free Association with Palau is ratified.

~~“(3) EFFECT OF FAILURE TO APPLY.—If a State or Indian tribe fails to apply for, or fails to give notice to the Corporation of its intent to apply for, an allotment under this subsection, the Corporation shall use the amount that would have been allotted under this subsection to the State or Indian tribe—~~

~~“(A) to make grants (and provide approved national service positions in connection with such grants) to other eligible entities under section 121 that propose to carry out national service programs in the State or on behalf of the Indian tribe; and~~

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

~~“(b) RESERVATION OF APPROVED POSITIONS.—~~

~~“(1) NUMBER RESERVED.—Except as provided in paragraph (2), the Corporation shall ensure that each individual selected during a fiscal year for assignment as a VISTA volunteer under title I of the~~

1 Domestic Volunteer Service Act of 1973 (42 U.S.C.  
 2 4951 et seq.) or as a participant in the Civilian  
 3 Community Corps Demonstration Program under  
 4 subtitle E shall receive the national service edu-  
 5 cational award described in subtitle D if the individ-  
 6 ual satisfies the eligibility requirements for the  
 7 award. Funds for approved national service positions  
 8 required by this paragraph for a fiscal year shall be  
 9 deducted from the total funding for approved na-  
 10 tional service positions to be available for distribu-  
 11 tion under subsections (a) and (d) for that fiscal  
 12 year.

13 “(2) EXCEPTION.—If the total number of ap-  
 14 proved national service positions to be available for  
 15 distribution under subsections (a) and (d) for a fis-  
 16 cal year does not exceed 200 percent of the number  
 17 of such positions that would be required to satisfy  
 18 paragraph (1) for that fiscal year, the Corporation  
 19 shall not reserve the national service educational  
 20 award for individuals described in such paragraph  
 21 who are selected during that fiscal year.

22 “(c) RESERVATION FOR SPECIAL ASSISTANCE.—  
 23 Subject to section 501(a)(2), of the funds allocated by the  
 24 Corporation for provision of assistance under subsections  
 25 (a) and (b) of section 121 for a fiscal year, the Corpora-

1 tion may reserve such amount as the Corporation consid-  
 2 ers to be appropriate for the purpose of making assistance  
 3 available under sections 125 and 126. However, the Cor-  
 4 poration may not reserve more than \$10,000,000 for a  
 5 fiscal year for challenge grants under section 126(c).

6 ~~“(d) COMPETITIVE DISTRIBUTION OF REMAINING~~  
 7 ~~FUNDS AND APPROVED POSITIONS.—~~

8 ~~“(1) STATE COMPETITION.—~~Of the funds allo-  
 9 cated by the Corporation for provision of assistance  
 10 under subsections (a) and (b) of section 121 for a  
 11 fiscal year, the Corporation shall use not less than  
 12  $33\frac{1}{3}$  percent of the allocated funds to make grants  
 13 to States on a competitive basis under section  
 14 121(a).

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

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

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

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

23          ~~“(g) SPONSORSHIP OF APPROVED NATIONAL SERV-~~  
 24          ~~ICE POSITIONS.—~~

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

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

20   **“SEC. 130. APPLICATION FOR ASSISTANCE AND APPROVED**  
 21           **NATIONAL SERVICE POSITIONS.**

22           “(a) TIME, MANNER, AND CONTENT OF APPLICA-  
 23          TION.—To be eligible to receive assistance under section  
 24          121 and approved national service positions for partici-  
 25          pants who serve in the national service programs to be

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

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

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

15 “(2) A description of the national service pro-  
 16 grams that are selected by the applicant to receive  
 17 a grant from assistance requested under section 121  
 18 and a description of the process and criteria by  
 19 which the programs were selected.

20 “(3) A description of other funding sources to  
 21 be used, or sought to be used, for the national serv-  
 22 ice programs referred to in paragraphs (1) and (2),  
 23 and, if the application is submitted for the purpose  
 24 of seeking a renewal of assistance, a description of

1 the success of the programs in reducing their reli-  
2 ance on Federal funds.

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

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

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

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

19 “(A) in projects that build an ethic of civic  
20 responsibility and produce a positive change in  
21 the lives of participants through training and  
22 participation in meaningful service experiences  
23 and opportunities for reflection on such experi-  
24 ences; and



1           ~~“(B) in leadership positions in implement-~~  
2           ~~ing and evaluating the program.~~

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

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

9           ~~“(B) the service experience to be provided~~  
10          ~~to participants in the programs.~~

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

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

20          ~~“(11) A description of the type and number of~~  
21          ~~proposed service positions in which participants will~~  
22          ~~receive the national service educational award de-~~  
23          ~~scribed in subtitle D and a description of the man-~~  
24          ~~ner in which approved national service positions will~~  
25          ~~be apportioned by the applicant.~~

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

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

12           “(c) APPLICATION TO RECEIVE ONLY APPROVED  
 13 NATIONAL SERVICE POSITIONS.—

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

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

22           “(B) the applicant requests national serv-  
 23           ice educational awards for service positions de-  
 24           scribed in section 123, but the positions are not  
 25           positions in a national service program de-

1           scribed in section 122(a) for which assistance  
 2           may be provided under subsection (a) or (b) of  
 3           section 121.

4           “(2) SPECIAL APPLICATION REQUIREMENTS.—

5           For the applications described in paragraph (1), the  
 6           Corporation shall establish special application re-  
 7           quirements in order to determine—

8                   “(A) whether the service positions meet  
 9                   unmet human, educational, environmental, or  
 10                  public safety needs and meet the criteria for as-  
 11                  sistance under this subtitle; and

12                   “(B) whether the Corporation should ap-  
 13                  prove the positions as approved national service  
 14                  positions that include the national service edu-  
 15                  cational award described in subtitle D as one of  
 16                  the benefits to be provided for successful service  
 17                  in the position.

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

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

23                   “(2) COMPETITIVE SELECTION.—The applica-  
 24                  tion of a State shall contain an assurance that all  
 25                  assistance provided under section 121(a) to the

1 State will be used to support national service pro-  
2 grams that were selected by the State on a competi-  
3 tive basis.

4 “(3) ASSISTANCE TO NONSTATE ENTITIES.—

5 The application of a State shall also contain an as-  
6 surance that not less than 60 percent of the assist-  
7 ance will be used to make grants in support of na-  
8 tional service programs other than national service  
9 programs carried out by a State agency. The Cor-  
10 poration may permit a State to deviate from the per-  
11 centage specified by this subsection if the State has  
12 not received a sufficient number of acceptable appli-  
13 cations to comply with the percentage.

14 “(e) SPECIAL RULE FOR CERTAIN SERVICE SPON-  
15 SORS.—In the case of an applicant that proposes to serve  
16 as the service sponsor, the application shall include the  
17 written concurrence of any local labor organization rep-  
18 resenting employees of the applicant who are engaged in  
19 the same or substantially similar work as that proposed  
20 to be carried out.

21 “(f) LIMITATION ON SAME PROJECT IN MULTIPLE  
22 APPLICATIONS.—The Corporation shall reject an applica-  
23 tion submitted under this section if a project proposed to  
24 be conducted using assistance requested by the applicant

1 is already described in another application pending before  
 2 the Corporation.

3 **~~“SEC. 131. NATIONAL SERVICE PROGRAM ASSISTANCE RE-~~**  
 4 **~~QUIREMENTS.~~**

5       ~~“(a) IMPACT ON COMMUNITIES.—An application sub-~~  
 6 ~~mitted under section 130 shall include an assurance by~~  
 7 ~~the applicant that any national service program carried~~  
 8 ~~out by the applicant using assistance provided under sec-~~  
 9 ~~tion 121 and any national service program supported by~~  
 10 ~~a grant made by the applicant using such assistance will—~~

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

15           ~~“(2) comply with the nonduplication and~~  
 16 ~~nondisplacement requirements of section 177.~~

17       ~~“(b) IMPACT ON PARTICIPANTS.—An application~~  
 18 ~~submitted under section 130 shall also include an assur-~~  
 19 ~~ance by the applicant that any national service program~~  
 20 ~~carried out by the applicant using assistance provided~~  
 21 ~~under section 121 and any national service program sup-~~  
 22 ~~ported by a grant made by the applicant using such assist-~~  
 23 ~~ance will—~~

24           ~~“(1) provide participants in the national service~~  
 25 ~~program with the training, skills, and knowledge~~

1 necessary for the projects that participants are  
2 called upon to perform; and

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

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

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

13 ~~“(c) CONSULTATION.—An application submitted~~  
14 ~~under section 130 shall also include an assurance by the~~  
15 ~~applicant that any national service program carried out~~  
16 ~~by the applicant using assistance provided under section~~  
17 ~~121 and any national service program supported by a~~  
18 ~~grant made by the applicant using such assistance will—~~

19 ~~“(1) provide in the design, recruitment, and op-~~  
20 ~~eration of the program for broad-based input from~~  
21 ~~the community served, community-based agencies~~  
22 ~~with a demonstrated record of experience in provid-~~  
23 ~~ing services, and local labor organizations represent-~~  
24 ~~ing employees of service sponsors;~~

1           ~~“(2) prior to the placement of participants, con-~~  
 2           ~~sult with any local labor organization representing~~  
 3           ~~employees in the area who are engaged in the same~~  
 4           ~~or similar work as that proposed to be carried out~~  
 5           ~~by such program to ensure compliance with the~~  
 6           ~~nondisplacement requirements specified in section~~  
 7           ~~177; and~~

8           ~~“(3) in the case of a program that is not fund-~~  
 9           ~~ed through a State, consult with and coordinate ac-~~  
 10          ~~tivities with the State Commission for the State in~~  
 11          ~~which the program operates.~~

12          ~~“(d) EVALUATION AND PERFORMANCE GOALS.—~~

13          ~~“(1) IN GENERAL.—An application submitted~~  
 14          ~~under section 130 shall also include an assurance by~~  
 15          ~~the applicant that the applicant will—~~

16                 ~~“(A) arrange for an independent evalua-~~  
 17                 ~~tion of any national service program carried out~~  
 18                 ~~using assistance provided to the applicant under~~  
 19                 ~~section 121;~~

20                 ~~“(B) develop measurable performance~~  
 21                 ~~goals and evaluation methods (such as the use~~  
 22                 ~~of surveys of participants and persons served);~~  
 23                 ~~which are to be used as part of such evaluation~~  
 24                 ~~to determine the impact of the program—~~

1                   “(i) on communities and persons  
2                   served by the projects performed by the  
3                   program;

4                   “(ii) on participants who take part in  
5                   the projects; and

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

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

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

19                  “(e) LIVING ALLOWANCES AND OTHER INSERVICE  
20                  BENEFITS.—Except as provided in section 140(c), an ap-  
21                  plication submitted under section 124 shall also include  
22                  an assurance by the applicant that the applicant will—  
23                  “(1) provide a living allowance and other bene-  
24                  fits specified in section 140 to participants in any  
25                  national service program carried out by the appli-



1 cant using assistance provided under section 121;  
 2 and

3 “(2) require that each national service program  
 4 that receives a grant from the applicant using such  
 5 assistance will also provide a living allowance and  
 6 other benefits specified in section 140 to participants  
 7 in the program.

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

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

23 “An application submitted to the Corporation under  
 24 section 130 shall include an assurance by the applicant  
 25 that any national service program carried out using assist-

1   ance provided under section 121 and any approved na-  
 2   tional service position provided to an applicant will not be  
 3   used to perform service that provides a direct benefit to  
 4   any—

5           “(1) business organized for profit;

6           “(2) labor union;

7           “(3) partisan political organization; or

8           “(4) organization engaged in religious activities,  
 9   unless such service does not involve the use of assist-  
 10   ance provided under section 121 or participants to  
 11   give religious instruction, conduct worship services,  
 12   or engage in any form of proselytization.

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

14       “(a) CORPORATION CONSIDERATION OF CERTAIN  
 15   CRITERIA.—The Corporation shall apply the criteria de-  
 16   scribed in subsections (c) and (d) in determining wheth-  
 17   er—

18           “(1) to approve an application submitted under  
 19   section 130 and provide assistance under section  
 20   121 to the applicant; and

21           “(2) to approve service positions described in  
 22   the application as national service positions that in-  
 23   clude the national service educational award de-  
 24   scribed in subtitle D and provide such approved na-  
 25   tional service positions to the applicant.

1       “(b) APPLICATION TO SUBGRANTS.—A State or  
 2 other entity that uses assistance provided under section  
 3 ~~121(a)~~ to support national service programs selected on  
 4 a competitive basis to receive a share of the assistance  
 5 shall use the criteria described in subsections (c) and (d)  
 6 when considering an application submitted by a national  
 7 service program to receive a portion of such assistance or  
 8 an approved national service position. The application of  
 9 the State or other entity under section ~~130~~ shall contain  
 10 a certification that the State or other entity complied with  
 11 these criteria in the selection of national service programs  
 12 to receive assistance.

13       “(c) ASSISTANCE CRITERIA.—The criteria required  
 14 to be applied in evaluating applications submitted under  
 15 section ~~130~~ are as follows:

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

19               “(2) The innovative aspects of the national  
 20 service program, and the feasibility of replicating the  
 21 program.

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

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

1           “(B) of multiple funding sources or private  
2           funding for the program.

3           “(4) The quality of the leadership of the na-  
4           tional service program, the past performance of the  
5           program, and the extent to which the program  
6           builds on existing programs.

7           “(5) The extent to which participants of the na-  
8           tional service program are recruited from among  
9           residents of the communities in which projects are to  
10          be conducted, and the extent to which participants  
11          and community residents are involved in the design,  
12          leadership, and operation of the program.

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

16               “(A) communities designated as enterprise  
17               zones or redevelopment areas, targeted for spe-  
18               cial economic incentives, or otherwise identifi-  
19               able as having high concentrations of low-  
20               income people;

21               “(B) areas that are environmentally dis-  
22               tressed; or

23               “(C) areas adversely affected by reductions  
24               in defense spending or the closure or realign-  
25               ment of military installations.

1           ~~“(7) In the case of applicants other than~~  
 2           ~~States, the extent to which the application is consist-~~  
 3           ~~ent with the application under section 130 of the~~  
 4           ~~State in which the projects would be conducted.~~

5           ~~“(8) Such other criteria as the Corporation con-~~  
 6           ~~siders to be appropriate.~~

7           ~~“(d) OTHER CONSIDERATIONS.—~~

8           ~~“(1) GEOGRAPHIC DIVERSITY.—The Corpora-~~  
 9           ~~tion shall ensure that recipients of assistance pro-~~  
 10          ~~vided under section 121 are geographically diverse~~  
 11          ~~and include projects to be conducted in those urban~~  
 12          ~~and rural areas in a State with the highest rates of~~  
 13          ~~poverty.~~

14          ~~“(2) PRIORITIES.—The Corporation may des-~~  
 15          ~~ignate, under such criteria as may be established by~~  
 16          ~~the Corporation, certain national service programs~~  
 17          ~~or types of national service programs described in~~  
 18          ~~section 122(a) for priority consideration in the com-~~  
 19          ~~petitive distribution of funds under section~~  
 20          ~~129(d)(2). In designating national service programs~~  
 21          ~~to receive priority, the Corporation may include—~~

22                 ~~“(A) national service programs carried out~~  
 23                 ~~by another Federal agency;~~

1           “(B) national service programs that con-  
 2           form to the national service priorities in effect  
 3           under section 122(c);

4           “(C) innovative national service programs;

5           “(D) national service programs that are  
 6           well established in one or more States at the  
 7           time of the application and are proposed to be  
 8           expanded to additional States using assistance  
 9           provided under section 121;

10          “(E) grant programs in support of other  
 11          national service programs if the grant programs  
 12          are to be conducted by not-for-profit organiza-  
 13          tions with a demonstrated and extensive exper-  
 14          tise in the provision of services to meet human,  
 15          educational, environmental, or public safety  
 16          needs; and

17          “(F) professional corps programs described  
 18          in section 122(a)(8).

19          ~~“(e) REJECTION OF STATE APPLICATIONS.—~~

20          ~~“(1) NOTIFICATION OF STATE APPLICANTS.—If~~  
 21          the Corporation rejects an application submitted by  
 22          a State Commission under section 130 for funds de-  
 23          scribed in section 129(a)(1), the Corporation shall  
 24          promptly notify the State Commission of the reasons  
 25          for the rejection of the application.

1           ~~“(2) RESUBMISSION AND RECONSIDERATION.—~~

2           The Corporation shall provide a State Commission  
3           notified under paragraph (1) with a reasonable op-  
4           portunity to revise and resubmit the application. At  
5           the request of the State Commission, the Corpora-  
6           tion shall provide technical assistance to the State  
7           Commission as part of the resubmission process.  
8           The Corporation shall promptly reconsider an appli-  
9           cation resubmitted under this paragraph.

10          ~~“(3) REALLOTMENT.—The amount of any~~  
11          State’s allotment under section 129(a) for a fiscal  
12          year that the Corporation determines will not be  
13          provided for that fiscal year shall be available for  
14          distribution by the Corporation as provided in para-  
15          graph (3) of such subsection.

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

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

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

22               ~~“(1) meets such eligibility requirements as may~~  
23               be established by the program;

24               ~~“(2) is selected by the program to serve in a po-~~  
25               sition with the program;

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

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

7           “(5) has received a high school diploma or its  
 8           equivalent or agrees to obtain a high school diploma  
 9           or its equivalent and the individual did not drop out  
 10          of an elementary or secondary school to enroll in the  
 11          program; and

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

14          “(b) SPECIAL RULES FOR CERTAIN YOUTH PRO-  
 15          GRAMS.—An individual shall be considered to be a partici-  
 16          pant in a youth corps program described in section  
 17          122(a)(2) or a program described in section 122(a)(9)  
 18          that is carried out with assistance provided under section  
 19          121(a) if the individual—

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

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



1 ~~“SEC. 138. SELECTION OF NATIONAL SERVICE PARTICI-~~  
2 ~~PANTS.~~

3       ~~“(a) SELECTION PROCESS.—Subject to subsections~~  
4 ~~(b) and (c) and section 131(f), the actual recruitment and~~  
5 ~~selection of an individual to serve in a national service pro-~~  
6 ~~gram receiving assistance under section 121 or to fill an~~  
7 ~~approved national service position shall be conducted by~~  
8 ~~the State, subdivision of a State, Indian tribe, public or~~  
9 ~~private not-for-profit organization, institution of higher~~  
10 ~~education, Federal agency, or other entity to which the~~  
11 ~~assistance and approved national service positions are~~  
12 ~~provided.~~

13       ~~“(b) NONDISCRIMINATION AND NONPOLITICAL SE-~~  
14 ~~LECTION OF PARTICIPANTS.—The recruitment and selec-~~  
15 ~~tion of individuals to serve in national service programs~~  
16 ~~receiving assistance under section 121 or to fill approved~~  
17 ~~national service positions shall be consistent with the re-~~  
18 ~~quirements of section 175.~~

19       ~~“(c) SECOND TERM.—Acceptance into a national~~  
20 ~~service program to serve a second term of service under~~  
21 ~~section 139 shall only be available to individuals who per-~~  
22 ~~form satisfactorily in their first term of service.~~

23       ~~“(d) RECRUITMENT AND PLACEMENT.—The Cor-~~  
24 ~~poration and each State Commission shall establish a sys-~~  
25 ~~tem to recruit individuals who desire to perform national~~  
26 ~~service and to assist the placement of these individuals in~~

1 approved national service positions, including positions  
 2 available under title I of the Domestic Volunteer Service  
 3 Act of 1973 (42 U.S.C. 4951). The Corporation and State  
 4 Commissions shall disseminate information regarding  
 5 available approved national service positions through co-  
 6 operation with secondary schools, institutions of higher  
 7 education, employment service offices, and other appro-  
 8 priate entities, particularly those organizations that pro-  
 9 vide outreach to disadvantaged youths.

10 “(c) NATIONAL LEADERSHIP POOL.—

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

19 “(2) EMPHASIS ON CERTAIN INDIVIDUALS.—In  
 20 selecting individuals to receive leadership training  
 21 under this subsection, the Corporation shall make  
 22 special efforts to select individuals who have served  
 23 in the Peace Corps, as VISTA volunteers, or as par-  
 24 ticipants in national service programs receiving as-  
 25 sistance under section 121.

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

10   ~~“SEC. 139. TERMS OF SERVICE.~~

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

16           ~~“(b) TERM OF SERVICE.—~~

17           ~~“(1) FULL-TIME SERVICE.—An individual per-~~  
 18           ~~forming full-time national service in an approved na-~~  
 19           ~~tional service position shall agree to participate in~~  
 20           ~~the program sponsoring the position for not less~~  
 21           ~~than 1,700 hours during a period of not less than~~  
 22           ~~9 months and not more than 1 year.~~

23           ~~“(2) PART-TIME SERVICE.—Except as provided~~  
 24           ~~in paragraph (3), an individual performing part-time~~  
 25           ~~national service in an approved national service posi-~~

1       tion shall agree to participate in the program spon-  
 2       soring the position for not less than 1,700 hours  
 3       during a period of not less than 1 year and not more  
 4       than 2 years.

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

14      ~~“(c) RELEASE FROM COMPLETING TERM OF SERV-~~  
 15      ~~ICE.—~~

16      ~~“(1) RELEASE AUTHORIZED.—~~A recipient of  
 17      assistance under section 121 or a program sponsor-  
 18      ing an approved national service position may re-  
 19      lease a participant from completing a term of service  
 20      in the position—

21              ~~“(A) for compelling personal circumstances~~  
 22              as demonstrated by the participant; or

23              ~~“(B) for cause.~~

24      ~~“(2) EFFECT OF RELEASE.—~~If the released  
 25      participant was serving in an approved national

1 service position, the participant may receive a por-  
 2 tion of the national service educational award cor-  
 3 responding to that service in the manner provided in  
 4 section 147(b), except that a participant released for  
 5 cause may not receive any portion of the national  
 6 service educational award.

7 **~~“SEC. 140. LIVING ALLOWANCES FOR NATIONAL SERVICE~~**  
 8 **~~PARTICIPANTS.~~**

9 ~~“(a) PROVISION OF LIVING ALLOWANCE.—~~

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

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

21 ~~“(A) 85 percent of the total average an-~~  
 22 ~~nual subsistence allowance provided to VISTA~~  
 23 ~~volunteers under section 105 of the Domestic~~  
 24 ~~Volunteer Service Act of 1973 (42 U.S.C.~~  
 25 ~~4955); and~~

1           “(B) 85 percent of the annual living allow-  
2           ance established by the national service pro-  
3           gram involved.

4           “(3) MAXIMUM LIVING ALLOWANCE.—Except  
5           as provided in subsection (c), the total amount of an  
6           annual living allowance that may be provided to a  
7           participant in a national service program shall not  
8           exceed 200 percent of the average annual subsist-  
9           ence allowance provided to VISTA volunteers under  
10          section 105 of the Domestic Volunteer Service Act  
11          of 1973 (42 U.S.C. 4955).

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

17          “(5) TREATMENT OF LIVING ALLOWANCE.—  
18          The amount provided as a living allowance under  
19          this subsection, up to the maximum living allowance  
20          authorized by paragraph (3), shall not be taken into  
21          account in determining the need or eligibility of any  
22          person for benefits or assistance, or the amount of  
23          such benefits or assistance, under any Federal,  
24          State, or local program financed in whole or in part  
25          with Federal funds. Nothing in the preceding sen-

1       tence shall be construed to exclude amounts received  
 2       as a living allowance from gross income under sec-  
 3       tion 61 of the Internal Revenue Code of 1986 (26  
 4       U.S.C. 61).

5       ~~“(b) COVERAGE OF CERTAIN EMPLOYMENT RELAT-~~  
 6 ~~ED TAXES.—~~To the extent a national service program that  
 7 receives assistance under section 121 is subject, with re-  
 8 spect to the participants in the program, to the taxes im-  
 9 posed on an employer under sections 3111 and 3301 of  
 10 the Internal Revenue Code of 1986 (26 U.S.C. 3111,  
 11 3301) and taxes imposed on an employer under a work-  
 12 men’s compensation act, the assistance provided to the  
 13 program under section 121 shall include an amount suffi-  
 14 cient to cover 85 percent of such taxes based upon the  
 15 lesser of—

16           ~~“(1) the total average annual subsistence allow-~~  
 17           ~~ance provided to VISTA volunteers under section~~  
 18           ~~405 of the Domestic Volunteer Service Act of 1973~~  
 19           ~~(42 U.S.C. 4955); and~~

20           ~~“(2) the annual living allowance established by~~  
 21           ~~the program.~~

22       ~~“(c) EXCEPTION FROM MAXIMUM LIVING ALLOW-~~  
 23 ~~ANCE FOR CERTAIN ASSISTANCE.—~~A professional corps  
 24 program described in section 122(a)(8) that desires to  
 25 provide a living allowance in excess of the maximum allow-

1 ance authorized in subsection (a)(3) may still apply for  
2 such assistance, except that—

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

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

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

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



1 for the basic health care policy, and mechanisms to pro-  
 2 hibit participants from dropping existing coverage.

3 ~~“(e) CHILD CARE.—~~

4 ~~“(1) AVAILABILITY.—A State or other recipient~~  
 5 ~~of assistance under section 121 shall—~~

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

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

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

21 ~~“(f) WAIVER OF LIMITATION ON FEDERAL SHARE.—~~

22 The Corporation may waive in whole or in part the limita-  
 23 tion on the Federal share specified in this section with  
 24 respect to a particular national service program in any fis-  
 25 cal year if the Corporation determines that such a waiver

1 would be equitable due to a lack of available financial re-  
 2 sources at the local level.

3 **~~“SEC. 141. NATIONAL SERVICE EDUCATIONAL AWARDS.~~**

4 ~~“(a) ELIGIBILITY GENERALLY.—A participant in a~~  
 5 ~~national service program carried out using assistance pro-~~  
 6 ~~vided to an applicant under section 121 shall be eligible~~  
 7 ~~for the national service educational award described in~~  
 8 ~~subtitle D if the participant—~~

9 ~~“(1) serves in an approved national service po-~~  
 10 ~~sition; and~~

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

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

20 ~~(b) TABLE OF CONTENTS.—Section 1(b) of the Na-~~  
 21 ~~tional and Community Service Act of 1990 (Public Law~~  
 22 ~~101–610; 104 Stat. 3127) is amended by striking the~~  
 23 ~~items relating to subtitle C of title I of such Act and in-~~  
 24 ~~serting the following new items:~~

“Subtitle C—National Service Trust Program

“PART I—INVESTMENT IN NATIONAL SERVICE

- “Sec. 121. Authority to provide assistance and approved national service positions.
- “Sec. 122. Types of national service programs eligible for program assistance.
- “Sec. 123. Types of national service positions eligible for approval for national service educational awards.
- “Sec. 124. Types of program assistance.
- “Sec. 125. Training and technical assistance.
- “Sec. 126. Other special assistance.

“PART II—APPLICATION AND APPROVAL PROCESS

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

“PART III—NATIONAL SERVICE PARTICIPANTS

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

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

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

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

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

12 “(a) ESTABLISHMENT.—There is established in the  
 13 Treasury of the United States an account to be known

1 as the National Service Trust. The Trust shall consist  
2 of—

3           “(1) from the amounts appropriated to the Cor-  
4           poration and made available to carry out this sub-  
5           title pursuant to section 501(a)(1), such amounts as  
6           the Corporation may designate to be available for  
7           the payment of—

8                   “(A) national service educational awards;  
9                   and

10                   “(B) interest expenses pursuant to sub-  
11                   section (e);

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

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

17           “(b) INVESTMENT OF TRUST.—It shall be the duty  
18           of the Secretary of the Treasury to invest in full the  
19           amounts appropriated to the Trust. Except as otherwise  
20           expressly provided in instruments concerning a gift, be-  
21           quest, devise, or other donation and agreed to by the Cor-  
22           poration, such investments may be made only in interest-  
23           bearing obligations of the United States or in obligations  
24           guaranteed as to both principal and interest by the United  
25           States. For such purpose, such obligations may be ac-

1 quired (1) on original issue at the issue price, or (2) by  
 2 purchase of outstanding obligations at the marketplace.  
 3 Any obligation acquired by the Trust may be sold by the  
 4 Secretary at the market price.

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

8 “(d) REPORTS TO CONGRESS ON RECEIPTS AND EX-  
 9 PENDITURES.—The Corporation shall submit an annual  
 10 report to the Congress on the financial status of the Trust.  
 11 Such report shall—

12 “(1) specify the amount deposited to the Trust  
 13 from the most recent appropriation to the Corpora-  
 14 tion, the amount received by the Corporation as gifts  
 15 or bequest during the period covered by the report,  
 16 and any amounts obtained by the Trust pursuant to  
 17 subsection (a)(3);

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

21 “(3) identify the number of individuals whose  
 22 ability to claim national service educational awards  
 23 during the period covered by the report—

24 “(A) has been reduced pursuant to section  
 25 147(b); or

1           “(B) has lapsed pursuant to section  
2           146(d); and

3           “(4) estimate the number of additional ap-  
4           proved national service positions which the Corpora-  
5           tion will be able to make available under subtitle C  
6           on the basis of any accumulated surplus in the  
7           Trust above the amount required to provide national  
8           service educational awards to individuals identified  
9           under paragraph (2); including any amounts avail-  
10          able as a result of the circumstances referred to in  
11          paragraph (3).

12   **“SEC. 146. INDIVIDUALS ELIGIBLE TO RECEIVE A NATIONAL**  
13                   **SERVICE EDUCATIONAL AWARD FROM THE**  
14                   **TRUST.**

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

18               “(1) successfully completes the required term of  
19               service described in subsection (b) in an approved  
20               national service position;

21               “(2) was 17 years of age or older at the time  
22               the individual began serving in the approved na-  
23               tional service position or was an out-of-school youth  
24               serving in an approved national service position with  
25               a youth corps program described in section

1     ~~122(a)(2)~~ or a program described in section  
 2     ~~122(a)(9)~~;

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

6             ~~“(4) is a citizen of the United States or lawfully~~  
 7     ~~admitted for permanent residence.~~

8             ~~“(b) TERM OF SERVICE.—The term of service for an~~  
 9     ~~approved national service position shall not be less than~~  
 10    ~~the full- or part-time term of service specified in section~~  
 11    ~~139(b).~~

12            ~~“(c) LIMITATION ON NUMBER OF TERMS OF SERV-~~  
 13    ~~ICE FOR AWARDS.—Although an individual may serve~~  
 14    ~~more than 2 terms of service described in subsection (b)~~  
 15    ~~in an approved national service position, the individual~~  
 16    ~~shall receive a national service educational award from the~~  
 17    ~~National Service Trust only on the basis of the first and~~  
 18    ~~second of such terms of service.~~

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

20            ~~“(1) FIVE-YEAR REQUIREMENT.—An individual~~  
 21    ~~eligible to receive a national service educational~~  
 22    ~~award under this section may not use such award~~  
 23    ~~after the end of the 5-year period beginning on the~~  
 24    ~~date the individual completes the term of service in~~

1 an approved national service position that is the  
2 basis of the award.

3 ~~“(2) EXCEPTION.—~~The Corporation may ex-  
4 tend the period within which an individual may use  
5 a national service educational award if the Corpora-  
6 tion determines that the individual—

7 ~~“(A) was unavoidably prevented from~~  
8 using the national service educational award  
9 during the original 5-year period; or

10 ~~“(B) performed another term of service in~~  
11 an approved national service position during  
12 that period.

13 **~~“SEC. 147. DETERMINATION OF THE AMOUNT OF THE NA-~~**  
14 **~~TIONAL SERVICE EDUCATIONAL AWARD.~~**

15 ~~“(a) AMOUNT GENERALLY.—~~Except as provided in  
16 subsection (b), an individual described in section 146(a)  
17 who successfully completes a required term of service in  
18 an approved national service position shall receive a na-  
19 tional service educational award having a value equal to  
20 \$5,000 for each of not more than 2 of such terms of  
21 service.

22 ~~“(b) AWARD FOR PARTIAL COMPLETION OF SERV-~~  
23 ~~ICE.—~~If an individual serving in an approved national  
24 service position is released in accordance with section  
25 139(c)(1)(A) from completing the term of service agreed



1 to by the individual, the Corporation may provide the indi-  
 2 vidual with that portion of the national service educational  
 3 award approved for the individual that corresponds to the  
 4 quantity of the term of service actually completed by the  
 5 individual.

6 **~~“SEC. 148. DISBURSEMENT OF NATIONAL SERVICE EDU-~~**  
 7 **~~CATIONAL AWARDS.~~**

8 ~~“(a) IN GENERAL.—~~Amounts in the Trust shall be  
 9 available—

10 ~~“(1) to repay student loans in accordance with~~  
 11 ~~subsection (b);~~

12 ~~“(2) to pay all or part of the cost of attendance~~  
 13 ~~at an institution of higher education in accordance~~  
 14 ~~with subsection (c);~~

15 ~~“(3) to pay expenses incurred in participating~~  
 16 ~~in an approved school-to-work program in accord-~~  
 17 ~~ance with subsection (d); and~~

18 ~~“(4) to pay interest expenses in accordance with~~  
 19 ~~regulations prescribed pursuant to subsection (e).~~

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

22 ~~“(1) APPLICATION BY ELIGIBLE INDIVID-~~  
 23 ~~UALS.—~~An eligible individual under section 146 who  
 24 desires to apply his or her national service edu-  
 25 cational award to the repayment of qualified student

1       loans shall submit, in a manner prescribed by the  
2       Corporation, an application to the Corporation  
3       that—

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

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

10              “(C) contains or is accompanied by such  
11              other information as the Corporation may re-  
12              quire.

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

24              “(3) APPLICATION OF DISBURSED AMOUNTS.—

25              If the amount disbursed under paragraph (2) is less

1 than the principal and accrued interest on any quali-  
 2 fied student loan, such amount shall first be applied  
 3 to the repayment of principal.

4 “(4) REPORTS BY HOLDERS.—Any holder re-  
 5 ceiving a loan payment pursuant to this subsection  
 6 shall submit to the Corporation such information as  
 7 the Corporation may require to verify that such pay-  
 8 ment was applied in accordance with this subsection  
 9 and any regulations prescribed to carry out this sub-  
 10 section.

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

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

17 “(A) any loan made, insured, or guaran-  
 18 teed pursuant to title IV of the Higher Edu-  
 19 cation Act of 1965 (20 U.S.C. 1070 et seq.);  
 20 other than a loan to a parent of a student pur-  
 21 suant to section 428B of such Act (20 U.S.C.  
 22 1078-2); and

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

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

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

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

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

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

5           “(B) specifies the amounts for which such  
6           eligible individuals are, consistent with para-  
7           graph (6), qualified for disbursement under this  
8           subsection;

9           “(C) certifies that (i) the institution of  
10          higher education has in effect a program par-  
11          ticipation agreement under section 487 of the  
12          Higher Education Act of 1965 (20 U.S.C.  
13          1094), and (ii) the institution’s eligibility to  
14          participate in any of the programs under title  
15          IV of such Act (20 U.S.C. 1070 et seq.) has not  
16          been limited, suspended, or terminated; and

17          “(D) contains such provisions concerning  
18          financial compliance as the Corporation may re-  
19          quire.

20          “(3) DISBURSEMENT OF PAYMENTS.—Upon re-  
21          ceipt of a statement from an institution of higher  
22          education that complies with paragraph (2), the Cor-  
23          poration shall, subject to paragraph (4), disburse the  
24          total amount of the national service educational  
25          awards for which eligible individuals who have sub-

mitted applications to that institution under paragraph (1) are qualified. Such disbursement shall be made by check or other means that is payable to the institution and requires the endorsement or other certification by the eligible individual.

~~“(4) MULTIPLE DISBURSEMENTS REQUIRED.—~~

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

~~“(5) REFUND RULES.—~~The Corporation shall,

by regulation, provide for the refund to the Corporation (and the crediting to the national service educational award of an eligible individual) of amounts disbursed to institutions for the benefit of eligible individuals who withdraw or otherwise fail to complete the period of enrollment for which the assistance was provided. Such regulations shall be consistent

1 with the fair and equitable refund policies required  
 2 of institutions pursuant to section 484B of the  
 3 Higher Education Act of 1965 (20 U.S.C. 1091b).  
 4 Amounts refunded to the Trust pursuant to this  
 5 paragraph may be used by the Corporation to fund  
 6 additional approved national service positions under  
 7 subtitle C.

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

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

17 “(B) the sum of (i) the student’s estimated  
 18 financial assistance for such period under part  
 19 A of title IV of such Act (20 U.S.C. 1070 et  
 20 seq.); and (ii) the student’s veterans’ education  
 21 benefits, determined in accordance with section  
 22 480(c) of such Act (20 U.S.C. 1087vv(c)).

23 “(d) USE OF EDUCATIONAL AWARD TO PARTICIPATE  
 24 IN APPROVED SCHOOL-TO-WORK PROGRAMS.—The Cor-  
 25 poration shall by regulation provide for the payment of

1 national service educational awards to permit eligible indi-  
2 viduals to participate in school-to-work programs approved  
3 by the Secretaries of Labor and Education.

4       “(e) INTEREST PAYMENTS DURING FORBEARANCE  
5 ON LOAN REPAYMENT.—The Corporation may provide by  
6 regulation for the payment on behalf of an eligible individ-  
7 ual of interest that accrues during a period for which such  
8 individual has obtained forbearance in the repayment of  
9 a qualified student loan (as defined in subsection (b)(6));  
10 if the eligible individual successfully completes his or her  
11 required term of service (as determined under section  
12 146(b)). Such regulations shall be prescribed after con-  
13 sultation with the Secretary of Education.

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



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

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

11       (c) CONFORMING AMENDMENTS.—

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

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

4           (A) in subsection (b)(1)—

5           (i) by redesignating subparagraphs  
6           (W), (X), and (Y) as subparagraphs (X),  
7           (Y), and (Z), respectively; and

8           (ii) by inserting immediately after  
9           subparagraph (V) the following new sub-  
10          paragraph:

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

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

22          “(iii) provides that interest shall continue  
23          to accrue on a loan for which a borrower re-  
24          ceives forbearance under this subparagraph and

1 shall be capitalized or paid by the borrower;”;  
 2 and

3 ~~(B) in subsection (c)(3)(A), by striking~~  
 4 ~~“subsection (b)(1)(V)” and inserting “sub-~~  
 5 ~~section (b)(1) (V) and (W)”.~~

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

9 ~~(A) in subsection (b)(1), is amended by~~  
 10 ~~striking “October 1, 1992” and inserting “Oc-~~  
 11 ~~tober 1, 1989”;~~

12 ~~(B) in subsection (c), by adding at the end~~  
 13 ~~the following new paragraph:~~

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

20 ~~(C) by adding at the end the following new~~  
 21 ~~subsection:~~

22 ~~“(h) TREATMENT OF BENEFITS.—Notwithstanding~~  
 23 ~~any other provision of law, the amount of any loan repaid~~  
 24 ~~by the Secretary under this section shall not be taken into~~  
 25 ~~account in determining the need or eligibility of any per-~~

1 son for benefits or assistance, or the amount of such bene-  
 2 fits or assistance, under any Federal, State, or local pro-  
 3 gram financed in whole or in part with Federal funds. The  
 4 amount of any loan repaid by the Secretary under this  
 5 section shall not be considered income for purposes of the  
 6 Internal Revenue Code of 1986.”.

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

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

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

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

1 **SEC. 103. SCHOOL-BASED AND COMMUNITY-BASED SERV-**  
2 **ICE-LEARNING PROGRAMS.**

3 ~~(a) AMENDMENTS TO SERVE-AMERICA PROGRAMS.—~~

4 ~~(1) PURPOSE.—The purpose of this subsection~~  
5 ~~is to improve the Serve-America programs estab-~~  
6 ~~lished under part I of subtitle B of the National and~~  
7 ~~Community Service Act of 1990, and to enable the~~  
8 ~~Corporation for National Service, and the entities~~  
9 ~~receiving financial assistance under such part, to—~~

10 ~~(A) work with teachers in elementary~~  
11 ~~schools and secondary schools within a commu-~~  
12 ~~nity, and with community-based agencies, to~~  
13 ~~create and offer service-learning opportunities~~  
14 ~~for all school-age youth;~~

15 ~~(B) educate teachers, and faculty providing~~  
16 ~~teacher training and retraining, about service-~~  
17 ~~learning, and incorporate service-learning op-~~  
18 ~~portunities into classroom teaching to strength-~~  
19 ~~en academic learning;~~

20 ~~(C) coordinate the work of adult volunteers~~  
21 ~~who work with elementary and secondary~~  
22 ~~schools as part of their community service ac-~~  
23 ~~tivities; and~~

24 ~~(D) work with employers in the commu-~~  
25 ~~nities to ensure that projects introduce the stu-~~

1           dents to various careers and expose the stu-  
2           dents to needed further education and training.

3           ~~(2) PROGRAMS.—~~Subtitle B of title I of the Na-  
4           tional and Community Service Act of 1990 (42  
5           U.S.C. 12501 et seq.) is amended by striking the  
6           subtitle heading and all that follows through the end  
7           of part I and inserting the following:

8           **~~“Subtitle     B—School-Based     and~~**  
9           **~~Community-Based             Service-~~**  
10          **~~Learning Programs~~**

11          **~~“PART I—SERVE AMERICA PROGRAMS~~**

12          **~~“Subpart A—School-Based Programs for Students~~**

13          **~~“SEC. 111. AUTHORITY TO ASSIST STATES AND INDIAN~~**  
14          **~~TRIBES.~~**

15          ~~“(a) USE OF FUNDS.—~~The Corporation, in consulta-  
16          tion with the Secretary of Education, may make grants  
17          under section 112(b)(1), and allotments under subsections  
18          ~~(a) and (b)(2) of section 112, to States and Indian tribes~~  
19          to pay for the Federal share of—

20                 ~~“(1) planning and building the capacity of the~~  
21          States or Indian tribes (which may be accomplished  
22          through grants or contracts with qualified organiza-  
23          tions) to implement school-based service-learning  
24          programs, including—

1           “(A) providing training for teachers, su-  
2           pervisors, personnel from community-based  
3           agencies (particularly with regard to the utiliza-  
4           tion of participants), and trainers, to be con-  
5           ducted by qualified individuals or organizations  
6           that have experience with service-learning;

7           “(B) developing service-learning curricula  
8           to be integrated into academic programs, in-  
9           cluding the age-appropriate learning component  
10          described in section 114(d)(5)(B);

11          “(C) forming local partnerships described  
12          in paragraph (2) or (4) to develop school-based  
13          service-learning programs in accordance with  
14          this subpart;

15          “(D) devising appropriate methods for re-  
16          search and evaluation of the educational value  
17          of service-learning and the effect of service-  
18          learning activities on communities; and

19          “(E) establishing effective outreach and  
20          dissemination of information to ensure the  
21          broadest possible involvement of community-  
22          based agencies with demonstrated effectiveness  
23          in working with school-age youth in their com-  
24          munities;

1           ~~“(2) implementing, operating, or expanding~~  
 2           ~~school-based service-learning programs, which may~~  
 3           ~~include paying for the cost of the recruitment, train-~~  
 4           ~~ing, supervision, placement, salaries, and benefits of~~  
 5           ~~service-learning coordinators, through State distribu-~~  
 6           ~~tion of Federal funds made available under this sub-~~  
 7           ~~part to projects operated by local partnerships~~  
 8           ~~among—~~

9                     ~~“(A) local educational agencies; and~~

10                    ~~“(B) one or more community partners~~  
 11           ~~that—~~

12                             ~~“(i) shall include a public or private~~  
 13                             ~~not-for-profit organization that will make~~  
 14                             ~~projects available for participants, who~~  
 15                             ~~shall be students; and~~

16                             ~~“(ii) may include a private for-profit~~  
 17                             ~~business or private elementary or second-~~  
 18                             ~~ary school;~~

19           ~~“(3) planning of school-based service-learning~~  
 20           ~~programs through State distribution of Federal~~  
 21           ~~funds made available under this subpart to local~~  
 22           ~~educational agencies, which planning may include~~  
 23           ~~paying for the cost of—~~

24                             ~~“(A) the salaries and benefits of service-~~  
 25           ~~learning coordinators; or~~



1           ~~“(B) the recruitment, training, supervision,~~  
 2           ~~and placement of service-learning coordinators~~  
 3           ~~who are participants in a program under sub-~~  
 4           ~~title C or receive a national service educational~~  
 5           ~~award under subtitle D,~~

6           ~~who will identify the community partners described~~  
 7           ~~in paragraph (2)(B) and assist in the design and im-~~  
 8           ~~plementation of a program described in paragraph~~  
 9           ~~(2); and~~

10          ~~“(4) implementing, operating, or expanding~~  
 11          ~~school-based service-learning programs involving~~  
 12          ~~adult volunteers to utilize service-learning to improve~~  
 13          ~~the education of students through State distribution~~  
 14          ~~of Federal funds made available under this part to~~  
 15          ~~local partnerships among—~~

16                 ~~“(A) local educational agencies; and~~

17                 ~~“(B) one or more—~~

18                         ~~“(i) public or private not-for-profit or-~~  
 19                         ~~ganizations;~~

20                         ~~“(ii) other educational agencies; or~~

21                         ~~“(iii) private for-profit businesses,~~

22           ~~that coordinate and operate projects for participants,~~  
 23           ~~who shall be students.~~

24          ~~“(b) DUTIES OF SERVICE-LEARNING COORDINA-~~  
 25          ~~TOR.—A service-learning coordinator referred to in para-~~

1 graph (2) or (3) of subsection (a) shall provide services  
2 to a local educational agency by—

3       “(1) expanding the awareness of teachers of the  
4 potential of service-learning in strengthening the  
5 educational achievement, leadership development,  
6 and substantive learning, of students;

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

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

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

18       “(5) coordinating the activities of the service-  
19 learning coordinator with the activities of the com-  
20 mittee described in section 114(d)(1), and, where  
21 appropriate, assisting the committee.

22       “(c) RELATED EXPENSES.—A partnership, local edu-  
23 cational agency, or other qualified organization that re-  
24 ceives financial assistance under this subpart may, in car-  
25 rying out the activities described in subsection (a), use

1 such assistance to pay for the Federal share of reasonable  
 2 costs related to the supervision of participants, program  
 3 administration, transportation, insurance, evaluations,  
 4 and for other reasonable expenses related to the activities.

5 **~~“SEC. 111A. AUTHORITY TO ASSIST LOCAL APPLICANTS IN~~**  
 6 **~~NONPARTICIPATING STATES.~~**

7 “In any fiscal year in which a State does not submit  
 8 an application under section 113, for an allotment under  
 9 subsection (a) or (b)(2) of section 112, that meets the re-  
 10 quirements of section 113 and such other requirements  
 11 as the Chairperson may determine to be appropriate, the  
 12 Corporation may use the allotment of that State to make  
 13 direct grants to pay for the Federal share of the cost of—

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

17 “(2) carrying out the activities described in  
 18 paragraph (3) of such section, to an agency de-  
 19 scribed in such paragraph,  
 20 that is located in the State.

21 **~~“SEC. 111B. AUTHORITY TO ASSIST PUBLIC OR PRIVATE~~**  
 22 **~~NOT-FOR-PROFIT ORGANIZATIONS.~~**

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

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

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

5           ~~“(3) meets such other criteria as the Chair-~~  
 6           ~~person may establish.~~

7           ~~“(b) USE OF FUNDS.—Such an organization may use~~  
 8           ~~a grant made under subsection (a) to make grants to part-~~  
 9           ~~nerships described in paragraph (2) or (4) of section~~  
 10           ~~111(a) to implement, operate, or expand school-based~~  
 11           ~~service-learning programs as described in such section and~~  
 12           ~~provide technical assistance and training to appropriate~~  
 13           ~~persons.~~

14   ~~“SEC. 112. GRANTS AND ALLOTMENTS.~~

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

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

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

9           “(A) State educational agencies and Indian  
 10 tribes; or

11           “(B) as described in section 111B, to  
 12 grantmaking entities.

13           “(2) ALLOTMENTS.—

14           “(A) SCHOOL-AGE YOUTH.—Except as pro-  
 15 vided in paragraph (3), from 37.5 percent of  
 16 such funds, the Corporation shall allot to each  
 17 State an amount that bears the same ratio to  
 18 37.5 percent of such funds as the number of  
 19 school-age youth in the State bears to the total  
 20 number of school-age youth of all States.

21           “(B) ALLOCATION UNDER ELEMENTARY  
 22 AND SECONDARY EDUCATION ACT OF 1965.—  
 23 Except as provided in paragraph (3), from 37.5  
 24 percent of such funds, the Corporation shall  
 25 allot to each State an amount that bears the

1 same ratio to 37.5 percent of such funds as the  
2 allocation to the State for the previous fiscal  
3 year under chapter 1 of title I of the Elemen-  
4 tary and Secondary Education Act of 1965 (20  
5 U.S.C. 2711 et seq.) bears to such allocations  
6 to all States.

7 “(3) MINIMUM AMOUNT.—No State shall re-  
8 ceive, under paragraph (2), an allotment that is less  
9 than the allotment such State received for fiscal year  
10 1993 under section 112(b) of this Act, as in effect  
11 on the day before the date of enactment of this part.  
12 If the amount of funds made available in a fiscal  
13 year to carry out paragraph (2) is insufficient to  
14 make such allotments, the Corporation shall make  
15 available sums from the 25 percent described in  
16 paragraph (1) for such fiscal year to make such  
17 allotments.

18 “(4) DEFINITION.—Notwithstanding section  
19 101(25), for purposes of this subsection, the term  
20 ‘State’ means each of the several States, the District  
21 of Columbia, the Commonwealth of Puerto Rico, and  
22 an Indian tribe.

23 “(c) REALLOTMENT.—If the Corporation determines  
24 that the allotment of a State or Indian tribe under this  
25 section will not be required for a fiscal year because the

1 State or Indian tribe does not submit an application for  
 2 the allotment under section 113 that meets the require-  
 3 ments of such section and such other requirements as the  
 4 Chairperson may determine to be appropriate, the Cor-  
 5 poration shall, after making any grants under section  
 6 111A to a partnership or agency described in such section,  
 7 make any remainder of such allotment available for real-  
 8 lotment to such other States, and Indian tribes, with ap-  
 9 proved applications submitted under section 113, as the  
 10 Corporation may determine to be appropriate.

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

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

18 “(a) SUBMISSION.—To be eligible to receive a grant  
 19 under section 112(b)(1), an allotment under subsection  
 20 (a) or (b)(2) of section 112, a reallocation under section  
 21 112(c), or a grant under section 112(d), a State, acting  
 22 through the State educational agency, or an Indian tribe,  
 23 shall prepare, submit to the Corporation, and obtain ap-  
 24 proval of, an application at such time and in such manner  
 25 as the Chairperson may reasonably require.

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

4           “(1) a 3-year strategic plan, or a revision of a  
 5 previously approved 3-year strategic plan, for pro-  
 6 moting service-learning through the programs, which  
 7 plan shall contain such information as the Chair-  
 8 person may reasonably require, such as—

9           “(A) a description of the goals to be at-  
 10 tained in promoting service-learning through  
 11 such programs;

12           “(B) a description of the resources and or-  
 13 ganization needed to achieve the goals of such  
 14 programs within elementary schools and second-  
 15 ary schools; and

16           “(C) a description of the manner in  
 17 which—

18           “(i) such programs and the activities  
 19 to be carried out under such programs re-  
 20 late to the goals described in subparagraph  
 21 (A);

22           “(ii) the applicant will evaluate the  
 23 success of the programs and the extent of  
 24 community involvement in the programs,  
 25 and measure the extent to which the pro-



grams meet the goals described in subparagraph (A);

“(iii) in reviewing applications submitted under section 114(c), the applicant has ranked the applications according to the criteria described in section 115(b), has considered the factors described in section 115(a), and has reviewed the applications in a manner that ensured the equitable treatment of all such applications;

“(iv) the programs will be coordinated with—

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

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

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

“(IV) other education programs, training programs, social service programs, and appropriate programs that serve school-age youth, that are authorized under Federal law;

1           “(v) the applicant will disseminate in-  
2           formation, conduct outreach, and take  
3           other measures, to encourage cooperative  
4           efforts among the local educational agen-  
5           cies, local government agencies, commu-  
6           nity-based agencies, State agencies, and  
7           private for-profit businesses that will carry  
8           out the service-learning programs proposed  
9           by the applicant, to develop and provide  
10          projects, including those that involve the  
11          participation of urban, suburban, and rural  
12          students working together;

13          “(vi) the applicant will promote ap-  
14          propriate projects in such programs for  
15          economically disadvantaged students, stu-  
16          dents with limited basic skills, students in  
17          foster care who are becoming too old for  
18          foster care, students of limited English  
19          proficiency, homeless students, and stu-  
20          dents with disabilities;

21          “(vii) service-learning training and  
22          technical assistance will be provided  
23          through the programs—

24                  “(I) to State and local edu-  
25                  cational agency personnel, federally

1           assisted education specialists in the  
 2           State or serving the Indian tribe; and  
 3           local recipients of grants under this  
 4           subpart, to raise the awareness of  
 5           service-learning among such person-  
 6           nel, specialists, and recipients; and

7           “(II) by qualified and experi-  
 8           enced individuals employed by the  
 9           State or Indian tribe or through  
 10          grants or contracts with such individ-  
 11          uals;

12          “(viii) a service-learning network will  
 13          be established for the State or Indian  
 14          tribe, comprised of expert teachers and ad-  
 15          ministrators who have carried out success-  
 16          ful service-learning activities within the  
 17          State or serving the Indian tribe; and

18          “(ix) the applicant will use payments  
 19          from sources described in section  
 20          116(a)(2)(B) to expand projects for stu-  
 21          dents through the programs proposed by  
 22          the applicant;

23          “(2) assurances that—

24               “(A) the applicant will keep such records  
 25          and provide such information to the Corpora-

1           tion with respect to the programs as may be re-  
 2           quired for fiscal audits and program evaluation;  
 3           and

4           “(B) the applicant will comply with the  
 5           nonduplication and nondisplacement require-  
 6           ments of section 177; and

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

9   **“SEC. 114. LOCAL APPLICATIONS.**

10       “(a) APPLICATION TO CORPORATION TO MAKE  
 11 GRANTS FOR SCHOOL-BASED SERVICE-LEARNING PRO-  
 12 GRAMS.—

13       “(1) IN GENERAL.—To be eligible to receive a  
 14 grant in accordance with section 111B(a) to make  
 15 grants relating to school-based service-learning pro-  
 16 grams described in section 111(a)(2), a grantmaking  
 17 entity shall prepare, submit to the Corporation, and  
 18 obtain approval of, an application.

19       “(2) SUBMISSION.—Such application shall be  
 20 submitted at such time and in such manner, and  
 21 shall contain such information, as the Chairperson  
 22 may reasonably require. Such application shall in-  
 23 clude a proposal to assist such programs in more  
 24 than 1 State.

1       ~~“(b) DIRECT APPLICATION TO CORPORATION TO~~  
 2 ~~CARRY OUT SCHOOL-BASED SERVICE-LEARNING PRO-~~  
 3 ~~GRAMS IN NONPARTICIPATING STATES.—To be eligible to~~  
 4 ~~receive a grant from the Corporation in the circumstances~~  
 5 ~~described in section 111A to carry out an activity de-~~  
 6 ~~scribed in such section, a partnership or agency described~~  
 7 ~~in such section shall prepare, submit to the Corporation,~~  
 8 ~~and obtain approval of, an application. Such application~~  
 9 ~~shall be submitted at such time and in such manner, and~~  
 10 ~~shall contain such information, as the Chairperson may~~  
 11 ~~reasonably require.~~

12       ~~“(c) APPLICATION TO STATE OR INDIAN TRIBE TO~~  
 13 ~~RECEIVE ASSISTANCE TO CARRY OUT SCHOOL-BASED~~  
 14 ~~SERVICE-LEARNING PROGRAMS.—~~

15               ~~“(1) IN GENERAL.—Any—~~

16                       ~~“(A) qualified organization that desires to~~  
 17                       ~~receive financial assistance under this subpart~~  
 18                       ~~from a State or Indian tribe for an activity de-~~  
 19                       ~~scribed in section 111(a)(1);~~

20                       ~~“(B) partnership described in section~~  
 21                       ~~111(a)(2) that desires to receive such assistance~~  
 22                       ~~from a State, Indian tribe, or grantmaking en-~~  
 23                       ~~tity for an activity described in section~~  
 24                       ~~111(a)(2);~~

1           “(C) agency described in section 111(a)(3)  
 2           that desires to receive such assistance from a  
 3           State or Indian tribe for an activity described  
 4           in such section; or

5           “(D) partnership described in section  
 6           111(a)(4) that desires to receive such assistance  
 7           from a State or Indian tribe for an activity de-  
 8           scribed in such section,  
 9           to be carried out through a service-learning program  
 10          described in section 111, shall prepare, submit to  
 11          the State educational agency, Indian tribe, or  
 12          grantmaking entity, and obtain approval of, an ap-  
 13          plication for the program.

14          “(2) SUBMISSION.—Such application shall be  
 15          submitted at such time and in such manner, and  
 16          shall contain such information, as the agency, tribe,  
 17          or entity may reasonably require.

18          “(d) CONTENTS OF APPLICATION.—An application  
 19          that is submitted under subsection (a), (b), or (c) with  
 20          respect to a service-learning program described in section  
 21          111 shall, at a minimum, contain a proposal that in-  
 22          cludes—

23               “(1) information specifying the membership and  
 24               role of an established advisory committee, consisting  
 25               of representatives of community-based agencies in-

1 including service recipients, students, parents, teach-  
2 ers, administrators, representatives of agencies that  
3 serve school-age youth or older adults, school board  
4 members, representatives of local labor organiza-  
5 tions, and representatives of business, that will pro-  
6 vide advice with respect to the program;

7 “(2) a description of—

8 “(A) the goals of the program which shall  
9 include goals that are quantifiable and dem-  
10 onstrate any benefits from the program to par-  
11 ticipants and the community;

12 “(B) service-learning projects to be pro-  
13 vided under the program, and evidence that  
14 participants will make a sustained commitment  
15 to service in the projects;

16 “(C) the manner in which participants in  
17 the program were or will be involved in the de-  
18 sign and operation of the program;

19 “(D) training for supervisors, teachers,  
20 service sponsors, and participants in the pro-  
21 gram;

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

24 “(F) any resources that will permit con-  
25 tinuation of the program, if needed, after the

1 assistance received under this subpart for the  
2 program has ended;

3 ~~“(3) information that shall include—~~

4 ~~“(A) a disclosure of whether or not the~~  
5 ~~participants will receive academic credit for par-~~  
6 ~~ticipation in the program;~~

7 ~~“(B) the expected number of participants~~  
8 ~~in the program and the hours of service that~~  
9 ~~such participants will provide individually and~~  
10 ~~as a group;~~

11 ~~“(C) the proportion of expected partici-~~  
12 ~~pants in the program who are economically dis-~~  
13 ~~advantaged, including participants with disabil-~~  
14 ~~ities; and~~

15 ~~“(D) any role of adult volunteers in imple-~~  
16 ~~menting the program, and the manner in which~~  
17 ~~such volunteers will be recruited;~~

18 ~~“(4) in the case of an application submitted by~~  
19 ~~a local partnership, a written agreement, between~~  
20 ~~the members of the local partnership, stating that~~  
21 ~~the program was jointly developed by the members~~  
22 ~~and that the program will be jointly executed by the~~  
23 ~~members; and~~

24 ~~“(5) assurances that—~~



1           “(A) prior to the placement of a partici-  
 2           pant, the entity carrying out the program will  
 3           consult with any local labor organization rep-  
 4           resenting employees in the area who are en-  
 5           gaged in the same or similar work as that pro-  
 6           posed to be carried out by such program, to  
 7           prevent the displacement and protect the rights  
 8           of such employees;

9           “(B) the entity carrying out the program  
 10          will develop an age-appropriate learning compo-  
 11          nent for participants in the program that shall  
 12          include a chance for participants to analyze and  
 13          apply their service experiences; and

14          “(C) the entity carrying out the program  
 15          will comply with the nonduplication and  
 16          nondisplacement requirements of section 177  
 17          and grievance procedure requirements of section  
 18          176(f).

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

20          “(a) CRITERIA FOR APPLICATIONS.—In approving  
 21          applications for financial assistance under subsection (a),  
 22          (b), (c), or (d) of section 112, the Corporation shall con-  
 23          sider such criteria with respect to sustainability,  
 24          replicability, innovation, and quality of programs under  
 25          this subpart as the Chairperson may by regulation specify.

1 In providing assistance under this subpart, a State edu-  
 2 cational agency, Indian tribe, or grantmaking entity shall  
 3 consider such criteria.

4 “(b) PRIORITY FOR LOCAL APPLICATIONS.—

5 “(1) IN GENERAL.—In providing assistance  
 6 under this subpart, a State educational agency or  
 7 Indian tribe, or the Corporation if section 111A or  
 8 111B applies, shall give priority to entities that sub-  
 9 mit applications under section 114 with respect to  
 10 service-learning programs described in section 111  
 11 that—

12 “(A) involve participants in the design and  
 13 operation of the program;

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

16 “(C) involve—

17 “(i) students from public elementary  
 18 or secondary schools, and students from  
 19 private elementary or secondary schools,  
 20 serving together; or

21 “(ii) students of different ages, races,  
 22 sexes, ethnic groups, disabilities, or eco-  
 23 nomic backgrounds, serving together; or

24 “(D) are integrated into the academic pro-  
 25 gram of the participants.

1       “(c) REJECTION OF APPLICATIONS.—If the Corpora-  
 2       tion rejects an application submitted by a State under sec-  
 3       tion 113 for an allotment under subsection (b)(2) of sec-  
 4       tion 112, the Corporation shall promptly notify the State  
 5       of the reasons for the rejection of the application. The  
 6       Corporation shall provide the State with a reasonable op-  
 7       portunity to revise and resubmit the application and shall  
 8       provide technical assistance, if needed, to the State as part  
 9       of the resubmission process. The Corporation shall  
 10      promptly reconsider such resubmitted application.

11      **“SEC. 115A. PARTICIPATION OF STUDENTS AND TEACHERS**  
 12                                      **FROM PRIVATE SCHOOLS.**

13      “(a) IN GENERAL.—To the extent consistent with the  
 14      number of students in the State or Indian tribe or in the  
 15      school district of the local educational agency involved who  
 16      are enrolled in private not-for-profit elementary and sec-  
 17      ondary schools, such State, Indian tribe, or agency shall  
 18      (after consultation with appropriate private school rep-  
 19      resentatives) make provision—

20                      “(1) for the inclusion of services and arrange-  
 21                      ments for the benefit of such students so as to allow  
 22                      for the equitable participation of such students in  
 23                      the programs implemented to carry out the objec-  
 24                      tives and provide the benefits described in this sub-  
 25                      part; and

1           ~~“(2) for the training of the teachers of such~~  
 2           ~~students so as to allow for the equitable participa-~~  
 3           ~~tion of such teachers in the programs implemented~~  
 4           ~~to carry out the objectives and provide the benefits~~  
 5           ~~described in this subpart.~~

6           ~~“(b) WAIVER.—If a State, Indian tribe, or local edu-~~  
 7           ~~cational agency is prohibited by law from providing for~~  
 8           ~~the participation of students or teachers from private not-~~  
 9           ~~for-profit schools as required by subsection (a), or if the~~  
 10          ~~Corporation determines that a State, Indian tribe, or local~~  
 11          ~~educational agency substantially fails or is unwilling to~~  
 12          ~~provide for such participation on an equitable basis, the~~  
 13          ~~Chairperson shall waive such requirements and shall ar-~~  
 14          ~~range for the provision of services to such students and~~  
 15          ~~teachers. Such waivers shall be subject to consultation,~~  
 16          ~~withholding, notice, and judicial review requirements in~~  
 17          ~~accordance with paragraphs (3) and (4) of section 1017(b)~~  
 18          ~~of the Elementary and Secondary Education Act of 1965~~  
 19          ~~(20 U.S.C. 2727(b)).~~

20          ~~“SEC. 116. FEDERAL, STATE, AND LOCAL CONTRIBUTIONS.~~

21          ~~“(a) SHARE.—~~

22                 ~~“(1) IN GENERAL.—The Federal share attrib-~~  
 23                 ~~utable to this subpart of the cost of carrying out a~~  
 24                 ~~program for which a grant or allotment is made~~  
 25                 ~~under this subpart may not exceed—~~

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

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

7           “(C) 70 percent of the total cost of the  
8           program for the third year for which the pro-  
9           gram receives assistance under this subpart;  
10          and

11          “(D) 50 percent of the total cost of the  
12          program for the fourth year, and for any subse-  
13          quent year, for which the program receives as-  
14          sistance under this subpart.

15          “(2) CALCULATION.—In providing for the re-  
16          maining share of the cost of carrying out such a pro-  
17          gram, each recipient of assistance under this sub-  
18          part—

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

22               “(B) may provide for such share through  
23               State sources, local sources, or Federal sources  
24               (other than funds made available under the na-  
25               tional service laws).

1       ~~“(b) WAIVER.—~~The Chairperson may waive the re-  
 2       quirements of subsection (a) in whole or in part with re-  
 3       spect to any such program in any fiscal year if the Cor-  
 4       poration determines that such a waiver would be equitable  
 5       due to a lack of available financial resources at the local  
 6       level.

7       ~~“SEC. 116A. LIMITATIONS ON USES OF FUNDS.~~

8       ~~“(a) ADMINISTRATIVE COSTS.—~~

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

16               ~~“(A) the original recipient; or~~

17               ~~“(B) the entity carrying out the service-~~  
 18       learning programs supported with the assist-  
 19       ance.

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

22               ~~“(A) such assistance may be used to cover~~  
 23       administrative costs; and

1           “(B) that portion of the assistance avail-  
 2           able to cover administrative costs should be dis-  
 3           tributed between—

4                   “(i) the original recipient; and

5                   “(ii) the entity carrying out the serv-  
 6           ice-learning programs supported with the  
 7           assistance.

8       “(b) ~~CAPACITY BUILDING ACTIVITIES.~~—Not less  
 9 than 10 percent and not more than 15 percent of the  
 10 amount of assistance provided to a State educational  
 11 agency or Indian tribe that is the original recipient of a  
 12 grant or allotment under subsection (a), (b), (c), or (d)  
 13 of section 112 for a fiscal year may be used to build capac-  
 14 ity through training, technical assistance, curriculum de-  
 15 velopment, and coordination activities, described in section  
 16 111(a)(1).

17       “(c) ~~LOCAL USES OF FUNDS.~~—Funds made available  
 18 under this subpart may not be used to pay any stipend,  
 19 allowance, or other financial support to any student who  
 20 is a participant under this subtitle, except reimbursement  
 21 for transportation, meals, and other reasonable out-of-  
 22 pocket expenses directly related to participation in a pro-  
 23 gram assisted under this subpart.

24       **“SEC. 116B. DEFINITIONS.**

25       “As used in this subpart:

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

4           ~~“(2) SCHOOL-BASED.—The term ‘school-based’~~  
 5           ~~means based in an elementary school or a secondary~~  
 6           ~~school.~~

7           ~~“(3) STUDENT.—Notwithstanding section~~  
 8           ~~101(28), the term ‘student’ means an individual who~~  
 9           ~~is enrolled in an elementary or secondary school on~~  
 10          ~~a full- or part-time basis.~~

11   **~~“Subpart B—Community-Based Service Programs for~~**  
 12                                   **~~School-Age Youth~~**

13   **~~“SEC. 117. DEFINITIONS.~~**

14          ~~“As used in this subpart:~~

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

18          ~~“(2) GRANTMAKING ENTITY.—The term~~  
 19          ~~‘grantmaking entity’ means a qualified organization~~  
 20          ~~that—~~

21                  ~~“(A) submits an application under section~~  
 22                  ~~117C(a) to make grants to qualified organiza-~~  
 23                  ~~tions; and~~



1           “(B) was in existence 1 year before the  
2           date on which the organization submitted the  
3           application.

4           “(3) QUALIFIED ORGANIZATION.—The term  
5           ‘qualified organization’ means a public or private  
6           not-for-profit organization with experience working  
7           with school-age youth that meets such criteria as the  
8           Chairperson may establish.

9   **“SEC. 117A. GENERAL AUTHORITY.**

10          “(a) GRANTS.—From the funds appropriated to  
11       carry out this subpart for a fiscal year, the Corporation  
12       may make grants to State Commissions, grantmaking en-  
13       tities, and qualified organizations to pay for the Federal  
14       share of the implementation, operation, expansion, or rep-  
15       lication of community-based service programs.

16          “(b) USE OF FUNDS.—

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

20                   “(A) to make a grant to a qualified organi-  
21               zation to implement, operate, expand, or rep-  
22               licate a community-based service-learning pro-  
23               gram that provides for meaningful human, edu-  
24               cational, environmental, or public safety service

1 by participants, who shall be school-age youth;  
2 or

3 ~~“(B) to provide training and technical as-~~  
4 ~~sistance to such an organization.~~

5 ~~“(2) QUALIFIED ORGANIZATIONS.—A qualified~~  
6 ~~organization, other than a grantmaking entity, may~~  
7 ~~use a grant made under subsection (a) to implement,~~  
8 ~~operate, expand, or replicate a program described in~~  
9 ~~paragraph (1)(A).~~

10 **~~“SEC. 117B. STATE APPLICATIONS.~~**

11 ~~“(a) IN GENERAL.—To be eligible to receive a grant~~  
12 ~~under section 117A(a), a State Commission shall prepare,~~  
13 ~~submit to the Corporation, and obtain approval of, an~~  
14 ~~application.~~

15 ~~“(b) SUBMISSION.—Such application shall be submit-~~  
16 ~~ted to the Corporation at such time and in such manner,~~  
17 ~~and shall contain such information, as the Chairperson~~  
18 ~~may reasonably require.~~

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

1 ~~“SEC. 117C. LOCAL APPLICATIONS.~~

2       ~~“(a) APPLICATION TO CORPORATION TO MAKE~~  
3 ~~GRANTS FOR COMMUNITY-BASED SERVICE PROGRAMS.—~~  
4 ~~To be eligible to receive a grant from the Corporation~~  
5 ~~under section 117A(a) to make grants under section~~  
6 ~~117A(b)(1), a grantmaking entity shall prepare, submit~~  
7 ~~to the Corporation, and obtain approval of, an application~~  
8 ~~that proposes a community-based service program to be~~  
9 ~~carried out through grants made to qualified organiza-~~  
10 ~~tions. Such application shall be submitted at such time~~  
11 ~~and in such manner, and shall contain such information,~~  
12 ~~as the Chairperson may reasonably require.~~

13       ~~“(b) DIRECT APPLICATION TO CORPORATION TO~~  
14 ~~CARRY OUT COMMUNITY-BASED SERVICE PROGRAMS.—~~  
15 ~~To be eligible to receive a grant from the Corporation~~  
16 ~~under section 117A(a) to implement, operate, expand, or~~  
17 ~~replicate a community service program, a qualified organi-~~  
18 ~~zation shall prepare, submit to the Corporation, and ob-~~  
19 ~~tain approval of, an application that proposes a commu-~~  
20 ~~nity-based service program to be carried out at multiple~~  
21 ~~sites, or that proposes an innovative community-based~~  
22 ~~service program. Such application shall be submitted at~~  
23 ~~such time and in such manner, and shall contain such in-~~  
24 ~~formation, as the Chairperson may reasonably require.~~

25       ~~“(c) APPLICATION TO STATE COMMISSION OR~~  
26 ~~GRANTMAKING ENTITY TO RECEIVE GRANTS TO CARRY~~

1 ~~OUT COMMUNITY-BASED SERVICE PROGRAMS.—To be el-~~  
 2 ~~igible to receive a grant from a State Commission or~~  
 3 ~~grantmaking entity under section 117A(b)(1), a qualified~~  
 4 ~~organization shall prepare, submit to the Commission or~~  
 5 ~~entity, and obtain approval of, an application. Such appli-~~  
 6 ~~cation shall be submitted at such time and in such man-~~  
 7 ~~ner, and shall contain such information, as the Commis-~~  
 8 ~~sion or entity may reasonably require.~~

9       ~~“(d) REQUIREMENTS OF APPLICATION.—An applica-~~  
 10 ~~tion submitted under subsection (a), (b), or (c) shall, at~~  
 11 ~~a minimum, contain—~~

12           ~~“(1) a description of any community-based~~  
 13 ~~service program proposed to be implemented, oper-~~  
 14 ~~ated, expanded, or replicated directly by the appli-~~  
 15 ~~cant using assistance provided under this subpart;~~

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

20           ~~“(3) a proposal for carrying out the commu-~~  
 21 ~~nity-based service program that describes the man-~~  
 22 ~~ner in which the entity carrying out the program~~  
 23 ~~will—~~

24           ~~“(A) provide preservice and inservice train-~~  
 25 ~~ing, for supervisors and participants, that will~~

1 be conducted by qualified individuals, or quali-  
2 fied organizations, that have experience in com-  
3 munity-based service programs;

4 “(B) include economically disadvantaged  
5 individuals as participants in the program pro-  
6 posed by the applicant;

7 “(C) provide an age-appropriate service-  
8 learning component described in section  
9 114(d)(5)(B);

10 “(D) conduct an appropriate evaluation of  
11 the program;

12 “(E) provide for appropriate community  
13 involvement in the program;

14 “(F) provide service experiences that pro-  
15 mote leadership abilities among participants in  
16 the program, including experiences that involve  
17 such participants in program design;

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

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

22 “(I) organize participants in the program  
23 into teams, with team leaders who may be par-  
24 ticipants in a program under subtitle C or indi-

1           viduals who receive a national service edu-  
2           cational award under subtitle D; and

3           ~~“(4) an assurance that the entity carrying out~~  
4           the program proposed by the applicant will comply  
5           with the nonduplication and nondisplacement provi-  
6           sions of section 177 and grievance procedure re-  
7           quirements of section 176(f).

8   **~~“SEC. 117D. CONSIDERATION OF APPLICATIONS.~~**

9           ~~“(a) APPLICATION OF CRITERIA.—The Corporation~~  
10          shall apply the criteria described in subsection (b) in de-  
11          termining whether to approve an application submitted  
12          under section 117B or under subsection (a) or (b) of sec-  
13          tion 117C and to provide assistance under section 117A  
14          to the applicant on the basis of the application.

15          ~~“(b) ASSISTANCE CRITERIA.—In evaluating such an~~  
16          application with respect to a program under this subpart,  
17          the Corporation shall consider the criteria established for  
18          national service programs under section 133(c).

19          ~~“(c) APPLICATION TO SUBGRANTS.—A State Com-~~  
20          mission or grantmaking entity shall apply the criteria de-  
21          scribed in subsection (b) in determining whether to ap-  
22          prove an application under section 117C(c) and to make  
23          a grant under section 117A(b)(1) to the applicant on the  
24          basis of the application.

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

2 ~~“(a) FEDERAL SHARE.—~~

3 ~~“(1) IN GENERAL.—The Federal share attrib-~~  
 4 ~~utable to this subpart of the cost of carrying out a~~  
 5 ~~program for which a grant is made under this sub-~~  
 6 ~~part may not exceed the percentage specified in sub-~~  
 7 ~~paragraph (A), (B), (C), or (D) of section 116(a)(1),~~  
 8 ~~as appropriate.~~

9 ~~“(2) CALCULATION.—Each recipient of assist-~~  
 10 ~~ance under this subpart shall comply with section~~  
 11 ~~116(a)(2).~~

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

15 **~~“SEC. 117F. LIMITATIONS ON USES OF FUNDS.~~**

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

22 ~~“(1) the original recipient; or~~

23 ~~“(2) the entity carrying out the community-~~  
 24 ~~based service programs supported with the assist-~~  
 25 ~~ance.~~

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

3               ~~“(1) such assistance may be used to cover ad-~~  
 4       ~~ministrative costs; and~~

5               ~~“(2) that portion of the assistance available to~~  
 6       ~~cover administrative costs should be distributed be-~~  
 7       ~~tween—~~

8               ~~“(A) the original recipient; and~~

9               ~~“(B) the entity carrying out the commu-~~  
 10       ~~nity-based service programs supported with the~~  
 11       ~~assistance.~~

12                       **~~“Subpart C—Clearinghouse~~**

13       **~~“SEC. 118. SERVICE LEARNING CLEARINGHOUSE.~~**

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

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



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

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

6           “(2) conduct research and evaluations concern-  
7 ing service-learning;

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

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

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

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

23           “(6)(A) gather and disseminate information on  
24 successful service-learning programs, components of  
25 such successful programs, innovative youth skills

1 curricula related to service-learning, and service-  
 2 learning projects; and

3 ~~“(B) coordinate the activities of the Clearing-~~  
 4 ~~house with appropriate entities to avoid duplication~~  
 5 ~~of effort;~~

6 ~~“(7) make recommendations to State and local~~  
 7 ~~entities on quality controls to improve the quality of~~  
 8 ~~service-learning programs;~~

9 ~~“(8) assist organizations in recruiting, screen-~~  
 10 ~~ing, and placing service-learning coordinators; and~~

11 ~~“(9) carry out such other activities as the~~  
 12 ~~Chairperson determines to be appropriate.”.~~

13 ~~(b) HIGHER EDUCATION INNOVATIVE PROJECTS.—~~

14 Subtitle B of title I of the National and Community Serv-  
 15 ice Act of 1990 (42 U.S.C. 12531 et seq.) is amended  
 16 by striking part II and inserting the following:

17 **~~“PART II—HIGHER EDUCATION INNOVATIVE~~**  
 18 **~~PROGRAMS FOR COMMUNITY SERVICE~~**

19 **~~“SEC. 119. HIGHER EDUCATION INNOVATIVE PROGRAMS~~**  
 20 **~~FOR COMMUNITY SERVICE.~~**

21 ~~“(a) PURPOSE.—It is the purpose of this part to ex-~~  
 22 ~~pand participation in community service by supporting in-~~  
 23 ~~novative community service programs carried out through~~  
 24 ~~institutions of higher education, acting as civic institutions~~

1 to meet the human, educational, environmental, or public  
 2 safety needs of neighboring communities.

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

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

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

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

21               ~~“(2) supporting student-initiated and student-~~  
 22       ~~designed community service projects through the~~  
 23       ~~program;~~

24               ~~“(3) facilitating the integration of community~~  
 25       ~~service carried out under the program into academic~~

1       curricula, including integration of clinical programs  
 2       into the curriculum for students in professional  
 3       schools, so that students can obtain credit for their  
 4       community service projects;

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

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

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

17       “(c) FEDERAL SHARE.—

18           “(1) SHARE.—

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

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

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

4           ~~“(d) APPLICATION FOR GRANT.—~~

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

11          ~~“(2) CONTENTS.—~~An application submitted  
 12          under paragraph (1) shall contain—

13                 ~~“(A) such information as the Chairperson~~  
 14                 may reasonably require, such as a description  
 15                 of—

16                         ~~“(i) the proposed program to be es-~~  
 17                         tablished with assistance provided under  
 18                         the grant or contract;

19                         ~~“(ii) the human, educational, environ-~~  
 20                         mental, or public safety service that par-  
 21                         ticipants will perform and the community  
 22                         need that will be addressed under such  
 23                         program;

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

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

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

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

16          ~~“(vii) the budget for the program;~~  
17          ~~“(B) assurances that—~~

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

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

6           ~~“(C) such other assurances as the Chair-~~  
7           ~~person may reasonably require.~~

8           ~~“(e) PRIORITY.—~~

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

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

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

22           ~~“(C) specify the manner in which the insti-~~  
23           ~~tution will provide service to the community~~  
24           ~~through organized programs, including, where~~

1 appropriate, clinical programs for students in  
2 professional schools;

3 “(D) describe any partnership that will  
4 participate in the community service projects,  
5 such as a partnership comprised of—

6 “(i) the institution;

7 “(ii)(I) a community-based agency;

8 “(II) a local government agency; or

9 “(III) a not-for-profit entity that  
10 serves or involves school-age youth or older  
11 adults; and

12 “(iii) a student organization;

13 “(E) demonstrate community involvement  
14 in the development of the proposal;

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

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

21 “(2) DETERMINATION.—In giving priority to  
22 applicants under paragraph (1), the Corporation  
23 shall give increased priority to such an applicant for  
24 each characteristic described in subparagraphs (A)



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

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

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

## 12 **~~“PART III—GENERAL PROVISIONS~~**

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

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

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

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

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

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

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

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

“PART I—SERVE-AMERICA PROGRAMS

“SUBPART A—SCHOOL-BASED PROGRAMS FOR STUDENTS

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

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

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

“SUBPART C—CLEARINGHOUSE

“Sec. 118. Service-learning clearinghouse.

“PART II—HIGHER EDUCATION INNOVATIVE PROGRAMS FOR COMMUNITY  
 SERVICE

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

“PART III—GENERAL PROVISIONS

“Sec. 120. Availability of appropriations.”.

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  
16 1990 (as amended by subsection (b) of this section) is  
17 amended by adding at the end the following new subtitle:

18 **“Subtitle H—Investment for**  
19 **Quality and Innovation**

20 **“SEC. 198. ADDITIONAL CORPORATION ACTIVITIES TO SUP-**  
21 **PORT NATIONAL SERVICE.**

22 “(a) METHODS OF CONDUCTING ACTIVITIES.—The  
23 Corporation may carry out this section directly or through  
24 grants, contracts, and cooperative agreements with other  
25 entities.

26 “(b) INNOVATION AND QUALITY IMPROVEMENT.—

1           ~~“(1) ACTIVITIES.—~~The Corporation may under-  
 2       take activities to improve the quality of national  
 3       service programs and to support innovative and  
 4       model programs, including—

5           ~~“(A) programs under subtitle B or C for~~  
 6       rural youth;

7           ~~“(B) employer-based retiree programs;~~

8           ~~“(C) intergenerational programs;~~

9           ~~“(D) programs involving individuals with~~  
 10      disabilities as participants providing service;  
 11      and

12          ~~“(E) programs sponsored by Governors.~~

13          ~~“(2) INTERGENERATIONAL PROGRAM.—~~An  
 14      intergenerational program referred to in paragraph  
 15      ~~(1)(C)~~ may include a program in which older adults  
 16      provide services to children who participate in Head  
 17      Start programs.

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

22          ~~“(d) COMMUNITY-BASED AGENCIES.—~~The Corpora-  
 23      tion may provide training and technical assistance and  
 24      other assistance to service sponsors and other community-  
 25      based agencies that provide volunteer placements in order

1 to improve the ability of such agencies to use participants  
 2 and other volunteers in a manner that results in high-quality  
 3 service and a positive service experience for the participants  
 4 and volunteers.

5       “(e) IMPROVE ABILITY TO APPLY FOR ASSISTANCE.—The Corporation may provide training and technical  
 6 assistance to individuals, programs, local labor organizations, State educational agencies, State commissions,  
 7 local educational agencies, local governments, community-based agencies, and other entities to enable them to apply  
 8 for funding under one of the national service laws, to conduct high-quality programs, to evaluate such programs,  
 9 and for other purposes.

10       “(f) NATIONAL SERVICE FELLOWSHIPS.—The Corporation may award national service fellowships.

11       “(g) CONFERENCES AND MATERIALS.—The Corporation may organize and hold conferences, and prepare and  
 12 publish materials, to disseminate information and promote the sharing of information among programs for the purpose  
 13 of improving the quality of programs and projects.

14       “(h) PEACE CORPS AND VISTA TRAINING.—The Corporation may provide training assistance to selected individuals  
 15 who volunteer to serve in the Peace Corps or a program authorized under title I of the Domestic Volunteer  
 16 Service Act of 1973 (42 U.S.C. 4951 et seq.). The

1 training shall be provided as part of the course of study  
 2 of the individual at an institution of higher education,  
 3 shall involve service-learning, and shall cover appropriate  
 4 skills that the individual will use in the Peace Corps or  
 5 VISTA.

6       “(i) PROMOTION AND RECRUITMENT.—The Corpora-  
 7 tion may conduct a campaign to solicit funds for the Na-  
 8 tional Service Trust and other programs and activities au-  
 9 thorized under the national service laws and to promote  
 10 and recruit participants for programs that receive assist-  
 11 ance under the national service laws.

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

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

18       “(l) INTERGENERATIONAL SUPPORT.—The Corpora-  
 19 tion may assist programs in developing a service compo-  
 20 nent that combines students, out-of-school youths, and  
 21 older adults as participants to provide needed community  
 22 services.

23       “(m) PLANNING COORDINATION.—The Corporation  
 24 may coordinate community-wide planning among pro-  
 25 grams and projects.

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

4       ~~“(o) NATIONAL PROGRAM IDENTITY.—The Corpora-~~  
 5       ~~tion may support the development and dissemination of~~  
 6       ~~materials, including training materials, and arrange for~~  
 7       ~~uniforms and insignia, designed to promote unity and~~  
 8       ~~shared features among programs that receive assistance~~  
 9       ~~under the national service laws.~~

10       ~~“(p) SERVICE LEARNING.—The Corporation shall~~  
 11       ~~support innovative programs and activities that promote~~  
 12       ~~service learning.~~

13       **~~“SEC. 198A. CLEARINGHOUSES.~~**

14       ~~“(a) ASSISTANCE.—The Corporation shall provide as-~~  
 15       ~~sistance to appropriate entities to establish one or more~~  
 16       ~~clearinghouses, including the clearinghouse described in~~  
 17       ~~section 118.~~

18       ~~“(b) APPLICATION.—To be eligible to receive assist-~~  
 19       ~~ance under subsection (a), an entity shall submit an appli-~~  
 20       ~~cation to the Corporation at such time, in such manner,~~  
 21       ~~and containing such information as the Corporation may~~  
 22       ~~require.~~

23       ~~“(c) FUNCTION OF CLEARINGHOUSES.—An entity~~  
 24       ~~that receives assistance under subsection (a) may—~~

1           ~~“(1) assist entities carrying out State or local~~  
2           ~~community service programs with needs assessments~~  
3           ~~and planning;~~

4           ~~“(2) conduct research and evaluations concern-~~  
5           ~~ing community service;~~

6           ~~“(3)(A) provide leadership development and~~  
7           ~~training to State and local community service pro-~~  
8           ~~gram administrators, supervisors, and participants;~~  
9           ~~and~~

10          ~~“(B) provide training to persons who can pro-~~  
11          ~~vide the leadership development and training de-~~  
12          ~~scribed in subparagraph (A);~~

13          ~~“(4) facilitate communication among entities~~  
14          ~~carrying out community service programs and par-~~  
15          ~~ticipants;~~

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

20          ~~“(6)(A) gather and disseminate information on~~  
21          ~~successful community service programs, components~~  
22          ~~of such successful programs, innovative youth skills~~  
23          ~~curriculum, and community service projects; and~~



1           ~~“(B) coordinate the activities of the clearing-~~  
 2           ~~house with appropriate entities to avoid duplication~~  
 3           ~~of effort;~~

4           ~~“(7) make recommendations to State and local~~  
 5           ~~entities on quality controls to improve the delivery of~~  
 6           ~~community service programs and on changes in the~~  
 7           ~~programs under this title; and~~

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

10 **~~“SEC. 198B. PRESIDENTIAL AWARDS FOR SERVICE.~~**

11           ~~“(a) PRESIDENTIAL AWARDS.—~~

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

16           ~~“(2) INDIVIDUALS AND PROGRAMS.—Notwith-~~  
 17           ~~standing section 101(17)—~~

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

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

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

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

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

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

13      ~~(d) TABLE OF CONTENTS.—~~

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

~~“Subtitle E—Civilian Community Corps~~

~~“Sec. 151. Purpose.~~

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

~~“Sec. 153. National service program.~~

“Sec. 154. Summer national service program.

~~“Sec. 155. Civilian Community Corps.~~

~~“Sec. 156. Training.~~

~~“Sec. 157. Service projects.~~

~~“Sec. 158. Authorized benefits for Corps personnel under Federal law.~~

~~“Sec. 159. Administrative provisions.~~

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

~~“Sec. 161. Contract and grant authority.~~

"Sec. 162. Responsibilities of other departments.

~~“Sec. 163. Advisory board.~~

~~“Sec. 164. Annual evaluation.~~

~~“Sec. 165. Funding limitation.~~

~~“Sec. 166. Definitions.”.~~

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

                  “Subtitle H—Investment for Quality and Innovation

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

~~“Sec. 198A. Clearinghouses.~~

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

6           ~~(e)~~ TECHNICAL AND CONFORMING AMENDMENTS.—

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

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

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

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

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

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

8           (A) Section 153(a) of such Act (as redesignig-  
 9           nated in subsection (b)(3) of this section) (42  
 10          U.S.C. 12653b(a)) is amended by striking  
 11          “195A(a)” and inserting “152(a)”.

12          (B) Section 154(a) of such Act (as redesignig-  
 13          nated in subsection (b)(3) of this section) (42  
 14          U.S.C. 12653c(a)) is amended by striking  
 15          “195A(a)” and inserting “152(a)”.

16          (C) Section 155 of such Act (as redesignig-  
 17          nated in subsection (b)(3) of this section) (42  
 18          U.S.C. 12653d) is amended—

19               (i) in subsection (a), by striking  
 20               “195H(c)(1)” and inserting “159(c)(1)”;

21               (ii) in subsection (c)(2), by striking  
 22               “195H(c)(2)” and inserting “159(c)(2)”;  
 23               and

24               (iii) in subsection (d)(3), by striking  
 25               “195K(a)(3)” and inserting “162(a)(3)”.

1           ~~(D) Section 156 of such Act (as redesign-~~  
2           ~~ated in subsection (b)(3) of this section) (42~~  
3           ~~U.S.C. 12653e) is amended—~~

4                     ~~(i) in subsection (c)(1), by striking~~  
5                     ~~“195H(c)(2)” and inserting “159(c)(2)”;~~  
6                     ~~and~~

7                     ~~(ii) in subsection (d), by striking~~  
8                     ~~“195K(a)(3)” and inserting “162(a)(3)”.~~

9           ~~(E) Section 159 of such Act (as redesign-~~  
10           ~~ated in subsection (b)(3) of this section) (42~~  
11           ~~U.S.C. 12653h) is amended—~~

12                     ~~(i) in subsection (a)—~~

13                             ~~(I) by striking “195A” and in-~~  
14                             ~~serting “152”; and~~

15                             ~~(II) by striking “195” and in-~~  
16                             ~~serting “151”; and~~

17                     ~~(ii) in subsection (c)(2)(C)(i), by~~  
18                     ~~striking “195K(a)(2)” and inserting “sec-~~  
19                     ~~tion 162(a)(2)”.~~

20           ~~(F) Section 161(b)(1)(B) of such Act (as~~  
21           ~~redesignated in subsection (b)(3) of this sec-~~  
22           ~~tion) (42 U.S.C. 12653j(b)(1)(B)) is amended~~  
23           ~~by striking “195K(a)(3)” and inserting~~  
24           ~~“162(a)(3)”.~~

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

5           (H) Section 166 of such Act (as redesi-  
 6           gnated in subsection (b)(3) of this section) ~~(42~~  
 7           ~~U.S.C. 12653o)~~ is amended—

8                   (i) in paragraph (2), by striking  
 9                   “195D” and inserting “155”;

10                   (ii) in paragraph (8), by striking  
 11                   “195A” and inserting “152”;

12                   (iii) in paragraph (10), by striking  
 13                   “195D(d)” and inserting “155(d)”; and

14                   (iv) in paragraph (11), by striking  
 15                   “195D(c)” and inserting “155(c)”.

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

1       ~~(g)~~ ADDITIONAL AMENDMENT REGARDING CIVILIAN  
 2 COMMUNITY CORPS.—Section 158 of the National and  
 3 Community Service Act of 1990 (as redesignated in sub-  
 4 section ~~(b)(3)~~ of this section) (42 U.S.C. 12653g) is  
 5 amended by striking subsections ~~(f)~~, ~~(g)~~, and ~~(h)~~ and in-  
 6 serting the following new subsections:

7       ~~“(f)~~ NATIONAL SERVICE EDUCATIONAL AWARDS.—  
 8 A Corps member who successfully completes a period of  
 9 agreed service in the Corps may receive the national serv-  
 10 ice educational award described in subtitle D if the Corps  
 11 member—

12           ~~“(1)~~ serves in an approved national service po-  
 13 sition; and

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

17       ~~“(g)~~ ALTERNATIVE BENEFIT.—If a Corps member  
 18 who successfully completes a period of agreed service in  
 19 the Corps is ineligible for the national service educational  
 20 award described in subtitle D, the Director may provide  
 21 for the provision of a suitable alternative benefit for the  
 22 Corps member.”.

## 1       **Subtitle B—Related Provisions**

### 2       ~~SEC. 111. DEFINITIONS.~~

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

### 6       ~~“SEC. 101. DEFINITIONS.~~

7       ~~“For purposes of this title:~~

8               ~~“(1) ADULT VOLUNTEER.—~~The term ‘adult  
9       volunteer’ means an individual, such as an older  
10       adult, an individual with a disability, a parent, or an  
11       employee of a business or public or private not-for-  
12       profit agency, who—

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

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

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



1           ~~“(3) CARRY OUT.—The term ‘carry out’, when~~  
2           ~~used in connection with a national service program~~  
3           ~~described in section 122, means the planning, estab-~~  
4           ~~lishment, operation, expansion, or replication of the~~  
5           ~~program.~~

6           ~~“(4) CHAIRPERSON.—The term ‘Chairperson’~~  
7           ~~means the Chairperson and Director of the Corpora-~~  
8           ~~tion appointed under section 193.~~

9           ~~“(5) COMMUNITY-BASED AGENCY.—The term~~  
10          ~~‘community-based agency’ means a private not-for-~~  
11          ~~profit organization that is representative of a com-~~  
12          ~~munity and that is engaged in meeting human, edu-~~  
13          ~~cational, environmental, or public safety community~~  
14          ~~needs.~~

15          ~~“(6) CORPORATION.—The term ‘Corporation’~~  
16          ~~means the Corporation for National Service estab-~~  
17          ~~lished under section 191.~~

18          ~~“(7) ECONOMICALLY DISADVANTAGED.—The~~  
19          ~~term ‘economically disadvantaged’ means, with re-~~  
20          ~~spect to an individual, an individual who is deter-~~  
21          ~~mined by the Chairperson to be low-income accord-~~  
22          ~~ing to the latest available data from the Department~~  
23          ~~of Commerce.~~

24          ~~“(8) ELEMENTARY SCHOOL.—The term ‘ele-~~  
25          ~~mentary school’ has the same meaning given such~~

1 term in section 1471(8) of the Elementary and Sec-  
2 ondary Education Act of 1965 (20 U.S.C. 2891(8)).

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

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

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

22 “(12) INSTITUTION OF HIGHER EDUCATION.—  
23 The term ‘institution of higher education’ has the  
24 same meaning given such term in section 1201(a) of

1 the Higher Education Act of 1965 (20 U.S.C.  
2 1141(a)).

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

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

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

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

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

17 “(C) is not enrolled in an elementary or  
18 secondary school or institution of higher edu-  
19 cation.

20 “(16) PARTICIPANT.—

21 “(A) IN GENERAL.—The term ‘participant’  
22 means—

23 “(i) for purposes of subtitle C, an in-  
24 dividual in an approved national service  
25 position; and

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

5           “(B) RULE.—A participant shall not be  
6           considered to be an employee of the program in  
7           which the participant is enrolled.

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

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

20          “(19) PROJECT.—The term ‘project’ means an  
21          activity, carried out through a program that receives  
22          assistance under this title, that results in a specific  
23          identifiable service or improvement that otherwise  
24          would not be done with existing funds, and that does

1 not duplicate the routine services or functions of the  
 2 employer to whom participants are assigned.

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

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

10 ~~“(22) SERVICE-LEARNING.—The term ‘service-~~  
 11 ~~learning’ means a method—~~

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

15 ~~“(i) is conducted in and meets the~~  
 16 ~~needs of a community;~~

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

21 ~~“(iii) helps foster civic responsibility;~~  
 22 ~~and~~

23 ~~“(B) that—~~

24 ~~“(i) is integrated into and enhances~~  
 25 ~~the academic curriculum of the students,~~

1 or the educational components of the com-  
2 munity service program in which the par-  
3 ticipants are enrolled; and

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

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

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

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

22 ~~“(26) STATE COMMISSION.—The term ‘State~~  
23 ~~Commission’ means a State Commission on National~~  
24 ~~Service maintained by a State pursuant to section~~  
25 ~~178. Except when used in section 178, the term in-~~

1 includes an alternative administrative entity for a  
 2 State approved by the Corporation under such sec-  
 3 tion to act in lieu of a State Commission.

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

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

13 (b) TECHNICAL AND CONFORMING AMENDMENTS.—

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

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

23 (3) Section 441(c)(2) of the Higher Education  
 24 Act of 1965 (42 U.S.C. 2751(c)(2)) is amended by  
 25 striking “service opportunities or youth corps as de-

1        fined in section 101 of the National and Community  
 2        Service Act of 1990, and service in the agencies, in-  
 3        stitutions and activities designated in section 124(a)  
 4        of the National and Community Service Act of  
 5        1990” and inserting “a project, as defined in section  
 6        101(19) of the National and Community Service Act  
 7        of 1990 (42 U.S.C. 12511(18))”.

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

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

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

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



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

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

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

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

9 “(1) a participant has provided service for the  
10 period required by section 101(2)(A)(i) (29 U.S.C.  
11 2611(2)(A)(i)), and has met the hours of service re-  
12 quirement of section 101(2)(A)(ii), of such Act with  
13 respect to a project; and

14 “(2) the service sponsor of the project is an em-  
15 ployer described in section 101(4) of such Act (other  
16 than an employing agency within the meaning of  
17 subchapter V of chapter 63 of title 5, United States  
18 Code),

19 the participant shall be considered to be an eligible em-  
20 ployee of the service sponsor.

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

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

1           “(2) the service sponsor of the project is an em-  
 2       ploying agency within the meaning of such sub-  
 3       chapter;  
 4 the participant shall be considered to be an employee of  
 5 the service sponsor.”.

6       (b) TABLE OF CONTENTS.—Section 1(b) of the Na-  
 7 tional and Community Service Act of 1990 (Public Law  
 8 101–610; 104 Stat. 3127) is amended by striking the item  
 9 relating to section 171 of such Act and inserting the fol-  
 10 lowing:

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

11 **SEC. 114. REPORTS.**

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

14           (1) in subsection (a)(3)(A), by striking “sec-  
 15 tions 177 and 113(9)” and inserting “section 177”;  
 16 and

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

19 **SEC. 115. NONDISCRIMINATION.**

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

23 **“SEC. 175. NONDISCRIMINATION.**

24       “(a) IN GENERAL.—

1           “(1) BASIS.—An individual with responsibility  
 2           for the operation of a project that receives assistance  
 3           under this title shall not discriminate against a par-  
 4           ticipant in, or member of the staff of, such project  
 5           on the basis of race, color, national origin, sex, age,  
 6           or political affiliation of such participant or member,  
 7           or on the basis of disability, if the participant or  
 8           member is a qualified individual with a disability.

9           “(2) DEFINITION.—As used in paragraph (1),  
 10          the term ‘qualified individual with a disability’ has  
 11          the meaning given the term in section 101(8) of the  
 12          Americans with Disabilities Act of 1990 (42 U.S.C.  
 13          12111(8)).

14          “(b) FEDERAL FINANCIAL ASSISTANCE.—Any assist-  
 15          ance provided under this title shall constitute Federal fi-  
 16          nancial assistance for purposes of title VI of the Civil  
 17          Rights Act of 1964 (42 U.S.C. 2000d et seq.), title IX  
 18          of the Education Amendments of 1972 (20 U.S.C. 1681  
 19          et seq.), section 504 of the Rehabilitation Act of 1973 (29  
 20          U.S.C. 794), and the Age Discrimination Act of 1975 (42  
 21          U.S.C. 6101 et seq.).

22          “(c) RELIGIOUS DISCRIMINATION.—

23                 “(1) IN GENERAL.—Except as provided in para-  
 24                 graph (2), an individual with responsibility for the  
 25                 operation of a project that receives assistance under

1       this title shall not discriminate on the basis of reli-  
 2       gion against a participant in such project or a mem-  
 3       ber of the staff of such project who is paid with  
 4       funds received under this title.

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

12      “(d) RULES AND REGULATIONS.—The Chairperson  
 13      shall promulgate rules and regulations to provide for the  
 14      enforcement of this section that shall include provisions  
 15      for summary suspension of assistance for not more than  
 16      30 days, on an emergency basis, until notice and an oppor-  
 17      tunity to be heard can be provided.”.

18   **SEC. 116. NOTICE, HEARING, AND GRIEVANCE PROCE-**  
 19                           **DURES.**

20      (a) DECERTIFICATION OF POSITIONS.—Section  
 21      176(a) of the National and Community Service Act of  
 22      1990 (42 U.S.C. 12636(a)) is amended—

23           (1) in paragraph (1), by inserting “, or revoke  
 24      the designation of positions, related to the grant or

1 contract, as approved national service positions,” be-  
 2 fore “whenever the Commission”; and

3 ~~(2) in paragraph (2)(B), by inserting “or re-~~  
 4 ~~voked” after “terminated”.~~

5 ~~(b) CONSTRUCTION.—Section 176(e) of such Act (42~~  
 6 ~~U.S.C. 12636(e)) is amended by adding before the period~~  
 7 ~~the following “, other than assistance provided pursuant~~  
 8 ~~to this Act”.~~

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

11 ~~“(f) GRIEVANCE PROCEDURE.—~~

12 ~~“(1) IN GENERAL.—A State or local applicant~~  
 13 ~~that receives assistance under this title shall estab-~~  
 14 ~~lish and maintain a procedure for the filing and ad-~~  
 15 ~~judication of grievances from participants, labor or-~~  
 16 ~~ganizations, and other interested individuals con-~~  
 17 ~~cerning projects that receive assistance under this~~  
 18 ~~title, including grievances regarding proposed place-~~  
 19 ~~ments of such participants in such projects.~~

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

1           ~~“(3) DEADLINE FOR HEARING AND DEC-~~  
2           ~~ISION.—~~

3           ~~“(A) HEARING.—A hearing on any griev-~~  
4           ~~ance conducted under this subsection shall be~~  
5           ~~conducted not later than 30 days after the fil-~~  
6           ~~ing of such grievance.~~

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

10          ~~“(4) ARBITRATION.—~~

11          ~~“(A) IN GENERAL.—~~

12                 ~~“(i) JOINTLY SELECTED ARBITRA-~~  
13                 ~~TOR.—In the event of a decision on a~~  
14                 ~~grievance that is adverse to the party who~~  
15                 ~~filed such grievance, or 60 days after the~~  
16                 ~~filing of such grievance if no decision has~~  
17                 ~~been reached, such party shall be per-~~  
18                 ~~mitted to submit such grievance to binding~~  
19                 ~~arbitration before a qualified arbitrator~~  
20                 ~~who is jointly selected and independent of~~  
21                 ~~the interested parties.~~

22                 ~~“(ii) APPOINTED ARBITRATOR.—If~~  
23                 ~~the parties cannot agree on an arbitrator,~~  
24                 ~~the Chairperson shall appoint an arbitrator~~  
25                 ~~from a list of qualified arbitrators within~~

1           15 days after receiving a request for such  
2           appointment from one of the parties to the  
3           grievance.

4           “(B) DEADLINE FOR PROCEEDING.—An  
5           arbitration proceeding shall be held not later  
6           than 45 days after the request for such arbitra-  
7           tion proceeding, or, if the arbitrator is ap-  
8           pointed by the Chairperson in accordance with  
9           subparagraph (A)(ii), not later than 30 days  
10          after the appointment of such arbitrator.

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

15          “(D) COST.—

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

20                 “(ii) EXCEPTION.—If a participant,  
21                 labor organization, or other interested indi-  
22                 vidual described in paragraph (1) prevails  
23                 under a binding arbitration proceeding, the  
24                 State, local agency, public or private not-  
25                 for-profit organization, or partnership of

1           such agencies and organizations, that is a  
 2           party to such grievance shall pay the total  
 3           cost of such proceeding and the attorneys'  
 4           fees of such participant, labor organiza-  
 5           tion, or individual, as the case may be.

6           ~~“(5) PROPOSED PLACEMENT.—~~If a grievance is  
 7           filed regarding a proposed placement of a partici-  
 8           pant in a project that receives assistance under this  
 9           title, such placement shall not be made unless the  
 10          placement is consistent with the resolution of the  
 11          grievance pursuant to this subsection.

12          ~~“(6) REMEDIES.—~~Remedies for a grievance  
 13          filed under this subsection include—

14               ~~“(A) suspension of payments for assistance~~  
 15               under this title;

16               ~~“(B) termination of such payments;~~

17               ~~“(C) prohibition of the placement described~~  
 18               in paragraph (5); and

19               ~~“(D) in a case in which the grievance in-~~  
 20               volves a violation of subsection (a) or (b) of sec-  
 21               tion 177 and the employer of the displaced em-  
 22               ployee is the recipient of assistance under this  
 23               title—



1           “(i) reinstatement of the displaced  
2           employee to the position held by such em-  
3           ployee prior to displacement;

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

6           “(iii) reestablishment of other relevant  
7           terms, conditions, and privileges of employ-  
8           ment of the displaced employee; and

9           “(iv) such equitable relief as is nec-  
10          essary to correct any violation of sub-  
11          section (a) or (b) of section 177 or to  
12          make the displaced employee whole.

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

19   **SEC. 117. NONDISPLACEMENT.**

20          Section 177(b)(3) of the National and Community  
21   Service Act of 1990 (42 U.S.C. 12637(b)(3)) is amend-  
22   ed—

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

24               “(B) SUPPLANTATION OF HIRING.—A par-  
25          ticipant in any program receiving assistance

under this title shall not perform any services or duties, or engage in activities, that—

“(i) will supplant the hiring of employed workers; or

“(ii) are services, duties, or activities with respect to which an individual has recall rights pursuant to a collective bargaining agreement or applicable personnel procedures.”; and

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

“(iii) employee who—

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

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

**SEC. 118. EVALUATION.**

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

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking “this title” and inserting “the national service laws”; and

(B) in paragraph (2)—

1           (i) in the matter preceding subpara-  
 2           graph (A), by striking “for purposes of the  
 3           reports required by subsection (j),” and in-  
 4           serting “with respect to the programs au-  
 5           thorized under subtitle C”; and

6           (ii) in subparagraph (A), by striking  
 7           “older American volunteer programs” and  
 8           inserting “National Senior Volunteer  
 9           Corps programs”;

10       (2) in subsection (g)—

11           (A) in the matter preceding paragraph (1),  
 12           by striking “subtitle D” and inserting “subtitle  
 13           C”; and

14           (B) in paragraphs (3) and (9), by striking  
 15           “older American volunteer programs” and in-  
 16           serting “National Senior Volunteer Corps pro-  
 17           grams”; and

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

19   **SEC. 119. ENGAGEMENT OF PARTICIPANTS.**

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

1 **SEC. 120. CONTINGENT EXTENSION.**

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

5 **“SEC. 181. CONTINGENT EXTENSION.**

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

8 (b) 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 item  
11 relating to sections 181 of such Act and inserting the fol-  
12 lowing:

“Sec. 181. Contingent extension.”.

13 **SEC. 121. REPEALS.**

14 (a) IN GENERAL.—Subtitle F of title I of the Na-  
15 tional and Community Service Act of 1990 (42 U.S.C.  
16 12631 et seq.) is amended—

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

18 and

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

20 (b) TABLE OF CONTENTS.—Section 1(b) of the Na-  
21 tional and Community Service Act of 1990 (Public Law  
22 101–610; 104 Stat. 3127) is amended by striking the  
23 items relating to sections 183, 184, and 185 of such Act  
24 and inserting the following:

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

## 1           **TITLE II—ORGANIZATION**

### 2   ~~SEC. 201. STATE COMMISSIONS ON NATIONAL SERVICE.~~

3           ~~(a) COMPOSITION AND DUTIES OF STATE COMMISSIONS.—~~Subtitle F of title I of the National and Community Service Act of 1990 is amended by striking section  
4   ~~178 (42 U.S.C. 12638) and inserting the following new~~  
5   ~~section:~~

### 8   ~~“SEC. 178. STATE COMMISSIONS ON NATIONAL SERVICE.~~

9           ~~“(a) EXISTENCE REQUIRED.—~~

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

17           ~~“(2) ALTERNATIVE ADMINISTRATIVE ENTITY.—~~

18   ~~The chief executive officer of a State may apply to~~  
19   ~~the Corporation for approval to use an alternative~~  
20   ~~administrative entity to carry out the duties other-~~  
21   ~~wise entrusted to a State Commission under this~~  
22   ~~Act. The chief executive officer shall ensure that any~~  
23   ~~alternative administrative entity used in lieu of a~~  
24   ~~State Commission still provides for the individuals~~  
25   ~~described in paragraphs (1) and (2) of subsection (c)~~

1 to play a significant policy-making role in carrying  
 2 out the duties otherwise entrusted to a State Com-  
 3 mission, including the submission of applications on  
 4 behalf of the State under sections 117B and 130.

5 “(b) APPOINTMENT AND SIZE.—Except as provided  
 6 in subsection (c)(3), the members of a State Commission  
 7 for a State shall be appointed by the chief executive officer  
 8 of the State. A State Commission shall consist of not less  
 9 than 7 voting members and not more than 13 voting  
 10 members.

11 “(c) COMPOSITION AND MEMBERSHIP.—

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

16 “(A) A national service program, such as  
 17 a youth corps program, a service program for  
 18 school-age youth, and a program in which older  
 19 Americans are participants.

20 “(B) Local governments in the State.

21 “(C) Local labor organizations.

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

1           “(A) Representatives of community-based  
2 organizations.

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

5           “(C) Members selected from among edu-  
6 cators.

7           “(D) Members selected from among ex-  
8 perts in the delivery of human, educational, en-  
9 vironmental, or public safety services to commu-  
10 nities and persons.

11           “(E) Representatives of businesses and  
12 business groups.

13           “(3) CORPORATION REPRESENTATIVE.—The  
14 representative of the Corporation designated under  
15 section 195(b) for a State shall be a voting member  
16 of the State Commission for that State.

17           “(4) EX OFFICIO STATE REPRESENTATIVES.—  
18 The chief executive officer of a State may appoint as  
19 nonvoting ex officio members of the State Commis-  
20 sion for the State representatives selected from  
21 among officers and employees of State agencies op-  
22 erating community service, youth service, education,  
23 social service, senior service, and job training pro-  
24 grams.

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

8           ~~“(d) MISCELLANEOUS MATTERS.—~~

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

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

21          ~~“(3) VACANCIES.—~~As vacancies occur on a  
22          State Commission, new members shall be appointed  
23          by the chief executive of the State and serve for the  
24          remainder of the term for which the predecessor of  
25          such member was appointed. The vacancy shall not



1       affect the power of the remaining members to exe-  
2       cute the duties of the State Commission.

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

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

15          ~~“(e) DUTIES OF A STATE COMMISSION.—The State~~  
16      Commission for a State shall be responsible for the follow-  
17      ing duties:

18           ~~“(1) Preparation of a national service plan for~~  
19      the State that—

20           ~~“(A) covers a 3-year period;~~

21           ~~“(B) is updated annually; and~~

22           ~~“(C) contains such information as the~~  
23      State Commission considers to be appropriate  
24      or as the Corporation may require.

1           ~~“(2) Preparation of the applications of the~~  
2           ~~State under sections 117B and 130 for financial as-~~  
3           ~~sistance.~~

4           ~~“(3) Assistance in the preparation of the appli-~~  
5           ~~cation of the State educational agency for assistance~~  
6           ~~under section 113.~~

7           ~~“(4) Preparation of the application of the State~~  
8           ~~under section 130 for the approval of service posi-~~  
9           ~~tions that include the national service educational~~  
10          ~~award described in subtitle D.~~

11          ~~“(5) Assistance in the provision of health care~~  
12          ~~and child care benefits under section 140 to partici-~~  
13          ~~pants in national service programs that receive as-~~  
14          ~~sistance under section 121.~~

15          ~~“(6) Development of a State system for the re-~~  
16          ~~cruitment and placement of participants in national~~  
17          ~~service programs that receive assistance under sec-~~  
18          ~~tion 121 and dissemination of information concern-~~  
19          ~~ing national service programs that receive assistance~~  
20          ~~and approved national service positions.~~

21          ~~“(7) Administration of the grant program in~~  
22          ~~support of national service programs that is con-~~  
23          ~~ducted by the State using assistance provided to the~~  
24          ~~State under section 121, including selection, over-~~  
25          ~~sight, and evaluation of grant recipients.~~

1           ~~“(8) Development of projects, training methods,~~  
 2           ~~curriculum materials, and other materials and activi-~~  
 3           ~~ties related to national service programs that receive~~  
 4           ~~assistance directly from the Corporation or from the~~  
 5           ~~State using assistance provided under section 121.~~

6           ~~“(f) ACTIVITY INELIGIBLE FOR ASSISTANCE.—A~~  
 7           ~~State Commission may not directly carry out any national~~  
 8           ~~service program that receives assistance under section~~  
 9           ~~121.~~

10          ~~“(g) DELEGATION.—Subject to such requirements as~~  
 11          ~~the Corporation may prescribe, a State Commission may~~  
 12          ~~delegate nonpolicymaking duties to a State agency or pub-~~  
 13          ~~lie or private not-for-profit organization.~~

14          ~~“(h) APPROVAL OF STATE COMMISSION OR ALTER-~~  
 15          ~~NATIVE.—~~

16          ~~“(1) SUBMISSION TO CORPORATION.—The chief~~  
 17          ~~executive officer for a State shall notify the Corpora-~~  
 18          ~~tion of the establishment or designation of the State~~  
 19          ~~Commission for the State. The notification shall in-~~  
 20          ~~clude a description of—~~

21                 ~~“(A) the composition and membership of~~  
 22                 ~~the State Commission; and~~

23                 ~~“(B) the authority of the State Commis-~~  
 24                 ~~sion regarding national service activities carried~~  
 25                 ~~out by the State.~~

1           ~~“(2) APPROVAL OF ALTERNATIVE ADMINISTRA-~~  
2           ~~TIVE ENTITY.—Any use of an alternative adminis-~~  
3           ~~trative entity to carry out the duties of a State Com-~~  
4           ~~mission shall be subject to the approval of the Cor-~~  
5           ~~poration.~~

6           ~~“(3) REJECTION.—The Corporation may reject~~  
7           ~~a State Commission if the Corporation determines~~  
8           ~~that the composition, membership, or duties of the~~  
9           ~~State Commission do not comply with the require-~~  
10          ~~ments of this section. The Corporation shall reject a~~  
11          ~~request to use an alternative administrative entity in~~  
12          ~~lieu of a State Commission if the Corporation deter-~~  
13          ~~mines that use of the alternative administrative en-~~  
14          ~~tity does not allow the individuals described in para-~~  
15          ~~graphs (1) and (2) of subsection (c) to play a sig-~~  
16          ~~nificant policy-making role in carrying out the duties~~  
17          ~~otherwise entrusted to a State Commission. If the~~  
18          ~~Corporation rejects a State Commission or alter-~~  
19          ~~native administrative entity under this paragraph,~~  
20          ~~the Corporation shall promptly notify the State of~~  
21          ~~the reasons for the rejection.~~

22          ~~“(4) RESUBMISSION AND RECONSIDERATION.—~~  
23          ~~The Corporation shall provide a State notified under~~  
24          ~~paragraph (3) with a reasonable opportunity to re-~~  
25          ~~visе the rejected State Commission or alternative ad-~~

1       ministrative entity. At the request of the State, the  
 2       Corporation shall provide technical assistance to the  
 3       State as part of the revision process. The Corpora-  
 4       tion shall promptly reconsider any resubmission of a  
 5       notification under paragraph (1) or application to  
 6       use an alternative administrative entity under para-  
 7       graph (2).

8           “(5) SUBSEQUENT CHANGES.—This subsection  
 9       shall also apply to any change in the composition or  
 10      duties of a State Commission or an alternative ad-  
 11      ministrative entity made after approval of the State  
 12      Commission or the alternative administrative en-  
 13      tity.”.

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 178 and inserting the following new  
 18      item:

“Sec. 178. State Commissions on National Service.”.

19      (c) EFFECTIVE DATE.—The amendments made by  
 20      this section shall take effect on the date of the enactment  
 21      of this Act.

22      (d) TRANSITIONAL PROVISIONS.—

23           (1) USE OF ALTERNATIVES TO STATE COMMIS-  
 24      SION.—If a State does not have a State Commission  
 25      on National Service that satisfies the requirements

1 specified in section 178 of the National and Commu-  
 2 nity Services Act of 1990, as amended by subsection  
 3 (a), the Corporation for National Service may au-  
 4 thorize the chief executive of the State to use an ex-  
 5 isting agency of the State to perform the duties oth-  
 6 erwise reserved to a State Commission under sub-  
 7 section (e) of such section.

8 (2) APPLICATION OF SUBSECTION.—This sub-  
 9 section shall apply only during the 1-year period be-  
 10 ginning on the date of the enactment of this Act.

11 **SEC. 202. INTERIM AUTHORITIES OF THE CORPORATION**  
 12 **FOR NATIONAL SERVICE AND ACTION**  
 13 **AGENCY.**

14 (a) NATIONAL AND COMMUNITY SERVICE ACT OF  
 15 1990.—Subtitle G of title I of the National and Commu-  
 16 nity Service Act of 1990 (42 U.S.C. 12651) is amended  
 17 to read as follows:

18 **“Subtitle G—Corporation for**  
 19 **National Service**

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

21 “There is established a Corporation for National  
 22 Service that shall administer the programs established  
 23 under this Act. The Corporation shall be a Government  
 24 corporation, as defined in section 103 of title 5, United  
 25 States Code.

1 ~~“SEC. 192. BOARD OF DIRECTORS.~~

2 ~~“(a) COMPOSITION.—~~

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

6 ~~“(A) 11 members, including the Chair-~~  
7 ~~person appointed under section 193, to be ap-~~  
8 ~~pointed by the President, by and with the ad-~~  
9 ~~vice and consent of the Senate; and~~

10 ~~“(B) the ex officio members described in~~  
11 ~~paragraph (4).~~

12 ~~“(2) QUALIFICATIONS.—To the maximum ex-~~  
13 ~~tent practicable, the President shall appoint mem-~~  
14 ~~bers—~~

15 ~~“(A) who have extensive experience in vol-~~  
16 ~~unteer and service programs, including pro-~~  
17 ~~grams funded under one of the national service~~  
18 ~~laws, and in State government;~~

19 ~~“(B) who represent a broad range of view-~~  
20 ~~points;~~

21 ~~“(C) who are experts in the delivery of~~  
22 ~~human, educational, environmental, or public~~  
23 ~~safety services;~~

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

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

4           “(3) INITIAL MEMBERS.—No fewer than 8 of  
5           the members first appointed to the Board after the  
6           date of enactment of this section shall be appointed  
7           from among individuals who served on the Board of  
8           Directors of the Commission on National and Com-  
9           munity Service.

10          “(4) EX OFFICIO MEMBERS.—The Secretary of  
11          Education, the Secretary of Health and Human  
12          Services, the Secretary of Labor, the Secretary of  
13          the Interior, the Secretary of Agriculture, the Sec-  
14          retary of Housing and Urban Development, the Sec-  
15          retary of Defense, the Attorney General, the Direc-  
16          tor of the Peace Corps, and the Administrator of the  
17          Environmental Protection Agency shall serve as ex  
18          officio nonvoting members of the Board.

19          “(b) TERMS.—Each appointed member of the Board  
20          shall serve for a term of 3 years, except that 4 of the mem-  
21          bers first appointed to the Board after the date of enact-  
22          ment of this section shall serve for a term of 1 year and  
23          4 shall serve for a term of 2 years, as designated by the  
24          President.



1       “(c) VACANCIES.—As vacancies occur on the Board,  
 2 new members shall be appointed by the President, by and  
 3 with the advice and consent of the Senate, and serve for  
 4 the remainder of the term for which the predecessor of  
 5 such member was appointed. The vacancy shall not affect  
 6 the power of the remaining members to execute the duties  
 7 of the Board.

8       **“SEC. 192A. AUTHORITIES AND DUTIES OF THE BOARD OF**  
 9                               **DIRECTORS.**

10       “(a) MEETINGS.—The Board shall meet not less than  
 11 3 times each year. The Board shall hold additional meet-  
 12 ings if 6 members of the Board request such meetings in  
 13 writing.

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

16       “(c) OFFICERS.—

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

21               “(2) OTHER OFFICERS.—The Board may elect  
 22 from among its membership such additional officers  
 23 of the Board as the Board determines to be appro-  
 24 priate.

1       ~~“(d) INSPECTOR GENERAL OVERSIGHT COMMIT-~~  
 2 ~~TEE.—The Board shall establish an Inspector General~~  
 3 ~~oversight committee (referred to in this subtitle as the~~  
 4 ~~‘oversight committee’). Such committee shall be comprised~~  
 5 ~~of the Vice Chairperson and two members selected by the~~  
 6 ~~Vice Chairperson. The Chairperson shall not serve on the~~  
 7 ~~oversight committee.~~

8       ~~“(e) EXPENSES.—While away from their homes or~~  
 9 ~~regular places of business on the business of the Board,~~  
 10 ~~members of such Board shall be allowed travel expenses,~~  
 11 ~~including per diem in lieu of subsistence, at rates author-~~  
 12 ~~ized for employees of agencies under subchapter I of chap-~~  
 13 ~~ter 57 of title 5, United States Code, for persons employed~~  
 14 ~~intermittently in the Government service.~~

15       ~~“(f) SPECIAL GOVERNMENT EMPLOYEES.—For pur-~~  
 16 ~~poses of the provisions of chapter 11 of part I of title 18,~~  
 17 ~~United States Code, and any other provision of Federal~~  
 18 ~~law, a member of the Board (to whom such provisions~~  
 19 ~~would not otherwise apply except for this subsection) shall~~  
 20 ~~be a special Government employee.~~

21       ~~“(g) STATUS OF MEMBERS.—~~

22               ~~“(1) TORT CLAIMS.—For the purposes of the~~  
 23 ~~tort claims provisions of chapter 171 of title 28,~~  
 24 ~~United States Code, a member of the Board shall be~~  
 25 ~~considered to be a Federal employee.~~

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

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

15           “(A) to affect any other immunities and  
16      protections that may be available to such mem-  
17      ber under applicable law with respect to such  
18      transactions;

19           “(B) to affect any other right or remedy  
20      against the Corporation, against the United  
21      States under applicable law, or against any per-  
22      son other than a member of the Board partici-  
23      pating in such transactions; or

24           “(C) to limit or alter in any way the im-  
25      munities that are available under applicable law

1           for Federal officials and employees not de-  
2           scribed in this subsection.

3       ~~“(h) DUTIES.—The Board shall—~~

4           ~~“(1) make such grants and allotments, enter~~  
5           ~~into such contracts, award such other financial as-~~  
6           ~~sistance, make such payments (in lump sum or in-~~  
7           ~~stallments, and in advance or by way of reimburse-~~  
8           ~~ment, and in the case of financial assistance other-~~  
9           ~~wise authorized under this Act, with necessary ad-~~  
10          ~~justments on account of overpayments and under-~~  
11          ~~payments), and designate such positions as approved~~  
12          ~~national service positions as are necessary or appro-~~  
13          ~~priate to carry out this Act;~~

14          ~~“(2) prepare a strategic plan every 3 years, and~~  
15          ~~annual updates of the plan, for the Corporation with~~  
16          ~~respect to the grants, allotments, contracts, assist-~~  
17          ~~ance, and payments described in paragraph (1), and~~  
18          ~~with respect to such standards, policies, procedures,~~  
19          ~~programs, and initiatives as are necessary or appro-~~  
20          ~~priate to carry out this Act;~~

21          ~~“(3) make recommendations with respect to the~~  
22          ~~regulations established under section~~  
23          ~~195(a)(3)(B)(i);~~

24          ~~“(4)(A) review the actions of the Chairperson~~  
25          ~~with respect to the personnel of the Corporation,~~

1 and with respect to the standards, policies, proce-  
2 dures, programs, and initiatives; and

3 “(B) inform the Chairperson of any aspects of  
4 the actions of the Chairperson that are not in com-  
5 pliance with the annual strategic plan described in  
6 paragraph (2) or the recommendations described in  
7 paragraph (3), or are not consistent with the objec-  
8 tives of this Act;

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

11 “(6) arrange for the evaluation of programs es-  
12 tablished under this Act, in accordance with section  
13 179;

14 “(7) provide for research with respect to na-  
15 tional and community service programs, including  
16 service-learning programs;

17 “(8) advise the President and the Congress con-  
18 cerning developments in national and community  
19 service that merit the attention of the President and  
20 the Congress;

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

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

1       “(i) ~~ADMINISTRATION.~~—The Federal Advisory Com-  
 2       mittee Act (5 U.S.C. App.) shall not apply with respect  
 3       to the Board.

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

5       “(a) ~~APPOINTMENT.~~—The Corporation shall be head-  
 6       ed by an individual who shall serve as Chairperson of the  
 7       Board and as Director of the Corporation, and who shall  
 8       be appointed by the President, by and with the advice and  
 9       consent of the Senate.

10       “(b) ~~COMPENSATION.~~—The Chairperson shall be  
 11       compensated at the rate provided for level III of the Exec-  
 12       utive Schedule under section 5314 of title 5, United States  
 13       Code.

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

17       **“SEC. 193A. AUTHORITIES AND DUTIES OF THE CHAIR-**  
 18       **PERSON.**

19       “(a) ~~GENERAL POWERS AND DUTIES.~~—The Chair-  
 20       person shall be responsible for the exercise of the powers  
 21       and the discharge of the duties of the Corporation that  
 22       are not reserved to the Board, and shall have authority  
 23       and control over all personnel of the Corporation.

1       “(b) DUTIES.—In addition to the duties conferred on  
2 the Chairperson under any other provision of this Act, the  
3 Chairperson shall—

4           “(1) submit a proposal to the Board regarding,  
5 and establish, such standards, policies, and proce-  
6 dures, as are necessary or appropriate to carry out  
7 this Act;

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

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

14           “(4) on the recommendation of the Board, sus-  
15 pend or terminate payments and positions described  
16 in section 192A(h)(1), in accordance with section  
17 176;

18           “(5) prepare and submit to the Board an an-  
19 nual report, and such interim reports as may be nec-  
20 essary, describing the major actions of the Chair-  
21 person with respect to the personnel of the Corpora-  
22 tion, and with respect to such standards, policies,  
23 procedures, programs, and initiatives;

24           “(6) notify, and provide an explanation to, the  
25 Board regarding any substantial differences between

1 the actions of the Chairperson and the strategic plan  
2 described in section 192A(h)(2); and

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

6 “(A) the services referred to in paragraph  
7 (1), and the money and property referred to in  
8 paragraph (2), of section 196(a) that have been  
9 accepted by the Corporation; and

10 “(B) the manner in which the Corporation  
11 used or disposed of such services, money, and  
12 property.

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

16 “(1) establish, alter, consolidate, or discontinue  
17 such organizational units or components within the  
18 Corporation as the Chairperson considers necessary  
19 or appropriate;

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

21 “(A) arrange with and reimburse the heads  
22 of other Federal agencies for the performance  
23 of any of the provisions of this Act; and

24 “(B) as necessary or appropriate—



1           “(i) delegate any of the functions of  
2           the Chairperson under this Act, or, with  
3           the permission of the Board, any of the  
4           functions of the Board under this Act, to  
5           such heads of Federal agencies; and

6           “(ii) authorize the redelegation of  
7           such functions;

8           subject to provisions to assure the maximum  
9           possible liaison between the Corporation and  
10          such other agencies at all operating levels;

11          “(3) with their consent, utilize the services and  
12          facilities of Federal agencies with or without reim-  
13          bursement, and, with the consent of any State, or  
14          political subdivision of a State, accept and utilize the  
15          services and facilities of the agencies of such State  
16          or subdivisions without reimbursement;

17          “(4) allocate and expend, or transfer to other  
18          Federal agencies for expenditure, funds made avail-  
19          able under this Act, including expenditure for con-  
20          struction, repairs, and capital improvements;

21          “(5) disseminate, without regard to the provi-  
22          sions of section 3204 of title 39, United States  
23          Code, data and information, in such form as the  
24          Chairperson shall determine to be appropriate to

1 public agencies, private organizations, and the gen-  
2 eral public;

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

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

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

20 “(9) exercise the authorities of the Corporation  
21 under section 196; and

22 “(10) generally perform such functions and  
23 take such steps consistent with the objectives and  
24 provisions of this Act, as the Chairperson determines

1 to be necessary or appropriate to carry out such pro-  
 2 visions.

3 ~~“(d) DELEGATION.—~~

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

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

17 ~~“(3) FUNCTION OF BOARD.—The Chairperson~~  
 18 ~~may not delegate a function of the Board without~~  
 19 ~~the permission of the Board.~~

20 ~~“(e) ACTIONS.—In an action described in subsection~~  
 21 ~~(c)(8)—~~

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

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

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

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

14   **~~“SEC. 194. OFFICERS.~~**

15           ~~“(a) MANAGING DIRECTORS.—~~

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

20           ~~“(2) COMPENSATION.—The Managing Direc-~~  
 21           ~~tors shall be compensated at the rate provided for~~  
 22           ~~level IV of the Executive Schedule under section~~  
 23           ~~5315 of title 5, United States Code.~~

24           ~~“(3) DUTIES.—~~

1           ~~“(A) FEDERAL PROGRAMS.—One of the~~  
2           Managing Directors shall be primarily respon-  
3           sible for the Federal programs carried out by  
4           the Corporation.

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

9           ~~“(b) INSPECTOR GENERAL.—~~

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

12          ~~“(2) APPOINTMENT.—~~

13          ~~“(A) IN GENERAL.—The Office shall be~~  
14          headed by an Inspector General, appointed by  
15          the President, by and with the consent of the  
16          Senate.

17          ~~“(B) REPORTING.—The Inspector General~~  
18          shall report directly to the oversight committee.

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

23          ~~“(4) DUTIES.—~~

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

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

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

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

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

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

23          “(iii) the Inspector General shall be  
 24          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                   “(H) 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, device, bequest, or~~  
22          ~~otherwise (pursuant to paragraph (2)) will not re-~~  
23          ~~fect 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      ercised 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 (c).~~

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) by striking “University Year for ACTION”  
each place that such term appears in such part and  
inserting “University Year for VISTA”;

(3) by striking “UYA” each place that such  
term appears in such part and inserting “UYV”;  
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".

(b) SPECIAL CONDITIONS.—Section 113(a) (42 U.S.C. 4973(a)) is amended—

(1) by striking “of not less than the duration  
of an academic year” and inserting “of not less than  
the duration of an academic semester or its equiva-  
lent”; and

(2) by adding at the end the following new sentence: “Volunteers may receive a living allowance and such other support or allowances as the Director 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.

**CHAPTER 2—NATIONAL SENIOR  
VOLUNTEER CORPS**

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

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

**“TITLE II—NATIONAL SENIOR  
VOLUNTEER CORPS”**

(b) REFERENCES.—

(1) Section 200(1) (42 U.S.C. 5000(1)) is amended by striking “Older America Volunteer Programs” and inserting “National Senior Volunteer Corps”.

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

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

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

(B) by striking “volunteer projects for Older Americans” and inserting “National Senior 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    H 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)”;

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)”;~~ and

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)”;

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           H;

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

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

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

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

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

16           (A) in paragraph (1)—

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

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

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

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

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

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

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

15 (B) in subsection (a)—

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

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

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

25 (C) in subsection (b)—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

9       (a) CHAIRPERSON.—

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

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

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

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

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

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

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

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

9 (a) *SHORT TITLE.*—This Act may be cited as the “Na-  
10 tional and Community Service Trust Act of 1993”.

11 (b) *TABLE OF CONTENTS.*—The table of contents is as  
12 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. Audits.*

*Sec. 122. Repeals.*

*TITLE II—ORGANIZATION*

*Sec. 201. State Commissions on National and Community Service.*



- Sec. 202. Interim authorities of the Corporation for National and Community Service and ACTION Agency.*
- Sec. 203. Final authorities of the Corporation for National and Community 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.*

*Subtitle C—Youth Conservation Corps Act of 1970*

*Sec. 399. Public Lands Corps.*

*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 Com-  
3 munity Service Act of 1990 (42 U.S.C. 12501) is amended  
4 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 respon-  
11 sibilities and shared values, and join together in posi-  
12 tive experiences, that transcend race, religion, gender,  
13 age, disability, region, income, and education.

1           “(3) *The rising costs of postsecondary education*  
2           *are putting higher education out of reach for an in-*  
3           *creasing number of citizens.*

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

7           “(5) *Nonprofit organizations, local governments,*  
8           *States, and the Federal Government are already sup-*  
9           *porting a wide variety of national service programs*  
10          *that deliver needed services in a cost-effective manner.*

11          “(6) *Residents of low-income communities, espe-*  
12          *cially youth and young adults, can be empowered*  
13          *through their service, and can help provide future*  
14          *community leadership.*

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

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

19               “(2) *renew the ethic of civic responsibility and*  
20               *the spirit of community throughout the United States;*

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

1           “(4) encourage citizens of the United States, re-  
2           gardless of race, religion, gender, age, disability, re-  
3           gion, income, or education, to engage in full-time or  
4           part-time national service;

5           “(5) reinvent government to eliminate duplica-  
6           tion in national service programs, support locally es-  
7           tablished service initiatives, encourage private sector  
8           investment and involvement in national service pro-  
9           grams, and require measurable goals for performance  
10          in such programs and offer flexibility in meeting  
11          those goals;

12          “(6) empower residents of low-income commu-  
13          nities, especially youth and young adults, through  
14          their service, and help provide future community  
15          leadership;

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

20          “(8) provide tangible benefits to the communities  
21          in which national service is performed;

22          “(9) build ties among Americans that transcend  
23          race, religion, gender, age, disability, region, income,  
24          and education;

1           “(10) encourage educational reform by introduc-  
 2           ing service-learning into curricula in elementary  
 3           schools, secondary schools, and institutions of higher  
 4           education; and

5           “(11) enable service participants to gain per-  
 6           sonal, academic, and occupational skills through serv-  
 7           ice-learning experiences.”.

8           (b) *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 item  
 11          relating to section 2 and inserting the following new item:  
           “Sec. 2. Findings and purpose.”.

12                   ***TITLE I—PROGRAMS AND***  
 13                   ***RELATED PROVISIONS***  
 14                   ***Subtitle A—Programs***

15          ***SEC. 101. FEDERAL INVESTMENT IN SUPPORT OF NATIONAL***  
 16                   ***SERVICE.***

17           (a) *ASSISTANCE PROGRAM AUTHORIZED.*—Subtitle C  
 18          of title I of the National and Community Service Act of  
 19          1990 (42 U.S.C. 12541 et seq.) is amended to read as fol-  
 20          lows:

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

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

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

6            “(a) *PROVISION OF ASSISTANCE.*—The Corporation  
 7    for National and Community Service may make grants to  
 8    States, subdivisions of States, Indian tribes, public and pri-  
 9    vate not-for-profit organizations (including labor organiza-  
 10   tions and community action agencies), and institutions of  
 11   higher education for the purpose of assisting the recipients  
 12   of the grants by paying for the Federal share of—

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

16           “(2) making grants in support of other national  
 17    service programs described in section 122(a) that are  
 18    carried out by other entities.

19           “(b) *AGREEMENTS WITH FEDERAL AGENCIES.*—

20           “(1) *IN GENERAL.*—The Corporation may enter  
 21    into a contract or cooperative agreement with another  
 22    Federal agency to support a national service program  
 23    carried out by the agency. The support provided by  
 24    the Corporation pursuant to the contract or coopera-  
 25    tive agreement may include the transfer to the Fed-

1        *eral agency of funds available to the Corporation*  
2        *under this subtitle.*

3            “(2) *NONDUPLICATION.*—*A Federal agency that*  
4        *enters into a contract or cooperative agreement under*  
5        *paragraph (1) to support a national service program*  
6        *within a State—*

7            “(A) *shall consult with the State Commis-*  
8        *sion serving the State to avoid duplication with*  
9        *any service program that is in existence in the*  
10       *State as of the date of the contract or cooperative*  
11       *agreement; and*

12           “(B) *shall, in an appropriate case, enter*  
13       *into a contract or cooperative agreement with an*  
14       *entity that is carrying out a service program de-*  
15       *scribed in subparagraph (A) that is of high qual-*  
16       *ity, in order to support the national service pro-*  
17       *gram.*

18           “(3) *APPLICATION OF REQUIREMENTS.*—*A Fed-*  
19       *eral agency receiving assistance under this subsection*  
20       *shall comply with the Federal share requirements of*  
21       *section 129(d)(2)(B). The supplementation require-*  
22       *ments specified in section 173 shall apply with re-*  
23       *spect to the Federal national service programs sup-*  
24       *ported with such assistance.*

1       “(c) *PROVISION OF APPROVED NATIONAL SERVICE PO-*  
2       *SITIONS.*—As part of the provision of assistance under sub-  
3       sections (a) and (b), the Corporation shall—

4               “(1) *approve the provision of national service*  
5       *educational awards described in subtitle D for the*  
6       *participants who serve in national service programs*  
7       *carried out using such assistance; and*

8               “(2) *deposit in the National Service Trust estab-*  
9       *lished in section 145(a) an amount equal to the prod-*  
10       *uct of—*

11               “(A) *the value of a national service edu-*  
12       *cational award under section 147; and*

13               “(B) *the total number of approved national*  
14       *service positions to be provided.*

15       “(d) *FIVE PERCENT LIMITATION ON ADMINISTRATIVE*  
16       *COSTS.*—

17               “(1) *LIMITATION.*—Not more than 5 percent of  
18       *the amount of assistance provided to the original re-*  
19       *recipient of a grant or transfer of assistance under sub-*  
20       *section (a) or (b) for a fiscal year may be used to pay*  
21       *for administrative costs (including indirect costs) in-*  
22       *curring by—*

23               “(A) *the recipient of the assistance; and*

24               “(B) *national service programs carried out*  
25       *or supported with the assistance.*



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

3                     “(A) *assistance provided under subsection*  
4                     *(a) or (b) may be used to cover administrative*  
5                     *costs; and*

6                     “(B) *that portion of the assistance available*  
7                     *to cover administrative costs should be distrib-*  
8                     *uted between—*

9                             “(i) *the original recipient of the grant*  
10                            *or transfer of assistance under such sub-*  
11                            *section; and*

12                           “(ii) *national service programs carried*  
13                            *out or supported with the assistance.*

14           “(e) *MATCHING FUNDS REQUIREMENTS.*—

15                     “(1) *REQUIREMENTS.*—*Except as provided in*  
16                     *sections 129(d)(2)(B) and 140, the Federal share of*  
17                     *the cost of carrying out a national service program*  
18                     *that receives the assistance under subsection (a),*  
19                     *whether the assistance is provided directly or as a*  
20                     *subgrant from the original recipient of the assistance,*  
21                     *may not exceed 75 percent of such cost.*

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

1           “(A) shall provide for such share through a  
 2           payment in cash or in kind, fairly evaluated, in-  
 3           cluding facilities, equipment, or services; and

4           “(B) may provide for such share through  
 5           State sources, local sources, or other Federal  
 6           sources (other than the use of funds made avail-  
 7           able under the national service laws).

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

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

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

1           “(1) A community corps program that meets  
2           unmet human, educational, environmental, or public  
3           safety needs and promotes greater community unity  
4           through the use of organized teams of participants of  
5           varied social and economic backgrounds, skill levels,  
6           capabilities, ages, ethnic backgrounds, or genders.

7           “(2) A full-time youth corps program, carried  
8           out during the summer or throughout the full cal-  
9           endar year, such as a conservation corps or youth  
10          service corps (including a conservation corps or youth  
11          service corps that performs service on Federal or other  
12          public lands or on Indian lands), that—

13               “(A) undertakes meaningful service projects  
14               with visible benefits to a community, including  
15               natural resource, urban renovation, rural devel-  
16               opment, or human services projects;

17               “(B) includes as participants youths and  
18               young adults between the ages of 16 and 25, in-  
19               clusive, including out-of-school youths, other eco-  
20               nomically disadvantaged youths, and individuals  
21               with disabilities, who are between those ages; and

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

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

1           *education, career guidance and counseling,*  
2           *employment training, and support services;*  
3           *and*

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

7           “(3) *A program that provides specialized train-*  
8           *ing to individuals in service-learning and places the*  
9           *individuals after such training in positions, includ-*  
10          *ing positions as service-learning coordinators, to fa-*  
11          *cilitate service-learning in programs eligible for fund-*  
12          *ing under part I subtitle B.*

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

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

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

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

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

8                   “(A) *students who are attending an institu-*  
9                   *tion of higher education, including students par-*  
10                  *ticipating in a work-study program assisted*  
11                  *under part C of title IV of the Higher Education*  
12                  *Act of 1965 (42 U.S.C. 2751 et seq.);*

13                  “(B) *teams composed of such students; or*

14                  “(C) *teams composed of a combination of*  
15                  *such students and community residents.*

16           “(7) *A preprofessional training program in*  
17           *which students enrolled in an institution of higher*  
18           *education—*

19                   “(A) *receive training in specified fields,*  
20                   *which may include classes containing service-*  
21                   *learning;*

22                   “(B) *perform service related to such train-*  
23                   *ing outside the classroom during the school term*  
24                   *and during summer or other vacation periods;*  
25                   *and*

1           “(C) agree to provide service upon gradua-  
2           tion to meet unmet human, educational, environ-  
3           mental, or public safety needs related to such  
4           training.

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

7                 “(A) as teachers, nurses and other health  
8                 care providers, police officers, early childhood de-  
9                 velopment staff, or other professionals providing  
10                service to meet educational, human, environ-  
11                mental, or public safety needs in communities  
12                with an inadequate number of such professionals;

13               “(B) that may include a salary in excess of  
14                the maximum living allowance authorized in  
15                subsection (a)(3) of section 140, as provided in  
16                subsection (c) of such section; and

17               “(C) that are sponsored by public or private  
18                not-for-profit employers who agree to pay 100  
19                percent of the salaries and benefits (other than  
20                any national service educational award under  
21                subtitle D) of the participants.

22           “(9) A program in which economically disadvan-  
23           taged individuals who are between the ages of 16 and  
24           24 years of age, inclusive, are provided with opportu-  
25           nities to perform service that, while enabling such in-

1        *dividuals to obtain the education and employment*  
 2        *skills necessary to achieve economic self-sufficiency,*  
 3        *will help their communities meet—*

4                *“(A) the housing needs of low-income fami-*  
 5                *lies and the homeless; and*

6                *“(B) the need for community facilities in*  
 7                *low-income areas.*

8                *“(10) A national service entrepreneur program*  
 9        *that identifies, recruits, and trains gifted young*  
 10        *adults of all backgrounds and assists such adults in*  
 11        *designing solutions to community problems.*

12                *“(11) An intergenerational program that com-*  
 13        *bines students, out-of-school youths, and older adults*  
 14        *as participants to provide needed community services,*  
 15        *including an intergenerational component of a na-*  
 16        *tional service program described in any of para-*  
 17        *graphs (1) through (10), or in paragraph (12) or*  
 18        *(13).*

19                *“(12) A program, to be known as a ‘Communi-*  
 20        *ties in Action program’, carried out by not-for-prof-*  
 21        *it organizations, including community action agen-*  
 22        *cies or combinations of such agencies, to provide op-*  
 23        *portunities for individuals or teams of individuals to*  
 24        *engage in local community projects that meet impor-*  
 25        *tant unaddressed community and individual needs in*

1     *low-income areas served by such a not-for-profit orga-*  
 2     *nization, including service projects to meet the*  
 3     *unaddressed needs of economically disadvantaged*  
 4     *youth age 18 and younger (including providing safe*  
 5     *locations for after-school programs that provide op-*  
 6     *portunities for learning and recreation).*

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

11    *“(b) QUALIFICATION CRITERIA TO DETERMINE ELIGI-*  
 12    *BILITY.—*

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 national*  
 18    *service program eligible to receive assistance or ap-*  
 19    *proved national service positions under this subtitle.*

20            *“(2) CONSULTATION.—In establishing qualifica-*  
 21    *tion criteria under paragraph (1), the Corporation*  
 22    *shall consult with organizations and individuals that*  
 23    *have extensive experience in developing and admin-*  
 24    *istering effective national service programs.*



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

7           “(4) *ENCOURAGEMENT OF INTERGENERATIONAL*  
8           *COMPONENTS OF PROGRAMS.*—The Corporation shall  
9           encourage national service programs eligible to receive  
10          assistance or approved national service positions  
11          under this subtitle to establish, if consistent with the  
12          purposes of the program, an intergenerational compo-  
13          nent of the program that combines students, out-of-  
14          school youths, and older adults as participants to pro-  
15          vide services to address unmet human, education, en-  
16          vironmental, or public safety needs.

17          “(c) *NATIONAL SERVICE PRIORITIES.*—

18                 “(1) *ESTABLISHMENT BY CORPORATION.*—In  
19                 order to concentrate national efforts on meeting cer-  
20                 tain unmet human, educational, environmental, or  
21                 public safety needs and to achieve the other purposes  
22                 of this Act, the Corporation, after consultation with  
23                 the State Commissions, may establish, and periodi-  
24                 cally alter, priorities regarding the types of national

1     *service programs to be assisted under section 121 and*  
2     *the purposes for which such assistance may be used.*

3         “(2) NOTICE TO APPLICANTS.—

4             “(A) IN GENERAL.—The Corporation shall  
5     *provide to potential applicants advance notice of*  
6     *any national service priorities to be in effect*  
7     *under this subsection for a fiscal year.*

8             “(B) CONTENTS.—The notice shall specifi-  
9     *cally include—*

10                 “(i) *a description of any alteration*  
11                 *made in the priorities since the previous no-*  
12                 *tice; and*

13                 “(ii) *a description of the national serv-*  
14                 *ice programs that are designated by the*  
15                 *Corporation under section 133(d)(2) as eli-*  
16                 *gible for priority consideration in the next*  
17                 *competitive distribution of assistance under*  
18                 *section 121(a).*

19             “(C) REGULATIONS.—The Corporation shall  
20     *by regulation establish procedures to ensure the*  
21     *equitable treatment of national service programs*  
22     *that—*

23                 “(i) *receive funding under this subtitle*  
24                 *for multiple years; and*

1                   “(ii) would be adversely affected by an-  
 2                   nual revisions in such national service pri-  
 3                   orities.

4                   “(3) *APPLICATION TO SUBGRANTS.*—Any recipi-  
 5                   ent of funds under section 121(a) that uses any por-  
 6                   tion of the assistance to conduct a grant program to  
 7                   support other national service programs shall, in con-  
 8                   ducting such a grant program, make reasonable ef-  
 9                   forts to use any national service priorities established  
 10                  by the Corporation under this subsection.

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

14                  “The Corporation may approve of any of the following  
 15   service positions as an approved national service position  
 16   that includes the national service educational award de-  
 17   scribed in subtitle D as one of the benefits to be provided  
 18   for successful service in the position:

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

23                  “(2) A position for a participant in a program  
 24   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 (including a  
4           community action agency), an institution of  
5           higher education, or a Federal agency; and

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

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

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

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

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

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

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

2       “(a) *PLANNING ASSISTANCE.*—The Corporation may  
3   provide assistance under section 121 to a qualified appli-  
4   cant that submits an application under section 130 for the  
5   planning of a national service program. Assistance pro-  
6   vided in accordance with this subsection may cover a period  
7   of not more than 1 year.

8       “(b) *OPERATIONAL ASSISTANCE.*—The Corporation  
9   may provide assistance under section 121 to a qualified ap-  
10   plicant that submits an application under section 130 for  
11   the establishment, operation, or expansion of a national  
12   service program. Assistance provided in accordance with  
13   this subsection may cover a period of not more than 3 years,  
14   but may be renewed by the Corporation upon consideration  
15   of a new application under section 130.

16       “(c) *REPLICATION ASSISTANCE.*—The Corporation  
17   may provide assistance under section 121 to a qualified ap-  
18   plicant that submits an application under section 130 for  
19   the expansion of a proven national service program to an-  
20   other geographical location. Assistance provided in accord-  
21   ance with this subsection may cover a period of not more  
22   than 3 years, but may be renewed by the Corporation upon  
23   consideration of a new application under section 130.

24       “(d) *APPLICATION TO SUBGRANTS.*—The requirements  
25   of this section shall apply to any State or other applicant  
26   receiving assistance under section 121 that proposes to con-

1 duct a grant program using the assistance to support other  
2 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 train-  
6 ing 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, edu-*  
9 *cational, environmental, or public safety needs in*  
10 *communities—*

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

12 “(B) *where programs do not exist, or are*  
13 *too limited to meet community needs, as of the*  
14 *date on which the Corporation makes the grant*  
15 *or enters into the contract;*

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

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

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

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

1       “(b) *TECHNICAL ASSISTANCE.*—*The Corporation shall,*  
 2 *where necessary, make appropriate technical assistance*  
 3 *available to States, Indian tribes, labor organizations, orga-*  
 4 *nizations operated by young adults, organizations serving*  
 5 *economically disadvantaged individuals, and other entities*  
 6 *described in section 121 that desire—*

7               “(1) *to develop national service programs; or*

8               “(2) *to apply for assistance under such section*  
 9 *or under a grant program conducted using assistance*  
 10 *provided under such section.*

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

12       “(a) *SUPPORT FOR STATE COMMISSIONS.*—

13               “(1) *ASSISTANCE AUTHORIZED.*—*The Corpora-*  
 14 *tion may make assistance available to assist a State*  
 15 *to establish or operate the State Commission on Na-*  
 16 *tional and Community Service required to be estab-*  
 17 *lished by the State under section 178.*

18               “(2) *AMOUNT OF ASSISTANCE.*—*The amount of*  
 19 *assistance that may be provided to a State Commis-*  
 20 *sion under this subsection, together with other Federal*  
 21 *funds available to establish or operate the State Com-*  
 22 *mission, may not exceed—*

23                       “(A) *85 percent of the total cost to establish*  
 24 *or operate the State Commission for the first*

1       year for which the State Commission receives as-  
2       sistance under this subsection; and

3               “(B) such smaller percentage of such cost as  
4       the Corporation may establish for the second,  
5       third, and fourth years of such assistance in  
6       order to ensure that the Federal share does not  
7       exceed 50 percent of such costs for the fifth year,  
8       and any subsequent year, for which the State  
9       Commission receives assistance under this sub-  
10      section.

11      “(b) *DISASTER SERVICE*.—The Corporation may un-  
12     dertake activities, including activities carried out through  
13     part A of title I of the Domestic Volunteer Service Act of  
14     1973, to involve in disaster relief efforts youth corps pro-  
15     grams described in section 122(a)(2) and other programs  
16     that receive assistance under the national service laws.

17      “(c) *CHALLENGE GRANTS FOR NATIONAL SERVICE*  
18     *PROGRAMS*.—

19             “(1) *ASSISTANCE AUTHORIZED*.—

20               “(A) *IN GENERAL*.—The Corporation may  
21       make challenge grants under this subsection to  
22       national service programs that receive assistance  
23       under section 121.

24               “(B) *CRITERIA*.—The Corporation shall de-  
25       velop criteria for the selection of recipients of



1        *such challenge grants, so as to make the grants*  
 2        *widely available to a variety of programs that—*

3                *“(i) are high-quality national service*  
 4                *programs; and*

5                *“(ii) are carried out by entities with*  
 6                *demonstrated experience in establishing and*  
 7                *implementing projects that provide benefits*  
 8                *to participants and communities.*

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

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

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

24        *“(a) ALLOTMENTS OF ASSISTANCE AND APPROVED PO-*  
 25        *SITIONS TO STATES AND INDIAN TRIBES.—*

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

18           “(2) ONE PERCENT ALLOTMENT OF ASSIST-  
19      ANCE.—Of the funds allocated by the Corporation for  
20      provision of assistance under subsections (a) and (b)  
21      of section 121 for a fiscal year, the Corporation shall  
22      reserve 1 percent of the allocated funds for grants  
23      under section 121(a) to Indian tribes, the Virgin Is-  
24      lands, Guam, American Samoa, and the Common-  
25      wealth of the Northern Mariana Islands, to be allotted

1     *by the Corporation on a competitive basis in accord-*  
 2     *ance with their respective needs. Palau shall also be*  
 3     *eligible for a grant under this paragraph from the 1*  
 4     *percent allotment until such time as the Compact of*  
 5     *Free Association with Palau is ratified.*

6             “(3) *EFFECT OF FAILURE TO APPLY.—If a State*  
 7     *or Indian tribe fails to apply for, or fails to give no-*  
 8     *tice to the Corporation of its intent to apply for, an*  
 9     *allotment under this subsection, the Corporation shall*  
 10    *use the amount that would have been allotted under*  
 11    *this subsection to the State or Indian tribe—*

12            “(A) *to make grants (and provide approved*  
 13    *national service positions in connection with*  
 14    *such grants) to other eligible entities under sec-*  
 15    *tion 121 that propose to carry out national serv-*  
 16    *ice programs in the State or on behalf of the In-*  
 17    *dian tribe; and*

18            “(B) *after making grants under paragraph*  
 19    *(1), to make a reallocation to other States and*  
 20    *Indian tribes with approved applications under*  
 21    *section 130.*

22            “(b) *RESERVATION OF APPROVED POSITIONS.—*

23            “(1) *NUMBER RESERVED.—Except as provided*  
 24    *in paragraph (2), the Corporation shall ensure that*  
 25    *each individual selected during a fiscal year for as-*

1        *signment as a VISTA volunteer under title I of the*  
 2        *Domestic Volunteer Service Act of 1973 (42 U.S.C.*  
 3        *4951 et seq.) or as a participant in the Civilian Com-*  
 4        *munity Corps Demonstration Program under subtitle*  
 5        *E shall receive the national service educational award*  
 6        *described in subtitle D if the individual satisfies the*  
 7        *eligibility requirements for the award. Funds for ap-*  
 8        *proved national service positions required by this*  
 9        *paragraph for a fiscal year shall be deducted from the*  
 10       *total funding for approved national service positions*  
 11       *to be available for distribution under subsections (a)*  
 12       *and (d) for that fiscal year.*

13        “(2) *TRANSITION.*—*The Corporation shall deter-*  
 14       *mine an equitable procedure for providing post-serv-*  
 15       *ice educational awards to individuals who are selected*  
 16       *for assignment as described in paragraph (1) after the*  
 17       *date of enactment of this subtitle and before the effec-*  
 18       *tive date of section 203(c)(2) of the National and*  
 19       *Community Service Trust Act of 1993.*

20        “(c) *RESERVATION FOR SPECIAL ASSISTANCE.*—*Sub-*  
 21       *ject to section 501(a)(1), of the funds allocated by the Cor-*  
 22       *poration for provision of assistance under subsections (a)*  
 23       *and (b) of section 121 for a fiscal year, the Corporation*  
 24       *may reserve such amount as the Corporation considers to*  
 25       *be appropriate for the purpose of making assistance avail-*

1 *able under sections 125 and 126. The Corporation may not*  
 2 *reserve more than \$10,000,000 for a fiscal year for challenge*  
 3 *grants under section 126(c).*

4 “(d) *COMPETITIVE DISTRIBUTION OF REMAINING*  
 5 *FUNDS AND APPROVED POSITIONS.*—

6 “(1) *STATE COMPETITION.*—*Of the funds allo-*  
 7 *cated by the Corporation for provision of assistance*  
 8 *under subsections (a) and (b) of section 121 for a fis-*  
 9 *cal year, the Corporation shall use not less than 33<sup>1</sup>/<sub>3</sub>*  
 10 *percent of the allocated funds to make grants to States*  
 11 *(through the State Commissions) on a competitive*  
 12 *basis under section 121(a).*

13 “(2) *FEDERAL AGENCIES AND OTHER APPLI-*  
 14 *CANTS.*—

15 “(A) *IN GENERAL.*—*The Corporation shall*  
 16 *distribute on a competitive basis to subdivisions*  
 17 *of States (through the State Commissions), In-*  
 18 *dian tribes, public and private not-for-profit or-*  
 19 *ganizations (including labor organizations and*  
 20 *community action agencies), institutions of high-*  
 21 *er education, and Federal agencies the remainder*  
 22 *of the funds allocated by the Corporation for pro-*  
 23 *vision of assistance under section 121 for a fiscal*  
 24 *year, after operation of paragraph (1) and sub-*  
 25 *sections (a) and (c).*

1           “(B) *FEDERAL SHARE*.—Notwithstanding  
2           *section 121(e)*, if a Federal agency proposes to  
3           *carry out a national service program using*  
4           *funds made available under subparagraph (A)*,  
5           *and the Federal agency is authorized to use*  
6           *funds made available under Federal law (other*  
7           *than the national service laws) to carry out such*  
8           *a program, the Federal share attributable to this*  
9           *paragraph of the cost of carrying out the na-*  
10          *tional service program shall be 50 percent of*  
11          *such cost. The President may by regulation*  
12          *specify the sources that may be used by the Fed-*  
13          *eral agency to provide for the remaining share of*  
14          *such cost.*

15          “(C) *FEDERAL AGENCIES*.—The Corpora-  
16          *tion may not distribute more than 30 percent of*  
17          *such remainder to Federal agencies for a fiscal*  
18          *year under subparagraph (A).*

19          “(D) *LIMITATIONS*.—The Corporation may  
20          *limit the categories of eligible applicants for as-*  
21          *sistance under this paragraph consistent with*  
22          *the priorities established by the Corporation*  
23          *under section 133(d)(2).*

24          “(3) *PRIORITY*.—In distributing the funds allo-  
25          *cated by the Corporation for provision of assistance*

1       under section 121 for a fiscal year, after operation of  
 2       subsections (a) and (c) and after using  $33\frac{1}{3}$  percent  
 3       of such funds to make grants under paragraph (1), in  
 4       determining whether to—

5               “(A) use an additional portion of the funds  
 6               to make a grant under paragraph (1) to a State  
 7               applicant; or

8               “(B) distribute the portion of the funds to  
 9               an applicant that is a private not-for-profit or-  
 10              ganization under paragraph (2),

11       the Corporation shall give preference to the private  
 12       not-for-profit organization in any case in which the  
 13       Corporation determines that the applicants have sub-  
 14       mitted applications of equal quality under section  
 15       130.

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

24       “(f) DISTRIBUTION OF APPROVED POSITIONS SUBJECT  
 25       TO AVAILABLE FUNDS.—The Corporation may not distrib-

1 *ute approved national service positions under this section*  
 2 *for a fiscal year in excess of the number of such positions*  
 3 *for which the Corporation has sufficient available funds in*  
 4 *the National Service Trust for that fiscal year to satisfy*  
 5 *the maximum possible obligations to be incurred by the*  
 6 *United States to provide the national service educational*  
 7 *award corresponding to service in these positions.*

8       “(g) *SPONSORSHIP OF APPROVED NATIONAL SERVICE*  
 9 *POSITIONS.*—

10           “(1) *SPONSORSHIP AUTHORIZED.*—*The Corpora-*  
 11 *tion may enter into agreements with persons or enti-*  
 12 *ties who offer to sponsor national service positions for*  
 13 *which the person or entity will be responsible for sup-*  
 14 *plying the funds necessary to provide a national serv-*  
 15 *ice educational award. The distribution of these ap-*  
 16 *proved national service positions shall be made pur-*  
 17 *suant to the agreement, and the creation of these posi-*  
 18 *tions shall not be taken into consideration in deter-*  
 19 *mining the number of approved national service posi-*  
 20 *tions to be available for distribution under this sec-*  
 21 *tion.*

22           “(2) *DEPOSIT OF CONTRIBUTION.*—*Funds pro-*  
 23 *vided pursuant to an agreement under paragraph (1)*  
 24 *and any other funds contributed to the Corporation*  
 25 *to support the activities of the Corporation under the*



6       “(a) *TIME, MANNER, AND CONTENT OF APPLICA-*  
7       *TION.—To be eligible to receive assistance under section 121*  
8       *and approved national service positions for participants*  
9       *who serve in the national service programs to be carried*  
10       *out using the assistance, a State, subdivision of a State,*  
11       *Indian tribe, public or private not-for-profit organization*  
12       *(including a community action agency), institution of high-*  
13       *er education, or Federal agency shall prepare and submit*  
14       *to the Corporation an application at such time, in such*  
15       *manner, and containing such information as the Corpora-*  
16       *tion may reasonably require.*

“(1) A description of the national service programs proposed to be carried out directly by the applicant using assistance provided under section 121.

1           “(2) A description of the national service pro-  
2           grams that are selected by the applicant to receive a  
3           grant from assistance requested under section 121 and  
4           a description of the process and criteria by which the  
5           programs were selected.

6           “(3) A description of other funding sources to be  
7           used, or sought to be used, for the national service  
8           programs referred to in paragraphs (1) and (2), and,  
9           if the application is submitted for the purpose of seek-  
10          ing a renewal of assistance, a description of the suc-  
11          cess of the programs in reducing their reliance on  
12          Federal funds.

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

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

22          “(6) A description of the manner in which the  
23          national service programs referred to in paragraphs  
24          (1) and (2) build on existing programs, including  
25          Federal programs.

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

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

10          “(B) in leadership positions in implement-  
11       ing and evaluating the program.

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

15          “(A) the impact to be made in meeting  
16       unmet human, educational, environmental, or  
17       public safety needs; and

18          “(B) the service experience to be provided to  
19       participants in the programs.

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

1           “(10) A description of the past experience of the  
2           applicant in operating a comparable program or in  
3           conducting a grant program in support of other com-  
4           parable programs.

5           “(11) A description of the type and number of  
6           proposed service positions in which participants will  
7           receive the national service educational award de-  
8           scribed in subtitle D and a description of the manner  
9           in which approved national service positions will be  
10          apportioned by the applicant.

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

20          “(13) A description of a plan to be used to en-  
21          courage women to participate in programs referred to  
22          in paragraphs (1) and (2).

23          “(14) Such other information as the Corporation  
24          may reasonably require.

1       “(c) *APPLICATION TO RECEIVE ONLY APPROVED NA-*  
 2       *TIONAL SERVICE POSITIONS.*—

3               “(1) *APPLICABILITY OF SUBSECTION.*—*This sub-*  
 4       *section shall apply in the case of an application in*  
 5       *which—*

6                       “(A) *the applicant is not seeking assistance*  
 7                       *under subsection (a) or (b) of section 121, but re-*  
 8                       *quests national service educational awards for*  
 9                       *individuals serving in service positions described*  
 10                      *in section 123; or*

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

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

22                     “(A) *whether the service positions meet*  
 23                     *unmet human, educational, environmental, or*  
 24                     *public safety needs and meet the criteria for as-*  
 25                     *sistance under this subtitle; and*

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

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

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

12          “(2) COMPETITIVE SELECTION.—The application  
13          of a State shall contain an assurance that all assist-  
14          ance provided under section 121(a) to the State will  
15          be used to support national service programs that  
16          were selected by the State on a competitive basis.

17          “(3) ASSISTANCE TO NONSTATE ENTITIES.—The  
18          application of a State shall also contain an assurance  
19          that not less than 60 percent of the assistance will be  
20          used to make grants in support of national service  
21          programs other than national service programs car-  
22          ried out by a State agency. The Corporation may  
23          permit a State to deviate from the percentage speci-  
24          fied by this subsection if the State has not received a

1       sufficient number of acceptable applications to com-  
2       ply with the percentage.

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

10       “(f) *LIMITATION ON SAME PROJECT IN MULTIPLE AP-*  
11 *PLICATIONS.*—No applicant shall submit an application  
12 under this section, and the Corporation shall reject an ap-  
13 plication that is submitted under this section, if the appli-  
14 cation describes a project proposed to be conducted using  
15 assistance requested by the applicant and the project is al-  
16 ready described in another application pending before the  
17 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 the  
22 applicant that any national service program carried out  
23 by the applicant using assistance provided under section  
24 121 and any national service program supported by a grant  
25 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 sub-  
8           mitted under section 130 shall also include an assurance  
9           by the applicant that any national service program carried  
10          out by the applicant using assistance provided under sec-  
11          tion 121 and any national service program supported by  
12          a grant made by the applicant using such assistance will—

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

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

20           “(A) to those participants who are complet-  
21           ing a term of service and making the transition  
22           to other educational and career opportunities;  
23           and

24           “(B) to those participants who are school  
25           dropouts in order to assist those participants in



1           *earning the equivalent of a high school diploma;*  
2           *and*

3           *“(3) provide structured opportunities for partici-*  
4           *pants to reflect on their service experiences.*

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

11           *“(1) provide in the design, recruitment, and op-*  
12           *eration of the program for broad-based input from the*  
13           *community served, individuals eligible to serve as*  
14           *participants in the program, community-based agen-*  
15           *cies (including community action agencies) with a*  
16           *demonstrated record of experience in providing serv-*  
17           *ices, and local labor organizations representing em-*  
18           *ployees of service sponsors;*

19           *“(2) prior to the placement of participants, con-*  
20           *sult with any local labor organization representing*  
21           *employees in the area who are engaged in the same*  
22           *or similar work as that proposed to be carried out by*  
23           *such program to ensure compliance with the*  
24           *nondisplacement requirements specified in section*  
25           *177; and*

1           “(3) in the case of a program that is not funded  
2           through a State, consult with and coordinate activi-  
3           ties with the State Commission for the State in which  
4           the program operates.

5           “(d) EVALUATION AND PERFORMANCE GOALS.—

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

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

13                   “(ii) with the approval of the Corporation,  
14                  conduct an internal evaluation of the program;

15                   “(B) develop measurable performance goals  
16                  and evaluation methods (such as the use of sur-  
17                  veys of participants and persons served), which  
18                  are to be used as part of such evaluation to de-  
19                  termine the impact of the program—

20                   “(i) on communities and persons  
21                  served by the projects performed by the pro-  
22                  gram;

23                   “(ii) on participants who take part in  
24                  the projects; and

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

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

5                   “(2) ALTERNATIVE EVALUATION REQUIRE-  
 6                   MENTS.—The Corporation may establish alternative  
 7                   evaluation requirements for national service programs  
 8                   based upon the amount of assistance received under  
 9                   section 121 or received by a grant made by a recipi-  
 10                  ent of assistance under such section. The determina-  
 11                  tion of whether a national service program is covered  
 12                  by this paragraph shall be made in such manner as  
 13                  the Corporation may prescribe.

14                  “(e) LIVING ALLOWANCES AND OTHER INSERVICE  
 15                  BENEFITS.—Except as provided in section 140(c), an ap-  
 16                  plication submitted under section 130 shall also include an  
 17                  assurance by the applicant that the applicant will—

18                  “(1) provide a living allowance and other bene-  
 19                  fits specified in section 140 to participants in any  
 20                  national service program carried out by the applicant  
 21                  using assistance provided under section 121; and

22                  “(2) require that each national service program  
 23                  that receives a grant from the applicant using such  
 24                  assistance will also provide a living allowance and

1        *other benefits specified in section 140 to participants*  
2        *in the program.*

3        *“(f) SELECTION OF PARTICIPANTS FROM INDIVIDUALS*  
4        *RECRUITED BY CORPORATION OR STATE COMMISSIONS.—*  
5        *The Corporation may also require an assurance by the ap-*  
6        *plicant that any national service program carried out by*  
7        *the applicant using assistance provided under section 121*  
8        *and any national service program supported by a grant*  
9        *made by the applicant using such assistance will select a*  
10       *portion of the participants for the program from among*  
11       *prospective participants recruited by the Corporation or*  
12       *State Commissions under section 138(d). The Corporation*  
13       *may specify a minimum percentage of participants to be*  
14       *selected from the national leadership pool established under*  
15       *section 138(e) and may vary the percentage for different*  
16       *types of national service programs.*

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

18       *“An application submitted to the Corporation under*  
19       *section 130 shall include an assurance by the applicant that*  
20       *any national service program carried out using assistance*  
21       *provided under section 121 and any approved national*  
22       *service position provided to an applicant will not be used*  
23       *to perform service that provides a direct benefit to any—*

24                *“(1) business organized for profit;*

25                *“(2) labor union;*

1           “(3) *partisan political organization; or*

2           “(4) *organization engaged in religious activities,*  
3           *unless such service does not involve the use of assist-*  
4           *ance provided under section 121 or participants to*  
5           *give religious instruction, conduct worship services, or*  
6           *engage in any form of proselytization.*

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

8           “(a) *CORPORATION CONSIDERATION OF CERTAIN CRI-*  
9           *TERIA.*—*The Corporation shall apply the criteria described*  
10          *in subsections (c) and (d) in determining whether—*

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

14           “(2) *to approve service positions described in the*  
15          *application as national service positions that include*  
16          *the national service educational award described in*  
17          *subtitle D and provide such approved national service*  
18          *positions to the applicant.*

19          “(b) *APPLICATION TO SUBGRANTS.*—*A State or other*  
20          *entity that uses assistance provided under section 121(a)*  
21          *to support national service programs selected on a competi-*  
22          *tive basis to receive a share of the assistance shall use the*  
23          *criteria described in subsections (c) and (d) when consider-*  
24          *ing an application submitted by a national service program*  
25          *to receive a portion of such assistance or an approved na-*

1 *tional service position. The application of the State or other*  
 2 *entity under section 130 shall contain a certification that*  
 3 *the State or other entity complied with these criteria in the*  
 4 *selection of national service programs to receive assistance.*

5       “(c) ASSISTANCE CRITERIA.—The criteria required to  
 6 *be applied in evaluating applications submitted under sec-*  
 7 *tion 130 are as follows:*

8               “(1) *The quality of the national service program*  
 9 *proposed to be carried out directly by the applicant*  
 10 *or supported by a grant from the applicant.*

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

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

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

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

20              “(4) *The quality of the leadership of the national*  
 21 *service program, the past performance of the program,*  
 22 *and the extent to which the program builds on exist-*  
 23 *ing programs.*

24              “(5) *The extent to which participants of the na-*  
 25 *tional service program are recruited from among resi-*

1        *dents of the communities in which projects are to be*  
 2        *conducted, and the extent to which participants and*  
 3        *community residents are involved in the design, lead-*  
 4        *ership, and operation of the program.*

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

8            *“(A) communities designated as enterprise*  
 9        *zones or redevelopment areas, targeted for special*  
 10       *economic incentives, or otherwise identifiable as*  
 11       *having high percentages or concentrations of*  
 12       *low-income individuals;*

13          *“(B) areas that are environmentally dis-*  
 14       *tressed;*

15          *“(C) areas adversely affected by reductions*  
 16       *in defense spending or the closure or realignment*  
 17       *of military installations; and*

18          *“(D) areas—*

19            *“(i) that have experienced a substan-*  
 20        *tial reduction in population, as determined*  
 21        *by the Corporation; and*

22            *“(ii) with high numbers or percentages*  
 23        *of economically disadvantaged older adults.*

24          *“(7) In the case of applicants other than States,*  
 25        *the extent to which the application is consistent with*

1     *the application under section 130 of the State in*  
 2     *which the projects would be conducted.*

3             *“(8) Such other criteria as the Corporation con-*  
 4     *siders to be appropriate.*

5     *“(d) OTHER CONSIDERATIONS.—*

6             *“(1) GEOGRAPHIC DIVERSITY.—The Corporation*  
 7     *shall ensure that recipients of assistance provided*  
 8     *under section 121 are geographically diverse and in-*  
 9     *clude projects to be conducted in those urban and*  
 10    *rural areas in a State with the highest rates of*  
 11    *poverty.*

12            *“(2) PRIORITIES.—*

13            *“(A) IN GENERAL.—The Corporation may*  
 14    *designate, under such criteria as may be estab-*  
 15    *lished by the Corporation, certain national serv-*  
 16    *ice programs or types of national service pro-*  
 17    *grams described in section 122(a) for priority*  
 18    *consideration in the competitive distribution of*  
 19    *funds under section 129(d)(2).*

20            *“(B) PROGRAMS DESIGNATED TO RECEIVE*  
 21    *PRIORITY.—In designating national service pro-*  
 22    *grams to receive priority, the Corporation may*  
 23    *include—*

24            *“(i) national service programs carried*  
 25    *out by another Federal agency;*



1           “(ii) *national service programs that*  
2           *conform to the national service priorities in*  
3           *effect under section 122(c);*

4           “(iii) *innovative national service pro-*  
5           *grams;*

6           “(iv) *national service programs that*  
7           *are well established in one or more States at*  
8           *the time of the application and are pro-*  
9           *posed to be expanded to additional States*  
10          *using assistance provided under section 121;*

11          “(v) *grant programs in support of*  
12          *other national service programs if the grant*  
13          *programs are to be conducted by not-for-*  
14          *profit organizations (including community*  
15          *action agencies) with a demonstrated and*  
16          *extensive expertise in the provision of serv-*  
17          *ices to meet human, educational, environ-*  
18          *mental, or public safety needs; and*

19          “(vi) *professional corps programs de-*  
20          *scribed in section 122(a)(8).*

21          “(C) *EXCEPTION.—In making a competitive*  
22          *distribution of funds under section 129(d)(2), the*  
23          *President may give priority consideration to a*  
24          *national service program that is—*

1                   “(i) proposed in an application sub-  
2                   mitted by a State Commission; and

3                   “(ii) not one of the types of programs  
4                   described in clauses (i) through (vi) of sub-  
5                   paragraph (B),

6                   if the State Commission provides an adequate  
7                   explanation of the reasons why it should not be  
8                   a priority of such State to carry out any of such  
9                   types of programs in the State.

10                  “(3) REVIEW PANEL.—The President shall—

11                   “(A) establish panels of experts for the pur-  
12                   pose of securing recommendations on applica-  
13                   tions submitted under section 130 for more than  
14                   \$100,000 in assistance, or for national service  
15                   positions that would require more than \$100,000  
16                   in national service educational awards; and

17                   “(B) consider the opinions of such panels  
18                   prior to making such determinations.

19                  “(e) EMPHASIS ON AREAS MOST IN NEED.—In mak-  
20                   ing assistance available under section 121 and in providing  
21                   approved national service positions under section 123, the  
22                   Corporation shall ensure that not less than 50 percent of  
23                   the total amount of assistance to be distributed to States  
24                   under subsections (a) and (d)(1) of section 129 for a fiscal

1 *year is provided to carry out or support national service*  
 2 *programs and projects that—*

3       “(1) *are conducted in areas described in any of*  
 4 *subparagraphs (A) through (D) of subsection (c)(6) or*  
 5 *on Federal or other public lands, to address unmet*  
 6 *human, educational, environmental, or public safety*  
 7 *needs in such areas or on such lands; and*

8       “(2) *place a priority on the recruitment of par-*  
 9 *ticipants who are residents of areas described in any*  
 10 *of subparagraphs (A) through (D) of subsection (c)(6)*  
 11 *or Federal or other public lands.*

12       “(f) *REJECTION OF STATE APPLICATIONS.—*

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

19       “(2) *RESUBMISSION AND RECONSIDERATION.—*  
 20 *The Corporation shall provide a State Commission*  
 21 *notified under paragraph (1) with a reasonable op-*  
 22 *portunity to revise and resubmit the application. At*  
 23 *the request of the State Commission, the Corporation*  
 24 *shall provide technical assistance to the State Com-*  
 25 *mission as part of the resubmission process. The Cor-*

1        *poration shall promptly reconsider an application re-*  
 2        *submitted under this paragraph.*

3            “(3) *REALLOTMENT.*—*The amount of any State’s*  
 4        *allotment under section 129(a) for a fiscal year that*  
 5        *the Corporation determines will not be provided for*  
 6        *that fiscal year shall be available for distribution by*  
 7        *the Corporation as provided in paragraph (3) of such*  
 8        *subsection.*

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

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

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

15            “(1) *meets such eligibility requirements as may*  
 16        *be established by the program;*

17            “(2) *is selected by the program to serve in a po-*  
 18        *sition with the program;*

19            “(3) *will serve in the program for a term of serv-*  
 20        *ice specified in section 139 to be performed before,*  
 21        *during, or after attendance at an institution of higher*  
 22        *education;*

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

1           “(5)(A)(i) has received a high school diploma or  
2           its equivalent; or

3           “(ii) agrees to obtain a high school diploma or  
4           its equivalent and the individual did not drop out of  
5           an elementary or secondary school to enroll in the  
6           program; or

7           “(B)(i) is enrolled at an institution of higher  
8           education on the basis of meeting the standard de-  
9           scribed in paragraph (1) or (2) of section 484(d) of  
10          the Higher Education Act of 1965 (20 U.S.C.  
11          1091(d)); and

12          “(ii) meets the requirements of section 484(a) of  
13          such Act; and

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

16          “(b) *SPECIAL RULES FOR CERTAIN YOUTH PRO-*  
17          *GRAMS.*—An individual shall be considered to be a partici-  
18          pant in a youth corps program described in section  
19          122(a)(2) or a program described in section 122(a)(9) that  
20          is carried out with assistance provided under section 121(a)  
21          if the individual—

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

1           “(2) is between the ages of 16 and 25, inclusive,  
2           at the time the individual begins the term of service.

3           “(c) *WAIVER.*—The Corporation may waive the re-  
4           quirements of subsection (a)(5)(A) with respect to an indi-  
5           vidual if the program in which the individual seeks to be-  
6           come a participant conducts an independent evaluation  
7           demonstrating that the individual is incapable of obtaining  
8           a high school diploma or its equivalent.

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

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

20           “(b) *NONDISCRIMINATION AND NONPOLITICAL SELEC-*  
21           *TION OF PARTICIPANTS.*—The recruitment and selection of  
22           individuals to serve in national service programs receiving  
23           assistance under section 121 or to fill approved national  
24           service positions shall be consistent with the requirements  
25           of section 175.

1       “(c) *SECOND TERM.*—Acceptance into a national serv-  
 2     ice program to serve a second term of service under section  
 3     139 shall only be available to individuals who perform sat-  
 4     isfactorily in their first term of service.

5       “(d) *RECRUITMENT AND PLACEMENT.*—The Corpora-  
 6     tion and each State Commission shall establish a system  
 7     to recruit individuals who desire to perform national serv-  
 8     ice and to assist the placement of these individuals in ap-  
 9     proved national service positions, including positions avail-  
 10    able under title I of the Domestic Volunteer Service Act of  
 11    1973 (42 U.S.C. 4951). The Corporation and State Com-  
 12    missions shall disseminate information regarding available  
 13    approved national service positions through cooperation  
 14    with secondary schools, institutions of higher education, em-  
 15    ployment service offices, State vocational rehabilitation  
 16    agencies within the meaning of the Rehabilitation Act of  
 17    1973 and other State agencies that primarily serve individ-  
 18    uals with disabilities, and other appropriate entities, par-  
 19    ticularly those organizations that provide outreach to eco-  
 20    nomically disadvantaged youths or youths who are individ-  
 21    uals with disabilities.

22       “(e) *NATIONAL LEADERSHIP POOL.*—

23               “(1) *SELECTION AND TRAINING.*—From among  
 24     individuals recruited under subsection (d), the Cor-  
 25     poration may select individuals with significant lead-

1        *ership potential, as determined by the Corporation, to*  
 2        *receive special training to enhance their leadership*  
 3        *ability. The leadership training shall be provided by*  
 4        *the Corporation directly or through a grant or con-*  
 5        *tract.*

6                *“(2) EMPHASIS ON CERTAIN INDIVIDUALS.—In*  
 7        *selecting individuals to receive leadership training*  
 8        *under this subsection, the Corporation shall make spe-*  
 9        *cial efforts to select individuals who have served—*

10                *“(A) in the Peace Corps;*

11                *“(B) as VISTA volunteers;*

12                *“(C) as participants in national service*  
 13        *programs receiving assistance under section 121;*  
 14        *or*

15                *“(D) as participants in programs receiving*  
 16        *assistance under subtitle D of the National and*  
 17        *Community Service Act of 1990, as in effect on*  
 18        *the day before the date of enactment of this sub-*  
 19        *title.*

20                *“(3) ASSIGNMENT.—At the request of a program*  
 21        *that receives assistance under the national service*  
 22        *laws, the Corporation may assign an individual who*  
 23        *receives leadership training under paragraph (1) to*  
 24        *work with the program in a leadership position and*  
 25        *carry out assignments not otherwise performed by*



1       *regular participants. An individual assigned to a*  
 2       *program shall be considered to be a participant of the*  
 3       *program.*

4       ***“SEC. 139. TERMS OF SERVICE.***

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

10       “(b) *TERM OF SERVICE.*—

11               “(1) *FULL-TIME SERVICE.*—An individual per-  
 12       *forming full-time national service in an approved na-*  
 13       *tional service position shall agree to participate in*  
 14       *the program sponsoring the position for not less than*  
 15       *1,700 hours during a period of not less than 9 months*  
 16       *and not more than 1 year.*

17               “(2) *PART-TIME SERVICE.*—Except as provided  
 18       *in paragraph (3), an individual performing part-*  
 19       *time national service in an approved national service*  
 20       *position shall agree to participate in the program*  
 21       *sponsoring the position for not less than 1,700 hours*  
 22       *during a period of—*

23                       “(A) *not less than 1 year and not more*  
 24       *than 2 years; or*

1           “(B) not less than 1 year and not more  
 2           than 3 years if the individual is enrolled in an  
 3           institution of higher education while performing  
 4           all or a majority of the hours of such service.

5           “(3) *REDUCTION IN HOURS OF PART-TIME SERV-*  
 6           *ICE.—The Corporation may reduce the number of*  
 7           *hours required to be served to successfully complete*  
 8           *part-time national service to a level determined by*  
 9           *the Corporation, except that any reduction in the re-*  
 10          *quired term of service shall include a corresponding*  
 11          *reduction in the amount of any national service edu-*  
 12          *cational award that may be available under subtitle*  
 13          *D with regard to that service.*

14          “(c) *RELEASE FROM COMPLETING TERM OF SERV-*  
 15          *ICE.—*

16               “(1) *RELEASE AUTHORIZED.—A recipient of as-*  
 17               *stance under section 121 or a program sponsoring*  
 18               *an approved national service position may release a*  
 19               *participant from completing a term of service in the*  
 20               *position—*

21                       “(A) *for compelling personal circumstances*  
 22                       *as demonstrated by the participant; or*

23                       “(B) *for cause.*

24               “(2) *EFFECT OF RELEASE.—If the released par-*  
 25               *ticipant was serving in an approved national service*

1     *position, the participant may receive a portion of the*  
 2     *national service educational award corresponding to*  
 3     *that service in the manner provided in section 147(b),*  
 4     *except that a participant released for cause may not*  
 5     *receive any portion of the national service educational*  
 6     *award.*

7     ***“SEC. 140. LIVING ALLOWANCES FOR NATIONAL SERVICE***  
 8             ***PARTICIPANTS.***

9     *“(a) PROVISION OF LIVING ALLOWANCE.—*

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

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

21             *“(A) 85 percent of the total average annual*  
 22     *subsistence allowance provided to VISTA volun-*  
 23     *teers under section 105 of the Domestic Volunteer*  
 24     *Service Act of 1973 (42 U.S.C. 4955); and*

1           “(B) 85 percent of the annual living allow-  
2           ance established by the national service program  
3           involved.

4           “(3) MAXIMUM LIVING ALLOWANCE.—Except as  
5           provided in subsection (c), the total amount of an an-  
6           nual living allowance that may be provided to a par-  
7           ticipant in a national service program shall not ex-  
8           ceed 200 percent of the average annual subsistence al-  
9           lowance provided to VISTA volunteers under section  
10          105 of the Domestic Volunteer Service Act of 1973 (42  
11          U.S.C. 4955).

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

17          “(b) COVERAGE OF CERTAIN EMPLOYMENT-RELATED  
18          TAXES.—To the extent a national service program that re-  
19          ceives assistance under section 121 is subject, with respect  
20          to the participants in the program, to the taxes imposed  
21          on an employer under sections 3111 and 3301 of the Inter-  
22          nal Revenue Code of 1986 (26 U.S.C. 3111, 3301) and taxes  
23          imposed on an employer under a workmen’s compensation  
24          act, the assistance provided to the program under section

1 121 shall include an amount sufficient to cover 85 percent  
2 of such taxes based upon the lesser of—

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

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

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

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

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

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

1       “(d) *HEALTH INSURANCE.*—A State or other recipient  
2 of assistance under section 121 shall provide a basic health  
3 care policy for each full-time participant in a national  
4 service program carried out or supported using the assist-  
5 ance if the participant is not otherwise covered by a health  
6 care policy. Not more than 85 percent of the cost of a pre-  
7 mium shall be provided by the Corporation, with the re-  
8 maining cost paid by the entity receiving assistance under  
9 section 121. The Corporation shall establish minimum  
10 standards that all plans shall meet in order to qualify for  
11 payment under this part, any circumstances in which an  
12 alternative health care policy may be substituted for the  
13 basic health care policy, and mechanisms to prohibit par-  
14 ticipants from dropping existing coverage.

15       “(e) *CHILD CARE.*—

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

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

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

1           *gram who needs such assistance in order to par-*  
 2           *ticipate in the program.*

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

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

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

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

21                 “(1) *serves in an approved national service posi-*  
 22                 *tion; and*

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

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

7       (b) *TABLE OF CONTENTS.*—Section 1(b) of the Na-  
 8 *tional and Community Service Act of 1990 (Public Law*  
 9 *101–610; 104 Stat. 3127) is amended by striking the items*  
 10 *relating to subtitle C of title I of such Act and inserting*  
 11 *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. Terms of service.*

*“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 Commu-*  
 5 *nity Service Act of 1990 (42 U.S.C. 12571 et seq.) is amend-*  
 6 *ed to read as follows:*

7 **“Subtitle D—National Service Trust**  
 8 **and Provision of National Serv-**  
 9 **ice 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 as*  
 14 *the National Service Trust. The Trust shall consist of—*

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

20 “(A) *national service educational awards;*  
 21 *and*

22 “(B) *interest expenses pursuant to sub-*  
 23 *section 148(e);*

24 “(2) *any amounts received by the Corporation as*  
 25 *gifts, bequests, devise, or otherwise pursuant to section*  
 26 *196(a)(2); and*

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

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

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

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

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

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

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

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

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

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

14               “(4) estimate the number of additional approved  
15       national service positions which the Corporation will  
16       be able to make available under subtitle C on the  
17       basis of any accumulated surplus in the Trust above  
18       the amount required to provide national service edu-  
19       cational awards to individuals identified under para-  
20       graph (2), including any amounts available as a re-  
21       sult of the circumstances referred to in paragraph (3).

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

4 *“(a) ELIGIBLE INDIVIDUALS.—An individual shall be*  
 5 *eligible to receive a national service educational award from*  
 6 *the National Service Trust if the individual—*

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

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

16 *“(3) at the time the individual uses the national*  
 17 *service educational award—*

18 *“(A) has received a high school diploma, or*  
 19 *the equivalent of such diploma;*

20 *“(B)(i) is enrolled at an institution of high-*  
 21 *er education on the basis of meeting the standard*  
 22 *described in paragraph (1) or (2) of section*  
 23 *484(d) of the Higher Education Act of 1965 (20*  
 24 *U.S.C. 1091(d)); and*

25 *“(ii) meets the requirements of section*  
 26 *484(a) of such Act; or*

1           “(C) has received a waiver described in sec-  
2           tion 137(c); and

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

5           “(b) *TERM OF SERVICE*.—The term of service for an  
6           approved national service position shall not be less than  
7           the full- or part-time term of service specified in section  
8           139(b).

9           “(c) *LIMITATION ON NUMBER OF TERMS OF SERVICE*  
10          *FOR AWARDS*.—Although an individual may serve more  
11          than 2 terms of service described in subsection (b) in an  
12          approved national service position, the individual shall re-  
13          ceive a national service educational award from the Na-  
14          tional Service Trust only on the basis of the first and second  
15          of such terms of service.

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

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

24                 “(2) *EXCEPTION*.—The Corporation may extend  
25                 the period within which an individual may use a na-

1        *tional service educational award if the Corporation*  
 2        *determines that the individual—*

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

6                *“(B) performed another term of service in*  
 7                *an approved national service position during*  
 8                *that period.*

9        ***“SEC. 147. DETERMINATION OF THE AMOUNT OF THE NA-***  
 10        ***TIONAL SERVICE EDUCATIONAL AWARD.***

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

17        *“(b) AWARD FOR PARTIAL COMPLETION OF SERV-*  
 18        *ICE.—If an individual serving in an approved national*  
 19        *service position is released in accordance with section*  
 20        *139(c)(1)(A) from completing the term of service agreed to*  
 21        *by the individual, the Corporation may provide the individ-*  
 22        *ual with that portion of the national service educational*  
 23        *award approved for the individual that corresponds to the*  
 24        *quantity of the term of service actually completed by the*  
 25        *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 accordance*  
 12 *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 INDIVIDUALS.—*  
 18 *An eligible individual under section 146 who desires*  
 19 *to apply the national service educational award of the*  
 20 *individual to the repayment of qualified student loans*  
 21 *shall submit, in a manner prescribed by the Corpora-*  
 22 *tion, an application to the Corporation that—*

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

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

4           “(C) specifies the qualified student loan to  
5           which the individual desires to apply the na-  
6           tional service educational award, in any case in  
7           which the total of the amounts described in sub-  
8           paragraph (B) is greater than the amount of the  
9           national service educational award to which the  
10          individual is entitled; and

11          “(D) contains or is accompanied by such  
12          other information as the Corporation may re-  
13          quire.

14          “(2) *DISBURSEMENT OF REPAYMENTS.*—Upon  
15          receipt of an application from an eligible individual  
16          of an application that complies with paragraph (1),  
17          the Corporation shall, as promptly as practicable con-  
18          sistent with paragraph (5), disburse the amount of  
19          the national service educational award to which the  
20          eligible individual is entitled. Such disbursement  
21          shall be made by check or other means that is payable  
22          to the holder of the loan and requires the endorsement  
23          or other certification by the eligible individual.

24          “(3) *APPLICATION OF DISBURSED AMOUNTS.*—If  
25          the amount disbursed under paragraph (2) is less



1     *than the principal and accrued interest on any quali-*  
 2     *fied student loan, such amount shall first be applied*  
 3     *to the repayment of principal. In a case described in*  
 4     *paragraph (1)(C), such amount shall be applied to*  
 5     *the loan described in paragraph (1)(C).*

6             “(4) *REPORTS BY HOLDERS.*—Any holder receiv-  
 7     *ing a loan payment pursuant to this subsection shall*  
 8     *submit to the Corporation such information as the*  
 9     *Corporation may require to verify that such payment*  
 10    *was applied in accordance with this subsection and*  
 11    *any regulations prescribed to carry out this sub-*  
 12    *section.*

13            “(5) *AUTHORITY TO AGGREGATE PAYMENTS.*—  
 14    *The Corporation may, by regulation, provide for the*  
 15    *aggregation of payments to holders under this sub-*  
 16    *section.*

17            “(6) *NOTIFICATION.*—On disbursing a national  
 18    *service educational award to which an individual is*  
 19    *entitled under paragraph (2) and applying the award*  
 20    *to a loan, the Corporation shall notify the individual*  
 21    *of the amount disbursed for each such loan and the*  
 22    *date of the disbursal.*

23            “(7) *DEFINITIONS.*—As used in this subsection:

24                    “(A) *QUALIFIED STUDENT LOAN.*—The term  
 25            *‘qualified student loan’ means—*

1           “(i) any loan made, insured, or guar-  
 2           anteed pursuant to title IV of the Higher  
 3           Education Act of 1965 (20 U.S.C. 1070 et  
 4           seq.), other than a loan to a parent of a stu-  
 5           dent pursuant to section 428B of such Act  
 6           (20 U.S.C. 1078-2); and

7           “(ii) any loan made pursuant to title  
 8           VII or VIII of the Public Health Service Act  
 9           (42 U.S.C. 292a et seq.).

10          “(B) HOLDER.—The term ‘holder’ with re-  
 11          spect to any eligible loan means the original  
 12          lender or, if the loan is subsequently sold, trans-  
 13          ferred, or assigned to some other person, and  
 14          such other person acquires a legally enforceable  
 15          right to receive payments from the borrower,  
 16          such other person.

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

19          “(1) APPLICATION BY ELIGIBLE INDIVIDUAL.—  
 20          An eligible individual under section 146 who desires  
 21          to apply the national service educational award of the  
 22          individual to the payment of full-time or part-time  
 23          educational expenses, that have been incurred by the  
 24          individual prior to the service of the individual under  
 25          subtitle C, shall, on a form prescribed by the Corpora-

tion, submit an application to the institution of higher education in which the student will be enrolled that contains such information as the Corporation may require to verify the individual's eligibility.

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

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

“(B) specifies the amounts for which such eligible individuals are, consistent with paragraph (6), qualified for disbursement under this subsection;

“(C) certifies that—

“(i) the institution of higher education has in effect a program participation agreement under section 487 of the Higher Education Act of 1965 (20 U.S.C. 1094); and

“(ii) the institution's eligibility to participate in any of the programs under title

1           IV of such Act (20 U.S.C. 1070 et seq.) has  
2           not been limited, suspended, or terminated;  
3           and

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

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

18          “(4) *MULTIPLE DISBURSEMENTS REQUIRED.*—  
19          The total amount required to be disbursed to an insti-  
20          tution of higher education under paragraph (3) for  
21          any period of enrollment shall be disbursed by the  
22          Corporation in 2 or more installments, none of which  
23          exceeds  $\frac{1}{2}$  of such total amount. The interval between  
24          the first and second such installment shall not be less  
25          than  $\frac{1}{2}$  of such period of enrollment, except as nec-

1        *essary to permit the second installment to be paid at*  
 2        *the beginning of the second semester, quarter, or simi-*  
 3        *lar division of such period of enrollment.*

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

18            “(6) *MAXIMUM AWARD.*—*The portion of an eligi-*  
 19        *ble individual’s total available national service edu-*  
 20        *cational award that may be disbursed under this sub-*  
 21        *section for any period of enrollment shall not exceed*  
 22        *the difference between—*

23            “(A) *the eligible individual’s cost of attend-*  
 24        *ance for such period of enrollment, determined in*

1           *accordance with section 472 of the Higher Edu-*  
2           *cation Act of 1965 (20 U.S.C. 1087ll); and*

3           *“(B) the sum of—*

4                     *“(i) the student’s estimated financial*  
5                     *assistance for such period under part A of*  
6                     *title IV of such Act (20 U.S.C. 1070 et seq.);*  
7                     *and*

8                     *“(ii) the student’s veterans’ education*  
9                     *benefits, determined in accordance with sec-*  
10                    *tion 480(c) of such Act (20 U.S.C.*  
11                    *1087vv(c)).*

12           *“(d) USE OF EDUCATIONAL AWARD TO PARTICIPATE*  
13    *IN APPROVED SCHOOL-TO-WORK PROGRAMS.—The Cor-*  
14    *poration shall by regulation provide for the payment of na-*  
15    *tional service educational awards to permit eligible individ-*  
16    *uals to participate in school-to-work programs approved by*  
17    *the Secretaries of Labor and Education.*

18           *“(e) INTEREST PAYMENTS DURING FORBEARANCE ON*  
19    *LOAN REPAYMENT.—The Corporation may provide by reg-*  
20    *ulation for the payment on behalf of an eligible individual*  
21    *of interest that accrues during a period for which such indi-*  
22    *vidual has obtained forbearance in the repayment of a*  
23    *qualified student loan (as defined in subsection (b)(7)), if*  
24    *the eligible individual successfully completes the required*  
25    *term of service (as determined under section 146(b)) of the*

1 *individual. Such regulations shall be prescribed after con-*  
 2 *sultation with the Secretary of Education.*

3 “(f) *EXCEPTION.*—

4 “(1) *OPTION.*—*With the approval of the Presi-*  
 5 *dent, a national service program that receives assist-*  
 6 *ance under section 121 may offer to each participant*  
 7 *in the program the option of—*

8 “(A) *waiving the right of the participant to*  
 9 *receive a national service education award; and*

10 “(B) *receiving an alternative post-service*  
 11 *benefit.*

12 “(2) *SOURCES OF FUNDING.*—*In providing for*  
 13 *the alternative post-service benefit, the program may*  
 14 *not use funds made available under this Act or any*  
 15 *other Federal law.*

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

21 (b) *TABLE OF CONTENTS.*—*Section 1(b) of the Na-*  
 22 *tional and Community Service Act of 1990 (Public Law*  
 23 *101–610; 104 Stat. 3127) is amended by striking the items*  
 24 *relating to subtitle D of title I of such Act and inserting*  
 25 *the following new items:*

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

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

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

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

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

1       (c) *CONFORMING AMENDMENTS.—*

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

10              (2) *FORBEARANCE IN THE COLLECTION OF STAF-*  
11       *FORD LOANS.—Section 428 of the Higher Education*  
12       *Act of 1965 is amended—*

13              (A) *in subsection (b)(1)—*

14                      (i) *by redesignating subparagraphs*  
15                      *(W), (X), and (Y) as subparagraphs (X),*  
16                      *(Y), and (Z), respectively; and*

17                      (ii) *by inserting after subparagraph*  
18                      *(V) the following new subparagraph:*

19                      *“(W)(i) provides that, upon written request,*  
20                      *a lender shall grant a borrower forbearance on*  
21                      *such terms as are otherwise consistent with the*



1        *regulations of the Secretary, during periods in*  
 2        *which the borrower is serving in a national serv-*  
 3        *ice position, for which the borrower receives a*  
 4        *national service educational award under the*  
 5        *National and Community Service Trust Act of*  
 6        *1993;*

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

10               *“(iii) provides that interest shall continue*  
 11        *to accrue on a loan for which a borrower receives*  
 12        *forbearance under this subparagraph and shall*  
 13        *be capitalized or paid by the borrower;”;* and

14               *(B) in subsection (c)(3)(A), by striking*  
 15        *“subsection (b)(1)(V)” and inserting “subpara-*  
 16        *graphs (V) and (W) of subsection (b)(1)”.*

17        *(3) ELIGIBILITY FOR STAFFORD LOAN FORGIVE-*  
 18        *NESS.—Section 428J of the Higher Education Act of*  
 19        *1965 (20 U.S.C. 1078–10) is amended—*

20               *(A) in subsection (b)(1), is amended by*  
 21        *striking “October 1, 1992” and inserting “Octo-*  
 22        *ber 1, 1989”;* and

23               *(B) in subsection (c), by adding at the end*  
 24        *the following new paragraph:*

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

7           (4) *ELIGIBILITY FOR PERKINS LOAN FORGIVE-*  
8           *NESS.*—Section 465(a) of the Higher Education Act  
9           of 1965 (20 U.S.C. 1087ee(a)) is amended by adding  
10          at the end the following new paragraph:

11          “(6) No borrower may, for the same volunteer service,  
12          receive a benefit under both this section and subtitle D of  
13          title I of the National and Community Service Act of 1990  
14          (42 U.S.C. 12751 et seq.).”.

15          (5) *IMPACT ON GENERAL NEEDS ANALYSIS.*—Sec-  
16          tion 480(j) of such Act (20 U.S.C. 1087vv(j)) is  
17          amended by adding at the end the following new  
18          paragraph:

19          “(3) Notwithstanding paragraph (1), any national  
20          service educational award such student will receive under  
21          subtitle D of title I of the National and Community Service  
22          Act of 1990 (42 U.S.C. 12751 et seq.) shall not be taken  
23          into account in determining estimated financial assistance  
24          not received under this title.”.

1 **SEC. 103. SCHOOL-BASED AND COMMUNITY-BASED SERV-**  
2 **ICE-LEARNING PROGRAMS.**

3 (a) *AMENDMENTS TO SERVE-AMERICA PROGRAMS.*—

4 (1) *PURPOSE.*—*The purpose of this subsection is*  
5 *to improve the Serve-America programs established*  
6 *under part I of subtitle B of the National and Com-*  
7 *munity Service Act of 1990, and to enable the Cor-*  
8 *poration for National and Community Service, and*  
9 *the entities receiving financial assistance under such*  
10 *part, to—*

11 (A) *work with teachers in elementary*  
12 *schools and secondary schools within a commu-*  
13 *nity, and with community-based agencies, to cre-*  
14 *ate and offer service-learning opportunities for*  
15 *all school-age youth;*

16 (B) *educate teachers, and faculty providing*  
17 *teacher training and retraining, about service-*  
18 *learning, and incorporate service-learning oppor-*  
19 *tunities into classroom teaching to strengthen*  
20 *academic learning;*

21 (C) *coordinate the work of adult volunteers*  
22 *who work with elementary and secondary schools*  
23 *as part of their community service activities;*  
24 *and*

25 (D) *work with employers in the commu-*  
26 *nities to ensure that projects introduce the stu-*

1           dents to various careers and expose the students  
2           to needed further education and training.

3           (2) *PROGRAMS.*—Subtitle B of title I of the Na-  
4           tional and Community Service Act of 1990 (42  
5           U.S.C. 12501 et seq.) is amended by striking the sub-  
6           title heading and all that follows through the end of  
7           part I and inserting the following:

8           **“Subtitle     B—School-Based     and**  
9           **Community-Based             Service-**  
10          **Learning Programs**

11          **“PART I—SERVE-AMERICA PROGRAMS**

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

13          **“SEC. 111. AUTHORITY TO ASSIST STATES AND INDIAN**  
14          **TRIBES.**

15          “(a) *USE OF FUNDS.*—The Corporation, in consulta-  
16          tion with the Secretary of Education, may make grants  
17          under section 112(b)(1), and allotments under subsections  
18          (a) and (b)(2) of section 112, to States (through State edu-  
19          cational agencies), and to Indian tribes, to pay for the Fed-  
20          eral share of—

21                 “(1) planning and building the capacity of the  
22          States or Indian tribes (which may be accomplished  
23          through grants or contracts with qualified organiza-  
24          tions) to implement school-based service-learning pro-  
25          grams, including—

1           “(A) providing training for teachers, super-  
2           visors, personnel from community-based agencies  
3           (particularly with regard to the utilization of  
4           participants), and trainers, to be conducted by  
5           qualified individuals or organizations that have  
6           experience with service-learning;

7           “(B) developing service-learning curricula  
8           to be integrated into academic programs, includ-  
9           ing the age-appropriate learning component de-  
10          scribed in section 114(d)(5)(B);

11          “(C) forming local partnerships described in  
12          paragraph (2) or (4) to develop school-based  
13          service-learning programs in accordance with  
14          this subpart;

15          “(D) devising appropriate methods for re-  
16          search and evaluation of the educational value of  
17          service-learning and the effect of service-learning  
18          activities on communities; and

19          “(E) establishing effective outreach and dis-  
20          semination of information to ensure the broadest  
21          possible involvement of community-based agen-  
22          cies with demonstrated effectiveness in working  
23          with school-age youth in their communities;

24          “(2) implementing, operating, or expanding  
25          school-based service-learning programs, which may

1     *include paying for the cost of the recruitment, train-*  
2     *ing, supervision, placement, salaries, and benefits of*  
3     *service-learning coordinators, through State distribu-*  
4     *tion of Federal funds made available under this sub-*  
5     *part to projects operated by local partnerships*  
6     *among—*

7             *“(A) local educational agencies; and*

8             *“(B) one or more community partners*  
9     *that—*

10            *“(i) shall include a public or private*  
11     *not-for-profit organization that—*

12            *“(I) has demonstrated expertise in*  
13     *the provision of services to meet*  
14     *human, educational, environmental, or*  
15     *public safety needs;*

16            *“(II) was in existence 1 year be-*  
17     *fore the date on which the organization*  
18     *submitted an application under section*  
19     *114; and*

20            *“(III) will make projects available*  
21     *for participants, who shall be students;*  
22     *and*

23            *“(ii) may include a private for-profit*  
24     *business or private elementary or secondary*  
25     *school;*

1           “(3) *planning of school-based service-learning*  
2           *programs through State distribution of Federal funds*  
3           *made available under this subpart to local edu-*  
4           *cational agencies, which planning may include pay-*  
5           *ing for the cost of—*

6                   “(A) *the salaries and benefits of service-*  
7                   *learning coordinators; or*

8                   “(B) *the recruitment, training, supervision,*  
9                   *and placement of service-learning coordinators*  
10                  *who are participants in a program under sub-*  
11                  *title C or receive a national service educational*  
12                  *award under subtitle D,*

13               *who will identify the community partners described*  
14               *in paragraph (2)(B) and assist in the design and im-*  
15               *plementation of a program described in paragraph*  
16               *(2); and*

17               “(4) *implementing, operating, or expanding*  
18               *school-based service-learning programs involving*  
19               *adult volunteers to utilize service-learning to improve*  
20               *the education of students through State distribution of*  
21               *Federal funds made available under this part to local*  
22               *partnerships among—*

23                   “(A) *local educational agencies; and*

24                   “(B) *one or more—*

1                   “(i) public or private not-for-profit or-  
2                   ganizations;

3                   “(ii) other educational agencies; or

4                   “(iii) private for-profit businesses,  
5                   that coordinate and operate projects for participants,  
6                   who shall be students.

7                   “(b) DUTIES OF SERVICE-LEARNING COORDINATOR.—  
8                   A service-learning coordinator referred to in paragraph (2)  
9                   or (3) of subsection (a) shall provide services to a local edu-  
10                  cational agency by—

11                  “(1) expanding the awareness of teachers of the  
12                  potential of service-learning in strengthening the edu-  
13                  cational achievement, leadership development, and  
14                  substantive learning, of students;

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

18                  “(3) assisting local partnerships described in  
19                  subsection (a) in the planning, development, and exe-  
20                  cution of service-learning projects;

21                  “(4) recruiting and supervising adult volunteers,  
22                  or individuals who are participants in a program  
23                  under subtitle C or receive a national service edu-  
24                  cational award under subtitle D, to expand service-  
25                  learning opportunities; and



1           “(5) *coordinating the activities of the service-*  
 2           *learning coordinator with the activities of the com-*  
 3           *mittee described in section 114(d)(1), and, where ap-*  
 4           *propriate, assisting the committee.*

5           “(c) *RELATED EXPENSES.*—A partnership, local edu-  
 6           cational agency, or other qualified organization that re-  
 7           ceives financial assistance under this subpart may, in car-  
 8           rying out the activities described in subsection (a), use such  
 9           assistance to pay for the Federal share of reasonable costs  
 10          related to the supervision of participants, program admin-  
 11          istration, transportation, insurance, evaluations, and for  
 12          other reasonable expenses related to the activities.

13          **“SEC. 111A. AUTHORITY TO ASSIST LOCAL APPLICANTS IN**  
 14                                   **NONPARTICIPATING STATES.**

15          *“In any fiscal year in which a State does not submit*  
 16          *an application under section 113, for an allotment under*  
 17          *subsection (a) or (b)(2) of section 112, that meets the re-*  
 18          *quirements of section 113 and such other requirements as*  
 19          *the President may determine to be appropriate, the Cor-*  
 20          *poration may use the allotment of that State to make direct*  
 21          *grants to pay for the Federal share of the cost of—*

22               “(1) *carrying out the activities described in*  
 23               *paragraph (2) or (4) of section 111(a), to a local*  
 24               *partnership described in such paragraph; or*

1           “(2) carrying out the activities described in  
 2           paragraph (3) of such section, to an agency described  
 3           in such paragraph,  
 4           that is located in the State.

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

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

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

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

14                       “(3) meets such other criteria as the President  
 15           may establish.

16           “(b) *USE OF FUNDS.*—Such an organization may use  
 17           a grant made under subsection (a) to make grants to part-  
 18           nerships described in paragraph (2) or (4) of section 111(a)  
 19           to implement, operate, or expand school-based service-learn-  
 20           ing programs as described in such section and provide tech-  
 21           nical assistance and training to appropriate persons.

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

23           “(a) *INDIAN TRIBES AND TERRITORIES.*—Of the  
 24           amounts appropriated to carry out this subpart for any fis-  
 25           cal year, the Corporation shall reserve an amount of not

1 *more than 1 percent for payments to Indian tribes, the Vir-*  
 2 *gin Islands, Guam, American Samoa, and the Common-*  
 3 *wealth of the Northern Mariana Islands, to be allotted in*  
 4 *accordance with their respective needs. The Corporation*  
 5 *may also make payments from such amount to Palau, in*  
 6 *accordance with its needs, until such time as the Compact*  
 7 *of Free Association with Palau is ratified.*

8       “(b) *GRANTS AND ALLOTMENTS THROUGH STATES.*—  
 9 *The Corporation shall use the remainder of the funds appro-*  
 10 *priated to carry out this subpart for any fiscal year as*  
 11 *follows:*

12               “(1) *GRANTS.*—*Except as provided in paragraph*  
 13 *(3), from 25 percent of such funds, the Corporation*  
 14 *may make grants, on a competitive basis, to—*

15                       “(A) *States and Indian tribes; or*

16                       “(B) *as described in section 111B, to*  
 17 *grantmaking entities.*

18               “(2) *ALLOTMENTS.*—

19                       “(A) *SCHOOL-AGE YOUTH.*—*Except as pro-*  
 20 *vided in paragraph (3), from 37.5 percent of*  
 21 *such funds, the Corporation shall allot to each*  
 22 *State an amount that bears the same ratio to*  
 23 *37.5 percent of such funds as the number of*  
 24 *school-age youth in the State bears to the total*  
 25 *number of school-age youth of all States.*

1           “(B) *ALLOCATION UNDER ELEMENTARY AND*  
2           *SECONDARY EDUCATION ACT OF 1965.*—Except as  
3           *provided in paragraph (3), from 37.5 percent of*  
4           *such funds, the Corporation shall allot to each*  
5           *State an amount that bears the same ratio to*  
6           *37.5 percent of such funds as the allocation to*  
7           *the State for the previous fiscal year under chap-*  
8           *ter 1 of title I of the Elementary and Secondary*  
9           *Education Act of 1965 (20 U.S.C. 2711 et seq.)*  
10          *bears to such allocations to all States.*

11          “(3) *MINIMUM AMOUNT.*—No State shall receive,  
12          *under paragraph (2), an allotment that is less than*  
13          *the allotment such State received for fiscal year 1993*  
14          *under section 112(b) of this Act, as in effect on the*  
15          *day before the date of enactment of this part. If the*  
16          *amount of funds made available in a fiscal year to*  
17          *carry out paragraph (2) is insufficient to make such*  
18          *allotments, the Corporation shall make available sums*  
19          *from the 25 percent described in paragraph (1) for*  
20          *such fiscal year to make such allotments.*

21          “(4) *DEFINITION.*—Notwithstanding section  
22          101(27), for purposes of this subsection, the term  
23          ‘State’ means each of the several States, the District  
24          of Columbia, the Commonwealth of Puerto Rico, and  
25          an Indian tribe.

1       “(c) *REALLOTMENT.*—If the Corporation determines  
2 that the allotment of a State or Indian tribe under this  
3 section will not be required for a fiscal year because the  
4 State or Indian tribe does not submit an application for  
5 the allotment under section 113 that meets the requirements  
6 of such section and such other requirements as the President  
7 may determine to be appropriate, the Corporation shall,  
8 after making any grants under section 111A to a partner-  
9 ship or agency described in such section, make any remain-  
10 der of such allotment available for reallocation to such other  
11 States, and Indian tribes, with approved applications sub-  
12 mitted under section 113, as the Corporation may deter-  
13 mine to be appropriate.

14       “(d) *EXCEPTION.*—Notwithstanding subsections (a)  
15 and (b), if less than \$20,000,000 is appropriated for any  
16 fiscal year to carry out this subpart, the Corporation shall  
17 award grants to States and Indian tribes, from the amount  
18 so appropriated, on a competitive basis to pay for the Fed-  
19 eral share of the activities described in section 111.

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

21       “(a) *SUBMISSION.*—To be eligible to receive a grant  
22 under section 112(b)(1), an allotment under subsection (a)  
23 or (b)(2) of section 112, a reallocation under section 112(c),  
24 or a grant under section 112(d), a State, acting through  
25 the State educational agency, or an Indian tribe, shall pre-

1 *pare, submit to the Corporation, and obtain approval of,*  
2 *an application at such time and in such manner as the*  
3 *President may reasonably require.*

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

7               “(1) *a 3-year strategic plan, or a revision of a*  
8 *previously approved 3-year strategic plan, for pro-*  
9 *moting service-learning through the programs, which*  
10 *plan shall contain such information as the President*  
11 *may reasonably require, such as—*

12                       “(A) *a description of the goals to be at-*  
13 *tained in promoting service-learning through*  
14 *such programs;*

15                       “(B) *a description of the resources and or-*  
16 *ganization needed to achieve the goals of such*  
17 *programs within elementary schools and second-*  
18 *ary schools; and*

19                       “(C) *a description of the manner in*  
20 *which—*

21                               “(i) *such programs and the activities*  
22 *to be carried out under such programs re-*  
23 *late to the goals described in subparagraph*  
24 *(A);*

1           “(ii) the applicant will evaluate the  
2           success of the programs and the extent of  
3           community involvement in the programs,  
4           and measure the extent to which the pro-  
5           grams meet the goals described in subpara-  
6           graph (A);

7           “(iii) in reviewing applications that  
8           are submitted under section 114(c), the ap-  
9           plicant will rank the applications according  
10          to the criteria described in section 115(b),  
11          will consider the factors described in section  
12          115(a), and will review the applications in  
13          a manner that ensures the equitable treat-  
14          ment of all such applications;

15          “(iv) the programs will be coordinated  
16          with—

17               “(I) the education reform efforts of  
18               the applicant;

19               “(II) other efforts to meet the Na-  
20               tional Education Goals;

21               “(III) other service activities in  
22               the State or serving the Indian tribe;  
23               and

24               “(IV) other education programs,  
25               training programs, social service pro-

1                   grams, and appropriate programs that  
2                   serve school-age youth, that are author-  
3                   ized under Federal law;

4                   “(v) the applicant will disseminate in-  
5                   formation, conduct outreach, and take other  
6                   measures, to encourage cooperative efforts  
7                   among the local educational agencies, local  
8                   government agencies, community-based  
9                   agencies, State agencies, and private for-  
10                  profit businesses that will carry out the  
11                  service-learning programs proposed by the  
12                  applicant, to develop and provide projects,  
13                  including those that involve the participa-  
14                  tion of urban, suburban, and rural students  
15                  working together;

16                  “(vi) the applicant will promote ap-  
17                  propriate projects in such programs for eco-  
18                  nomicallly disadvantaged students, students  
19                  with limited basic skills, students in foster  
20                  care who are becoming too old for foster  
21                  care, students of limited-English pro-  
22                  ficiency, homeless students, and students  
23                  who are individuals with disabilities;



1           “(vii) service-learning training and  
2           technical assistance will be provided  
3           through the programs—

4                   “(I) to State and local edu-  
5                   cational agency personnel, federally as-  
6                   sisted education specialists in the State  
7                   or serving the Indian tribe, and local  
8                   recipients of grants under this subpart,  
9                   to raise the awareness of service-learn-  
10                  ing among such personnel, specialists,  
11                  and recipients; and

12                  “(II) by qualified and experienced  
13                  individuals employed by the State or  
14                  Indian tribe or through grants or con-  
15                  tracts with such individuals;

16           “(viii) a service-learning network will  
17           be established for the State or Indian tribe,  
18           comprised of expert teachers and adminis-  
19           trators who have carried out successful serv-  
20           ice-learning activities within the State or  
21           serving the Indian tribe; and

22           “(ix) the applicant will use payments  
23           from sources described in section  
24           116(a)(2)(B) to expand projects for students

1           *through the programs proposed by the ap-*  
 2           *plicant;*

3           “(2) *assurances that—*

4                 *“(A) the applicant will keep such records*  
 5                 *and provide such information to the Corporation*  
 6                 *with respect to the programs as may be required*  
 7                 *for fiscal audits and program evaluation; and*

8                 *“(B) the applicant will comply with the*  
 9                 *nonduplication and nondisplacement require-*  
 10                 *ments of section 177 and the grievance procedure*  
 11                 *requirements of section 176(f); and*

12           “(3) *such additional information as the Presi-*  
 13           *dent may reasonably require.*

14   **“SEC. 114. LOCAL APPLICATIONS.**

15           “(a) *APPLICATION TO CORPORATION TO MAKE GRANTS*  
 16   *FOR SCHOOL-BASED SERVICE-LEARNING PROGRAMS.—*

17                 “(1) *IN GENERAL.—To be eligible to receive a*  
 18                 *grant in accordance with section 111B(a) to make*  
 19                 *grants relating to school-based service-learning pro-*  
 20                 *grams described in section 111(a)(2), a grantmaking*  
 21                 *entity shall prepare, submit to the Corporation, and*  
 22                 *obtain approval of, an application.*

23                 “(2) *SUBMISSION.—Such application shall be*  
 24                 *submitted at such time and in such manner, and*

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

3       “(b) *DIRECT APPLICATION TO CORPORATION TO*  
 4       *CARRY OUT SCHOOL-BASED SERVICE-LEARNING PRO-*  
 5       *GRAMS IN NONPARTICIPATING STATES.—To be eligible to*  
 6       *receive a grant from the Corporation in the circumstances*  
 7       *described in section 111A to carry out an activity described*  
 8       *in such section, a partnership or agency described in such*  
 9       *section shall prepare, submit to the Corporation, and obtain*  
 10       *approval of, an application. Such application shall be sub-*  
 11       *mitted at such time and in such manner, and shall contain*  
 12       *such information, as the President may reasonably require.*

13       “(c) *APPLICATION TO STATE OR INDIAN TRIBE TO RE-*  
 14       *CEIVE ASSISTANCE TO CARRY OUT SCHOOL-BASED SERV-*  
 15       *ICE-LEARNING PROGRAMS.—*

16               “(1) *IN GENERAL.—Any—*

17                       “(A) *qualified organization that desires to*  
 18                       *receive financial assistance under this subpart*  
 19                       *from a State or Indian tribe for an activity de-*  
 20                       *scribed in section 111(a)(1);*

21                       “(B) *partnership described in section*  
 22                       *111(a)(2) that desires to receive such assistance*  
 23                       *from a State, Indian tribe, or grantmaking en-*  
 24                       *tity for an activity described in section*  
 25                       *111(a)(2);*

1           “(C) agency described in section 111(a)(3)  
 2           that desires to receive such assistance from a  
 3           State or Indian tribe for an activity described in  
 4           such section; or

5           “(D) partnership described in section  
 6           111(a)(4) that desires to receive such assistance  
 7           from a State or Indian tribe for an activity de-  
 8           scribed in such section,  
 9           to be carried out through a service-learning program  
 10          described in section 111, shall prepare, submit to the  
 11          State educational agency, Indian tribe, or  
 12          grantmaking entity, and obtain approval of, an ap-  
 13          plication for the program.

14          “(2) SUBMISSION.—Such application shall be  
 15          submitted at such time and in such manner, and  
 16          shall contain such information, as the agency, tribe,  
 17          or entity may reasonably require.

18          “(d) CONTENTS OF APPLICATION.—An application  
 19          that is submitted under subsection (a), (b), or (c) with re-  
 20          spect to a service-learning program described in section 111  
 21          shall, at a minimum, contain a proposal that includes—

22               “(1) information specifying the membership and  
 23               role of an established advisory committee, consisting  
 24               of representatives of community-based agencies in-  
 25               cluding service recipients, students, parents, teachers,

1       *administrators, representatives of agencies that serve*  
2       *school-age youth or older adults, school board mem-*  
3       *bers, representatives of local labor organizations, and*  
4       *representatives of business, that will provide advice*  
5       *with respect to the program;*

6               “(2) a description of—

7                       “(A) the goals of the program which shall  
8                       include goals that are quantifiable and dem-  
9                       onstrate any benefits from the program to par-  
10                      ticipants and the community;

11                     “(B) service-learning projects to be provided  
12                     under the program, and evidence that partici-  
13                     pants will make a sustained commitment to serv-  
14                     ice in the projects;

15                     “(C) the manner in which participants in  
16                     the program were or will be involved in the de-  
17                     sign and operation of the program;

18                     “(D) training for supervisors, teachers, serv-  
19                     ice sponsors, and participants in the program;

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

22                     “(F) any resources that will permit con-  
23                     tinuation of the program, if needed, after the as-  
24                     sistance received under this subpart for the pro-  
25                     gram has ended;

1           “(3) information that shall include—

2                   “(A) a disclosure of whether or not the par-  
3           ticipants will receive academic credit for partici-  
4           pation in the program;

5                   “(B) the expected number of participants in  
6           the program and the hours of service that such  
7           participants will provide individually and as a  
8           group;

9                   “(C) the proportion of expected participants  
10          in the program who are economically disadvan-  
11          taged, including participants who are individ-  
12          uals with disabilities; and

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

16          “(4) in the case of an application submitted by  
17          a local partnership, a written agreement, between the  
18          members of the local partnership, stating that the pro-  
19          gram was jointly developed by the members and that  
20          the program will be jointly executed by the members;

21          “(5) assurances that—

22                  “(A) prior to the placement of a partici-  
23          pant, the entity carrying out the program will  
24          consult with any local labor organization rep-  
25          resenting employees in the area who are engaged

1       *in the same or similar work as that proposed to*  
2       *be carried out by such program, to prevent the*  
3       *displacement and protect the rights of such em-*  
4       *ployees;*

5               *“(B) the entity carrying out the program*  
6       *will develop an age-appropriate learning compo-*  
7       *nent for participants in the program that shall*  
8       *include a chance for participants to analyze and*  
9       *apply their service experiences; and*

10              *“(C) the entity carrying out the program*  
11       *will comply with the nonduplication and*  
12       *nondisplacement requirements of section 177 and*  
13       *the grievance procedure requirements of section*  
14       *176(f); and*

15              *“(6) in the case of an application submitted by*  
16       *a grantmaking entity, information demonstrating*  
17       *that the entity will make grants for a program to—*

18               *“(A) carry out activities described in sec-*  
19       *tion 111B(b) in two or more States, under cir-*  
20       *cumstances in which the activities carried out*  
21       *under such program can be carried out more effi-*  
22       *ciently through one program than through two or*  
23       *more programs; and*

24               *“(B) carry out the same activities, such as*  
25       *training activities or activities related to ex-*

1           *changing information on service experiences,*  
2           *through each of the projects assisted through the*  
3           *program.*

4           “(e) *LIMITATION ON SAME PROJECT IN MULTIPLE AP-*  
5           *PLICATIONS.—No applicant shall submit an application*  
6           *under section 113 or this section, and the Corporation shall*  
7           *reject an application that is submitted under section 113*  
8           *or this section, if the application describes a project pro-*  
9           *posed to be conducted using assistance requested by the ap-*  
10           *plicant and the project is already described in another ap-*  
11           *plication pending before the Corporation.*

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

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

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

23           “(1) *IN GENERAL.—In providing assistance*  
24           *under this subpart, a State educational agency or In-*  
25           *dian tribe, or the Corporation if section 111A or*



1     *111B applies, shall give priority to entities that sub-*  
 2     *mit applications under section 114 with respect to*  
 3     *service-learning programs described in section 111*  
 4     *that—*

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

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

9             *“(C) involve—*

10             *“(i) students from public elementary or*  
 11             *secondary schools, and students from pri-*  
 12             *vate elementary or secondary schools, serv-*  
 13             *ing together; or*

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

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

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

1 nical assistance, if needed, to the State as part of the resub-  
 2 mission process. The Corporation shall promptly reconsider  
 3 such resubmitted application.

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

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

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

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

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

1 *profit schools as required by subsection (a), or if the Cor-*  
 2 *poration determines that a State, Indian tribe, or local edu-*  
 3 *cational agency substantially fails or is unwilling to pro-*  
 4 *vide for such participation on an equitable basis, the Presi-*  
 5 *dent shall waive such requirements and shall arrange for*  
 6 *the provision of services to such students and teachers. Such*  
 7 *waivers shall be subject to consultation, withholding, notice,*  
 8 *and judicial review requirements in accordance with para-*  
 9 *graphs (3) and (4) of section 1017(b) of the Elementary*  
 10 *and Secondary Education Act of 1965 (20 U.S.C. 2727(b)).*

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

12 *“(a) 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 or allotment is made*  
 16 *under this subpart may not exceed—*

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

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

23 *“(C) 70 percent of the total cost of the pro-*  
 24 *gram for the third year for which the program*  
 25 *receives assistance under this subpart; and*

1           “(D) 50 percent of the total cost of the pro-  
 2           gram for the fourth year, and for any subsequent  
 3           year, for which the program receives assistance  
 4           under this subpart.

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

9                   “(A) shall provide for such share through a  
 10                  payment in cash or in kind, fairly evaluated, in-  
 11                  cluding facilities, equipment, or services; and

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

16           “(b) *WAIVER.*—The President may waive the require-  
 17           ments of subsection (a) in whole or in part with respect  
 18           to any such program in any fiscal year if the Corporation  
 19           determines that such a waiver would be equitable due to  
 20           a lack of available financial resources at the local level.

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

22           “(a) *ADMINISTRATIVE COSTS.*—

23                   “(1) *LIMITATION.*—Not more than 5 percent of  
 24                  the amount of assistance provided to a State edu-  
 25                  cational agency, Indian tribe, or grantmaking entity

1     *that is the original recipient of a grant or allotment*  
 2     *under subsection (a), (b), (c), or (d) of section 112 for*  
 3     *a fiscal year may be used to pay for administrative*  
 4     *costs incurred by—*

5             *“(A) the original recipient; or*

6             *“(B) the entity carrying out the service-*  
 7             *learning programs supported with the assistance.*

8             *“(2) RULES ON USE.—The President may by*  
 9     *rule prescribe the manner and extent to which—*

10            *“(A) such assistance may be used to cover*  
 11            *administrative costs; and*

12            *“(B) that portion of the assistance available*  
 13            *to cover administrative costs should be distrib-*  
 14            *uted between—*

15            *“(i) the original recipient; and*

16            *“(ii) the entity carrying out the serv-*  
 17            *ice-learning programs supported with the*  
 18            *assistance.*

19            *“(b) CAPACITY-BUILDING ACTIVITIES.—*

20            *“(1) IN GENERAL.—Except as provided in para-*  
 21            *graph (2), not less than 10 percent and not more than*  
 22            *15 percent of the amount of assistance provided to a*  
 23            *State educational agency or Indian tribe that is the*  
 24            *original recipient of a grant or allotment under sub-*  
 25            *section (a), (b), (c), or (d) of section 112 for a fiscal*

1     year may be used to build capacity through training,  
 2     technical assistance, curriculum development, and co-  
 3     ordination activities, described in section 111(a)(1).

4           “(2) *WAIVER.*—The President may waive the re-  
 5     quirements of paragraph (1) in order to permit an  
 6     agency or a tribe to use not less than 10 percent and  
 7     not more than 25 percent of such amount to build ca-  
 8     pacity as provided in paragraph (1). To be eligible to  
 9     receive such a waiver such an agency or tribe shall  
 10    submit an application to the President at such time,  
 11    in such manner, and containing such information as  
 12    the President may require.

13          “(c) *LOCAL USES OF FUNDS.*—Funds made available  
 14    under this subpart may not be used to pay any stipend,  
 15    allowance, or other financial support to any student who  
 16    is a participant under this subtitle, except reimbursement  
 17    for transportation, meals, and other reasonable out-of-pock-  
 18    et expenses directly related to participation in a program  
 19    assisted under this subpart.

20    **“SEC. 116B. DEFINITIONS.**

21          “As used in this subpart:

22           “(1) *GRANTMAKING ENTITY.*—The term  
 23    ‘grantmaking entity’ means an organization described  
 24    in section 111B(a).

1           “(2) *SCHOOL-BASED.*—The term ‘school-based’  
 2           *means based in an elementary school or a secondary*  
 3           *school.*

4           “(3) *STUDENT.*—Notwithstanding section  
 5           101(30), the term ‘student’ means an individual who  
 6           *is enrolled in an elementary or secondary school on*  
 7           *a full- or part-time basis.*

8           **“Subpart B—Community-Based Service Programs for**  
 9                               **School-Age Youth**

10          **“SEC. 117. DEFINITIONS.**

11          *“As used in this subpart:*

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

15               “(2) *GRANTMAKING ENTITY.*—The term  
 16               ‘grantmaking entity’ means a qualified organization  
 17               that—

18                       “(A) *submits an application under section*  
 19                       *117C(a) to make grants to qualified organiza-*  
 20                       *tions;*

21                       “(B) *was in existence 1 year before the date*  
 22                       *on which the organization submitted the applica-*  
 23                       *tion;*

24                       “(C) *has experience with service-learning;*  
 25                       *and*

1           “(D) meets such other criteria as the Presi-  
2           dent shall establish.

3           “(3) *QUALIFIED ORGANIZATION.*—The term  
4           ‘qualified organization’ means a public or private  
5           not-for-profit organization with experience working  
6           with school-age youth that meets such criteria as the  
7           President may establish.

8   **“SEC. 117A. GENERAL AUTHORITY.**

9           “(a) *GRANTS.*—From the funds appropriated to carry  
10          out this subpart for a fiscal year, the Corporation may  
11          make grants to State Commissions, grantmaking entities,  
12          and qualified organizations to pay for the Federal share  
13          of the implementation, operation, expansion, or replication  
14          of community-based service programs.

15          “(b) *USE OF FUNDS.*—

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

19                         “(A) to make a grant to a qualified organi-  
20                         zation to implement, operate, expand, or rep-  
21                         licate a community-based service program that  
22                         provides for meaningful human, educational, en-  
23                         vironmental, or public safety service by partici-  
24                         pants, who shall be school-age youth; or



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

3           “(2) *QUALIFIED ORGANIZATIONS.*—A qualified  
4           organization, other than a grantmaking entity, may  
5           use a grant made under subsection (a) to implement,  
6           operate, expand, or replicate a program described in  
7           paragraph (1)(A).

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

9           “(a) *IN GENERAL.*—To be eligible to receive a grant  
10          under section 117A(a), a State Commission shall prepare,  
11          submit to the Corporation, and obtain approval of, an  
12          application.

13          “(b) *SUBMISSION.*—Such application shall be submit-  
14          ted to the Corporation at such time and in such manner,  
15          and shall contain such information, as the President may  
16          reasonably require.

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

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

24          “(a) *APPLICATION TO CORPORATION TO MAKE GRANTS*  
25          *FOR COMMUNITY-BASED SERVICE PROGRAMS.*—To be eligi-

1 *ble to receive a grant from the Corporation under section*  
2 *117A(a) to make grants under section 117A(b)(1), a*  
3 *grantmaking entity shall prepare, submit to the Corpora-*  
4 *tion, and obtain approval of, an application that proposes*  
5 *a community-based service program to be carried out*  
6 *through grants made to qualified organizations. Such ap-*  
7 *plication shall be submitted at such time and in such man-*  
8 *ner, and shall contain such information, as the President*  
9 *may reasonably require.*

10       “(b) *DIRECT APPLICATION TO CORPORATION TO*  
11 *CARRY OUT COMMUNITY-BASED SERVICE PROGRAMS.—To*  
12 *be eligible to receive a grant from the Corporation under*  
13 *section 117A(a) to implement, operate, expand, or replicate*  
14 *a community service program, a qualified organization*  
15 *shall prepare, submit to the Corporation, and obtain ap-*  
16 *proval of, an application that proposes a community-based*  
17 *service program to be carried out at multiple sites, or that*  
18 *proposes a model or an innovative community-based service*  
19 *program. Such application shall be submitted at such time*  
20 *and in such manner, and shall contain such information,*  
21 *as the President may reasonably require.*

22       “(c) *APPLICATION TO STATE COMMISSION OR*  
23 *GRANTMAKING ENTITY TO RECEIVE GRANTS TO CARRY*  
24 *OUT COMMUNITY-BASED SERVICE PROGRAMS.—To be eli-*  
25 *gible to receive a grant from a State Commission or*

1 *grantmaking entity under section 117A(b)(1), a qualified*  
2 *organization shall prepare, submit to the Commission or*  
3 *entity, and obtain approval of, an application. Such appli-*  
4 *cation shall be submitted at such time and in such manner,*  
5 *and shall contain such information, as the Commission or*  
6 *entity may reasonably require.*

7       “(d) *REQUIREMENTS OF APPLICATION.*—An applica-  
8 *tion submitted under subsection (a), (b), or (c) shall, at a*  
9 *minimum, contain—*

10           “(1) *a description of any community-based serv-*  
11 *ice program proposed to be implemented, operated,*  
12 *expanded, or replicated directly by the applicant*  
13 *using assistance provided under this subpart;*

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

18           “(3) *a proposal for carrying out the community-*  
19 *based service program that describes the manner in*  
20 *which the entity carrying out the program will—*

21           “(A) *provide preservice and inservice train-*  
22 *ing, for supervisors and participants, that will*  
23 *be conducted by qualified individuals, or quali-*  
24 *fied organizations, that have experience in com-*  
25 *munity-based service programs;*

1           “(B) include economically disadvantaged  
2 individuals as participants in the program pro-  
3 posed by the applicant;

4           “(C) provide an age-appropriate service-  
5 learning component described in section  
6 114(d)(5)(B);

7           “(D) conduct an appropriate evaluation of  
8 the program;

9           “(E) provide for appropriate community  
10 involvement in the program;

11           “(F) provide service experiences that pro-  
12 mote leadership abilities among participants in  
13 the program, including experiences that involve  
14 such participants in program design;

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

17           “(H) establish and measure progress toward  
18 the goals of the program; and

19           “(I) if appropriate, organize participants  
20 in the program into teams, with team leaders  
21 who may be participants in a program under  
22 subtitle C or individuals who receive a national  
23 service educational award under subtitle D;

24           “(4) an assurance that the entity carrying out  
25 the program proposed by the applicant will comply

1     *with the nonduplication and nondisplacement provi-*  
2     *sions of section 177 and the grievance procedure re-*  
3     *quirements of section 176(f);*

4             *“(5) an assurance that the entity carrying out*  
5     *the program will, prior to placing a participant in*  
6     *the program, consult with any local labor organiza-*  
7     *tion representing employees in the area in which the*  
8     *program will be carried out that are engaged in the*  
9     *same or similar work as the work proposed to be car-*  
10    *ried out by the program, to prevent the displacement*  
11    *of such employees; and*

12            *“(6) in the case of an application submitted by*  
13    *a grantmaking entity, information demonstrating*  
14    *that the entity will make grants for a program to—*

15                *“(A) carry out activities described in sec-*  
16     *tion 117A(b)(1) in two or more States, under*  
17     *circumstances in which the activities carried out*  
18     *under such program can be carried out more effi-*  
19     *ciently through one program than through two or*  
20     *more programs; and*

21                *“(B) carry out the same activities, such as*  
22     *training activities or activities related to ex-*  
23     *changing information on service experiences,*  
24     *through each of the projects assisted through the*  
25     *program.*

1       “(e) *LIMITATION ON SAME PROJECT IN MULTIPLE AP-*  
 2 *PLICATIONS.*—No applicant shall submit an application  
 3 under section 117B or this section, and the Corporation  
 4 shall reject an application that is submitted under section  
 5 117B or this section, if the application describes a project  
 6 proposed to be conducted using assistance requested by the  
 7 applicant and the project is already described in another  
 8 application pending before the Corporation.

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

10       “(a) *APPLICATION OF CRITERIA.*—The Corporation  
 11 shall apply the criteria described in subsection (b) in deter-  
 12 mining whether to approve an application submitted under  
 13 section 117B or under subsection (a) or (b) of section 117C  
 14 and to provide assistance under section 117A to the appli-  
 15 cant on the basis of the application.

16       “(b) *ASSISTANCE CRITERIA.*—In evaluating such an  
 17 application with respect to a program under this subpart,  
 18 the Corporation shall consider the criteria established for  
 19 national service programs under section 133(c).

20       “(c) *APPLICATION TO SUBGRANTS.*—A State Commis-  
 21 sion or grantmaking entity shall apply the criteria de-  
 22 scribed in subsection (b) in determining whether to approve  
 23 an application under section 117C(c) and to make a grant  
 24 under section 117A(b)(1) to the applicant on the basis of  
 25 the application.

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

2 “(a) *FEDERAL SHARE.*—

3 “(1) *IN GENERAL.*—The Federal share attrib-  
4 utable to this subpart of the cost of carrying out a  
5 program for which a grant is made under this sub-  
6 part may not exceed the percentage specified in sub-  
7 paragraph (A), (B), (C), or (D) of section 116(a)(1),  
8 as appropriate.

9 “(2) *CALCULATION.*—Each recipient of assist-  
10 ance under this subpart shall comply with section  
11 116(a)(2).

12 “(b) *WAIVER.*—The President may waive the require-  
13 ments of subsection (a), in whole or in part, as provided  
14 in section 116(b).

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

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

22 “(1) the original recipient; or

23 “(2) the entity carrying out the community-  
24 based service programs supported with the assistance.

25 “(b) *RULES ON USE.*—The President may by rule pre-  
26 scribe the manner and extent to which—

1           “(1) such assistance may be used to cover admin-  
2           istrative costs; and

3           “(2) that portion of the assistance available to  
4           cover administrative costs should be distributed be-  
5           tween—

6                       “(A) the original recipient; and

7                       “(B) the entity carrying out the commu-  
8           nity-based service programs supported with the  
9           assistance.

10                   **“Subpart C—Clearinghouse**

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

12           “(a) *IN GENERAL.*—The Corporation shall provide fi-  
13           nancial assistance, from funds appropriated to carry out  
14           subtitle H, to agencies described in subsection (b) to estab-  
15           lish a clearinghouse, which shall carry out activities, either  
16           directly or by arrangement with another such entity, with  
17           respect to information about service-learning.

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

23           “(c) *FUNCTION OF CLEARINGHOUSE.*—An entity that  
24           receives assistance under subsection (a) may—



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

4           “(2) conduct research and evaluations concern-  
5           ing service-learning;

6           “(3)(A) provide leadership development and  
7           training to State and local service-learning program  
8           administrators, supervisors, service sponsors, and  
9           participants; and

10          “(B) provide training to persons who can pro-  
11          vide the leadership development and training de-  
12          scribed in subparagraph (A);

13          “(4) facilitate communication among entities  
14          carrying out service-learning programs and partici-  
15          pants in such programs;

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

21          “(6)(A) gather and disseminate information on  
22          successful service-learning programs, components of  
23          such successful programs, innovative youth skills cur-  
24          ricula related to service-learning, and service-learning  
25          projects; and

1           “(B) coordinate the activities of the Clearing-  
 2           house with appropriate entities to avoid duplication  
 3           of effort;

4           “(7) make recommendations to State and local  
 5           entities on quality controls to improve the quality of  
 6           service-learning programs;

7           “(8) assist organizations in recruiting, screening,  
 8           and placing service-learning coordinators; and

9           “(9) carry out such other activities as the Presi-  
 10          dent determines to be appropriate.”.

11          (b) *HIGHER EDUCATION INNOVATIVE PROJECTS.*—  
 12          Subtitle B of title I of the National and Community Service  
 13          Act of 1990 (42 U.S.C. 12531 et seq.) is amended by strik-  
 14          ing part II and inserting the following:

15          **“PART II—HIGHER EDUCATION INNOVATIVE**

16                 **PROGRAMS FOR COMMUNITY SERVICE**

17          **“SEC. 119. HIGHER EDUCATION INNOVATIVE PROGRAMS**  
 18                 **FOR COMMUNITY SERVICE.**

19          “(a) *PURPOSE.*—It is the purpose of this part to ex-  
 20          pand participation in community service by supporting in-  
 21          novative community service programs carried out through  
 22          institutions of higher education, acting as civic institutions  
 23          to meet the human, educational, environmental, or public  
 24          safety needs of neighboring communities.

1       “(b) *GENERAL AUTHORITY.*—*The Corporation, in con-*  
2 *sultation with the Secretary of Education, is authorized to*  
3 *make grants to, and enter into contracts with, institutions*  
4 *of higher education (including a combination of such insti-*  
5 *tutions), and partnerships comprised of such institutions*  
6 *and of other public agencies or not-for-profit private orga-*  
7 *nizations, to pay for the Federal share of the cost of—*

8               “(1) *enabling such an institution or partnership*  
9 *to create or expand an organized community service*  
10 *program that—*

11                       “(A) *engenders a sense of social responsibil-*  
12 *ity and commitment to the community in which*  
13 *the institution is located; and*

14                       “(B) *provides projects for participants, who*  
15 *shall be students, faculty, administration, or*  
16 *staff of the institution, or residents of the com-*  
17 *munity;*

18               “(2) *supporting student-initiated and student-de-*  
19 *signed community service projects through the pro-*  
20 *gram;*

21               “(3) *strengthening the leadership and instruc-*  
22 *tional capacity of teachers at the elementary, second-*  
23 *ary, and post secondary levels, with respect to service-*  
24 *learning, by—*

1           “(A) including service-learning as a key  
2           component of the preservice teacher education of  
3           the institution; and

4           “(B) encouraging the faculty of the institu-  
5           tion to use service-learning methods throughout  
6           their curriculum;

7           “(4) facilitating the integration of community  
8           service carried out under the program into academic  
9           curricula, including integration of clinical programs  
10          into the curriculum for students in professional  
11          schools, so that students can obtain credit for their  
12          community service projects;

13          “(5) supplementing the funds available to carry  
14          out work-study programs under part C of title IV of  
15          the Higher Education Act of 1965 (42 U.S.C. 2751 et  
16          seq.) to support service-learning and community serv-  
17          ice through the community service program;

18          “(6) strengthening the service infrastructure  
19          within institutions of higher education in the United  
20          States through the program; and

21          “(7) providing for the training of teachers, pro-  
22          spective teachers, related education personnel, and  
23          community leaders in the skills necessary to develop,  
24          supervise, and organize service-learning.

25          “(c) FEDERAL SHARE.—

1           “(1) *SHARE*.—

2                   “(A) *IN GENERAL*.—*The Federal share of*  
3                   *the cost of carrying out a community service*  
4                   *project for which a grant or contract is awarded*  
5                   *under this part may not exceed 50 percent.*

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

9           “(2) *WAIVER*.—*The President may waive the re-*  
10           *quirements of paragraph (1), in whole or in part, as*  
11           *provided in section 116(b).*

12           “(d) *APPLICATION FOR GRANT*.—

13                   “(1) *SUBMISSION*.—*To receive a grant or enter*  
14                   *into a contract under this part, an institution or*  
15                   *partnership described in subsection (b) shall prepare,*  
16                   *submit to the Corporation, and obtain approval of,*  
17                   *an application at such time and in such manner as*  
18                   *the President may reasonably require.*

19                   “(2) *CONTENTS*.—*An application submitted*  
20                   *under paragraph (1) shall contain—*

21                           “(A) *such information as the President may*  
22                           *reasonably require, such as a description of—*

23                                   “(i) *the proposed program to be estab-*  
24                                   *lished with assistance provided under the*  
25                                   *grant or contract;*

1           “(ii) the human, educational, environ-  
2           mental, or public safety service that partici-  
3           pants will perform and the community need  
4           that will be addressed under such program;

5           “(iii) whether or not students will re-  
6           ceive academic credit for community service  
7           projects under the program;

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

12          “(v) the procedures to ensure that the  
13          program provides an opportunity for par-  
14          ticipants to reflect on their service experi-  
15          ences and includes the age-appropriate  
16          learning component described in section  
17          114(d)(5)(B);

18          “(vi) the roles played by students and  
19          community members, including service re-  
20          cipients, in the design and implementation  
21          of the program; and

22          “(vii) the budget for the program;

23          “(B) assurances that—

24               “(i) prior to the placement of a partic-  
25               ipant, the applicant will consult with any

1           *local labor organization representing em-*  
2           *ployees in the area who are engaged in the*  
3           *same or similar work as that proposed to be*  
4           *carried out by such program, to prevent the*  
5           *displacement and protect the rights of such*  
6           *employees; and*

7           “(ii) *the applicant will comply with*  
8           *the nonduplication and nondisplacement*  
9           *provisions of section 177 and the grievance*  
10           *procedure requirements of section 176(f);*  
11           *and*

12           “(C) *such other assurances as the President*  
13           *may reasonably require.*

14           “(e) *PRIORITY.—*

15           “(1) *IN GENERAL.—In making grants and enter-*  
16           *ing into contracts under subsection (b), the Corpora-*  
17           *tion shall give priority to applicants that submit ap-*  
18           *plications containing proposals that—*

19           “(A) *demonstrate the commitment of the in-*  
20           *stitution of higher education, other than by dem-*  
21           *onstrating the commitment of the students, to*  
22           *supporting the community service projects car-*  
23           *ried out under the program;*

24           “(B) *specify the manner in which the insti-*  
25           *tution will promote faculty, administration, and*

1       *staff participation in the community service*  
2       *projects;*

3               “(C) *specify the manner in which the insti-*  
4       *tution will provide service to the community*  
5       *through organized programs, including, where*  
6       *appropriate, clinical programs for students in*  
7       *professional schools;*

8               “(D) *describe any partnership that will*  
9       *participate in the community service projects,*  
10       *such as a partnership comprised of—*

11                   “(i) *the institution;*

12                   “(ii) (I) *a community-based agency;*

13                   “(II) *a local government agency; or*

14                   “(III) *a not-for-profit entity that*  
15       *serves or involves school-age youth or older*  
16       *adults; and*

17                   “(iii) *a student organization;*

18               “(E) *demonstrate community involvement*  
19       *in the development of the proposal;*

20               “(F) *specify that the institution will use*  
21       *such assistance to strengthen the service infra-*  
22       *structure in institutions of higher education; or*

23               “(G) *with respect to projects involving de-*  
24       *livery of service, specify projects that involve*  
25       *leadership development of school-age youth.*



1           “(2) *DETERMINATION.*—In giving priority to ap-  
 2           plicants under paragraph (1), the Corporation shall  
 3           give increased priority to such an applicant for each  
 4           characteristic described in subparagraphs (A) through  
 5           (G) of paragraph (1) that is reflected in the applica-  
 6           tion submitted by the applicant.

7           “(f) *NATIONAL SERVICE EDUCATIONAL AWARD.*—A  
 8           participant in a program funded under this part shall be  
 9           eligible for the national service educational award described  
 10          in subtitle D, if the participant served in an approved na-  
 11          tional service position.

12          “(g) *DEFINITION.*—Notwithstanding section 101(30),  
 13          as used in this part, the term ‘student’ means an individual  
 14          who is enrolled in an institution of higher education on  
 15          a full- or part-time basis.

### 16                   **“PART III—GENERAL PROVISIONS**

#### 17   **“SEC. 120. AVAILABILITY OF APPROPRIATIONS.**

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

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

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

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

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

5           (c) *TABLE OF CONTENTS.*—Section 1(b) of the Na-  
6           tional and Community Service Act of 1990 (Public Law  
7           101–610; 104 Stat. 3127) is amended by striking the items  
8           relating to subtitle B of title I of such Act and inserting  
9           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.

“Sec. 120. Availability of appropriations.”.

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

2 (a) *REPEAL.*—Subtitle E of title I of the National and  
3 Community Service Act of 1990 (42 U.S.C. 12591 et seq.)  
4 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. 12653  
8 et seq.) as subtitle E;

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

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

13 (c) *INVESTMENT FOR QUALITY AND INNOVATION.*—  
14 Title I of the National and Community Service Act of 1990  
15 (as amended by subsection (b) of this section) is amended  
16 by adding at the end the following new subtitle:

17 **“Subtitle H—Investment for Quality**  
18 **and Innovation**

19 **“SEC. 198. ADDITIONAL CORPORATION ACTIVITIES TO SUP-**  
20 **PORT NATIONAL SERVICE.**

21 “(a) *METHODS OF CONDUCTING ACTIVITIES.*—The  
22 Corporation may carry out this section directly or through  
23 grants, contracts, and cooperative agreements with other en-  
24 tities.

1       “(b) *INNOVATION AND QUALITY IMPROVEMENT.*—

2               “(1) *ACTIVITIES.*—*The Corporation may under-*  
3       *take activities to improve the quality of national serv-*  
4       *ice programs and to support innovative and model*  
5       *programs, including—*

6               “(A) *programs, including programs for*  
7       *rural youth, under subtitle B or C;*

8               “(B) *employer-based retiree programs;*

9               “(C) *intergenerational programs;*

10              “(D) *programs involving individuals with*  
11       *disabilities as participants providing service;*  
12       *and*

13              “(E) *programs sponsored by Governors.*

14              “(2)    *INTERGENERATIONAL       PROGRAM.*—*An*  
15       *intergenerational program referred to in paragraph*  
16       *(1)(C) may include a program in which older adults*  
17       *provide services to children who participate in Head*  
18       *Start programs.*

19              “(c) *SUMMER PROGRAMS.*—*The Corporation may sup-*  
20       *port service programs intended to be carried out between*  
21       *May 1 and October 1, except that such a program may also*  
22       *include a year-round component.*

23              “(d) *COMMUNITY-BASED AGENCIES.*—*The Corpora-*  
24       *tion may provide training and technical assistance and*  
25       *other assistance to service sponsors and other community-*

1 *based agencies that provide volunteer placements in order*  
2 *to improve the ability of such agencies to use participants*  
3 *and other volunteers in a manner that results in high-quality*  
4 *service and a positive service experience for the participants*  
5 *and volunteers.*

6       “(e) *IMPROVE ABILITY TO APPLY FOR ASSISTANCE.*—  
7 *The Corporation shall provide training and technical assistance,*  
8 *where necessary, to individuals, programs, local labor organizations,*  
9 *State educational agencies, State Commissions, local educational agencies,*  
10 *local governments, community-based agencies, and other entities to enable*  
11 *them to apply for funding under one of the national service*  
12 *laws, to conduct high-quality programs, to evaluate such*  
13 *programs, and for other purposes.*

15       “(f) *NATIONAL SERVICE FELLOWSHIPS.*—*The Corporation may award national service fellowships.*

17       “(g) *CONFERENCES AND MATERIALS.*—*The Corporation may organize and hold conferences, and prepare and*  
18 *publish materials, to disseminate information and promote*  
19 *the sharing of information among programs for the purpose*  
20 *of improving the quality of programs and projects.*

22       “(h) *PEACE CORPS AND VISTA TRAINING.*—*The Corporation may provide training assistance to selected individuals*  
23 *who volunteer to serve in the Peace Corps or a program*  
24 *authorized under title I of the Domestic Volunteer*  
25 *Program.*

1 *Service Act of 1973 (42 U.S.C. 4951 et seq.). The training*  
 2 *shall be provided as part of the course of study of the indi-*  
 3 *vidual at an institution of higher education, shall involve*  
 4 *service-learning, and shall cover appropriate skills that the*  
 5 *individual will use in the Peace Corps or VISTA.*

6       “(i) *PROMOTION AND RECRUITMENT.*—*The Corpora-*  
 7 *tion may conduct a campaign to solicit funds for the Na-*  
 8 *tional Service Trust and other programs and activities au-*  
 9 *thorized under the national service laws and to promote and*  
 10 *recruit participants for programs that receive assistance*  
 11 *under the national service laws.*

12       “(j) *TRAINING.*—*The Corporation may support na-*  
 13 *tional and regional participant and supervisor training,*  
 14 *including leadership training and training in specific types*  
 15 *of service and in building the ethic of civic responsibility.*

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

18       “(l) *INTERGENERATIONAL SUPPORT.*—*The Corpora-*  
 19 *tion may assist programs in developing a service compo-*  
 20 *nent that combines students, out-of-school youths, and older*  
 21 *adults as participants to provide needed community serv-*  
 22 *ices.*

23       “(m) *PLANNING COORDINATION.*—*The Corporation*  
 24 *may coordinate community-wide planning among pro-*  
 25 *grams and projects.*

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

4       “(o) *NATIONAL PROGRAM IDENTITY.*—*The Corpora-*  
5       *tion may support the development and dissemination of*  
6       *materials, including training materials, and arrange for*  
7       *uniforms and insignia, designed to promote unity and*  
8       *shared features among programs that receive assistance*  
9       *under the national service laws.*

10       “(p) *SERVICE-LEARNING.*—*The Corporation shall sup-*  
11       *port innovative programs and activities that promote serv-*  
12       *ice-learning.*

13       “(q) *NATIONAL YOUTH SERVICE DAY.*—

14               “(1) *DESIGNATION.*—*April 19, 1994, and April*  
15       *18, 1995 are each designated as ‘National Youth*  
16       *Service Day’. The President of the United States is*  
17       *authorized and directed to issue a proclamation call-*  
18       *ing on the people of the United States to observe the*  
19       *day with appropriate ceremonies and activities.*

20               “(2) *FEDERAL ACTIVITIES.*—*In order to observe*  
21       *National Youth Service Day at the Federal level, the*  
22       *Corporation may organize and carry out appropriate*  
23       *ceremonies and activities.*

24               “(3) *ACTIVITIES.*—*The Corporation may make*  
25       *grants to not-for-profit organizations with dem-*

1       onstrated ability to carry out appropriate activities,  
 2       in order to support such activities on National Youth  
 3       Service Day.

4       ***“SEC. 198A. CLEARINGHOUSES.***

5       “(a) ASSISTANCE.—The Corporation shall provide as-  
 6       sistance to appropriate entities to establish one or more  
 7       clearinghouses, including the clearinghouse described in sec-  
 8       tion 118.

9       “(b) APPLICATION.—To be eligible to receive assistance  
 10      under subsection (a), an entity shall submit an application  
 11      to the Corporation at such time, in such manner, and con-  
 12      taining such information as the Corporation may require.

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

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

18           “(2) conduct research and evaluations concern-  
 19      ing community service;

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



1           “(B) provide training to persons who can pro-  
 2       vide the leadership development and training de-  
 3       scribed in subparagraph (A);

4           “(4) facilitate communication among entities  
 5       carrying out community service programs and par-  
 6       ticipants;

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

11          “(6)(A) gather and disseminate information on  
 12      successful community service programs, components of  
 13      such successful programs, innovative youth skills cur-  
 14      riculum, and community service projects; and

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

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

22          “(8) carry out such other activities as the Presi-  
 23      dent determines to be appropriate.

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

25          “(a) *PRESIDENTIAL AWARDS.*—

1           “(1) *IN GENERAL.*—*The President of the United*  
2           *States, acting through the Corporation, may make*  
3           *Presidential awards for service to individuals provid-*  
4           *ing significant service, and to outstanding service*  
5           *programs.*

6           “(2) *INDIVIDUALS AND PROGRAMS.*—*Notwith-*  
7           *standing section 101(20)—*

8                   “(A) *an individual receiving an award*  
9                   *under this subsection need not be a participant*  
10                  *in a program authorized under this Act; and*

11                  “(B) *a program receiving an award under*  
12                  *this subsection need not be a program authorized*  
13                  *under this Act.*

14           “(3) *NATURE OF AWARD.*—*In making an award*  
15           *under this section to an individual or program, the*  
16           *President of the United States, acting through the*  
17           *Corporation—*

18                   “(A) *is authorized to incur necessary ex-*  
19                   *penses for the honorary recognition of the indi-*  
20                   *vidual or program; and*

21                   “(B) *is not authorized to make a cash*  
22                   *award to such individual or program.*

23           “(b) *INFORMATION.*—*The President of the United*  
24           *States, acting through the Corporation, shall ensure that*

1 *information concerning individuals and programs receiv-*  
 2 *ing awards under this section is widely disseminated.*

3 ***“SEC. 198C. MILITARY INSTALLATION CONVERSION DEM-***  
 4 ***ONSTRATION PROGRAMS.***

5 *“(a) PURPOSES.—The purposes of this section are to—*

6 *“(1) provide meaningful training and paid em-*  
 7 *ployment to economically disadvantaged youth;*

8 *“(2) fully utilize military installations affected*  
 9 *by closures or realignments;*

10 *“(3) encourage communities affected by such clo-*  
 11 *tures or realignments to convert the installations to*  
 12 *community use; and*

13 *“(4) foster a sense of community pride in the*  
 14 *youth in the community.*

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

16 *“(1) AFFECTED MILITARY INSTALLATION.—The*  
 17 *term ‘affected military installation’ means a military*  
 18 *installation described in section 325(e)(1) of the Job*  
 19 *Training Partnership Act (29 U.S.C. 1662d(e)(1)).*

20 *“(2) COMMUNITY.—The term ‘community’ in-*  
 21 *cludes a county.*

22 *“(3) CONVERT TO COMMUNITY USE.—The term*  
 23 *‘convert to community use’, used with respect to an*  
 24 *affected military installation, includes—*

1           “(A) *conversion of the installation or a part*  
 2           *of the installation to—*

3                   “(i) *a park;*

4                   “(ii) *a community center;*

5                   “(iii) *a recreational facility; or*

6                   “(iv) *a facility for a Head Start pro-*  
 7                   *gram under the Head Start Act (42 U.S.C.*  
 8                   *9831 et seq.); and*

9           “(B) *carrying out, at the installation, a*  
 10           *construction or economic development project*  
 11           *that is of substantial benefit, as determined by*  
 12           *the President, to—*

13                   “(i) *the community in which the in-*  
 14                   *stallation is located; or*

15                   “(ii) *a community located within such*  
 16                   *distance of the installation as the President*  
 17                   *may determine by regulation to be appro-*  
 18                   *priate.*

19           “(4) *DEMONSTRATION PROGRAM.—The term*  
 20           *‘demonstration program’ means a program described*  
 21           *in subsection (c).*

22           “(c) *DEMONSTRATION PROGRAMS.—*

23                   “(1) *GRANTS.—The Corporation may make*  
 24                   *grants to communities and community-based agencies*  
 25                   *to pay for the Federal share of establishing and car-*

1     *rying out military installation conversion demonstra-*  
2     *tion programs, to assist in converting to community*  
3     *use affected military installations located—*

4             *“(A) within the community; or*

5             *“(B) within such distance from the commu-*  
6     *nity as the President may by regulation deter-*  
7     *mine to be appropriate.*

8             *“(2) DURATION.—In carrying out such a dem-*  
9     *onstration program, the community or community-*  
10    *based agency may carry out—*

11            *“(A) a program of not less than 6 months*  
12            *in duration; or*

13            *“(B) a full-time summer program.*

14            *“(d) USE OF FUNDS.—*

15            *“(1) SALARY.—A community or community-*  
16    *based agency that receives a grant under subsection*  
17    *(c) to establish and carry out a project through a*  
18    *demonstration program may use the funds made*  
19    *available through such grant to pay for a portion of*  
20    *the salary of the participants in the project.*

21            *“(2) LIMITATION ON AMOUNT OF SALARY.—The*  
22    *amount of the salary provided to a participant under*  
23    *paragraph (1) that may be paid using assistance pro-*  
24    *vided under this section and using any other Federal*  
25    *funds shall not exceed the lesser of—*

1           “(A) 85 percent of the total average annual  
2           subsistence allowance provided to VISTA volun-  
3           teers under section 105 of the Domestic Volunteer  
4           Service Act of 1973 (42 U.S.C. 4955); and

5           “(B) 85 percent of the salary established by  
6           the demonstration program involved.

7           “(e) PARTICIPANTS.—

8           “(1) ELIGIBILITY.—A person shall be eligible to  
9           be selected as a participant in a project carried out  
10          through a demonstration program if the person is—

11           “(A) an economically disadvantaged indi-  
12          vidual; and

13           “(B)(i) a person described in section 153(b);

14           “(ii) a youth described in section 154(a); or

15           “(iii) an eligible youth described in section  
16          423 of the Job Training Partnership Act (29  
17          U.S.C. 1693).

18          “(2) PARTICIPATION.—Persons desiring to par-  
19          ticipate in such a project shall enter into an agree-  
20          ment with the service sponsor of the project to partici-  
21          pate—

22           “(A) on a full-time or a part-time basis;  
23          and

24           “(B) for the duration referred to in sub-  
25          section (f)(2)(C).

1       “(f) *APPLICATION.*—

2               “(1) *IN GENERAL.*—To be eligible to receive a  
3       grant under subsection (c), a community or commu-  
4       nity-based agency shall submit an application to the  
5       President at such time, in such manner, and contain-  
6       ing such information as the President may require.

7               “(2) *CONTENTS.*—At a minimum, such applica-  
8       tion shall contain—

9                       “(A) a description of the demonstration  
10       program proposed to be conducted by the appli-  
11       cant;

12                      “(B) a proposal for carrying out the pro-  
13       gram that describes the manner in which the ap-  
14       plicant will—

15                               “(i) provide preservice and inservice  
16       training, for supervisors and participants,  
17       that will be conducted by qualified individ-  
18       uals or qualified organizations;

19                              “(ii) conduct an appropriate evalua-  
20       tion of the program; and

21                              “(iii) provide for appropriate commu-  
22       nity involvement in the program;

23                              “(C) information indicating the duration of  
24       the program; and

1           “(D) an assurance that the applicant will  
 2           comply with the nonduplication and  
 3           nondisplacement provisions of section 177 and  
 4           the grievance procedure requirements of section  
 5           176(f).

6           “(g) *LIMITATION ON GRANT.*—In making a grant  
 7           under subsection (c) with respect to a demonstration pro-  
 8           gram to assist in converting an affected military installa-  
 9           tion, the Corporation shall not make a grant for more than  
 10          25 percent of the total cost of the conversion.”.

11          (d) *TABLE OF CONTENTS.*—

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

*“Subtitle E—Civilian Community Corps*

*“Sec. 151. Purpose.*

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

*“Sec. 153. National service program.*

*“Sec. 154. Summer national service program.*

*“Sec. 155. Civilian Community Corps.*

*“Sec. 156. Training.*

*“Sec. 157. Service projects.*

*“Sec. 158. Authorized benefits for Corps personnel under Federal law.*

*“Sec. 159. Administrative provisions.*

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

*“Sec. 161. Contract and grant authority.*

*“Sec. 162. Responsibilities of other departments.*

*“Sec. 163. Advisory board.*

*“Sec. 164. Annual evaluation.*

*“Sec. 165. Funding limitation.*

*“Sec. 166. Definitions.”.*



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

                  “Sec. 198C. Military installation conversion demonstration programs.”.

6           (e) *TECHNICAL AND CONFORMING AMENDMENTS*.—

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

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

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

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

21          (D) Section 1094(b)(1) and subsections (b)  
 22          and (c)(1) of section 1095 of such Act are

1       amended by striking “subtitles B, C, D, E, F,  
2       and G” and inserting “subtitles B, C, D, F, G,  
3       and H”.

4       (2) NATIONAL AND COMMUNITY SERVICE ACT OF  
5       1990.—

6               (A) Section 153(a) of such Act (as redesignig-  
7       nated in subsection (b)(3) of this section) (42  
8       U.S.C. 12653b(a)) is amended by striking  
9       “195A(a)” and inserting “152(a)”.

10              (B) Section 154(a) of such Act (as redesignig-  
11       nated in subsection (b)(3) of this section) (42  
12       U.S.C. 12653c(a)) is amended by striking  
13       “195A(a)” and inserting “152(a)”.

14              (C) Section 155 of such Act (as redesignated  
15       in subsection (b)(3) of this section) (42 U.S.C.  
16       12653d) is amended—

17                   (i) in subsection (a), by striking  
18       “195H(c)(1)” and inserting “159(c)(1)”;

19                   (ii) in subsection (c)(2), by striking  
20       “195H(c)(2)” and inserting “159(c)(2)”;  
21       and

22                   (iii) in subsection (d)(3), by striking  
23       “195K(a)(3)” and inserting “162(a)(3)”.

1           (D) Section 156 of such Act (as redesignig-  
 2           nated in subsection (b)(3) of this section) (42  
 3           U.S.C. 12653e) is amended—

4                 (i) in subsection (c)(1), by striking  
 5                 “195H(c)(2)” and inserting “159(c)(2)”;  
 6                 and

7                 (ii) in subsection (d), by striking  
 8                 “195K(a)(3)” and inserting “162(a)(3)”.

9           (E) Section 159 of such Act (as redesignated  
 10           in subsection (b)(3) of this section) (42 U.S.C.  
 11           12653h) is amended—

12                 (i) in subsection (a)—

13                         (I) by striking “195A” and insert-  
 14                         ing “152”; and

15                         (II) by striking “195” and insert-  
 16                         ing “151”; and

17                 (ii) in subsection (c)(2)(C)(i), by strik-  
 18                 ing “195K(a)(2)” and inserting “section  
 19                 162(a)(2)”.

20           (F) Section 161(b)(1)(B) of such Act (as re-  
 21           designated in subsection (b)(3) of this section)  
 22           (42 U.S.C. 12653j(b)(1)(B)) is amended by strik-  
 23           ing “195K(a)(3)” and inserting “162(a)(3)”.

24           (G) Section 162(a)(2)(A) of such Act (as re-  
 25           designated in subsection (b)(3) of this section)

1           (42 U.S.C. 12653k(a)(2)(A)) is amended by  
2           striking “195(3)” and inserting “151(3)”.

3           (H) Section 166 of such Act (as redesign-  
4           nated in subsection (b)(3) of this section) (42  
5           U.S.C. 12653o) is amended—

6                   (i) in paragraph (2), by striking  
7                   “195D” and inserting “155”;

8                   (ii) in paragraph (8), by striking  
9                   “195A” and inserting “152”;

10                  (iii) in paragraph (10), by striking  
11                  “195D(d)” and inserting “155(d)”; and

12                  (iv) in paragraph (11), by striking  
13                  “195D(c)” and inserting “155(c)”.

14           (f) *EXTENSION OF AUTHORITY TO CONDUCT CIVILIAN*  
15 *COMMUNITY CORPS.*—Section 1092(c) of the National De-  
16 *fense Authorization Act for Fiscal Year 1993 (Public Law*  
17 *102–484; 106 Stat. 2534), as amended by subsection (e)(1)*  
18 *of this section, is further amended by adding at the end*  
19 *the following new sentence: “The amount made available*  
20 *for the Civilian Community Corps Demonstration Program*  
21 *pursuant to this subsection shall remain available for ex-*  
22 *penditure during fiscal years 1993 and 1994.”.*

23           (g) *ADDITIONAL AMENDMENT REGARDING CIVILIAN*  
24 *COMMUNITY CORPS.*—Section 158 of the National and  
25 *Community Service Act of 1990 (as redesignated in sub-*

1 *section (b)(3) of this section) (42 U.S.C. 12653g) is amend-*  
 2 *ed by striking subsections (f), (g), and (h) and inserting*  
 3 *the following new subsections:*

4       “(f) *NATIONAL SERVICE EDUCATIONAL AWARDS.*—A  
 5 *Corps member who successfully completes a period of agreed*  
 6 *service in the Corps may receive the national service edu-*  
 7 *cational award described in subtitle D if the Corps mem-*  
 8 *ber—*

9               “(1) *serves in an approved national service posi-*  
 10 *tion; and*

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

14       “(g) *ALTERNATIVE BENEFIT.*—If a Corps member who  
 15 *successfully completes a period of agreed service in the*  
 16 *Corps is ineligible for the national service educational*  
 17 *award described in subtitle D, the Director may provide*  
 18 *for the provision of a suitable alternative benefit for the*  
 19 *Corps member.”.*

## 20       ***Subtitle B—Related Provisions***

### 21       ***SEC. 111. DEFINITIONS.***

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

1 ***“SEC. 101. DEFINITIONS.***

2 *“For purposes of this title:*

3 *“(1) ADULT VOLUNTEER.—The term ‘adult*  
4 *volunteer’ means an individual, such as an older*  
5 *adult, an individual with a disability, a parent, or*  
6 *an employee of a business or public or private not-*  
7 *for-profit agency, who—*

8 *“(A) works without financial remuneration*  
9 *in an educational institution to assist students*  
10 *or out-of-school youth; and*

11 *“(B) is beyond the age of compulsory school*  
12 *attendance in the State in which the educational*  
13 *institution is located.*

14 *“(2) APPROVED NATIONAL SERVICE POSITION.—*  
15 *The term ‘approved national service position’ means*  
16 *a national service position designated by the Corpora-*  
17 *tion as a position that includes a national service*  
18 *educational award described in section 147 as one of*  
19 *the benefits to be provided for successful service in the*  
20 *position.*

21 *“(3) CARRY OUT.—The term ‘carry out’, when*  
22 *used in connection with a national service program*  
23 *described in section 122, means the planning, estab-*  
24 *lishment, operation, expansion, or replication of the*  
25 *program.*

1           “(4) *COMMUNITY ACTION AGENCY*.—The term  
2           ‘community action agency’ means an entity or orga-  
3           nization referred to in section 675(c)(2)(A) of the  
4           Community Services Block Grant Act (42 U.S.C.  
5           9904(c)(2)(A)).

6           “(5) *COMMUNITY-BASED AGENCY*.—The term  
7           ‘community-based agency’ means a private not-for-  
8           profit organization that is representative of a commu-  
9           nity and that is engaged in meeting human, edu-  
10          cational, environmental, or public safety community  
11          needs.

12          “(6) *CORPORATION*.—The term ‘Corporation’  
13          means the Corporation for National and Community  
14          Service established under section 191.

15          “(7) *ECONOMICALLY DISADVANTAGED*.—The term  
16          ‘economically disadvantaged’ means, with respect to  
17          an individual, an individual who is determined by  
18          the President to be low-income according to the latest  
19          available data from the Department of Commerce.

20          “(8) *ELEMENTARY SCHOOL*.—The term ‘elemen-  
21          tary school’ has the same meaning given such term in  
22          section 1471(8) of the Elementary and Secondary  
23          Education Act of 1965 (20 U.S.C. 2891(8)).

24          “(9) *INDIAN*.—The term ‘Indian’ means a person  
25          who is a member of an Indian tribe.

1           “(10) *INDIAN LANDS.*—The term ‘Indian lands’  
2           means any real property owned by an Indian tribe,  
3           any real property held in trust by the United States  
4           for an Indian or Indian tribe, and any real property  
5           held by an Indian or Indian tribe that is subject to  
6           restrictions on alienation imposed by the United  
7           States.

8           “(11) *INDIAN TRIBE.*—The term ‘Indian tribe’  
9           means an Indian tribe, band, nation, or other orga-  
10          nized group or community, including any Native vil-  
11          lage, Regional Corporation, or Village Corporation, as  
12          defined in subsection (c), (g), or (j), respectively, of  
13          section 3 of the Alaska Native Claims Settlement Act  
14          (43 U.S.C. 1602 (c), (g), or (j)), that is recognized as  
15          eligible for the special programs and services provided  
16          by the United States under Federal law to Indians  
17          because of their status as Indians.

18          “(12) *INDIVIDUAL WITH A DISABILITY.*—Except  
19          as provided in section 175(a), the term ‘individual  
20          with a disability’ has the meaning given the term in  
21          section 7(8) of the Rehabilitation Act of 1973 (29  
22          U.S.C. 706(8)).

23          “(13) *INSTITUTION OF HIGHER EDUCATION.*—  
24          The term ‘institution of higher education’ has the  
25          same meaning given such term in section 1201(a) of



1     *the Higher Education Act of 1965 (20 U.S.C.*  
 2     *1141(a)).*

3             “(14) *LOCAL EDUCATIONAL AGENCY.*—*The term*  
 4     *‘local educational agency’ has the same meaning*  
 5     *given such term in section 1471(12) of the Elemen-*  
 6     *tary and Secondary Education Act of 1965 (20*  
 7     *U.S.C. 2891(12)).*

8             “(15) *NATIONAL SERVICE LAWS.*—*The term ‘na-*  
 9     *tional service laws’ means this Act and the Domestic*  
 10     *Volunteer Service Act of 1973 (42 U.S.C. 4950 et*  
 11     *seq.).*

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

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

15                 “(B) *has not completed college or the equiv-*  
 16     *alent thereof; and*

17                 “(C) *is not enrolled in an elementary or*  
 18     *secondary school or institution of higher edu-*  
 19     *cation.*

20             “(17) *PARTICIPANT.*—

21                 “(A) *IN GENERAL.*—*The term ‘participant’*  
 22     *means—*

23                     “(i) *for purposes of subtitle C, an indi-*  
 24     *vidual in an approved national service po-*  
 25     *sition; and*

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

5           “(B) *RULE.*—A participant shall not be  
6           considered to be an employee of the program in  
7           which the participant is enrolled.

8           “(18) *PARTNERSHIP PROGRAM.*—The term ‘part-  
9           nership program’ means a program through which an  
10          adult volunteer, a public or private not-for-profit  
11          agency, an institution of higher education, or a busi-  
12          ness assists a local educational agency.

13          “(19) *PRESIDENT.*—The term ‘President’, except  
14          when used as part of the term ‘President of the  
15          United States’ means the President of the Corporation  
16          appointed under section 193.

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

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

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

5             “(22) *SCHOOL-AGE YOUTH.*—The term ‘school-  
 6     *age youth*’ means—

7                 “(A) *individuals between the ages of 5 and*  
 8                 *17, inclusive; and*

9                 “(B) *children with disabilities, as defined*  
 10                 *in section 602(a)(1) of the Individuals with Dis-*  
 11                 *abilities Education Act, who receive services*  
 12                 *under part B of such Act.*

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

17             “(24) *SERVICE-LEARNING.*—The term ‘service-  
 18     *learning*’ means a method—

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

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

24                         “(ii) *is coordinated with an elemen-*  
 25                         *tary school, secondary school, institution of*

1           *higher education, or community service pro-*  
 2           *gram, and with the community; and*

3           *“(iii) helps foster civic responsibility;*  
 4           *and*

5           *“(B) that—*

6           *“(i) is integrated into and enhances*  
 7           *the academic curriculum of the students, or*  
 8           *the educational components of the commu-*  
 9           *nity service program in which the partici-*  
 10          *pants are enrolled; and*

11          *“(ii) provides structured time for the*  
 12          *students or participants to reflect on the*  
 13          *service experience.*

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

18          *“(26) SERVICE SPONSOR.—The term ‘service*  
 19          *sponsor’ means an organization, or other entity, that*  
 20          *has been selected to provide a placement for a partici-*  
 21          *pant.*

22          *“(27) STATE.—The term ‘State’ means each of*  
 23          *the several States, the District of Columbia, the Com-*  
 24          *monwealth of Puerto Rico, the Virgin Islands, Guam,*  
 25          *American Samoa, and the Commonwealth of the*

1     *Northern Mariana Islands. The term also includes*  
 2     *Palau, until such time as the Compact of Free Asso-*  
 3     *ciation is ratified.*

4             “(28) *STATE COMMISSION.*—The term ‘*State*  
 5     *Commission*’ means a *State Commission on National*  
 6     *and Community Service* maintained by a *State* pur-  
 7     *suant to section 178. Except when used in section*  
 8     *178, the term includes an alternative administrative*  
 9     *entity for a State approved by the Corporation under*  
 10    *such section to act in lieu of a State Commission.*

11            “(29) *STATE EDUCATIONAL AGENCY.*—The term  
 12    ‘*State educational agency*’ has the same meaning  
 13    *given such term in section 1471(23) of the Elemen-*  
 14    *tary and Secondary Education Act of 1965 (20*  
 15    *U.S.C. 2891(23)).*

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

20            (b) *TECHNICAL AND CONFORMING AMENDMENTS.*—

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

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

5           (3) *Section 441(c)(2) of the Higher Education*  
6           *Act of 1965 (42 U.S.C. 2751(c)(2)) is amended by*  
7           *striking “service opportunities or youth corps as de-*  
8           *defined in section 101 of the National and Community*  
9           *Service Act of 1990, and service in the agencies, insti-*  
10          *tutions and activities designated in section 124(a) of*  
11          *the National and Community Service Act of 1990”*  
12          *and inserting “a project, as defined in section*  
13          *101(21) of the National and Community Service Act*  
14          *of 1990 (42 U.S.C. 12511(18))”.*

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

22          (5) *Section 1201(p) of the Higher Education Act*  
23          *of 1965 (20 U.S.C. 1141(p)) is amended by striking*  
24          *“section 101(22) of the National and Community*  
25          *Service Act of 1990” and inserting “section 101(24)*

1       *of the National and Community Service Act of 1990*  
 2       *(42 U.S.C. 12511(21))”.*

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

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

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

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

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

11      *“(a) PARTICIPANTS IN PRIVATE, STATE, AND LOCAL*  
 12      *PROJECTS.—For purposes of title I of the Family and Med-*  
 13      *ical Leave Act of 1993 (29 U.S.C. 2601 et seq.), if—*

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

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

24      *the participant shall be considered to be an eligible em-*  
 25      *ployee of the service sponsor.*

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

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

7               “(2) the service sponsor of the project is an em-  
 8       ploying agency within the meaning of such sub-  
 9       chapter,  
 10      the participant shall be considered to be an employee of the  
 11      service sponsor.”.

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 item  
 15      relating to section 171 of such Act and inserting the  
 16      following:

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

17   **SEC. 114. REPORTS.**

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

20               (1) in subsection (a)(3)(A), by striking “sections  
 21      177 and 113(9)” and inserting “section 177”; and

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



1 **SEC. 115. NONDISCRIMINATION.**

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

5 **“SEC. 175. NONDISCRIMINATION.**

6 *“(a) IN GENERAL.—*

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

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

20 *“(b) FEDERAL FINANCIAL ASSISTANCE.—Any assist-*  
 21 *ance provided under this title shall constitute Federal fi-*  
 22 *nancial assistance for purposes of title VI of the Civil*  
 23 *Rights Act of 1964 (42 U.S.C. 2000d et seq.), title IX of*  
 24 *the Education Amendments of 1972 (20 U.S.C. 1681 et*  
 25 *seq.), section 504 of the Rehabilitation Act of 1973 (29*

1 *U.S.C. 794), and the Age Discrimination Act of 1975 (42*  
2 *U.S.C. 6101 et seq.).*

3 “(c) *RELIGIOUS DISCRIMINATION.*—

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

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

18 “(d) *RULES AND REGULATIONS.*—*The President shall*  
19 *promulgate rules and regulations to provide for the enforce-*  
20 *ment of this section that shall include provisions for sum-*  
21 *mary suspension of assistance for not more than 30 days,*  
22 *on an emergency basis, until notice and an opportunity to*  
23 *be heard can be provided.”.*

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

3 (a) *DECERTIFICATION OF POSITIONS.*—Section 176(a)  
 4 of the National and Community Service Act of 1990 (42  
 5 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 to  
 15 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 establish  
 21 and maintain a procedure for the filing and adju-  
 22 dication of grievances from participants, labor orga-  
 23 nizations, and other interested individuals concerning  
 24 projects that receive assistance under this title, in-  
 25 cluding grievances regarding proposed placements of  
 26 such participants in such projects.

1           “(2) *DEADLINE FOR GRIEVANCES.*—Except for a  
2           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 is  
5           the subject of the grievance.

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

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

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

14          “(4) *ARBITRATION.*—

15          “(A) *IN GENERAL.*—

16               “(i) *JOINTLY SELECTED ARBITRA-*  
17               *TOR.*—In the event of a decision on a griev-  
18               ance that is adverse to the party who filed  
19               such grievance, or 60 days after the filing  
20               of such grievance if no decision has been  
21               reached, such party shall be permitted to  
22               submit such grievance to binding arbitra-  
23               tion before a qualified arbitrator who is  
24               jointly selected and independent of the in-  
25               terested parties.

1           “(ii) *APPOINTED ARBITRATOR.*—If the  
2           parties cannot agree on an arbitrator, the  
3           President shall appoint an arbitrator from  
4           a list of qualified arbitrators within 15  
5           days after receiving a request for such ap-  
6           pointment from one of the parties to the  
7           grievance.

8           “(B) *DEADLINE FOR PROCEEDING.*—An ar-  
9           bitration proceeding shall be held not later than  
10          45 days after the request for such arbitration  
11          proceeding, or, if the arbitrator is appointed by  
12          the President in accordance with subparagraph  
13          (A)(ii), not later than 30 days after the appoint-  
14          ment of such arbitrator.

15          “(C) *DEADLINE FOR DECISION.*—A decision  
16          concerning a grievance shall be made not later  
17          than 30 days after the date such arbitration pro-  
18          ceeding begins.

19          “(D) *COST.*—

20                 “(i) *IN GENERAL.*—Except as provided  
21                 in clause (ii), the cost of an arbitration pro-  
22                 ceeding shall be divided evenly between the  
23                 parties to the arbitration.

24                 “(ii) *EXCEPTION.*—If a participant,  
25                 labor organization, or other interested indi-

vidual described in paragraph (1) prevails under a binding arbitration proceeding, the State, local agency, public or private not-for-profit organization, or partnership of such agencies and organizations, that is a party to such grievance shall pay the total cost of such proceeding and the attorneys' fees of such participant, labor organization, or individual, as the case may be.

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

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

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

“(B) termination of such payments;

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

“(D) in a case in which the grievance involves a violation of subsection (a) or (b) of section 177 and the employer of the displaced em-

1        *ployee is the recipient of assistance under this*  
 2        *title—*

3                *“(i) reinstatement of the displaced em-*  
 4                *ployee to the position held by such employee*  
 5                *prior to displacement;*

6                *“(ii) payment of lost wages and bene-*  
 7                *fits of the displaced employee;*

8                *“(iii) reestablishment of other relevant*  
 9                *terms, conditions, and privileges of employ-*  
 10               *ment of the displaced employee; and*

11               *“(iv) such equitable relief as is nec-*  
 12               *essary to correct any violation of subsection*  
 13               *(a) or (b) of section 177 or to make the dis-*  
 14               *placed employee whole.*

15               *“(7) ENFORCEMENT.—Suits to enforce arbitra-*  
 16               *tion awards under this section may be brought in any*  
 17               *district court of the United States having jurisdiction*  
 18               *of the parties, without regard to the amount in con-*  
 19               *troversy and without regard to the citizenship of the*  
 20               *parties.”.*

21        **SEC. 117. NONDISPLACEMENT.**

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

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

“(B) *SUPPLANTATION OF HIRING.*—A participant in any program receiving assistance under this title shall not perform any services or duties, or engage in activities, that—

“(i) will supplant the hiring of employed workers; or

“(ii) are services, duties, or activities with respect to which an individual has recall rights pursuant to a collective bargaining agreement or applicable personnel procedures.”; and

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

“(iii) employee who—

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

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

**SEC. 118. EVALUATION.**

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

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking “this title” and inserting “the national service laws”; and



1           (B) in paragraph (2)—

2                 (i) in the matter preceding subpara-  
3                 graph (A), by striking “for purposes of the  
4                 reports required by subsection (j),” and in-  
5                 serting “with respect to the programs au-  
6                 thorized under subtitle C”; and

7                 (ii) in subparagraph (A), by striking  
8                 “older American volunteer programs” and  
9                 inserting “National Senior Volunteer Corps  
10                programs”;

11          (2) in subsection (g)—

12                 (A) in the matter preceding paragraph (1),  
13                 by striking “subtitle D” and inserting “subtitle  
14                 C”; and

15                 (B) in paragraphs (3) and (9), by striking  
16                 “older American volunteer programs” and in-  
17                 serting “National Senior Volunteer Corps pro-  
18                 grams”;

19                 (3) by striking subsections (i) and (j); and

20                 (4) by adding at the end the following:

21                 “(i) INDEPENDENT EVALUATION AND REPORT OF DE-  
22                 MOGRAPHICS OF NATIONAL SERVICE PARTICIPANTS AND  
23                 COMMUNITIES.—

24                 “(1) INDEPENDENT EVALUATION.—

1           “(A) *IN GENERAL.*—*The Corporation shall,*  
2           *on an annual basis, arrange for an independent*  
3           *evaluation of the programs assisted under sub-*  
4           *title C.*

5           “(B) *PARTICIPANTS.*—

6           “(i) *IN GENERAL.*—*The entity conduct-*  
7           *ing such evaluation shall determine the de-*  
8           *mographic characteristics of the partici-*  
9           *pants in such programs.*

10          “(ii) *CHARACTERISTICS.*—*The entity*  
11          *shall determine, for the year covered by the*  
12          *evaluation, the total number of participants*  
13          *in the programs, and the number of partici-*  
14          *pants within the programs in each State,*  
15          *by sex, age, economic background, education*  
16          *level, ethnic group, disability classification,*  
17          *and geographic region.*

18          “(iii) *CATEGORIES.*—*The Corporation*  
19          *shall determine appropriate categories for*  
20          *analysis of each of the characteristics re-*  
21          *ferred to in clause (ii) for purposes of such*  
22          *an evaluation.*

23          “(C) *COMMUNITIES.*—*In conducting the*  
24          *evaluation, the entity shall determine the*  
25          *amount of assistance provided under section 121*

1        *during the year that has been expended for*  
 2        *projects conducted under the programs in areas*  
 3        *described in section 133(c)(6).*

4        *“(2) REPORT.—The entity conducting the eval-*  
 5        *uation shall submit a report to the President, Con-*  
 6        *gress, the Corporation, and each State Commission*  
 7        *containing the results of the evaluation—*

8                *“(A) with respect to the evaluation covering*  
 9        *the year beginning on the date of enactment of*  
 10        *this subsection, not later than 18 months after*  
 11        *such date; and*

12                *“(B) with respect to the evaluation covering*  
 13        *each subsequent year, not later than 18 months*  
 14        *after the first day of each such year.”.*

15    **SEC. 119. ENGAGEMENT OF PARTICIPANTS.**

16        *Section 180 of the National and Community Service*  
 17        *Act of 1990 (42 U.S.C. 12640) is amended by striking*  
 18        *“post-service benefits” and inserting “national service edu-*  
 19        *cational awards”.*

20    **SEC. 120. CONTINGENT EXTENSION.**

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

1 ***“SEC. 181. CONTINGENT EXTENSION.***

2 *“Section 414 of the General Education Provisions Act*  
 3 *(20 U.S.C. 1226a) shall apply to this Act.”.*

4 *(b) TABLE OF CONTENTS.—Section 1(b) of the Na-*  
 5 *tional and Community Service Act of 1990 (Public Law*  
 6 *101–610; 104 Stat. 3127) is amended by striking the item*  
 7 *relating to sections 181 of such Act and inserting the*  
 8 *following:*

*“Sec. 181. Contingent extension.”.*

9 ***SEC. 121. AUDITS.***

10 *(a) IN GENERAL.—Section 183 of the National and*  
 11 *Community Service Act of 1990 (42 U.S.C. 12643) is*  
 12 *amended to read as follows:*

13 ***“SEC. 183. AUDITS.***

14 *“For purposes of the application of chapter 75 of title*  
 15 *31, United States Code (commonly known as the ‘Single*  
 16 *Audit Act of 1984’) to State and local governments that*  
 17 *receive financial assistance under this Act—*

18 *“(1) each program through which the State or*  
 19 *local government receives such assistance shall be*  
 20 *deemed to be a major Federal assistance program;*

21 *“(2) each audit conducted under such chapter*  
 22 *with respect to a program shall be conducted annu-*  
 23 *ally;*

24 *“(3) each audit conducted under such chapter*  
 25 *shall be conducted in accordance with the require-*

1        *ments of such chapter and the requirements of the reg-*  
 2        *ulations prescribed pursuant to section 7505 of such*  
 3        *title, and with such requirements as the Comptroller*  
 4        *General may specify; and*

5            *“(4) the provisions of section 422 of the Domestic*  
 6        *Volunteer Service Act of 1973 (42 U.S.C. 5062) shall*  
 7        *apply with respect to maintenance of books, docu-*  
 8        *ments, papers, and records for such audits, in the*  
 9        *same manner and to the same extent as such provi-*  
 10       *sions apply to books, documents, papers, and records*  
 11       *maintained for audits under such Act.”.*

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 items*  
 15       *relating to section 183 of such Act and inserting the*  
 16       *following:*

*“Sec. 183. Audits.”.*

17        **SEC. 122. REPEALS.**

18        *(a) IN GENERAL.—Subtitle F of title I of the National*  
 19       *and Community Service Act of 1990 (42 U.S.C. 12631 et*  
 20       *seq.) is amended by repealing sections 185 and 186.*

21        *(b) TABLE OF CONTENTS.—Section 1(b) of the Na-*  
 22       *tional and Community Service Act of 1990 (Public Law*  
 23       *101–610; 104 Stat. 3127) is amended by striking the items*  
 24       *relating to sections 185 and 186 of such Act.*

1           ***TITLE II—ORGANIZATION***

2   ***SEC. 201. STATE COMMISSIONS ON NATIONAL AND COMMU-***  
 3           ***NITY SERVICE.***

4           (a) *COMPOSITION AND DUTIES OF STATE COMMIS-*  
 5   *SIONS.—Subtitle F of title I of the National and Commu-*  
 6   *nity Service Act of 1990 is amended by striking section 178*  
 7   *(42 U.S.C. 12638) and inserting the following new section:*

8   ***“SEC. 178. STATE COMMISSIONS ON NATIONAL AND COM-***  
 9           ***MUNITY SERVICE.***

10           “(a) *EXISTENCE REQUIRED.—*

11                   “(1) *STATE COMMISSION.—Except as provided*  
 12   *in paragraph (2), to be eligible to receive a grant or*  
 13   *allotment under subtitle B or C or to receive a dis-*  
 14   *tribution of approved national service positions under*  
 15   *subtitle C, a State shall maintain a State Commis-*  
 16   *sion on National and Community Service that satis-*  
 17   *fies the requirements of this section.*

18                   “(2) *ALTERNATIVE ADMINISTRATIVE ENTITY.—*  
 19   *The chief executive officer of a State may apply to the*  
 20   *Corporation for approval to use an alternative ad-*  
 21   *ministrative entity to carry out the duties otherwise*  
 22   *entrusted to a State Commission under this Act. The*  
 23   *chief executive officer shall ensure that any alter-*  
 24   *native administrative entity used in lieu of a State*  
 25   *Commission still provides for the individuals de-*

1       scribed in paragraph (1), and some of the individuals  
2       described in paragraph (2), of subsection (c) to play  
3       a significant policymaking role in carrying out the  
4       duties otherwise entrusted to a State Commission, in-  
5       cluding the submission of applications on behalf of the  
6       State under sections 117B and 130.

7       “(b) *APPOINTMENT AND SIZE.*—Except as provided in  
8       subsection (c)(3), the members of a State Commission for  
9       a State shall be appointed by the chief executive officer of  
10      the State. A State Commission shall consist of not less than  
11      7 voting members and not more than 25 voting  
12      members.

13      “(c) *COMPOSITION AND MEMBERSHIP.*—

14              “(1) *REQUIRED MEMBERS.*—The State Commis-  
15      sion for a State shall include as voting members at  
16      least one representative from each of the following cat-  
17      egories:

18                      “(A) *Individuals between the ages of 16 and*  
19                      *25 who are participants or supervisors in pro-*  
20                      *grams.*

21                      “(B) *National service programs, such as*  
22                      *youth corps programs.*

23                      “(C) *School-based or community-based pro-*  
24                      *grams for school-age youth.*

1           “(D) *Programs in which older adults are*  
2           *participants.*

3           “(E) *Local and State governmental entities*  
4           *in the State, including the State educational*  
5           *agency (from which at least one such member*  
6           *shall be appointed).*

7           “(F) *Local labor organizations.*

8           “(2) *SOURCES OF OTHER MEMBERS.—The State*  
9           *Commission for a State may include as voting mem-*  
10          *bers the following:*

11          “(A) *Representatives of community-based*  
12          *organizations or community-based agencies, in-*  
13          *cluding community action agencies.*

14          “(B) *Members selected from among partici-*  
15          *pants in service programs who are youths.*

16          “(C) *Members selected from among local*  
17          *educators.*

18          “(D) *Members selected from among experts*  
19          *in the delivery of human, educational, environ-*  
20          *mental, or public safety services to communities*  
21          *and persons.*

22          “(E) *Representatives of businesses and busi-*  
23          *ness groups.*

24          “(F) *Representatives of Indian tribes.*



1           “(G) *Representatives of groups serving eco-*  
2           *nomically disadvantaged individuals.*

3           “(H) *Members selected from among out-of-*  
4           *school youth or other at-risk youth.*

5           “(I) *Members selected from among older*  
6           *adults who are volunteers or participants in na-*  
7           *tional service programs.*

8           “(3) *CORPORATION REPRESENTATIVE.—The rep-*  
9           *resentative of the Corporation designated under sec-*  
10          *tion 195(b) for a State shall be a voting member of*  
11          *the State Commission or alternative administrative*  
12          *entity for that State.*

13          “(4) *EX OFFICIO STATE REPRESENTATIVES.—*  
14          *The chief executive officer of a State shall appoint, as*  
15          *an ex officio nonvoting member of the State Commis-*  
16          *sion for the State, the Corporation employee respon-*  
17          *sible for volunteer service programs in the State, if*  
18          *such employee is not the representative described in*  
19          *paragraph (3). The chief executive officer may ap-*  
20          *point, as ex officio nonvoting members of the State*  
21          *Commission for the State, representatives selected*  
22          *from among officers and employees of State agencies*  
23          *operating community service, youth service, edu-*  
24          *cation, social service, senior service, and job training*  
25          *programs.*

1           “(5) *LIMITATION ON NUMBER OF STATE EMPLOY-*  
2           *EES AS MEMBERS.*—*The number of voting members of*  
3           *a State Commission selected under paragraph (1) or*  
4           *(2) who are officers or employees of the State may not*  
5           *exceed 25 percent (reduced to the nearest whole num-*  
6           *ber) of the total membership of the State Commission.*

7           “(d) *MISCELLANEOUS MATTERS.*—

8           “(1) *MEMBERSHIP BALANCE.*—*The chief execu-*  
9           *tive officer of a State shall ensure, to the maximum*  
10          *extent practicable, that the membership of the State*  
11          *Commission for the State is diverse with respect to*  
12          *race, ethnicity, age, gender, and disability character-*  
13          *istics. Not more than 50 percent of the voting mem-*  
14          *bers of a State Commission, plus one additional mem-*  
15          *ber, may be from the same political party.*

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

21          “(3) *VACANCIES.*—*As vacancies occur on a State*  
22          *Commission, new members shall be appointed by the*  
23          *chief executive of the State and serve for the remain-*  
24          *der of the term for which the predecessor of such mem-*  
25          *ber was appointed. The vacancy shall not affect the*

1     *power of the remaining members to execute the duties*  
2     *of the State Commission.*

3             “(4) *COMPENSATION.*—A member of a State  
4     *Commission or alternative administrative entity shall*  
5     *not receive any additional compensation by reason of*  
6     *service on the State Commission or alternative ad-*  
7     *ministrative entity, except that the State may author-*  
8     *ize the reimbursement of travel expenses, including a*  
9     *per diem in lieu of subsistence, in the same manner*  
10    *as other employees serving intermittently in the serv-*  
11    *ice of the State.*

12            “(5) *CHAIRPERSON.*—The voting members of a  
13    *State Commission shall elect one of the voting mem-*  
14    *bers to serve as chairperson of the State Commission.*

15            “(e) *DUTIES OF A STATE COMMISSION.*—The State  
16    *Commission or alternative administrative entity for a State*  
17    *shall be responsible for the following duties:*

18            “(1) *Preparation of a national service plan for*  
19    *the State that—*

20                    “(A) *covers a 3-year period;*

21                    “(B) *is updated annually;*

22                    “(C) *contains such information as the State*  
23    *Commission or alternative administrative entity*  
24    *considers to be appropriate or as the Corporation*  
25    *may require; and*

1           “(D) ensures outreach to diverse commu-  
2           nity-based agencies that serve underrepresented  
3           populations, by—

4                   “(i) using established networks, and  
5                   registries, at the State level; or

6                   “(ii) establishing such networks and  
7                   registries.

8           “(2) Preparation of the applications of the State  
9           under sections 117B and 130 for financial assistance,  
10          in such a manner as to ensure that any decision re-  
11          garding whether to include a program in the applica-  
12          tion shall be made on the basis of the criteria de-  
13          scribed in section 133(c), applied in a fair and equi-  
14          table manner by an impartial decisionmaker.

15          “(3) Assistance in the preparation of the appli-  
16          cation of the State educational agency for assistance  
17          under section 113.

18          “(4) Preparation of the application of the State  
19          under section 130 for the approval of service positions  
20          that include the national service educational award  
21          described in subtitle D.

22          “(5) Assistance in the provision of health care  
23          and child care benefits under section 140 to partici-  
24          pants in national service programs that receive assist-  
25          ance under section 121.

1           “(6) *Development of a State system for the re-*  
2           *ruitment and placement of participants in national*  
3           *service programs that receive assistance under section*  
4           *121 and dissemination of information concerning na-*  
5           *tional service programs that receive assistance and*  
6           *approved national service positions.*

7           “(7) *Administration of the grant program in*  
8           *support of national service programs that is con-*  
9           *ducted by the State using assistance provided to the*  
10          *State under section 121, including selection, oversight,*  
11          *and evaluation of grant recipients.*

12          “(8) *Development of projects, training methods,*  
13          *curriculum materials, and other materials and activi-*  
14          *ties related to national service programs that receive*  
15          *assistance directly from the Corporation (to be made*  
16          *available in a case in which such a program requests*  
17          *such a project, method, material, or activity) or from*  
18          *the State using assistance provided under section 121,*  
19          *for use by programs that request such projects, meth-*  
20          *ods, materials, and activities.*

21          “(f) *ACTIVITY INELIGIBLE FOR ASSISTANCE.—A State*  
22          *Commission or alternative administrative entity may not*  
23          *directly carry out any national service program that re-*  
24          *ceives assistance under section 121.*

1       “(g) *DELEGATION.*—Subject to such requirements as  
 2   the Corporation may prescribe, a State Commission may  
 3   delegate nonpolicymaking duties to a State agency or public  
 4   or private not-for-profit organization.

5       “(h) *APPROVAL OF STATE COMMISSION OR ALTER-*  
 6   *NATIVE.*—

7               “(1) *SUBMISSION TO CORPORATION.*—The chief  
 8   executive officer for a State shall notify the Corpora-  
 9   tion of the establishment or designation of the State  
 10   Commission or use of an alternative administrative  
 11   entity for the State. The notification shall include a  
 12   description of—

13               “(A) the composition and membership of the  
 14   State Commission or alternative administrative  
 15   entity; and

16               “(B) the authority of the State Commission  
 17   or alternative administrative entity regarding  
 18   national service activities carried out by the  
 19   State.

20               “(2) *APPROVAL OF ALTERNATIVE ADMINISTRA-*  
 21   *TIVE ENTITY.*—Any designation of a State Commis-  
 22   sion or use of an alternative administrative entity to  
 23   carry out the duties of a State Commission shall be  
 24   subject to the approval of the Corporation.

1           “(3) *REJECTION.*—*The Corporation may reject a*  
2           *State Commission if the Corporation determines that*  
3           *the composition, membership, or duties of the State*  
4           *Commission do not comply with the requirements of*  
5           *this section. The Corporation shall reject a request to*  
6           *use an alternative administrative entity in lieu of a*  
7           *State Commission if the Corporation determines that*  
8           *use of the alternative administrative entity does not*  
9           *allow the individuals described in paragraph (1), and*  
10           *some of the individuals described in paragraph (2), of*  
11           *subsection (c) to play a significant policymaking role*  
12           *in carrying out the duties otherwise entrusted to a*  
13           *State Commission. If the Corporation rejects a State*  
14           *Commission or alternative administrative entity*  
15           *under this paragraph, the Corporation shall promptly*  
16           *notify the State of the reasons for the rejection.*

17           “(4) *RESUBMISSION AND RECONSIDERATION.*—  
18           *The Corporation shall provide a State notified under*  
19           *paragraph (3) with a reasonable opportunity to revise*  
20           *the rejected State Commission or alternative adminis-*  
21           *trative entity. At the request of the State, the Cor-*  
22           *poration shall provide technical assistance to the*  
23           *State as part of the revision process. The Corporation*  
24           *shall promptly reconsider any resubmission of a noti-*  
25           *fication under paragraph (1) or application to use an*

1     *alternative administrative entity under paragraph*  
2     *(2).*

3             “(5) *SUBSEQUENT CHANGES.*—*This subsection*  
4     *shall also apply to any change in the composition or*  
5     *duties of a State Commission or an alternative ad-*  
6     *ministrative entity made after approval of the State*  
7     *Commission or the alternative administrative entity.*

8             “(i) *COORDINATION.*—

9             “(1) *COORDINATION WITH OTHER STATE AGEN-*  
10    *CIES.*—*The State Commission or alternative adminis-*  
11    *trative entity for a State shall coordinate the activi-*  
12    *ties of the Commission or entity under this Act with*  
13    *the activities of other State agencies that administer*  
14    *Federal financial assistance programs under the*  
15    *Community Services Block Grant Act (42 U.S.C.*  
16    *9901 et seq.) or other appropriate Federal financial*  
17    *assistance programs.*

18            “(2) *COORDINATION WITH VOLUNTEER SERVICE*  
19    *PROGRAMS.*—

20            “(A) *IN GENERAL.*—*The State Commission*  
21    *or alternative administrative entity for a State*  
22    *shall coordinate functions of the Commission or*  
23    *entity (including recruitment, public awareness,*  
24    *and training activities) with such functions of*  
25    *any division of ACTION, or of the Corporation,*



1       *that carries out volunteer service programs in*  
 2       *the State.*

3               “(B) *AGREEMENT.*—*In coordinating func-*  
 4       *tions under this paragraph, such Commission or*  
 5       *entity, and such division, may enter into an*  
 6       *agreement to—*

7                       “(i) *carry out such a function jointly;*

8                       “(ii) *to assign responsibility for such a*  
 9       *function to the Commission or entity; or*

10                      “(iii) *to assign responsibility for such*  
 11       *a function to the division.*

12               “(C) *INFORMATION.*—*The State Commission*  
 13       *or alternative entity for a State, and the head of*  
 14       *any such division, shall exchange information*  
 15       *about—*

16                      “(i) *the programs carried out in the*  
 17       *State by the Commission, entity, or divi-*  
 18       *sion, as appropriate; and*

19                      “(ii) *opportunities to coordinate ac-*  
 20       *tivities.*

21       “(j) *LIABILITY.*—

22               “(1) *LIABILITY OF STATE.*—*Except as provided*  
 23       *in paragraph (2)(B), a State shall agree to assume li-*  
 24       *ability with respect to any claim arising out of or re-*  
 25       *sulting from any act or omission by a member of the*

1     *State Commission or alternative administrative en-*  
2     *tity of the State, within the scope of the service of the*  
3     *member on the State Commission or alternative ad-*  
4     *ministrative entity.*

5             “(2) *OTHER CLAIMS.—*

6                 “(A) *IN GENERAL.—A member of the State*  
7                 *Commission or alternative administrative entity*  
8                 *shall have no personal liability with respect to*  
9                 *any claim arising out of or resulting from any*  
10                *act or omission by such person, within the scope*  
11                *of the service of the member on the State Com-*  
12                *mission or alternative administrative entity.*

13               “(B) *LIMITATION.—This paragraph shall*  
14                *not be construed to limit personal liability for*  
15                *criminal acts or omissions, willful or malicious*  
16                *misconduct, acts or omissions for private gain,*  
17                *or any other act or omission outside the scope of*  
18                *the service of such member on the State Commis-*  
19                *sion or alternative administrative entity.*

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

22                 “(A) *to affect any other immunities and*  
23                 *protections that may be available to such mem-*  
24                 *ber under applicable law with respect to such*  
25                 *service;*

1           “(B) to affect any other right or remedy  
2           against the State under applicable law, or  
3           against any person other than a member of the  
4           State Commission or alternative administrative  
5           entity; or

6           “(C) to limit or alter in any way the im-  
7           munities that are available under applicable law  
8           for State officials and employees not described in  
9           this subsection.”.

10       (b) *TABLE OF CONTENTS.*—Section 1(b) of the Na-  
11       tional and Community Service Act of 1990 (Public Law  
12       101–610; 104 Stat. 3127) is amended by striking the item  
13       relating to section 178 and inserting the following new  
14       item:

          “Sec. 178. *State Commissions on National and Community Service.*”.

15       (c) *EFFECTIVE DATE.*—The amendments made by this  
16       section shall take effect on the date of the enactment of this  
17       Act.

18       (d) *TRANSITIONAL PROVISIONS.*—

19           (1) *USE OF ALTERNATIVES TO STATE COMMIS-*  
20       *SION.*—If a State does not have a State Commission  
21       on National and Community Service that satisfies the  
22       requirements specified in section 178 of the National  
23       and Community Service Act of 1990, as amended by  
24       subsection (a), the Corporation for National and  
25       Community Service may authorize the chief executive

1        *of the State to use an existing agency of the State to*  
 2        *perform the duties otherwise reserved to a State Com-*  
 3        *mission under subsection (e) of such section.*

4            (2) *APPLICATION OF SUBSECTION.—This sub-*  
 5        *section shall apply only during the 1-year period be-*  
 6        *ginning on the date of the enactment of this Act.*

7        **SEC. 202. INTERIM AUTHORITIES OF THE CORPORATION**  
 8                            **FOR NATIONAL AND COMMUNITY SERVICE**  
 9                            **AND ACTION AGENCY.**

10        (a) *NATIONAL AND COMMUNITY SERVICE ACT OF*  
 11        *1990.—Subtitle G of title I of the National and Community*  
 12        *Service Act of 1990 (42 U.S.C. 12651) is amended to read*  
 13        *as follows:*

14                    **“Subtitle G—Corporation for**  
 15        **National and Community Service**

16        **“SEC. 191. CORPORATION FOR NATIONAL AND COMMUNITY**  
 17                            **SERVICE.**

18            *“There is established a Corporation for National and*  
 19        *Community Service that shall administer the programs es-*  
 20        *tablished under this Act. The Corporation shall be a Gov-*  
 21        *ernment corporation, as defined in section 103 of title 5,*  
 22        *United States Code.*

23        **“SEC. 192. BOARD OF DIRECTORS.**

24            *“(a) COMPOSITION.—*

1           “(1) *IN GENERAL.*—There shall be in the Cor-  
 2           poration a Board of Directors (referred to in this sub-  
 3           title as the ‘Board’) that shall be composed of—

4                   “(A) 15 members, including an individual  
 5                   between the ages of 16 and 25 who—

6                           “(i) has served in a school-based or  
 7                           community-based service-learning program;  
 8                           or

9                           “(ii) is a participant or a supervisor  
 10                          in a program,  
 11                          to be appointed by the President of the United  
 12                          States, by and with the advice and consent of the  
 13                          Senate;

14                   “(B) the President of the Corporation, who  
 15                   shall serve as an *ex officio* nonvoting member;  
 16                   and

17                   “(C) the *ex officio* nonvoting members de-  
 18                   scribed in paragraph (3).

19           “(2) *QUALIFICATIONS.*—To the maximum extent  
 20           practicable, the President of the United States shall  
 21           appoint members—

22                   “(A) who have extensive experience in vol-  
 23                   unteer or service activities, such as—

24                           “(i) activities funded under the na-  
 25                           tional service laws; and

1                   “(ii) Federal financial assistance ac-  
2                   tivities, such as—

3                   “(I) activities under the Head  
4                   Start Act (42 U.S.C. 9831 et seq.);

5                   “(II) activities under the Commu-  
6                   nity Services Block Grant Act (42  
7                   U.S.C. 9901 et seq.); or

8                   “(III) antipoverty activities under  
9                   other Federal law;  
10                  that have a volunteer or service focus;

11                  “(B) who represent a broad range of view-  
12                  points;

13                  “(C) who are experts in the delivery of  
14                  human, educational, environmental, or public  
15                  safety services;

16                  “(D) that include at least one representative  
17                  of local educators and at least one representative  
18                  of community-based agencies;

19                  “(E) so that the Board shall be diverse with  
20                  respect to race, ethnicity, age, gender, and dis-  
21                  ability characteristics; and

22                  “(F) so that no more than 8 appointed  
23                  members of the Board are from a single political  
24                  party.

1           “(3) *EX OFFICIO MEMBERS.*—The Secretary of  
2           Education, the Secretary of Health and Human Serv-  
3           ices, the Secretary of Labor, the Secretary of the Inte-  
4           rior, the Secretary of Agriculture, the Secretary of  
5           Housing and Urban Development, the Secretary of  
6           Defense, the Attorney General, the Director of the  
7           Peace Corps, and the Administrator of the Environ-  
8           mental Protection Agency shall serve as *ex officio*  
9           nonvoting members of the Board.

10          “(b) *OFFICERS.*—

11                 “(1) *CHAIRPERSON AND VICE CHAIRPERSON.*—  
12           The Board shall elect a Chairperson and a Vice  
13           Chairperson from among its membership.

14                 “(2) *OTHER OFFICERS.*—The Board may elect  
15           from among its membership such additional officers  
16           of the Board as the Board determines to be appro-  
17           priate.

18                 “(c) *TERMS.*—Each appointed member of the Board  
19           shall serve for a term of 3 years, except that 5 of the mem-  
20           bers first appointed to the Board after the date of enactment  
21           of this section shall serve for a term of 1 year and 5 shall  
22           serve for a term of 2 years, as designated by the President  
23           of the United States.

24                 “(d) *VACANCIES.*—As vacancies occur on the Board,  
25           new members shall be appointed by the President of the

1 *United States, by and with the advice and consent of the*  
 2 *Senate, and serve for the remainder of the term for which*  
 3 *the predecessor of such member was appointed. The vacancy*  
 4 *shall not affect the power of the remaining members to exe-*  
 5 *cute the duties of the Board.*

6 ***“SEC. 192A. AUTHORITIES AND DUTIES OF THE BOARD OF***  
 7 ***DIRECTORS.***

8 *“(a) MEETINGS.—The Board shall meet not less than*  
 9 *3 times each year. The Board shall hold additional meetings*  
 10 *at the call of the Chairperson of the Board, or if 6 members*  
 11 *of the Board request such meetings in writing.*

12 *“(b) QUORUM.—A majority of the appointed members*  
 13 *of the Board shall constitute a quorum.*

14 *“(c) AUTHORITIES OF OFFICERS.—*

15 *“(1) CHAIRPERSON.—The Chairperson of the*  
 16 *Board may call and conduct meetings of the Board.*

17 *“(2) VICE CHAIRPERSON.—The Vice Chairperson*  
 18 *of the Board may conduct meetings of the Board in*  
 19 *the absence of the Chairperson.*

20 *“(d) EXPENSES.—While away from their homes or reg-*  
 21 *ular places of business on the business of the Board, mem-*  
 22 *bers of such Board shall be allowed travel expenses, includ-*  
 23 *ing per diem in lieu of subsistence, at rates authorized for*  
 24 *employees of agencies under subchapter I of chapter 57 of*



1 *title 5, United States Code, for persons employed intermit-*  
2 *tently in the Government service.*

3 “(e) *SPECIAL GOVERNMENT EMPLOYEES.*—For pur-  
4 *poses of the provisions of chapter 11 of part I of title 18,*  
5 *United States Code, and any other provision of Federal law,*  
6 *a member of the Board (to whom such provisions would*  
7 *not otherwise apply except for this subsection) shall be a*  
8 *special Government employee.*

9 “(f) *STATUS OF MEMBERS.*—

10 “(1) *TORT CLAIMS.*—For the purposes of the tort  
11 *claims provisions of chapter 171 of title 28, United*  
12 *States Code, a member of the Board shall be consid-*  
13 *ered to be a Federal employee.*

14 “(2) *OTHER CLAIMS.*—A member of the Board  
15 *shall have no personal liability under Federal law*  
16 *with respect to any claim arising out of or resulting*  
17 *from any act or omission by such person, within the*  
18 *scope of the service of the member on the Board, in*  
19 *connection with any transaction involving the provi-*  
20 *sion of financial assistance by the Corporation. This*  
21 *paragraph shall not be construed to limit personal li-*  
22 *ability for criminal acts or omissions, willful or mali-*  
23 *cious misconduct, acts or omissions for private gain,*  
24 *or any other act or omission outside the scope of the*  
25 *service of such member on the Board.*

1           “(3) *EFFECT ON OTHER LAW.*—*This subsection*  
2     *shall not be construed—*

3           “(A) *to affect any other immunities and*  
4     *protections that may be available to such mem-*  
5     *ber under applicable law with respect to such*  
6     *transactions;*

7           “(B) *to affect any other right or remedy*  
8     *against the Corporation, against the United*  
9     *States under applicable law, or against any per-*  
10    *son other than a member of the Board partici-*  
11    *pating in such transactions; or*

12          “(C) *to limit or alter in any way the im-*  
13    *munities that are available under applicable law*  
14    *for Federal officials and employees not described*  
15    *in this subsection.*

16   “(g) *DUTIES.*—*The Board shall—*

17          “(1) *review and approve the strategic plan de-*  
18    *scribed in section 193A(b)(1), and annual updates of*  
19    *the plan;*

20          “(2) *review and approve the proposal described*  
21    *in section 193A(b)(2)(A), with respect to the grants,*  
22    *allotments, contracts, financial assistance, payment,*  
23    *and positions referred to in such section;*

24          “(3) *review and approve the proposal described*  
25    *in section 193A(b)(3)(A), regarding the regulations,*

1       *standards, policies, procedures, programs, and initia-*  
2       *tives referred to in such section;*

3               “(4) review and approve the evaluation plan de-  
4       *scribed in section 193A(b)(4)(A);*

5               “(5)(A) review, and advise the President regard-  
6       *ing, the actions of the President with respect to the*  
7       *personnel of the Corporation, and with respect to such*  
8       *standards, policies, procedures, programs, and initia-*  
9       *tives as are necessary or appropriate to carry out this*  
10       *Act; and*

11              “(B) inform the President of any aspects of the  
12       *actions of the President that are not in compliance*  
13       *with the annual strategic plan referred to in para-*  
14       *graph (1), the proposals referred to in paragraphs (2)*  
15       *and (3), or the plan referred to in paragraph (4), or*  
16       *are not consistent with the objectives of this Act;*

17              “(6) receive, and act on, the reports issued by the  
18       *Inspector General of the Corporation;*

19              “(7) make recommendations relating to a pro-  
20       *gram of research for the Corporation with respect to*  
21       *national and community service programs, including*  
22       *service-learning programs;*

23              “(8) advise the President of the United States  
24       *and the Congress concerning developments in national*

1       *and community service that merit the attention of the*  
2       *President of the United States and the Congress; and*  
3       “(9) *ensure effective dissemination of informa-*  
4       *tion regarding the programs and initiatives of the*  
5       *Corporation.*

6       “(h) *ADMINISTRATION.—The Federal Advisory Com-*  
7       *mittee Act (5 U.S.C. App.) shall not apply with respect to*  
8       *the Board.*

9       **“SEC. 193. PRESIDENT.**

10       “(a) *APPOINTMENT.—The Corporation shall be headed*  
11       *by an individual who shall serve as President of the Cor-*  
12       *poration, and who shall be appointed by the President of*  
13       *the United States, by and with the advice and consent of*  
14       *the Senate.*

15       “(b) *COMPENSATION.—The President shall be com-*  
16       *pensated at the rate provided for level III of the Executive*  
17       *Schedule under section 5314 of title 5, United States Code.*

18       “(c) *REGULATIONS.—The President shall prescribe*  
19       *such rules and regulations as are necessary or appropriate*  
20       *to carry out this Act.*

21       **“SEC. 193A. AUTHORITIES AND DUTIES OF THE PRESIDENT.**

22       “(a) *GENERAL POWERS AND DUTIES.—The President*  
23       *shall be responsible for the exercise of the powers and the*  
24       *discharge of the duties of the Corporation that are not re-*  
25       *served to the Board, and shall have authority and control*

1 *over all personnel of the Corporation, except as provided*  
2 *in section 194(b)(4).*

3 “(b) *DUTIES.—In addition to the duties conferred on*  
4 *the President under any other provision of this Act, the*  
5 *President shall—*

6 “(1) *prepare and submit to the Board a strategic*  
7 *plan every 3 years, and annual updates of the plan,*  
8 *for the Corporation with respect to the major func-*  
9 *tions and operations of the Corporation;*

10 “(2)(A) *prepare and submit to the Board a pro-*  
11 *posal with respect to such grants and allotments, con-*  
12 *tracts, other financial assistance, and designation of*  
13 *positions as approved national service positions, as*  
14 *are necessary or appropriate to carry out this Act;*  
15 *and*

16 “(B) *after receiving and reviewing an approved*  
17 *proposal under section 192A(g)(2), make such grants*  
18 *and allotments, enter into such contracts, award such*  
19 *other financial assistance, make such payments (in*  
20 *lump sum or installments, and in advance or by way*  
21 *of reimbursement, and in the case of financial assist-*  
22 *ance otherwise authorized under this Act, with nec-*  
23 *essary adjustments on account of overpayments and*  
24 *underpayments), and designate such positions as ap-*

1     *proved national service positions as are necessary or*  
2     *appropriate to carry out this Act;*

3             *“(3)(A) prepare and submit to the Board a pro-*  
4     *posal regarding, the regulations established under sec-*  
5     *tion 195(a)(4)(B)(i), and such other standards,*  
6     *policies, procedures, programs, and initiatives as are*  
7     *necessary or appropriate to carry out this Act; and*

8             *“(B) after receiving and reviewing an approved*  
9     *proposal under section 192A(g)(3)—*

10            *“(i) establish such standards, policies, and*  
11     *procedures as are necessary or appropriate to*  
12     *carry out this Act; and*

13            *“(ii) establish and administer such pro-*  
14     *grams and initiatives as are necessary or appro-*  
15     *priate to carry out this Act;*

16            *“(4)(A) prepare and submit to the Board a plan*  
17     *for the evaluation of programs established under this*  
18     *Act, in accordance with section 179; and*

19            *“(B) after receiving an approved proposal under*  
20     *section 192A(g)(4)—*

21            *“(i) establish measurable performance goals*  
22     *and objectives for such programs, in accordance*  
23     *with section 179; and*

24            *“(ii) provide for periodic evaluation of such*  
25     *programs to assess the manner and extent to*

1       *which the programs achieve the goals and objec-*  
2       *tives, in accordance with such section;*

3       “(5) consult with appropriate Federal agencies  
4       *in administering the programs and initiatives;*

5       “(6) suspend or terminate payments and posi-  
6       *tions described in paragraph (2)(B), in accordance*  
7       *with section 176;*

8       “(7) prepare and submit to the Board an annual  
9       *report, and such interim reports as may be necessary,*  
10       *describing the major actions of the President with re-*  
11       *spect to the personnel of the Corporation, and with*  
12       *respect to such standards, policies, procedures, pro-*  
13       *grams, and initiatives;*

14       “(8) inform the Board of, and provide an expla-  
15       *nation to the Board regarding, any substantial dif-*  
16       *ferences between—*

17               “(A) the actions of the President; and

18               “(B)(i) the strategic plan approved by the  
19       *Board under section 192A(g)(1);*

20               “(ii) the proposals approved by the Board  
21       *under paragraph (2) or (3) of section 192A(g);*  
22       *or*

23               “(iii) the evaluation plan approved by the  
24       *Board under section 192A(g)(4); and*

1           “(9) prepare and submit to the appropriate com-  
2       mittees of Congress an annual report, and such in-  
3       terim reports as may be necessary, describing—

4           “(A) the services referred to in paragraph  
5       (1), and the money and property referred to in  
6       paragraph (2), of section 196(a) that have been  
7       accepted by the Corporation;

8           “(B) the manner in which the Corporation  
9       used or disposed of such services, money, and  
10      property; and

11          “(C) information on the results achieved by  
12      the programs funded under this Act during the  
13      year preceding the year in which the report is  
14      prepared.

15          “(c) *POWERS.*—In addition to the authority conferred  
16      on the President under any other provision of this Act, the  
17      President may—

18          “(1) establish, alter, consolidate, or discontinue  
19      such organizational units or components within the  
20      Corporation as the President considers necessary or  
21      appropriate, consistent with Federal law, and shall,  
22      to the maximum extent practicable, consolidate such  
23      units or components of the division of the Corporation  
24      that carries out volunteer service programs and the  
25      division of the Corporation that carries out financial



1     *assistance programs as may be appropriate to enable*  
2     *the two divisions to coordinate common support func-*  
3     *tions, such as recruiting, public awareness, or train-*  
4     *ing functions;*

5             *“(2) with the approval of the President of the*  
6     *United States, arrange with and reimburse the heads*  
7     *of other Federal agencies for the performance of any*  
8     *of the provisions of this Act;*

9             *“(3) with their consent, utilize the services and*  
10    *facilities of Federal agencies with or without reim-*  
11    *bursement, and, with the consent of any State, or po-*  
12    *litical subdivision of a State, accept and utilize the*  
13    *services and facilities of the agencies of such State or*  
14    *subdivisions without reimbursement;*

15            *“(4) allocate and expend, or transfer to other*  
16    *Federal agencies for expenditure, funds made avail-*  
17    *able under this Act, including expenditure for con-*  
18    *struction, repairs, and capital improvements;*

19            *“(5) disseminate, without regard to the provi-*  
20    *sions of section 3204 of title 39, United States Code,*  
21    *data and information, in such form as the President*  
22    *shall determine to be appropriate to public agencies,*  
23    *private organizations, and the general public;*

24            *“(6) collect or compromise all obligations to or*  
25    *held by the President and all legal or equitable rights*

1     *accruing to the President in connection with the pay-*  
2     *ment of obligations in accordance with chapter 37 of*  
3     *title 31, United States Code (commonly known as the*  
4     *'Federal Claims Collection Act of 1966');*

5             *“(7) expend funds made available for purposes of*  
6     *this Act, without regard to any other law or regula-*  
7     *tion, for rent of buildings and space in buildings and*  
8     *for repair, alteration, and improvement of buildings*  
9     *and space in buildings rented by the President;*

10            *“(8) file a civil action in any court of record of*  
11     *a State having general jurisdiction or in any district*  
12     *court of the United States, with respect to a claim*  
13     *arising under this Act;*

14            *“(9) exercise the authorities of the Corporation*  
15     *under section 196; and*

16            *“(10) consolidate the reports to Congress required*  
17     *under this Act, and the report required under section*  
18     *9106 of title 31, United States Code, into a single re-*  
19     *port, and submit the report to Congress on an annual*  
20     *basis;*

21            *“(11) generally perform such functions and take*  
22     *such steps consistent with the objectives and provi-*  
23     *sions of this Act, as the President determines to be*  
24     *necessary or appropriate to carry out such provisions.*

25     *“(d) DELEGATION.—*

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

5           “(2) *IN GENERAL.*—Except as otherwise prohib-  
 6           ited by law or provided in this Act, the President  
 7           may delegate any function under this Act, and au-  
 8           thorize such successive redelegations of such function  
 9           as may be necessary or appropriate. No delegation of  
 10          a function by the President under this subsection or  
 11          under any other provision of this Act shall relieve  
 12          such President of responsibility for the administra-  
 13          tion of such function.

14          “(3) *FUNCTION OF BOARD.*—The President may  
 15          not delegate a function of the Board without the per-  
 16          mission of the Board.

17          “(e) *ACTIONS.*—In an action described in subsection  
 18          (c)(8)—

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

22               “(2) such an action brought by the President  
 23               shall survive notwithstanding any change in the per-  
 24               son occupying the office of President or any vacancy  
 25               in that office;

1           “(3) *no attachment, injunction, garnishment, or*  
 2           *other similar process, mesne or final, shall be issued*  
 3           *against the President or the Board or property under*  
 4           *the control of the President or the Board; and*

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

9   **“SEC. 194. OFFICERS.**

10          “(a) *MANAGING DIRECTORS.—*

11               “(1) *IN GENERAL.—There shall be in the Cor-*  
 12               *poration 2 Managing Directors, who shall be ap-*  
 13               *pointed by the President of the United States, by and*  
 14               *with the advice and consent of the Senate, and who*  
 15               *shall report to the President.*

16               “(2) *COMPENSATION.—The Managing Directors*  
 17               *shall be compensated at the rate provided for level IV*  
 18               *of the Executive Schedule under section 5315 of title*  
 19               *5, United States Code.*

20               “(3) *DUTIES.—*

21                       “(A) *VOLUNTEER SERVICE PROGRAMS.—*  
 22                       *One of the Managing Directors shall be pri-*  
 23                       *marily responsible for the volunteer service pro-*  
 24                       *grams carried out by the Corporation.*

1           “(B) *INVESTMENT PROGRAMS.*—The other  
2           *Managing Director shall be primarily respon-*  
3           *sible for the financial assistance programs car-*  
4           *ried out by the Corporation.*

5           “(b) *INSPECTOR GENERAL.*—

6           “(1) *OFFICE.*—There shall be in the Corporation  
7           *an Office of the Inspector General.*

8           “(2) *APPOINTMENT.*—The Office shall be headed  
9           *by an Inspector General, appointed in accordance*  
10          *with the Inspector General Act of 1978.*

11          “(3) *COMPENSATION.*—The Inspector General  
12          *shall be compensated at the rate provided for level IV*  
13          *of the Executive Schedule under section 5315 of title*  
14          *5, United States Code.*

15          “(4) *PERSONNEL.*—Notwithstanding paragraphs  
16          *(7) and (8) of section 6(a) of the Inspector General*  
17          *Act of 1978, the Inspector General may—*

18               “(A) *appoint and determine the compensa-*  
19               *tion of such officers and employees in accordance*  
20               *with section 195(a)(4); and*

21               “(B) *procure the temporary and intermit-*  
22               *tent services of and compensate such experts and*  
23               *consultants, in accordance with section 3109(b)*  
24               *of title 5, United States Code,*

1       *as may be necessary to carry out the functions, pow-*  
2       *ers, and duties of the Inspector General.*

3       “(c) *CHIEF FINANCIAL OFFICER.*—

4               “(1) *OFFICE.*—*There shall be in the Corporation*  
5       *a Chief Financial Officer, who shall be appointed by*  
6       *the President of the United States, by and with the*  
7       *advice and consent of the Senate.*

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

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

14                   “(A) *report directly to the President regard-*  
15       *ing 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               *“(4) ACCESS.—The Chief Financial Officer shall*  
 8       *have access to all records, reports, audits, reviews,*  
 9       *documents, papers, recommendations, or other mate-*  
 10       *rial that are the property of the Corporation or that*  
 11       *are available to the Corporation, and that relate to*  
 12       *the duties of the Chief Financial Officer with respect*  
 13       *to the Corporation.*

14   **“SEC. 195. EMPLOYEES, CONSULTANTS, AND OTHER PER-**  
 15       **SONNEL.**

16       *“(a) EMPLOYEES.—*

17               *“(1) IN GENERAL.—The President may appoint*  
 18       *and determine the compensation of such employees as*  
 19       *the President determines to be necessary to carry out*  
 20       *the duties of the Corporation.*

21               *“(2) CIVIL SERVICE PROTECTIONS.—The provi-*  
 22       *sions of title 5, United States Code, shall apply with*  
 23       *respect to the Corporation and the employees of the*  
 24       *Corporation, except that the President may appoint*  
 25       *and determine the compensation of employees under*

1     *this subsection without regard to the provisions of*  
 2     *title 5, United States Code, governing appointments*  
 3     *in the competitive service, and without regard to the*  
 4     *provisions of chapter 51 and subchapter III of chap-*  
 5     *ter 53 of such title relating to classification and Gen-*  
 6     *eral Schedule pay rates (other than the provisions de-*  
 7     *scribed in clauses (iii) and (iv) of paragraph (4)(B)).*

8             “(3) APPOINTMENT IN THE COMPETITIVE SERV-  
 9     ICE AFTER EMPLOYMENT IN THE CORPORATION.—

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

20            “(B) EMPLOYEES WITH NOT LESS THAN 1  
 21     BUT LESS THAN 3 YEARS OF EMPLOYMENT.—If  
 22     an employee, other than a representative de-  
 23     scribed in subsection (b), is separated from the  
 24     Corporation (other than by removal for cause),  
 25     and has been continuously employed by the Cor-



poration for a period of not less than 1 year, but less than 3 years, such period shall be treated as a period of service in the competitive service for purposes of chapter 33 of title 5, United States Code, until the date that is 3 years after the date of separation.

“(C) *DEFINITION.*—As used in this paragraph, the term ‘competitive service’ has the meaning given the term in section 2102 of title 5, United States Code.

“(4) *APPOINTMENT AND COMPENSATION.*—

“(A) *IN GENERAL.*—The Chairperson shall appoint and determine the compensation of employees referred to in paragraph (1), in accordance with the appointment and compensation systems referred to in subparagraph (B).

“(B) *CORPORATION APPOINTMENT AND COMPENSATION SYSTEMS.*—

“(i) *ESTABLISHMENT OF SYSTEM.*—  
The President, after reviewing the approved proposal of the Board under section 192A(g)(3) and after obtaining the approval of the Director of the Office of Personnel Management, shall issue regulations estab-

lishing appointment and compensation systems for the Corporation.

“(ii) *CONTENT AND CONSIDERATIONS.*—In issuing such regulations, the President shall—

“(I) establish appropriate appointment and compensation mechanisms for the representatives described in subsection (b); and

“(II) take into consideration the need for flexibility in such a system.

“(iii) *APPOINTMENT SYSTEM.*—The appointment system shall require that the appointment of such an employee be—

“(I) on the basis of the qualifications of applicants and the requirements of the position, in accordance with the merit system principles set forth in section 2301(b) of title 5, United States Code; and

“(II) through a competitive process.

“(iv) *COMPENSATION SYSTEM.*—

“(I) *IN GENERAL.*—The compensation system shall include a

1 *scheme for the classification of posi-*  
2 *tions in the Corporation. The system*  
3 *shall require that the compensation of*  
4 *such an employee be determined based*  
5 *in part on the job performance of the*  
6 *employee, and in a manner consistent*  
7 *with the principles described in section*  
8 *5301 of title 5, United States Code.*

9 “(II) *LIMITATION ON EMPLOYEE*  
10 *COMPENSATION.—The rate of com-*  
11 *pen-sation for each employee com-*  
12 *pen-sated through the system shall not*  
13 *exceed the annual rate of basic pay*  
14 *payable for level IV of the Executive*  
15 *Schedule under section 5315 of title 5,*  
16 *United States Code.*

17 “(III) *LIMITATION ON COMPENSA-*  
18 *TION OF REPRESENTATIVE.—The rate*  
19 *of pay for a representative described in*  
20 *subsection (b) shall not exceed the max-*  
21 *imum rate of basic pay payable for*  
22 *grade GS–13 of the General Schedule*  
23 *under section 5332 of title 5, United*  
24 *States Code.*

25 “(5) *RETENTION OF CIVIL SERVICE RIGHTS.—*

1           “(A) *RETENTION OF COMPETITIVE SERVICE*  
2           *RIGHTS.—An individual who—*

3                   “(i) *was an employee of ACTION or*  
4                   *the Commission on National and Commu-*  
5                   *nity Service who served under a permanent*  
6                   *appointment on the day before the date of*  
7                   *enactment of this subtitle in—*

8                           “(I) *a position in the competitive*  
9                           *service; or*

10                           “(II) *a career appointee position*  
11                           *in the Senior Executive Service;*

12                   “(ii) *is transferred to the Corporation*  
13                   *under section 202(c) or 203(c) of the Na-*  
14                   *tional and Community Service Trust Act of*  
15                   *1993; and*

16                   “(iii) *accepts a position established*  
17                   *under paragraph (4) in the Corporation,*  
18                   *shall be appointed to a position in the competi-*  
19                   *tive service of the Corporation.*

20           “(B) *DURATION OF POSITION IN COMPETI-*  
21           *TIVE SERVICE.—During the period of employ-*  
22           *ment of such an employee in a position, the posi-*  
23           *tion shall be a position in the competitive serv-*  
24           *ice. After such period of employment, the posi-*  
25           *tion shall be a position in the excepted service*

1        *unless the President appoints an individual to*  
2        *such position in accordance with the provisions*  
3        *described in subsection (a)(2).*

4                *“(C) ESTABLISHMENT OF POSITIONS.—With*  
5        *respect to a position vacancy or a position to be*  
6        *established in the Corporation, the President—*

7                *“(i) shall select the individual to be*  
8        *appointed to such position in accordance*  
9        *with the regulations promulgated under*  
10       *paragraph (4);*

11               *“(ii) if the individual to be appointed*  
12       *to the position is an individual described in*  
13       *subparagraph (A), shall establish the posi-*  
14       *tion as a position in the competitive service;*  
15       *and*

16               *“(iii) if the individual to be so ap-*  
17       *pointed is not an individual described in*  
18       *subparagraph (A)—*

19               *“(I) may establish the position as*  
20       *a position in the excepted service; and*

21               *“(II) in an exceptional case in*  
22       *which the individual, immediately*  
23       *prior to accepting the position, served*  
24       *under a permanent appointment in a*  
25       *position described in subclause (I) or*

1                   (II) of subparagraph (A)(i), may es-  
 2                   tablish the position as a position in the  
 3                   competitive service,

4                   in any case in which an individual described in  
 5                   subparagraph (A) is an employee of the Corpora-  
 6                   tion and is eligible to be appointed to such posi-  
 7                   tion.

8                   “(D) DEFINITIONS.—As used in this para-  
 9                   graph:

10                   “(i) COMPETITIVE SERVICE.—The term  
 11                   ‘competitive service’ has the meaning given  
 12                   the term in section 2102 of title 5, United  
 13                   States Code.

14                   “(ii) EXCEPTED SERVICE.—The term  
 15                   ‘excepted service’ has the meaning given the  
 16                   term in section 2103 of title 5, United  
 17                   States Code.

18                   “(iii) SENIOR EXECUTIVE SERVICE.—  
 19                   The term ‘Senior Executive Service’ has the  
 20                   meaning given the term in section 2101a of  
 21                   title 5, United States Code.

22                   “(b) CORPORATION REPRESENTATIVE IN EACH  
 23                   STATE.—

24                   “(1) DESIGNATION OF REPRESENTATIVE.—The  
 25                   Corporation shall designate 1 employee of the Cor-

1     *poration for each State or group of States to serve as*  
2     *the representative of the Corporation in the State or*  
3     *States and to assist the Corporation in carrying out*  
4     *the activities described in this Act in the State or*  
5     *States.*

6             “(2) *DUTIES.*—*The representative designated*  
7     *under this subsection for a State or group of States*  
8     *shall serve as the liaison between—*

9             “(A) *the Corporation and the State Com-*  
10     *mission that is established in the State or States;*

11             “(B) *the Corporation and any subdivision*  
12     *of a State, Indian tribe, public or private non-*  
13     *profit organization, or institution of higher edu-*  
14     *cation, in the State or States, that is awarded a*  
15     *grant under section 121 directly from the Cor-*  
16     *poration; and*

17             “(C) *the State Commission and the Cor-*  
18     *poration employee responsible for volunteer serv-*  
19     *ice programs in the State, if the employee is not*  
20     *the representative described in paragraph (1) for*  
21     *the State.*

22             “(3) *MEMBER OF STATE COMMISSION.*—*The rep-*  
23     *resentative designated under this subsection for a*  
24     *State or group of States shall also serve as a voting*

1        *member of the State Commission established in the*  
2        *State or States.*

3        “(c) *CONSULTANTS.*—*The President may procure the*  
4        *temporary and intermittent services of experts and consult-*  
5        *ants and compensate the experts and consultants in accord-*  
6        *ance with section 3109(b) of title 5, United States Code.*

7        “(d) *DETAILS OF PERSONNEL.*—*The head of any Fed-*  
8        *eral department or agency may detail on a reimbursable*  
9        *basis, or on a nonreimbursable basis for not to exceed 180*  
10       *calendar days during any fiscal year, as agreed upon by*  
11       *the President and the head of the Federal agency, any of*  
12       *the personnel of that department or agency to the Corpora-*  
13       *tion to assist the Corporation in carrying out the duties*  
14       *of the Corporation under this Act. Any detail shall not in-*  
15       *terrupt or otherwise affect the civil service status or privi-*  
16       *leges of the Federal employee.*

17       “(e) *ADVISORY COMMITTEES.*—

18                “(1) *ESTABLISHMENT.*—*The President, acting*  
19        *upon the recommendation of the Board, may establish*  
20        *advisory committees in the Corporation to advise the*  
21        *Board with respect to national service issues, such as*  
22        *the type of programs to be established or assisted*  
23        *under the national service laws, priorities and cri-*  
24        *teria for such programs, and methods of conducting*  
25        *outreach for, and evaluation of, such programs.*



1           “(2) *COMPOSITION.*—Such an advisory commit-  
 2       tee shall be composed of members appointed by the  
 3       President, with such qualifications as the President  
 4       may specify.

5           “(3) *EXPENSES.*—Members of such an advisory  
 6       committee may be allowed travel expenses as described  
 7       in section 192A(d).

8           “(4) *STAFF.*—The President is authorized to ap-  
 9       point and fix the compensation of such staff as the  
 10      President determines to be necessary to carry out the  
 11      functions of the advisory committee, in accordance  
 12      with subsection (a)(2), and without regard to the se-  
 13      lection and compensation systems described in sub-  
 14      section (a)(4)(B). Such compensation shall not exceed  
 15      the rate described in subsection (a)(4)(B)(iv)(III).

16   **“SEC. 196. ADMINISTRATION.**

17       “(a) *DONATIONS.*—

18           “(1) *SERVICES.*—

19               “(A) *VOLUNTEERS.*—Notwithstanding sec-  
 20      tion 1342 of title 31, United States Code, the  
 21      Corporation may solicit and accept the vol-  
 22      untary services of individuals to assist the Cor-  
 23      poration in carrying out the duties of the Cor-  
 24      poration under this Act, and may provide to

1        *such individuals the travel expenses described in*  
2        *section 192A(d).*

3            “(B) *LIMITATION.*—*Such a volunteer shall*  
4        *not be considered to be a Federal employee and*  
5        *shall not be subject to the provisions of law relat-*  
6        *ing to Federal employment, including those re-*  
7        *lating to hours of work, rates of compensation,*  
8        *leave, unemployment compensation, and Federal*  
9        *employee benefits, except that—*

10           “(i) *for the purposes of the tort claims*  
11        *provisions of chapter 171 of title 28, United*  
12        *States Code, a volunteer under this subtitle*  
13        *shall be considered to be a Federal em-*  
14        *ployee; and*

15           “(ii) *for the purposes of subchapter I of*  
16        *chapter 81 of title 5, United States Code,*  
17        *relating to compensation to Federal employ-*  
18        *ees for work injuries, volunteers under this*  
19        *subtitle shall be considered to be employees,*  
20        *as defined in section 8101(1)(B) of title 5,*  
21        *United States Code, and the provisions of*  
22        *such subchapter shall apply.*

23           “(C) *INHERENTLY GOVERNMENTAL FUNC-*  
24        *TION.*—

1           “(i) *IN GENERAL.*—*Such a volunteer*  
 2           *shall not carry out an inherently govern-*  
 3           *mental function.*

4           “(ii) *REGULATIONS.*—*The President*  
 5           *shall promulgate regulations to carry out*  
 6           *this subparagraph.*

7           “(iii) *INHERENTLY GOVERNMENTAL*  
 8           *FUNCTION.*—*As used in this subparagraph,*  
 9           *the term ‘inherently governmental function’*  
 10           *means any activity that is so intimately re-*  
 11           *lated to the public interest as to mandate*  
 12           *performance by an officer or employee of the*  
 13           *Federal Government, including an activity*  
 14           *that requires either the exercise of discretion*  
 15           *in applying the authority of the Govern-*  
 16           *ment or the use of value judgment in mak-*  
 17           *ing a decision for the Government.*

18           “(2) *PROPERTY.*—

19           “(A) *IN GENERAL.*—*The Corporation may*  
 20           *solicit, accept, hold, administer, use, and dispose*  
 21           *of, in furtherance of the purposes of this Act, do-*  
 22           *nations of any money or property, real, per-*  
 23           *sonal, or mixed, tangible or intangible, received*  
 24           *by gift, devise, bequest, or otherwise. Donations*  
 25           *accepted under this subparagraph shall be used*

1       *as nearly as possible in accordance with the*  
2       *terms, if any, of such donation.*

3               “(B) *TAX.*—*For purposes of Federal in-*  
4       *come, estate, and gift taxes, money or property*  
5       *accepted under subparagraph (A) shall be con-*  
6       *sidered to be a gift, devise, or bequest to, or for*  
7       *the use of, the United States.*

8               “(C) *RULES.*—*The President shall establish*  
9       *written rules to ensure that the solicitation, ac-*  
10       *ceptance, holding, administration, and use of*  
11       *property described in subparagraph (A)—*

12               “(i) *will not reflect unfavorably upon*  
13       *the ability of the Corporation, or of any of-*  
14       *ficer or employee of the Corporation, to*  
15       *carry out the responsibilities or official du-*  
16       *ties of the Corporation in a fair and objec-*  
17       *tive manner; and*

18               “(ii) *will not compromise the integrity*  
19       *of the programs of the Corporation or any*  
20       *official or employee of the Corporation in-*  
21       *volved in such programs.*

22               “(D) *DISPOSITION.*—*Upon completion of*  
23       *the use by the Corporation of any property ac-*  
24       *cepted pursuant to subparagraph (A) (other than*  
25       *money or monetary proceeds from sales of prop-*

1       erty so accepted), such completion shall be re-  
 2       ported to the General Services Administration  
 3       and such property shall be disposed of in accord-  
 4       ance with title II of the Federal Property and  
 5       Administrative Services Act of 1949 (40 U.S.C.  
 6       481 et seq.).

7       “(3) VOLUNTEER.—As used in this subsection,  
 8       the term ‘volunteer’ does not include a participant.

9       “(b) CONTRACTS.—Subject to the Federal Property  
 10      and Administrative Services Act of 1949, the Corporation  
 11      may enter into contracts, and cooperative and interagency  
 12      agreements, with Federal and State agencies, private firms,  
 13      institutions, and individuals to conduct activities necessary  
 14      to assist the Corporation in carrying out the duties of the  
 15      Corporation under this Act.

16      “(c) OFFICE OF MANAGEMENT AND BUDGET.—Appro-  
 17      priate circulars of the Office of Management and Budget  
 18      shall apply to the Corporation.”.

19      (b) DOMESTIC VOLUNTEER SERVICE ACT OF 1973.—  
 20      Section 401 of the Domestic Volunteer Service Act of 1973  
 21      (42 U.S.C. 5041) is amended by inserting after the second  
 22      sentence the following: “The Director shall report directly  
 23      to the President of the Corporation for National and Com-  
 24      munity 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 the*  
5 *context, each term specified in section 203(c)(1) shall*  
6 *have the meaning given the term in such section.*

7           (2) *TRANSFER OF FUNCTIONS.*—*There are trans-*  
8 *ferred to the Corporation the functions that the Board*  
9 *of Directors or Executive Director of the Commission*  
10 *on National and Community Service exercised before*  
11 *the effective date of this subsection (including all re-*  
12 *lated functions of any officer or employee of the Com-*  
13 *mission).*

14          (3) *APPLICATION.*—*The provisions of paragraphs*  
15 *(3) through (10) of section 203(c) shall apply with re-*  
16 *spect to the transfer described in paragraph (2), ex-*  
17 *cept that—*

18           (A) *for purposes of such application, ref-*  
19 *erences to the term “ACTION Agency” shall be*  
20 *deemed to be references to the Commission on*  
21 *National and Community Service; and*

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

1           *Board of Directors of the Corporation has not*  
2           *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 Board*  
9           *of Directors of the Commission on National and Commu-*  
10          *nity Service may, subject to section 193A of the National*  
11          *and Community Service Act of 1990, as added by subsection*  
12          *(a) of this section, continue to perform such functions until*  
13          *the date on the Board of Directors of the Corporation for*  
14          *National and Community Service conducts the first meeting*  
15          *of the Board. The service of such individuals as members*  
16          *of the Board of Directors of such Commission, and the*  
17          *employment of such individuals as special government*  
18          *employees, shall terminate on such date.*

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

1 *The President of the Corporation shall make available funds*  
 2 *appropriated under section 501(a)(2) of the National and*  
 3 *Community Service Act of 1990 in order to provide such*  
 4 *assistance.*

5 *(f) GOVERNMENT CORPORATION CONTROL.—*

6 *(1) WHOLLY OWNED GOVERNMENT CORPORA-*  
 7 *TION.—Section 9101(3) of title 31, United States*  
 8 *Code, is amended by inserting after subparagraph*  
 9 *(D) the following:*

10 *“(E) the Corporation for National and*  
 11 *Community Service.”.*

12 *(2) AUDITS.—Section 9105(a)(1) of title 31,*  
 13 *United States Code, is amended by inserting “, or*  
 14 *under other Federal law,” before “or by an independ-*  
 15 *ent”.*

16 *(g) DISPOSAL OF PROPERTY.—Section 203(k) of the*  
 17 *Federal Property and Administrative Services Act of 1949*  
 18 *(40 U.S.C. 484(k)) is amended by adding at the end the*  
 19 *following:*

20 *“(5)(A) Under such regulations as the Administrator*  
 21 *may prescribe, the Administrator is authorized, in the dis-*  
 22 *cretion of the Administrator, to assign to the President of*  
 23 *the Corporation for National and Community Service for*  
 24 *disposal such surplus property as is recommended by the*  
 25 *President as being needed for national service activities.*



1       “(B) Subject to the disapproval of the Administrator,  
 2 within 30 days after notice to the Administrator by the  
 3 President of the Corporation for National and Community  
 4 Service of a proposed transfer of property for such activi-  
 5 ties, the President, through such officers or employees of the  
 6 Corporation as the President may designate, may sell, lease,  
 7 or donate such property to any entity that receives finan-  
 8 cial assistance under the National and Community Service  
 9 Act of 1990 for such activities.

10       “(C) In fixing the sale or lease value of such property,  
 11 the President of the Corporation for National and Commu-  
 12 nity Service shall comply with the requirements of para-  
 13 graph (1)(C).”.

14       (h) INSPECTOR GENERAL.—Section 11 of the Inspector  
 15 General Act of 1978 (5 U.S.C. App.) is amended—

16           (1) in paragraph (1), by inserting “; the Board  
 17 of Directors of the Corporation for National and  
 18 Community Service,” after “Thrift Depositor Protec-  
 19 tion Oversight Board”; and

20           (2) in paragraph (2), by inserting “, the Cor-  
 21 poration for National and Community Service,” after  
 22 “United States Information Agency”.

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

1 *relating to subtitle G of title I of such Act and inserting*  
 2 *the following:*

*“Subtitle G—Corporation for National and Community Service*

*“Sec. 191. Corporation for National and Community Service.*

*“Sec. 192. Board of Directors.*

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

*“Sec. 193. President.*

*“Sec. 193A. Authorities and duties of the President.*

*“Sec. 194. Officers.*

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

*“Sec. 196. Administration.”.*

3 *(j) EFFECTIVE DATES.—*

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

7 *(2) ESTABLISHMENT AND APPOINTMENT AU-*  
 8 *THORITIES.—Sections 191, 192, and 193 of the Na-*  
 9 *tional and Community Service Act of 1990, as added*  
 10 *by subsection (a), shall take effect on the date of*  
 11 *enactment of this Act.*

12 **SEC. 203. FINAL AUTHORITIES OF THE CORPORATION FOR**  
 13 **NATIONAL AND COMMUNITY SERVICE.**

14 *(a) NATIONAL AND COMMUNITY SERVICE ACT OF*  
 15 *1990.—*

16 *(1) APPLICATION.—Subtitle I of the National*  
 17 *and Community Service Act of 1990 (as amended by*  
 18 *section 202 of this Act) is amended in section 191,*  
 19 *section 192A(g)(5), section 193(c), subsections (b), (c)*  
 20 *(other than paragraph (8)), and (d) of section 193A,*  
 21 *subsections (b) and (d) of section 195, and subsections*

1       (a) and (b) of section 196, by striking “this Act” each  
2       place the term appears and inserting “the national  
3       service laws”.

4               (2) GRANTS.—Section 192A(g) of the National  
5       and Community Service Act of 1990 (as added by sec-  
6       tion 202 of this Act) is amended—

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

9                       (B) by redesignating paragraph (10) as  
10      paragraph (11); and

11                      (C) by inserting after paragraph (9) the fol-  
12      lowing:

13               “(10) notwithstanding any other provision of  
14      law, make grants to or contracts with Federal or  
15      other public departments or agencies and private non-  
16      profit organizations for the assignment or referral of  
17      volunteers under the provisions of the Domestic Vol-  
18      unteer Service Act of 1973 (except as provided in sec-  
19      tion 108 of the Domestic Volunteer Service Act of  
20      1973), which may provide that the agency or organi-  
21      zation shall pay all or a part of the costs of the pro-  
22      gram; and”.

23               (3) ASSISTANT DIRECTORS.—Section 194 of the  
24      National and Community Service Act of 1990 (as

1       *added by section 202 of this Act) is amended by add-*  
2       *ing at the end the following:*

3       “(d) ASSISTANT DIRECTORS.—

4               “(1) IN GENERAL.—*There shall be in the Cor-*  
5       *poration four Assistant Directors, each of whom shall*  
6       *be appointed by the President, and who shall report*  
7       *directly to the Managing Director described in sub-*  
8       *section (a)(3)(A).*

9       “(2) DUTIES.—

10               “(A) VISTA AND OTHER ANTIPOVERTY PRO-  
11       *GRAMS.—One of the Assistant Directors shall be*  
12       *primarily responsible for the VISTA and other*  
13       *antipoverty programs under title I of the Domes-*  
14       *tic Volunteer Service Act of 1973.*

15               “(B) RETIRED AND SENIOR VOLUNTEER  
16       *PROGRAMS.—One of the Assistant Directors shall*  
17       *be primarily responsible for the Retired and*  
18       *Senior Volunteer Program established under part*  
19       *A of title II of such Act.*

20               “(C) FOSTER GRANDPARENT PROGRAM.—  
21       *One of the Assistant Directors shall be primarily*  
22       *responsible for the Foster Grandparent Program*  
23       *established under part B of title II of such Act.*

24               “(D) SENIOR COMPANION PROGRAM.—*One*  
25       *of the Assistant Directors shall be primarily re-*

1            *sponsible for the Senior Companion Program es-*  
 2            *tablished under part C of title II of such Act.”.*

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

6            *(c) TRANSFER OF FUNCTIONS FROM ACTION*  
 7            *AGENCY.—*

8            *(1) DEFINITIONS.—For purposes of this sub-*  
 9            *section, unless otherwise provided or indicated by the*  
 10           *context—*

11                    *(A) the term “Corporation” means the Cor-*  
 12                    *poration for National and Community Service,*  
 13                    *established under section 191 of the National and*  
 14                    *Community Service Act of 1990;*

15                    *(B) the term “Federal agency” has the*  
 16                    *meaning given to the term “agency” by section*  
 17                    *551(1) of title 5, United States Code;*

18                    *(C) the term “function” means any duty,*  
 19                    *obligation, power, authority, responsibility,*  
 20                    *right, privilege, activity, or program;*

21                    *(D) the term “office” includes any office,*  
 22                    *administration, agency, institute, unit, organi-*  
 23                    *zational entity, or component thereof; and*

1           (E) the term “President”, except as used as  
2           part of the term “President of the United  
3           States”, means the President of the Corporation.

4           (2) *TRANSFER OF FUNCTIONS.*—There are trans-  
5           ferred to the Corporation such functions as the Presi-  
6           dent of the United States determines to be appro-  
7           priate that the Director of the ACTION Agency exer-  
8           cised before the effective date of this subsection (in-  
9           cluding all related functions of any officer or em-  
10          ployee of the ACTION Agency).

11          (3) *DETERMINATIONS OF CERTAIN FUNCTIONS BY*  
12          *THE OFFICE OF MANAGEMENT AND BUDGET.*—The  
13          President of the United States may delegate to the Di-  
14          rector of the Office of Management and Budget the  
15          authority to make any determination of the functions  
16          that are transferred under paragraph (2), if the  
17          President determines that such a delegation would be  
18          appropriate.

19          (4) *REORGANIZATION.*—The President is author-  
20          ized to allocate or reallocate any function transferred  
21          under paragraph (2) among the officers of the Cor-  
22          poration, after providing notice of the allocation or  
23          reallocation to Congress.

24          (5) *TRANSFER AND ALLOCATIONS OF APPROPRIA-*  
25          *TIONS AND PERSONNEL.*—Except as otherwise pro-

1        *vided in this subsection, the personnel employed in*  
2        *connection with, and the assets, liabilities, contracts,*  
3        *property, records, and unexpended balances of appro-*  
4        *priations, authorizations, allocations, and other funds*  
5        *employed, used, held, arising from, available to, or to*  
6        *be made available in connection with the functions*  
7        *transferred by this subsection, subject to section 1531*  
8        *of title 31, United States Code, shall be transferred to*  
9        *the Corporation. Unexpended funds transferred pur-*  
10       *suant to this paragraph shall be used only for the*  
11       *purposes for which the funds were originally author-*  
12       *ized and appropriated.*

13            *(6) INCIDENTAL TRANSFER.—The Director of the*  
14        *Office of Management and Budget is authorized to*  
15        *make such additional incidental dispositions of per-*  
16        *sonnel, assets, liabilities, grants, contracts, property,*  
17        *records, and unexpended balances of appropriations,*  
18        *authorizations, allocations, and other funds held,*  
19        *used, arising from, available to, or to be made avail-*  
20        *able in connection with such functions, as may be*  
21        *necessary to carry out the provisions of this sub-*  
22        *section. The Director of the Office of Management and*  
23        *Budget shall provide for the termination of the affairs*  
24        *of all entities terminated by this subsection and for*

1     *such further measures and dispositions as may be*  
2     *necessary to effectuate the purposes of this subsection.*

3           (7) *EFFECT ON PERSONNEL.—*

4           (A) *IN GENERAL.—Except as otherwise pro-*  
5     *vided by this subsection, the transfer pursuant to*  
6     *this subsection of full-time personnel (except spe-*  
7     *cial Government employees) and part-time per-*  
8     *sonnel holding permanent positions shall not*  
9     *cause any such employee to be separated or re-*  
10    *duced in grade or compensation, or to have the*  
11    *benefits of the employee reduced, for 1 year after*  
12    *the date of transfer of such employee under this*  
13    *subsection.*

14          (B) *EXECUTIVE SCHEDULE POSITIONS.—*  
15    *Except as otherwise provided in this subsection,*  
16    *any person who, on the day preceding the effec-*  
17    *tive date of this subsection, held a position com-*  
18    *pensated in accordance with the Executive*  
19    *Schedule prescribed in chapter 53 of title 5,*  
20    *United States Code, and who, without a break in*  
21    *service, is appointed in the Corporation to a po-*  
22    *sition having duties comparable to the duties*  
23    *performed immediately preceding such appoint-*  
24    *ment shall continue to be compensated in such*  
25    *new position at not less than the rate provided*



1        *for such previous position, for the duration of the*  
2        *service of such person in such new position.*

3            (C) *TERMINATION OF CERTAIN POSI-*  
4        *TIONS.—Positions whose incumbents are ap-*  
5        *pointed by the President of the United States, by*  
6        *and with the advice and consent of the Senate,*  
7        *the functions of which are transferred by this*  
8        *subsection, shall terminate on the effective date of*  
9        *this subsection.*

10        (8) *SAVINGS PROVISIONS.—*

11            (A) *CONTINUING EFFECT OF LEGAL DOCU-*  
12        *MENTS.—All orders, determinations, rules, regu-*  
13        *lations, permits, agreements, grants, contracts,*  
14        *certificates, licenses, registrations, privileges, and*  
15        *other administrative actions—*

16            (i) *that have been issued, made, grant-*  
17        *ed, or allowed to become effective by the*  
18        *President of the United States, any Federal*  
19        *agency or official thereof, or by a court of*  
20        *competent jurisdiction, in the performance*  
21        *of functions that are transferred under this*  
22        *subsection; and*

23            (ii) *that are in effect at the time this*  
24        *subsection takes effect, or were final before*  
25        *the effective date of this subsection and are*

1           to become effective on or after the effective  
2           date of this subsection,  
3           shall continue in effect according to their terms  
4           until modified, terminated, superseded, set aside,  
5           or revoked in accordance with law by the Presi-  
6           dent of the United States, the President of the  
7           Corporation, or other authorized official, a court  
8           of competent jurisdiction, or by operation of law.

9           (B) *PROCEEDINGS NOT AFFECTED.*—The  
10          provisions of this subsection shall not affect any  
11          proceedings, including notices of proposed rule-  
12          making, or any application for any license, per-  
13          mit, certificate, or financial assistance pending  
14          before the ACTION Agency at the time this sub-  
15          section takes effect, with respect to functions  
16          transferred by this subsection. Such proceedings  
17          and applications shall be continued. Orders shall  
18          be issued in such proceedings, appeals shall be  
19          taken therefrom, and payments shall be made  
20          pursuant to such orders, as if this subsection had  
21          not been enacted, and orders issued in any such  
22          proceedings shall continue in effect until modi-  
23          fied, terminated, superseded, or revoked by a  
24          duly authorized official, by a court of competent  
25          jurisdiction, or by operation of law. Nothing in

1        *this subparagraph shall be deemed to prohibit*  
2        *the discontinuance or modification of any such*  
3        *proceeding under the same terms and conditions*  
4        *and to the same extent that such proceeding*  
5        *could have been discontinued or modified if this*  
6        *subsection had not been enacted.*

7            *(C) SUITS NOT AFFECTED.—The provisions*  
8        *of this subsection shall not affect suits com-*  
9        *menced before the effective date of this subsection,*  
10       *and in all such suits, proceedings shall be had,*  
11       *appeals taken, and judgments rendered in the*  
12       *same manner and with the same effect as if this*  
13       *subsection had not been enacted.*

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

21           *(E) ADMINISTRATIVE ACTIONS RELATING TO*  
22       *PROMULGATION OF REGULATIONS.—Any admin-*  
23       *istrative action relating to the preparation or*  
24       *promulgation of a regulation by the ACTION*  
25       *Agency relating to a function transferred under*

1        *this subsection may be continued by the Corpora-*  
2        *tion with the same effect as if this subsection had*  
3        *not been enacted.*

4        (9) *SEVERABILITY.—If a provision of this sub-*  
5        *section or its application to any person or cir-*  
6        *cumstance is held invalid, neither the remainder of*  
7        *this subsection nor the application of the provision to*  
8        *other persons or circumstances shall be affected.*

9        (10) *TRANSITION.—Prior to, or after, any trans-*  
10       *fer of a function under this subsection, the President*  
11       *is authorized to utilize—*

12                (A) *the services of such officers, employees,*  
13                *and other personnel of the ACTION Agency with*  
14                *respect to functions that will be or have been*  
15                *transferred to the Corporation by this subsection;*  
16                *and*

17                (B) *funds appropriated to such functions*  
18                *for such period of time as may reasonably be*  
19                *needed to facilitate the orderly implementation of*  
20                *this subsection.*

21        (d) *DEVELOPMENT OF TRANSFER SCHEDULE.—The*  
22        *President of the Corporation for National and Community*  
23        *Service, in consultation with the Director of ACTION, shall,*  
24        *not later than 9 months after the date of enactment of this*

1 *Act, prepare a schedule that specifies the date on which the*  
2 *employees of ACTION will be notified about—*

3 *(1) whether their functions will be transferred to*  
4 *the Corporation; and*

5 *(2) if such functions will be transferred, the date*  
6 *on which the transfer will occur.*

7 *(e) APPOINTMENT OF ACTION EMPLOYEES.—During*  
8 *the period beginning on October 1, 1993 and ending on the*  
9 *effective date of subsection (c)(2), in making appointments*  
10 *to the Corporation under the appointment system described*  
11 *in section 195(a)(4)(B)(iii) of the National and Commu-*  
12 *nity Service Act of 1990, the President of the Corporation*  
13 *for National and Community Service shall ensure that in-*  
14 *dividuals who are employees of ACTION shall receive fair*  
15 *and equitable treatment.*

16 *(f) EFFECTIVE DATE.—*

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

20 *(A) 18 months after the date of enactment*  
21 *of this Act; or*

22 *(B) on such earlier date (which shall be not*  
23 *earlier than 12 months after the date of the en-*  
24 *actment of this Act) as the President of the*  
25 *United States shall determine to be appropriate*

1           *and announce by proclamation published in the*  
 2           *Federal Register.*

3           (2) *TRANSITION.*—Subsections (c)(10), (d), and  
 4           (e) shall take effect on the date of enactment of this  
 5           Act.

6           ***TITLE III—REAUTHORIZATION***  
 7           ***Subtitle A—National and***  
 8           ***Community Service Act of 1990***

9           ***SEC. 301. AUTHORIZATION OF APPROPRIATIONS.***

10          *Section 501 of the National and Community Service*  
 11          *Act of 1990 (42 U.S.C. 12681) is amended to read as fol-*  
 12          *lows:*

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

14           ***“(a) TITLE I.—***

15           ***“(1) SUBTITLES B, C, D, AND H.—***

16           ***“(A) IN GENERAL.—****There are authorized to*  
 17           *be appropriated to provide financial assistance*  
 18           *under subtitles B, C, and H of title I, and to*  
 19           *provide national service educational awards*  
 20           *under subtitle D of title I, \$434,000,000 for fis-*  
 21           *cal year 1994, and such sums as may be nec-*  
 22           *essary for each of the fiscal years 1995 through*  
 23           *1998.*

1           “(B) *SPECIFIC ACTIVITIES.*—Of the funds  
 2           appropriated under this paragraph for a fiscal  
 3           year—

4                   “(i) not less than a sum equal to the  
 5                   greater of—

6                           “(I) 11 percent of such funds; and

7                           “(I) the amount appropriated to  
 8                   carry out subtitle B of title I for fiscal  
 9                   year 1993,

10           shall be made available to provide financial  
 11           assistance under subtitle B of title I; and

12                   “(ii) of the amount remaining after the  
 13                   sum described in clause (i) is made avail-  
 14                   able as described in clause (i), not more  
 15                   than 15 percent of such remainder may be  
 16                   made available to provide financial assist-  
 17                   ance for activities in subtitle H of title I,  
 18                   section 125, or section 126.

19           “(2) *ADMINISTRATION.*—There are authorized to  
 20           be appropriated for the administration of this Act  
 21           such sums as may be necessary for each of the fiscal  
 22           years 1994 through 1998.

23           “(b) *TITLE III.*—There are authorized to be appro-  
 24           priated to carry out title III \$5,000,000 for each of the fis-  
 25           cal years 1994 through 1998.

1       “(c) *AVAILABILITY OF APPROPRIATIONS.*—Funds ap-  
 2       propriated under this section shall remain available until  
 3       expended.”.

4       ***Subtitle B—Domestic Volunteer***  
 5       ***Service Act of 1973***

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

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

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

15      ***CHAPTER 1—VISTA AND OTHER ANTI-***  
 16      ***POVERTY PROGRAMS***

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

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



1 **SEC. 322. SELECTION AND ASSIGNMENT OF VISTA VOLUN-**  
 2 **TEERS.**

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

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

7 (2) in paragraph (2), by striking “and” at the  
 8 end;

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

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

13 (5) in paragraph (6)—

14 (A) by striking “or the Community Eco-  
 15 nomic” and inserting “the Community Eco-  
 16 nomic”;

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

19 (C) by striking the period and inserting “;  
 20 and”; and

21 (6) by adding at the end the following new para-  
 22 graph:

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

1       (b) *RECRUITMENT PROCEDURES*.—Section 103(b) (42  
2   U.S.C. 4953(b)) is amended—

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

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

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

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

11           (A) in subparagraph (A), by striking  
12   “paragraph (4)” and inserting “paragraph (2)”;

13           (B) by striking subparagraphs (B), (C), and  
14   (E);

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

18           (D) by inserting after subparagraph (A) the  
19   following new subparagraph:

20       “(B) A sponsoring organization may recruit volunteers  
21   for service under this part, subject to final approval by the  
22   Director.”.

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

25           (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. In conducting such  
4 activities, the Director shall place special emphasis on re-  
5 cruiting volunteers for local, community-based programs  
6 that serve underrepresented populations, in situations in  
7 which volunteers might not otherwise learn about the pro-  
8 grams. Such activities shall be coordinated with recruit-  
9 ment authorized under subtitle C or E of the National and  
10 Community Service Act of 1990 and may include public  
11 service announcements, advertisements, publicity on loan  
12 deferments, repayments, and cancellations available to  
13 VISTA volunteers, maintenance of a toll-free telephone sys-  
14 tem, and provision of technical assistance for the recruit-  
15 ment of volunteers to programs and projects receiving as-  
16 sistance under this part.

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

22       (2) in paragraph (3), by adding at the end the  
23 following new sentence: “In addition, the Director  
24 shall take steps to provide opportunities for returned

1       *Peace Corps volunteers to serve in the VISTA pro-*  
 2       *gram.”;*

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

4               *(4) by adding at the end the following new para-*  
 5       *graph:*

6       *“(4) From the amounts appropriated under section*  
 7       *501(a) for fiscal year 1994 and each subsequent fiscal year,*  
 8       *the Director shall obligate such sums as may be necessary*  
 9       *for the purpose of carrying out this subsection in such fiscal*  
 10       *year.”.*

11       *(d) COORDINATION WITH OTHER FEDERAL AGEN-*  
 12       *CIES.—Section 103 (42 U.S.C. 4953) is amended by adding*  
 13       *at the end the following new subsection:*

14       *“(h) The Director is encouraged to enter into agree-*  
 15       *ments with other Federal agencies to use VISTA volunteers*  
 16       *in furtherance of program objectives that are consistent with*  
 17       *the purposes described in section 101.”.*

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

19       *(a) CLARIFICATION AND PERIODS OF SERVICE.—Sub-*  
 20       *section (b) of section 104 (42 U.S.C. 4954(b)) is amended*  
 21       *to read as follows:*

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

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

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

10       (b) SUMMER PROGRAM.—Section 104 (42 U.S.C.  
11 4954) is amended by adding at the end the following new  
12 subsection:

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

19       “(2) In preparing reports relating to programs under  
20 this Act, the Director shall report on participants, costs,  
21 and accomplishments under the summer program sepa-  
22 rately.

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

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

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

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

5 (2) by striking the second sentence and inserting  
6 the following:

7 “(B) Such stipend shall not exceed \$95 per month in  
8 fiscal year 1994, but shall be set at a minimum of \$125  
9 per month during the service of the volunteer after October  
10 1, 1994, assuming the availability of funds to accomplish  
11 this increase. The Director may provide a stipend of a min-  
12 imum of \$200 per month in the case of persons who have  
13 served as volunteers under this part for at least 1 year and  
14 who, in accordance with standards established in such regu-  
15 lations as the Director shall prescribe, have been designated  
16 volunteer leaders on the basis of experience and special skills  
17 and a demonstrated leadership among volunteers.

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

22 (b) *SUBSISTENCE ALLOWANCE.*—Section 105(b) (42  
23 U.S.C. 4955(b)) is amended—

24 (1) in paragraph (3)—

25 (A) by striking subparagraph (A);

1           (B) in subparagraph (B), by striking the  
2           subparagraph designation; and

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

7           (2) by striking paragraph (4).

8           (c) *CHILD CARE*.—Section 105 (42 U.S.C. 4955) is  
9           amended by adding at the end the following:

10          “(c)(1) The Director shall—

11           “(A) make child care available for children of  
12           each volunteer enrolled under this part, including vol-  
13           unteers who need such child care in order to partici-  
14           pate as volunteers; or

15           “(B) provide a child care allowance to each such  
16           volunteer who needs such assistance in order to par-  
17           ticipate as volunteers.

18          “(2) The Corporation shall establish guidelines regard-  
19           ing the circumstances under which child care shall be made  
20           available under this subsection and the value of any child  
21           care allowance to be provided.”.

22   **SEC. 325. PARTICIPATION OF YOUNGER AND OLDER PER-**  
23           **SONS.**

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

1 **“SEC. 107. PARTICIPATION OF YOUNGER AND OLDER PER-**  
 2 **SONS.**

3 *“In carrying out this part and part C, the Director*  
 4 *shall take necessary steps, including the development of spe-*  
 5 *cial projects, where appropriate, to encourage the fullest*  
 6 *participation of individuals 18 through 27 years of age,*  
 7 *and individuals 55 years of age and older, in the various*  
 8 *programs and activities authorized under such parts.”.*

9 **SEC. 326. LITERACY ACTIVITIES.**

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

11 *(1) in subsection (g)—*

12 *(A) by striking paragraph (1); and*

13 *(B) by striking the paragraph designation*  
 14 *of paragraph (2); and*

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

16 **SEC. 327. APPLICATIONS FOR ASSISTANCE.**

17 *Section 110 (42 U.S.C. 4960) is amended to read as*  
 18 *follows:*

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

20 *“In reviewing an application for assistance under this*  
 21 *part, the Director shall not deny such assistance to any*  
 22 *project or program, or any public or private nonprofit orga-*  
 23 *nization, solely on the basis of the duration of the assistance*  
 24 *such project, program, or organization has received under*  
 25 *this part prior to the date of submission of the application.*  
 26 *The Director shall grant assistance under this part on the*



1 *basis of merit and to accomplish the goals of the VISTA*  
 2 *program, and shall consider the needs and requirements of*  
 3 *projects in existence on such date as well as potential new*  
 4 *projects.”.*

5 **SEC. 328. REPEAL OF AUTHORITY FOR STUDENT COMMU-**  
 6 **NITY SERVICE PROGRAMS.**

7 *Section 114 (42 U.S.C. 4974) is repealed.*

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

9 *(a) PROGRAM TITLE.—Part B of title I (42 U.S.C.*  
 10 *4971 et seq.) is amended—*

11 *(1) in the part heading, to read as follows:*

12 *“PART B—UNIVERSITY YEAR FOR VISTA”;*

13 *(2) by striking “University Year for ACTION”*  
 14 *each place that such term appears in such part and*  
 15 *inserting “University Year for VISTA”;*

16 *(3) by striking “UYA” each place that such term*  
 17 *appears in such part and inserting “UYV”; and*

18 *(4) in section 112 (42 U.S.C. 4972) by striking*  
 19 *the section heading and inserting the following new*  
 20 *section heading:*

21 *“AUTHORITY TO OPERATE UNIVERSITY YEAR FOR VISTA*  
 22 *PROGRAM”.*

23 *(b) SPECIAL CONDITIONS.—Section 113(a) (42 U.S.C.*  
 24 *4973(a)) is amended—*

25 *(1) by striking “of not less than the duration of*  
 26 *an academic year” and inserting “of not less than the*

1       *duration of an academic semester or its equivalent*”;  
 2       *and*

3               *(2) by adding at the end the following new sen-*  
 4       *tence: “Volunteers may receive a living allowance and*  
 5       *such other support or allowances as the Director de-*  
 6       *termines to be appropriate.”.*

7       ***SEC. 330. AUTHORITY TO ESTABLISH AND OPERATE SPE-***  
 8                       ***CIAL VOLUNTEER AND DEMONSTRATION***  
 9                       ***PROGRAMS.***

10       *Section 122 (42 U.S.C. 4992) is amended to read as*  
 11       *follows:*

12       ***“SEC. 122. AUTHORITY TO ESTABLISH AND OPERATE SPE-***  
 13                       ***CIAL VOLUNTEER AND DEMONSTRATION***  
 14                       ***PROGRAMS.***

15               *“(a) IN GENERAL.—The Director is authorized to con-*  
 16       *duct special volunteer programs for demonstration pro-*  
 17       *grams, or award grants to or enter into contracts with pub-*  
 18       *lic or nonprofit organizations to carry out such programs.*  
 19       *Such programs shall encourage wider volunteer participa-*  
 20       *tion on a full-time, part-time, or short-term basis to further*  
 21       *the purpose of this part, and identify particular segments*  
 22       *of the poverty community that could benefit from volunteer*  
 23       *and other antipoverty efforts.*

24               *“(b) ASSIGNMENT AND SUPPORT OF VOLUNTEERS.—*  
 25       *The assignment of volunteers under this section, and the*

1 *provision of support for such volunteers, including any sub-*  
 2 *sistence allowances and stipends, shall be on such terms and*  
 3 *conditions as the Director shall determine to be appro-*  
 4 *priate, but shall not exceed the level of support provided*  
 5 *under section 105. Projects using volunteers who do not re-*  
 6 *ceive stipends may also be supported under this section.*

7       “(c) *CRITERIA AND PRIORITIES.*—In carrying out this  
 8 *section and section 123, the Director shall establish criteria*  
 9 *and priorities for awarding grants and entering into con-*  
 10 *tracts under this part in each fiscal year. No grant or con-*  
 11 *tract exceeding \$100,000 shall be made under this part un-*  
 12 *less the recipient of the grant or contractor has been selected*  
 13 *by a competitive process that includes public announcement*  
 14 *of the availability of funds for such grant or contract, gen-*  
 15 *eral criteria for the selection of recipients or contractors,*  
 16 *and a description of the application process and applica-*  
 17 *tion review process.”.*

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

19       *Section 123 (42 U.S.C. 4993) is amended to read as*  
 20 *follows:*

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

22       *“The Director may provide technical and financial as-*  
 23 *sistance to Federal agencies, State and local governments*  
 24 *and agencies, private nonprofit organizations, employers,*

1 *and other private organizations that utilize or desire to uti-*  
 2 *lize volunteers in carrying out the purpose of this part.”.*

3 **SEC. 332. ELIMINATION OF SEPARATE AUTHORITY FOR**  
 4 **DRUG ABUSE PROGRAMS.**

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

6 **CHAPTER 2—NATIONAL SENIOR**  
 7 **VOLUNTEER CORPS**

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

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

11 **“TITLE II—NATIONAL SENIOR**  
 12 **VOLUNTEER CORPS”.**

13 *(b) REFERENCES.—*

14 *(1) Section 200(1) (42 U.S.C. 5000(1)) is*  
 15 *amended by striking “Older America Volunteer Pro-*  
 16 *grams” and inserting “National Senior Volunteer*  
 17 *Corps”.*

18 *(2) The heading for section 221 (42 U.S.C. 5021)*  
 19 *is amended by striking “OLDER AMERICAN VOLUN-*  
 20 *TEER PROGRAMS” and inserting “NATIONAL SENIOR*  
 21 *VOLUNTEER CORPS”.*

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

23 *(A) in the section heading by striking*  
 24 *“OLDER AMERICAN VOLUNTEER PROGRAMS” and*

1           inserting “NATIONAL SENIOR VOLUNTEER  
2           CORPS”; and

3                   (B) by striking “volunteer projects for Older  
4           Americans” and inserting “National Senior Vol-  
5           unteer Corps projects”.

6           (4) Section 205(c) of the Older Americans  
7           Amendments of 1975 (Public Law 94–135; 89 Stat.  
8           727; 42 U.S.C. 5001 note) is amended by striking  
9           “national older American volunteer programs” each  
10          place the term appears and inserting “National Sen-  
11          ior Volunteer Corps programs”.

12 **SEC. 342. THE RETIRED AND SENIOR VOLUNTEER PRO-**  
13 **GRAM.**

14          (a) *PART HEADING.*—The heading for part A of title  
15 II is amended by striking “RETIRED SENIOR VOLUNTEER  
16 PROGRAM” and inserting “RETIRED AND SENIOR VOLUN-  
17 TEER PROGRAM”.

18          (b) *REFERENCES.*—Section 200 (42 U.S.C. 5000) is  
19 amended by striking “retired senior volunteer program”  
20 each place that such term appears in such section and in-  
21 serting “Retired and Senior Volunteer Program”.

22 **SEC. 343. OPERATION OF THE RETIRED AND SENIOR VOL-**  
23 **UNTEER PROGRAM.**

24          (a) *ELIGIBILITY FOR PARTICIPANTS IN THE PRO-*  
25 *GRAM.*—Section 201(a) (42 U.S.C. 5001(a)) is amended—

1           (1) in the matter preceding paragraph (1), by  
 2           inserting “and older working persons” after “retired  
 3           persons”; and

4           (2) in paragraph (2), by striking “aged sixty”  
 5           and inserting “age 55”.

6           (b) *DELETION OF REQUIREMENT FOR STATE AGENCY*  
 7           *REVIEW*.—Section 201 (42 U.S.C. 5001) is amended—

8           (1) by striking subsection (c); and

9           (2) by redesignating subsection (d) as subsection  
 10          (c).

11       **SEC. 344. SERVICES UNDER THE FOSTER GRANDPARENT**  
 12                               **PROGRAM.**

13       Section 211(a) (42 U.S.C. 5011(a)) is amended by  
 14       striking “, including services” and all that follows through  
 15       “with special needs.” and inserting a period and the follow-  
 16       ing: “Such services may include services by individuals  
 17       serving as foster grandparents to children who are individ-  
 18       uals with disabilities, who have chronic health conditions,  
 19       who are receiving care in hospitals, who are residing in  
 20       homes for dependent and neglected children, or who are re-  
 21       ceiving services provided by day care centers, schools, early  
 22       intervention programs under part H of the Individuals  
 23       with Disabilities Education Act (20 U.S.C. 1471 et seq.),  
 24       Head Start agencies under the Head Start Act, or any of  
 25       a variety of other programs, establishments, and institu-

1 *tions providing services for children with special or excep-*  
 2 *tional needs. Individual foster grandparents may provide*  
 3 *person-to-person services to one or more children, depending*  
 4 *on the needs of the project and local site.”.*

5 **SEC. 345. STIPENDS FOR LOW-INCOME VOLUNTEERS.**

6 *The second sentence of section 211(d) (42 U.S.C.*  
 7 *5011(d)) is amended by striking “Any stipend or allowance*  
 8 *provided under this subsection shall not be less than \$2.20*  
 9 *per hour until October 1, 1990, \$2.35 per hour during fiscal*  
 10 *year 1991, and \$2.50 per hour on and after October 1,*  
 11 *1992,” and inserting “Any stipend or allowance provided*  
 12 *under this section shall not be less than \$2.45 per hour on*  
 13 *and after October 1, 1993, and shall be adjusted once prior*  
 14 *to December 31, 1997, to account for inflation, as deter-*  
 15 *mined by the Director and rounded to the nearest five*  
 16 *cents.”.*

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

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

21 *“(f) Individuals who are not low-income persons may*  
 22 *serve as volunteers under parts B and C, in accordance with*  
 23 *such regulations as the Director shall issue, at the discretion*  
 24 *of the local project. Such individuals shall not receive any*  
 25 *allowance, stipend, or other financial support for such serv-*

1 *ice except reimbursement for transportation, meals, and*  
 2 *out-of-pocket expenses related to such service.”.*

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

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

5 **SEC. 348. EVALUATION OF THE SENIOR COMPANION PRO-**  
 6 **GRAM.**

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

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

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

11 *(1) by striking “(a)” and inserting “(a)(1)”;* and

12 *(2) by adding at the end the following:*

13 *“(2) The Director is encouraged to enter into agree-*  
 14 *ments with—*

15 *“(A) the Department of Health and Human*  
 16 *Services to—*

17 *“(i) involve retired or senior volunteers and*  
 18 *foster grandparents in Head Start projects; and*

19 *“(ii) promote in-home care in cooperation*  
 20 *with the Administration on Aging;*

21 *“(B) the Department of Education to promote*  
 22 *intergenerational tutoring and mentoring for at-risk*  
 23 *children; and*

24 *“(C) the Environmental Protection Agency to*  
 25 *support conservation efforts.”.*



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

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

3 *(1) in subsection (a)—*

4 *(A) by striking paragraph (1) and inserting*  
5 *the following new paragraph:*

6 *“(1) The Director is authorized to make grants under*  
7 *parts A, B, and C to support programs that address na-*  
8 *tional problems that are also of local concern. The Director*  
9 *may, in any fiscal year, determine which programs of na-*  
10 *tional significance will receive priority in that year. In de-*  
11 *termining the priority of programs to address problems of*  
12 *local concern in a particular area, the Director shall solicit*  
13 *and consider the views of representatives of local groups*  
14 *serving the area.”;*

15 *(B) in paragraph (2)(B), by striking*  
16 *“paragraph (10)” and inserting “paragraphs*  
17 *(10) and (12)”;* and

18 *(C) in paragraph (2)(C), by striking “and*  
19 *(10)” and inserting “(10), (12), (15), and (16)”;*

20 *(2) in subsection (b), by adding at the end the*  
21 *following new paragraphs:*

22 *“(12) Programs that address environmental*  
23 *needs.*

24 *“(13) Programs that reach out to organizations*  
25 *not previously involved in addressing local needs,*

1       *such as labor unions and profit-making organiza-*  
 2       *tions.*

3               “(14) *Programs that provide for ethnic outreach.*

4               “(15) *Programs that support criminal justice*  
 5       *activities.*

6               “(16) *Programs that involve older volunteers*  
 7       *working with young people in apprenticeship pro-*  
 8       *grams.*

9               “(17) *Programs that support the integration of*  
 10       *individuals with disabilities into the community.”;*  
 11       *and*

12               (3) *in subsection (d), by striking paragraph (1)*  
 13       *and inserting the following new paragraph:*

14               “(1) *Except as provided in paragraph (2), from the*  
 15       *amounts appropriated under subsection (a), (b), (c), or (d)*  
 16       *of section 502, for each fiscal year there shall be available*  
 17       *to the Director such sums as may be necessary to make*  
 18       *grants under subsection (a).”.*

19       **SEC. 351. ADJUSTMENTS TO FEDERAL FINANCIAL ASSIST-**  
 20       **ANCE.**

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

22               (1) *in subsection (a)(1)—*

23                       (A) *in subparagraph (A), by striking “(A)”;*

24                       *and*

25                       (B) *by striking subparagraph (B); and*

1           (2) in subsection (b)—

2           (A) in paragraph (1)—

3           (i) by striking “(1)”; and

4           (ii) by striking “annually” and insert-  
5           ing “, once every 2 years”; and

6           (B) by striking paragraph (2).

7   **SEC. 352. DEMONSTRATION PROGRAMS.**

8           Title II (42 U.S.C. 5000 et seq.) is amended by adding  
9   at the end the following new part:

10           “PART E—DEMONSTRATION PROGRAMS

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

12           “(a) *IN GENERAL.*—The Director is authorized to  
13   make grants to or enter into contracts with public or non-  
14   profit organizations, including organizations funded under  
15   part A, B, or C, for the purposes of demonstrating innova-  
16   tive activities involving older Americans as volunteers. The  
17   Director may support under this part both volunteers re-  
18   ceiving stipends and volunteers not receiving stipends.

19           “(b) *ACTIVITIES.*—An organization that receives a  
20   grant or enters into a contract under subsection (a) may  
21   use funds made available through the grant or contract for  
22   activities such as—

23           “(1) linking youth groups and older American  
24   organizations in volunteer activities;

1           “(2) involving older volunteers in programs and  
2           activities different from programs and activities sup-  
3           ported in the community; and

4           “(3) testing whether older American volunteer  
5           programs may contribute to new objectives or certain  
6           national priorities.

7   **“SEC. 232. PROHIBITION.**

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

11           **CHAPTER 3—ADMINISTRATION**

12   **SEC. 361. PURPOSE OF AGENCY.**

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

14           (1) by inserting after the first sentence the fol-  
15          lowing: “Such Agency shall also promote the coordi-  
16          nation of volunteer efforts among Federal, State, and  
17          local agencies and organizations, exchange technical  
18          assistance information among such agencies and or-  
19          ganizations, and provide technical assistance to other  
20          nations concerning domestic volunteer programs with-  
21          in their countries.”; and

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

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

2       Section 402 (42 U.S.C. 5042) is amended in para-  
3 graphs (5) and (6) by inserting “solicit and” before “ac-  
4 cept” each place the term appears.

5 **SEC. 363. COMPENSATION FOR VOLUNTEERS.**

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

7           (1) in subsection (c), by inserting “from such  
8 volunteers or from beneficiaries” after “compensa-  
9 tion”;

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

11          (3) by redesignating subsection (g) as subsection  
12 (f).

13 **SEC. 364. REPEAL OF REPORT.**

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

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

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

20 **SEC. 366. EVALUATION OF PROGRAMS.**

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

22           (1) in subsection (a)—

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

1                   (B) in the second sentence, by striking “at  
2                   least once every 3 years” and inserting “periodi-  
3                   cally”;

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

5                   “(b) In carrying out evaluations of programs under  
6 this Act, the Director shall create appropriate management  
7 information systems that will summarize information on  
8 volunteer activities and accomplishments across the pro-  
9 grams supported under this Act. The Director shall periodi-  
10 cally prepare and submit to the appropriate committees of  
11 Congress a report containing such information.”; and

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

13 **SEC. 367. NONDISCRIMINATION PROVISIONS.**

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

16 **“SEC. 417. NONDISCRIMINATION PROVISIONS.**

17                   “(a) IN GENERAL.—

18                   “(1) BASIS.—An individual with responsibility  
19 for the operation of a program that receives assistance  
20 under this Act shall not discriminate against a par-  
21 ticipant in, or member of the staff of, such program  
22 on the basis of race, color, national origin, sex, age,  
23 or political affiliation of such participant or member,  
24 or on the basis of disability, if the participant or  
25 member is a qualified individual with a disability.

1           “(2) *DEFINITION.*—As used in paragraph (1),  
 2           the term ‘qualified individual with a disability’ has  
 3           the meaning given the term in section 101(8) of the  
 4           Americans with Disabilities Act of 1990 (42 U.S.C.  
 5           12111(8)).

6           “(b) *FEDERAL FINANCIAL ASSISTANCE.*—Any assist-  
 7           ance provided under this Act shall constitute Federal finan-  
 8           cial assistance for purposes of title VI of the Civil Rights  
 9           Act of 1964 (42 U.S.C. 2000d et seq.), title IX of the Edu-  
 10          cation Amendments of 1972 (20 U.S.C. 1681 et seq.), section  
 11          504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), and  
 12          the Age Discrimination Act of 1975 (42 U.S.C. 6101 et  
 13          seq.).

14          “(c) *RELIGIOUS DISCRIMINATION.*—

15                 “(1) *IN GENERAL.*—Except as provided in para-  
 16                 graph (2), an individual with responsibility for the  
 17                 operation of a program that receives assistance under  
 18                 this Act shall not discriminate on the basis of religion  
 19                 against a participant in such program or a member  
 20                 of the staff of such program who is paid with funds  
 21                 received under this Act.

22                 “(2) *EXCEPTION.*—Paragraph (1) shall not  
 23                 apply to the employment, with assistance provided  
 24                 under this Act, of any member of the staff, of a pro-  
 25                 gram that receives assistance under this Act, who was

1       employed with the organization operating the pro-  
 2       gram on the date the grant under this Act was  
 3       awarded.

4       “(d) *RULES AND REGULATIONS.*—The Director shall  
 5       promulgate rules and regulations to provide for the enforce-  
 6       ment of this section that shall include provisions for sum-  
 7       mary suspension of assistance for not more than 30 days,  
 8       on an emergency basis, until notice and an opportunity to  
 9       be heard can be provided.”.

10   **SEC. 368. ELIMINATION OF SEPARATE REQUIREMENTS FOR**  
 11                           **SETTING REGULATIONS.**

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

13   **SEC. 369. CLARIFICATION OF ROLE OF INSPECTOR GEN-**  
 14                           **ERAL.**

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

16               (1) in subsection (a), by inserting “or the Inspec-  
 17       tor General” after “Director”; and

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

21   **SEC. 370. COPYRIGHT PROTECTION.**

22       Title IV (42 U.S.C. 5041 et seq.) is amended by adding  
 23       at the end the following new section:

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

25       “Whoever falsely—



1           “(1) advertises or represents; or

2           “(2) publishes or displays any sign, symbol, or  
3       advertisement, reasonably calculated to convey the  
4       impression,

5       that an entity is affiliated with, funded by, or operating  
6       under the authority of ACTION, VISTA, or any of the pro-  
7       grams of the National Senior Volunteer Corps may be en-  
8       joined under an action filed by the Attorney General, on  
9       a complaint by the Director.”.

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

11       Title IV (42 U.S.C. 5041 et seq.) (as amended by sec-  
12       tion 370 of this Act) is further amended by adding at the  
13       end the following new section:

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

15       “The Director may establish, directly or by grant or  
16       contract, a Center for Research and Training on Volunteer-  
17       ism to carry out research concerning the impact of vol-  
18       unteerism on individuals, organizations, and communities,  
19       provide training at a State, regional, or local level to help  
20       improve programs across the United States, and carry out  
21       such other functions as the Director determines to be appro-  
22       priate.”.

23   **SEC. 372. DEPOSIT REQUIREMENT CREDIT FOR SERVICE AS**  
24                           **A VOLUNTEER.**

25       (a) CIVIL SERVICE RETIREMENT SYSTEM.—

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

3                 (A) *in paragraph (1)—*

4                     (i) *in the first sentence, by inserting*  
5                     *“the period of an individual’s services as a*  
6                     *full-time volunteer enrolled in a program of*  
7                     *at least 1 year in duration under part A,*  
8                     *B, or C of title I of the Domestic Volunteer*  
9                     *Service Act of 1973,” after “Economic Op-*  
10                    *portunity Act of 1964,”;*

11                   (ii) *in the second sentence, by inserting*  
12                    *“, as a full-time volunteer enrolled in a pro-*  
13                    *gram of at least 1 year in duration under*  
14                    *part A, B, or C of title I of the Domestic*  
15                    *Volunteer Service Act of 1973,” after “Eco-*  
16                    *nomics Opportunity Act of 1964,”; and*

17                   (iii) *in the last sentence—*

18                         (I) *by inserting “or under the Do-*  
19                         *mestic Volunteer Service Act of 1973”*  
20                         *after “Economic Opportunity Act of*  
21                         *1964”; and*

22                         (II) *by inserting “or the Director*  
23                         *of ACTION, as appropriate,” after*  
24                         *“Director of the Office of Economic*  
25                         *Opportunity”; and*

1                   (B) by adding at the end the following new  
2                   paragraph:

3                   “(3) The provisions of paragraph (1) relating to  
4                   credit for service as a volunteer or volunteer leader  
5                   under the Economic Opportunity Act of 1964 or the  
6                   Domestic Volunteer Service Act of 1973 shall not  
7                   apply to any period of service as a volunteer or vol-  
8                   unteer leader of an employee or Member with respect  
9                   to which the employee or Member has made the de-  
10                  posit with interest, if any, required by section  
11                  8334(l).”.

12                  (2) DEDUCTIONS, CONTRIBUTIONS, AND DEPOS-  
13                  ITS.—

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

17                  “(l)(1) Each employee or Member who has performed  
18                  service as a volunteer or volunteer leader under part A of  
19                  title VIII of the Economic Opportunity Act of 1964, or as  
20                  a full-time volunteer enrolled in a program of at least 1  
21                  year in duration under part A, B, or C of title I of the  
22                  Domestic Volunteer Service Act of 1973, before the date of  
23                  the separation from service on which the entitlement to any  
24                  annuity under this subchapter is based may pay, in accord-  
25                  ance with such regulations as the Office of Personnel Man-

1 *agement shall issue, to the agency by which the employee*  
2 *is employed or, in the case of a Member or a congressional*  
3 *employee, to the Secretary of the Senate or the Clerk of the*  
4 *House of Representatives, as appropriate, an amount equal*  
5 *to 7 percent of the readjustment allowance paid to the em-*  
6 *ployee or Member under title VIII of the Economic Oppor-*  
7 *tunity Act of 1964 or title I of the Domestic Volunteer Serv-*  
8 *ice Act of 1973 for each period of service as such a volunteer*  
9 *or volunteer leader.*

10       “(2) Any deposit made under paragraph (1) more than  
11 2 years after the later of—

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

13               “(B) the date on which the employee or Member  
14 making the deposit first becomes an employee or  
15 Member,

16 *shall include interest on such amount, computed and*  
17 *compounded annually beginning on the date of the expira-*  
18 *tion of the 2-year period. The interest rate that is applicable*  
19 *in computing interest in any year under this paragraph*  
20 *shall be equal to the interest rate that is applicable for such*  
21 *year under subsection (e).*

22       “(3) Any payment received by an agency, the Sec-  
23 retary of the Senate, or the Clerk of the House of Represent-  
24 atives under this subsection shall be immediately remitted

1 *to the Office of Personnel Management for deposit in the*  
 2 *Treasury of the United States to the credit of the Fund.*

3       “(4) *The Director shall furnish such information to the*  
 4 *Office of Personnel Management as the Office may deter-*  
 5 *mine to be necessary for the administration of this sub-*  
 6 *section.*”.

7               (B) *CONFORMING AMENDMENT.—Section*  
 8 *8334(e) of title 5, United States Code, is amend-*  
 9 *ed in paragraphs (1) and (2) by striking “or*  
 10 *(k)” each place that such term appears and in-*  
 11 *serting “(k), or (l)”.*

12       (b) *FEDERAL EMPLOYEES RETIREMENT SYSTEM.—*

13               (1) *CREDITABLE SERVICE.—Section 8411 of title*  
 14 *5, United States Code, is amended—*

15               (A) *in subsection (b)(3), by striking “sub-*  
 16 *section (f)” and inserting “subsection (f) or (h)”;*  
 17 *and*

18               (B) *by adding at the end the following new*  
 19 *subsection:*

20       “(h) *An employee or Member shall be allowed credit*  
 21 *for service as a volunteer or volunteer leader under part*  
 22 *A of title VIII of the Economic Opportunity Act of 1964,*  
 23 *or as a full-time volunteer enrolled in a program of at least*  
 24 *1 year in duration under part A, B, or C of title I of the*  
 25 *Domestic Volunteer Service Act of 1973, performed at any*

1 *time prior to the separation from service on which the enti-*  
 2 *tlement to any annuity under this subchapter is based if*  
 3 *the employee or Member has made a deposit with interest,*  
 4 *if any, with respect to such service under section 8422(f).''.*

5           (2) *DEDUCTIONS, CONTRIBUTIONS.*—Section  
 6       8422 of title 5, United States Code, is amended by  
 7       adding at the end the following new subsection:

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

1 1973 for each period of service as such a volunteer or volun-  
 2 teer leader.

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

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

6 “(B) the date on which the employee or Member  
 7 making the deposit first becomes an employee or  
 8 Member,

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

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

20 “(4) The Director shall furnish such information to the  
 21 Office of Personnel Management as the Office may deter-  
 22 mine to be necessary for the administration of this sub-  
 23 section.”

24 (c) *APPLICABILITY AND OTHER PROVISIONS.*—

25 (1) *APPLICABILITY.*—

1           (A) *TIMING.*—The amendments made by  
2           subsections (a) and (b) shall apply with respect  
3           to credit for service as a volunteer or volunteer  
4           leader under the Economic Opportunity Act of  
5           1964 or the Domestic Volunteer Service Act of  
6           1973 to individuals who are entitled to an annu-  
7           ity on the basis of a separation from service oc-  
8           curring before, on, or after the effective date of  
9           this Act.

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

21          (2) *ACTION TO INFORM INDIVIDUALS.*—The Di-  
22          rector of the Office of Personnel Management shall  
23          take such action as may be necessary and appropriate  
24          to inform individuals entitled to credit under this sec-  
25          tion for service as a volunteer or volunteer leader, or



1       to have any annuity recomputed, or to make a de-  
 2       posit under this section, of such entitlement.

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       \$45,800,000 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 years  
 21       1994 through 1998.

22               “(3) *LITERACY ACTIVITIES.*—There are author-  
 23       ized to be appropriated to carry out section 109,  
 24       \$5,600,000 for fiscal year 1994, and such sums as

1       *may be necessary for each of the fiscal years 1995*  
2       *through 1998.*

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

7           “(5) *SPECIAL VOLUNTEER PROGRAMS.*—*There*  
8       *are authorized to be appropriated to carry out part*  
9       *C of title I, excluding section 125, such sums as may*  
10      *be necessary for each of the fiscal years 1994 through*  
11      *1998.*

12          “(6) *LITERACY CHALLENGE GRANTS.*—*There are*  
13      *authorized to be appropriated to carry out section*  
14      *125, such sums as may be necessary for each of the*  
15      *fiscal years 1994 through 1998.*

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

22          “(c) *LIMITATION.*—*No part of the funds appropriated*  
23      *to carry out part A of title I may be used to provide volun-*  
24      *teers or assistance to any program or project authorized*  
25      *under part B or C of title I, or under title II, unless the*

1 *program or project meets the antipoverty criteria of part*  
2 *A of title I.*

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

7       “(e) *VOLUNTEER SERVICE REQUIREMENT.*—

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

19           “(2) *PLAN.*—If the Director determines that  
20 *funds appropriated to carry out part A, B, or C of*  
21 *title I are insufficient to provide for the years of vol-*  
22 *unteer service required by paragraph (1), the Director*  
23 *shall submit a plan to the relevant authorizing and*  
24 *appropriations committees of Congress that will de-*

1       *tail what is necessary to fully meet this require-*  
2       *ment.”.*

3       **SEC. 382. AUTHORIZATION OF APPROPRIATIONS FOR**  
4                               **TITLE II.**

5       *Section 502 (42 U.S.C. 5082) is amended to read as*  
6       *follows:*

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

8           “(a) *RETIRED AND SENIOR VOLUNTEER PROGRAM.—*  
9       *There are authorized to be appropriated to carry out part*  
10      *A of title II, \$37,054,000 for fiscal year 1994, and such*  
11      *sums as may be necessary for each of the fiscal years 1995*  
12      *through 1998.*

13          “(b) *FOSTER GRANDPARENT PROGRAM.—There are*  
14      *authorized to be appropriated to carry out part B of title*  
15      *II, \$71,284,000 for fiscal year 1994, and such sums as may*  
16      *be necessary for each of the fiscal years 1995 through 1998.*

17          “(c) *SENIOR COMPANION PROGRAM.—There are au-*  
18      *thorized to be appropriated to carry out part C of title II,*  
19      *\$32,509,000 for fiscal year 1994, and such sums as may*  
20      *be necessary for each of the fiscal years 1995 through 1998.*

21          “(d) *DEMONSTRATION PROGRAMS.—There are author-*  
22      *ized to be appropriated to carry out part E of title II, such*  
23      *sums as may be necessary for each of the fiscal years 1994*  
24      *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 sections*  
10 *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 1998,*  
13 *the Director is authorized to expend not less than one-half*  
14 *of 1 percent, and not more than 1 percent, from the amounts*  
15 *appropriated under sections 501 and 502, for the purposes*  
16 *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 U.S.C.*  
 4       *4950 et seq.) is amended by striking “That this Act” and*  
 5       *all that follows through the end of the table of contents and*  
 6       *inserting the following:*

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

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

10       *“(b) TABLE OF CONTENTS.—The table of contents is*  
 11       *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 demonstration*  
       *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, 1993.*

3 ***Subtitle C—Youth Conservation***  
 4 ***Corps Act of 1970***

5 **SEC. 399. PUBLIC LANDS CORPS.**

6 *Public Law 91–378 (16 U.S.C. 1701–1706; commonly*  
 7 *known as the "Youth Conservation Corps Act of 1970") is*  
 8 *amended—*

9 *(1) by inserting before section 1 the following:*

10 ***"TITLE I—YOUTH***  
 11 ***CONSERVATION CORPS";***

12 *(2) by striking "Act" each place such term ap-*  
 13 *pears and inserting "title";*

14 *(3) by redesignating sections 1 through 6 as sec-*  
 15 *tions 101 through 106, respectively;*

16 *(4) in subsection (a) of section 102 (as redesign-*  
 17 *ated by paragraph (3)), by inserting "in this title"*  
 18 *after "hereinafter";*

19 *(5) in subsection (d) of section 104 (as redesign-*  
 20 *ated by paragraph (3)), by striking "section 6" and*  
 21 *inserting "section 106"; and*



1           (6) *by adding at the end the following new title:*

2    **“TITLE II—PUBLIC LANDS CORPS**

3    **“SEC. 201. SHORT TITLE.**

4           *“This title may be cited as the ‘Public Lands Corps*  
5 *Act of 1993’.*

6    **“SEC. 202. CONGRESSIONAL FINDINGS AND PURPOSE.**

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

8           *“(1) Conserving or developing natural and cul-*  
9 *tural resources and enhancing and maintaining envi-*  
10 *ronmentally important lands and waters through the*  
11 *use of the Nation’s young men and women in a Pub-*  
12 *lic Lands Corps can benefit those men and women by*  
13 *providing such men and women with education and*  
14 *work opportunities, furthering their understanding*  
15 *and appreciation of the natural and cultural re-*  
16 *sources, and providing a means to pay for higher*  
17 *education or to repay indebtedness such men and*  
18 *women have incurred to obtain higher education*  
19 *while at the same time benefiting the Nation’s econ-*  
20 *omy and environment.*

21           *“(2) Many facilities and natural resources lo-*  
22 *cated on public lands and on Indian lands are in dis-*  
23 *repair or degraded and in need of labor intensive re-*  
24 *habilitation, restoration, and enhancement work that*

1       *cannot be carried out by Federal agencies at existing*  
2       *personnel levels.*

3               “(3) Youth conservation corps have established a  
4       *good record of restoring and maintaining these kinds*  
5       *of facilities and resources in a cost effective and effi-*  
6       *cient manner, especially when the corps have worked*  
7       *in partnership arrangements with government land*  
8       *management agencies.*

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

10              “(1) *perform, in a cost-effective manner, appro-*  
11       *priate conservation projects on public lands and In-*  
12       *dian lands where such projects will not be performed*  
13       *by existing employees;*

14              “(2) *assist governments and Indian tribes in*  
15       *performing research and public education tasks asso-*  
16       *ciated with natural and cultural resources on public*  
17       *lands and Indian lands;*

18              “(3) *expose young men and women to public*  
19       *service while furthering their understanding and ap-*  
20       *preciation of the Nation’s natural and cultural re-*  
21       *sources;*

22              “(4) *expand educational opportunities by re-*  
23       *warding individuals who participate in national*  
24       *service with an increased ability to pursue higher*  
25       *education or job training; and*

1           “(5) *stimulate interest among the Nation’s young*  
2           *men and women in conservation careers by exposing*  
3           *such men and women to conservation professionals in*  
4           *land managing agencies.*

5   **“SEC. 203. DEFINITIONS.**

6           *“For purposes of this title:*

7           “(1) *APPROPRIATE CONSERVATION PROJECT.—*  
8           *The term ‘appropriate conservation project’ means*  
9           *any project for the conservation, restoration, construc-*  
10          *tion, or rehabilitation of natural, cultural, historic,*  
11          *archaeological, recreational, or scenic resources.*

12          “(2) *CORPS AND PUBLIC LANDS CORPS.—The*  
13          *terms ‘Corps’ and ‘Public Lands Corps’ mean the*  
14          *Public Lands Corps established under section 204.*

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

1           “(4) *INDIAN*.—The term ‘Indian’ means a person  
2           who is a member of an Indian tribe.

3           “(5) *INDIAN LANDS*.—The term ‘Indian lands’  
4           means—

5                   “(A) any Indian reservation;

6                   “(B) any public domain Indian allotments;

7                   “(C) any former Indian reservation in the  
8           State of Oklahoma;

9                   “(D) any land held by incorporated Native  
10           groups, regional corporations, and village cor-  
11           porations under the Alaska Native Claims Settle-  
12           ment Act (43 U.S.C. 1601 et seq.); and

13                   “(E) any land held by dependent Indian  
14           communities within the borders of the United  
15           States whether within the original or subse-  
16           quently acquired territory thereof, and whether  
17           within or without the limits of a State.

18           “(6) *PUBLIC LANDS*.—The term ‘public lands’  
19           means any lands or waters (or interest therein)  
20           owned or administered by the United States, except  
21           that such term does not include any Indian lands.

22           “(7) *QUALIFIED YOUTH OR CONSERVATION*  
23           *CORPS*.—The term ‘qualified youth or conservation  
24           corps’ means any program established by a State or

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

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

7               *“(B) gives participants a mix of work expe-*  
 8               *rience, basic and life skills, education, training,*  
 9               *and support services; and*

10              *“(C) provides participants with the oppor-*  
 11              *tunity to develop citizenship values and skills*  
 12              *through service to their community and the*  
 13              *United States.*

14              *“(8) RESOURCE ASSISTANT.—The term ‘resource*  
 15              *assistant’ means a resource assistant selected under*  
 16              *section 206.*

17              *“(9) STATE.—The term ‘State’ means any State*  
 18              *of the United States, the District of Columbia, the*  
 19              *Commonwealth of Puerto Rico, Guam, the Virgin Is-*  
 20              *lands, American Samoa, and the Commonwealth of*  
 21              *the Northern Mariana Islands.*

22    **“SEC. 204. PUBLIC LANDS CORPS PROGRAM.**

23              *“(a) ESTABLISHMENT OF PUBLIC LANDS CORPS.—*  
 24              *There is hereby established in the Department of the Inte-*

1 rior and the Department of Agriculture a Public Lands  
2 Corps.

3       “(b) *PARTICIPANTS.*—The Corps shall consist of indi-  
4 viduals between the ages of 16 and 25, inclusive, who are  
5 enrolled as participants in the Corps by the Secretary of  
6 the Interior or the Secretary of Agriculture. To be eligible  
7 for enrollment in the Corps, an individual shall satisfy the  
8 criteria specified in section 137(b) of the National and  
9 Community Service Act of 1990. The Secretaries may enroll  
10 such individuals in the Corps without regard to the provi-  
11 sions of title 5, United States Code, governing appointments  
12 in the competitive service, and without regard to the provi-  
13 sions of chapter 51 and subchapter III of chapter 53 of such  
14 title relating to classification and General Schedule pay  
15 rates. The Secretaries may establish a preference for the en-  
16 rollment in the Corps of individuals who are economically,  
17 physically, or educationally disadvantaged.

18       “(c) *QUALIFIED YOUTH OR CONSERVATION CORPS.*—  
19 The Secretary of the Interior and the Secretary of Agri-  
20 culture are authorized to enter into contracts and coopera-  
21 tive agreements with any qualified youth or conservation  
22 corps to perform appropriate conservation projects referred  
23 to in subsection (d).

24       “(d) *PROJECTS TO BE CARRIED OUT.*—The Secretary  
25 of the Interior and the Secretary of Agriculture may each

1 *utilize the Corps or any qualified youth or conservation*  
2 *corps to carry out appropriate conservation projects that*  
3 *such Secretary is authorized to carry out under other au-*  
4 *thority of law on public lands. Appropriate conservation*  
5 *projects may also be carried out under this title on Indian*  
6 *lands with the approval of the Indian tribe involved.*

7       “(e) *PREFERENCE FOR CERTAIN PROJECTS.—In se-*  
8 *lecting appropriate conservation projects to be carried out*  
9 *under this title, the Secretary of the Interior and the Sec-*  
10 *retary of Agriculture shall give preference to those projects*  
11 *that—*

12               “(1) *will provide long-term benefits to the public;*

13               “(2) *will instill in the enrollee involved a work*  
14 *ethic and a sense of public service;*

15               “(3) *will be labor intensive;*

16               “(4) *can be planned and initiated promptly; and*

17               “(5) *will provide academic, experiential, or envi-*  
18 *ronmental education opportunities.*

19       “(f) *CONSISTENCY.—Each appropriate conservation*  
20 *project carried out under this title on any public lands or*  
21 *Indian lands shall be consistent with the provisions of law*  
22 *and policies relating to the management and administra-*  
23 *tion of such lands, with all other applicable provisions of*  
24 *law, and with all management, operational, and other*

1 *plans and documents that govern the administration of the*  
2 *area.*

3 ***“SEC. 205. CONSERVATION CENTERS.***

4       “(a) *ESTABLISHMENT AND USE.*—*The Secretary of the*  
5 *Interior and the Secretary of Agriculture are each author-*  
6 *ized to provide such quarters, board, medical care, transpor-*  
7 *tation, and other services, facilities, supplies, and equip-*  
8 *ment as such Secretary determines to be necessary in con-*  
9 *nection with the Public Lands Corps and appropriate con-*  
10 *servation projects carried out under this title and to estab-*  
11 *lish and use conservation centers owned and operated by*  
12 *such Secretary for purposes of the Corps and such projects.*  
13 *The Secretaries shall establish basic standards of health, nu-*  
14 *trition, sanitation, and safety for all conservation centers*  
15 *established under this section and shall assure that such*  
16 *standards are enforced. Where necessary or appropriate, the*  
17 *Secretaries may enter into contracts and other appropriate*  
18 *arrangements with State and local government agencies*  
19 *and private organizations for the management of such con-*  
20 *servation centers.*

21       “(b) *LOGISTICAL SUPPORT.*—*The Secretary of the In-*  
22 *terior and the Secretary of Agriculture may make arrange-*  
23 *ments with the Secretary of Defense to have logistical sup-*  
24 *port provided by the Armed Forces to the Corps and any*  
25 *conservation center established under this section, where*



1 *feasible. Logistical support may include the provision of*  
 2 *temporary tent shelters where needed, transportation, and*  
 3 *residential supervision.*

4       “(c) *USE OF MILITARY INSTALLATIONS.*—The Sec-  
 5 *retary of the Interior and the Secretary of Agriculture may*  
 6 *make arrangements with the Secretary of Defense to iden-*  
 7 *tify military installations and other facilities of the Depart-*  
 8 *ment of Defense and, in consultation with the adjutant gen-*  
 9 *erals of the State National Guards, National Guard facili-*  
 10 *ties that may be used, in whole or in part, by the Corps*  
 11 *for training or housing Corps participants.*

12 **“SEC. 206. RESOURCE ASSISTANTS.**

13       “(a) *AUTHORIZATION.*—The Secretary of the Interior  
 14 *and the Secretary of Agriculture are each authorized to pro-*  
 15 *vide individual placements of resource assistants with any*  
 16 *Federal land managing agency under the jurisdiction of*  
 17 *such Secretary to carry out research or resource protection*  
 18 *activities on behalf of the agency. To be eligible for selection*  
 19 *as a resource assistant, an individual shall be at least 17*  
 20 *years of age. The Secretaries may select resource assistants*  
 21 *without regard to the provisions of title 5, United States*  
 22 *Code, governing appointments in the competitive service,*  
 23 *and without regard to the provisions of chapter 51 and sub-*  
 24 *chapter III of chapter 53 of such title relating to classifica-*  
 25 *tion and General Schedule pay rates. The Secretaries shall*

1 *give a preference to the selection of individuals who are en-*  
2 *rolled in an institution of higher education or are recent*  
3 *graduates from an institution of higher education, as de-*  
4 *fin ed in section 1201(a) of the Higher Education Act of*  
5 *1965 (20 U.S.C. 1141(a)) with particular attention given*  
6 *to ensure the full representation of women and participants*  
7 *from historically black, Hispanic, and Native American*  
8 *schools.*

9       “(b) *USE OF EXISTING NONPROFIT ORGANIZATIONS.*—  
10 *Whenever one or more existing nonprofit organizations can*  
11 *provide, in the judgment of the Secretary of the Interior*  
12 *or the Secretary of Agriculture, appropriate recruitment*  
13 *and placement services to fulfill the requirements of this sec-*  
14 *tion, the Secretary may implement this section through*  
15 *such existing organizations. Participating nonprofit orga-*  
16 *nizations shall contribute to the expenses of providing and*  
17 *supporting the resource assistants, through private sources*  
18 *of funding, at a level equal to 25 percent of the total costs*  
19 *of each participant in the Resource Assistant program who*  
20 *has been recruited and placed through that organization.*  
21 *Any such participating nonprofit conservation service orga-*  
22 *nization shall be required, by the respective land managing*  
23 *agency, to submit an annual report evaluating the scope,*  
24 *size, and quality of the program, including the value of*

1 *work contributed by the Resource Assistants, to the mission*  
2 *of the agency.*

3 ***“SEC. 207. LIVING ALLOWANCES AND TERMS OF SERVICE.***

4 *“(a) LIVING ALLOWANCES.—The Secretary of the Inte-*  
5 *rior and the Secretary of Agriculture shall provide each*  
6 *participant in the Public Lands Corps and each resource*  
7 *assistant with a living allowance in an amount not to ex-*  
8 *ceed the maximum living allowance authorized by section*  
9 *140(a)(3) of the National and Community Service Act of*  
10 *1990 for participants in a national service program as-*  
11 *sisted under subtitle C of title I of such Act.*

12 *“(b) TERMS OF SERVICE.—Each participant in the*  
13 *Corps and each resource assistant shall agree to participate*  
14 *in the Corps or serve as a resource assistant, as the case*  
15 *may be, for such term of service as may be established by*  
16 *the Secretary enrolling or selecting the individual.*

17 ***“SEC. 208. NATIONAL SERVICE EDUCATIONAL AWARDS.***

18 *“(a) EDUCATIONAL BENEFITS AND AWARDS.—If a*  
19 *participant in the Public Lands Corps or a resource assist-*  
20 *ant also serves in an approved national service position des-*  
21 *ignated under subtitle C of title I of the National and Com-*  
22 *munity Service Act of 1990, the participant or resource as-*  
23 *stant shall be eligible for a national service educational*  
24 *award in the manner prescribed in subtitle D of such title*  
25 *upon successfully complying with the requirements for the*

1 *award. The period during which the national service edu-*  
 2 *cational award may be used, the purposes for which the*  
 3 *award may be used, and the amount of the award shall*  
 4 *be determined as provided under such subtitle.*

5       “(b) *FORBEARANCE IN THE COLLECTION OF STAFFORD*  
 6 *LOANS.—For purposes of section 428 of the Higher Edu-*  
 7 *cation Act of 1965, in the case of borrowers who are either*  
 8 *participants in the Corps or resource assistants, upon writ-*  
 9 *ten request, a lender shall grant a borrower forbearance on*  
 10 *such terms as are otherwise consistent with the regulations*  
 11 *of the Secretary of Education, during periods in which the*  
 12 *borrower is serving as such a participant or a resource as-*  
 13 *sistant.*

14 **“SEC. 209. NONDISPLACEMENT.**

15       *“The nondisplacement requirements of section 177 of*  
 16 *the National and Community Service Act of 1990 shall be*  
 17 *applicable to all activities carried out by the Public Lands*  
 18 *Corps, to all activities carried out under this title by a*  
 19 *qualified youth or conservation corps, and to the selection*  
 20 *and service of resource assistants.*

21 **“SEC. 210. FUNDING.**

22       “(a) *COST SHARING.—*

23               “(1) *PROJECTS BY QUALIFIED YOUTH OR CON-*  
 24 *SERVATION CORPS.—The Secretary of the Interior and*  
 25 *the Secretary of Agriculture are each authorized to*

1     *pay not more than 75 percent, and shall collectively*  
2     *pay 75 percent, of the costs of any appropriate con-*  
3     *servation project carried out pursuant to this title on*  
4     *public lands by a qualified youth or conservation*  
5     *corps. The remaining 25 percent of the costs of such*  
6     *a project may be provided from non-Federal sources*  
7     *in the form of funds, services, facilities, materials,*  
8     *equipment, or any combination of the foregoing. No*  
9     *cost sharing shall be required in the case of any ap-*  
10    *propriate conservation project carried out on Indian*  
11    *lands under this title.*

12           “(2) *PUBLIC LANDS CORPS PROJECTS.*—*The Sec-*  
13    *retary of the Interior and the Secretary of Agriculture*  
14    *are each authorized to accept donations of funds, serv-*  
15    *ices, facilities, materials, or equipment for the pur-*  
16    *poses of operating the Public Lands Corps and carry-*  
17    *ing out appropriate conservation projects by the*  
18    *Corps. The Department of Agriculture and the De-*  
19    *partment of the Interior shall comply with the Fed-*  
20    *eral share requirements of section 129(d)(2)(B) of the*  
21    *National and Community Service Act of 1990.*

22           “(b) *FUNDS AVAILABLE UNDER NATIONAL AND COM-*  
23    *MUNITY SERVICE ACT.*—*In order to carry out the Public*  
24    *Lands Corps or to support resource assistants and qualified*  
25    *youth or conservation corps under this title, the Secretary*

1 *of the Interior and the Secretary of Agriculture shall be eli-*  
 2 *gible to apply for and receive assistance described in section*  
 3 *121(b) of the National and Community Service Act of 1990,*  
 4 *from funds available under section 129(d)(2).”.*

5       ***TITLE IV—TECHNICAL AND***  
 6       ***CONFORMING AMENDMENTS***

7       ***SEC. 401. DEFINITION OF DIRECTOR.***

8       *Section 421 of the Domestic Volunteer Service Act of*  
 9 *1973 (42 U.S.C. 5061) is amended by striking paragraph*  
 10 *(1) and inserting the following new paragraph:*

11               *“(1) the term ‘Director’ means the President of*  
 12 *the Corporation for National and Community Service*  
 13 *appointed under section 193 of the National and*  
 14 *Community Service Act of 1990;”.*

15       ***SEC. 402. REFERENCES TO ACTION AND THE ACTION***  
 16       ***AGENCY.***

17       *(a) DOMESTIC VOLUNTEER SERVICE ACT OF 1973.—*

18               *(1) Section 2(b) of the Domestic Volunteer Serv-*  
 19 *ice Act of 1973 (42 U.S.C. 4950(b)) is amended—*

20                       *(A) by striking “ACTION, the Federal do-*  
 21 *mestic volunteer agency,” and inserting “this*  
 22 *Act”; and*

23                       *(B) by striking “ACTION” and inserting*  
 24 *“the Corporation for National and Community*  
 25 *Service”.*

1           (2) *Section 125(b) of such Act (42 U.S.C.*  
2           *4995(b)) is amended by striking “the ACTION Agen-*  
3           *cy” and inserting “the Corporation”.*

4           (3) *Section 225(e) of such Act (42 U.S.C.*  
5           *5025(e)) is amended by striking “the ACTION Agen-*  
6           *cy” and inserting “the Corporation”.*

7           (4) *Section 403(a) of such Act (42 U.S.C.*  
8           *5043(a) is amended—*

9                   (A) *by striking “the ACTION Agency” the*  
10                  *first place such term appears and inserting “the*  
11                  *Corporation under this Act”; and*

12                   (B) *by striking “the ACTION Agency” the*  
13                  *second place such term appears and inserting*  
14                  *“the Corporation”.*

15           (5) *Section 408 of such Act (42 U.S.C. 5048) is*  
16           *amended by striking “the ACTION Agency” and in-*  
17           *serting “the Corporation”.*

18           (6) *Section 421(12) of such Act (as added by sec-*  
19           *tion 403 of this Act) is further amended by striking*  
20           *“ACTION” and inserting “the Corporation”.*

21           (7) *Section 425 of such Act (as added by section*  
22           *370 of this Act) is further amended by striking “AC-*  
23           *TION” and inserting “the Corporation”.*

24           (b) *CIVIL SERVICE RETIREMENT SYSTEM.—Section*  
25           *8332(j)(1) of title 5, United States Code (as amended by*

1 *section 372(a)(1)(A)(iii)(II) of this Act) is amended by*  
 2 *striking “the Director of ACTION” and inserting “the*  
 3 *President of the Corporation for National and Community*  
 4 *Service”.*

5 *(c) INSPECTOR GENERAL.—*

6 *(1) TERMINATION OF STATUS AS DESIGNATED*  
 7 *FEDERAL ENTITY.—Section 8E(a)(2) of the Inspector*  
 8 *General Act of 1978 (5 U.S.C. App.) is amended by*  
 9 *striking “ACTION,”.*

10 *(2) TRANSFER.—Section 9(a)(1) of the Inspector*  
 11 *General Act of 1978 (5 U.S.C. App.) is amended—*

12 *(A) in subparagraph (T), by striking “and”*  
 13 *at the end; and*

14 *(B) by adding at the end the following:*

15 *“(V) of the Corporation for National and*  
 16 *Community Service, the Office of Inspector Gen-*  
 17 *eral of ACTION; and”.*

18 *(d) PUBLIC HOUSING SECURITY.—Section 207(c) of*  
 19 *the Public Housing Security Demonstration Act of 1978*  
 20 *(Public Law 95–557; 92 Stat. 2093; 12 U.S.C. 1701z–6*  
 21 *note) is amended—*

22 *(1) in paragraph (3)(ii), by striking “ACTION”*  
 23 *and inserting “the Corporation for National and*  
 24 *Community Service”; and*



1           (2) in paragraph (4), by striking “ACTION”  
 2           and inserting “the Corporation for National and  
 3           Community Service”.

4           (e) NATIONAL FOREST VOLUNTEERS.—Section 1 of the  
 5           Volunteers in the National Forests Act of 1972 (16 U.S.C.  
 6           558a) is amended by striking “ACTION” and inserting  
 7           “the Corporation for National and Community Service”.

8           (f) PEACE CORPS.—Section 2A of the Peace Corps Act  
 9           (22 U.S.C. 2501–1) is amended by inserting after “the AC-  
 10          TION Agency” the following: “; the successor to the AC-  
 11          TION Agency,”.

12          (g) INDIAN ECONOMIC DEVELOPMENT.—Section 502 of  
 13          the Indian Financing Act of 1974 (25 U.S.C. 1542) is  
 14          amended by striking “ACTION Agency” and inserting “the  
 15          Corporation for National and Community Service”.

16          (h) OLDER AMERICANS.—The Older Americans Act of  
 17          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 and  
 21               Community Service”;

22               (2) in section 203(a)(1) (42 U.S.C. 3013(a)(1)),  
 23               by striking “the ACTION Agency” and inserting “the  
 24               Corporation for National and Community Service”;  
 25               and

1           (3) in section 422(b)(12)(C) (42 U.S.C.  
 2           3035a(b)(12)(C)), by striking “the ACTION Agency”  
 3           and inserting “the Corporation for National and  
 4           Community Service”.

5           (i) VISTA SERVICE EXTENSION.—Section 101(c)(1) of  
 6           the Domestic Volunteer Service Act Amendments of 1989  
 7           (Public Law 101–204; 103 Stat. 1810; 42 U.S.C. 4954 note)  
 8           is amended by striking “Director of the ACTION Agency”  
 9           and inserting “President of the Corporation for National  
 10          and Community Service”.

11          (j) AGING RESOURCE SPECIALISTS.—Section 205(c) of  
 12          the Older Americans Amendments of 1975 (Public Law 94–  
 13          135; 89 Stat. 727; 42 U.S.C. 5001 note) is amended—

14               (1) in paragraph (1)—

15                       (A) by striking “the ACTION Agency,” and  
 16                       inserting “the Corporation for National and  
 17                       Community Service,”; and

18                       (B) by striking “the Director of the AC-  
 19                       TION Agency” and inserting “the President of  
 20                       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 Corpora-  
 2           tion for National and Community Service established  
 3           by section 191 of the National and Community Serv-  
 4           ice Act of 1990.”.

5           (k) *PROMOTION OF PHOTOVOLTAIC ENERGY*.—Section  
 6           11(a) of the Solar Photovoltaic Energy Research, Develop-  
 7           ment, and Demonstration Act of 1978 (42 U.S.C. 5590) is  
 8           amended by striking “the Director of ACTION,”.

9           (l) *COORDINATING COUNCIL ON JUVENILE JUSTICE*.—  
 10          Section 206(a)(1) of the Juvenile Justice and Delinquency  
 11          Prevention Act of 1974 (42 U.S.C. 5616(a)(1)) is amended  
 12          by striking “the Director of the ACTION Agency” and in-  
 13          serting “the President of the Corporation for National and  
 14          Community 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 AC-  
 18          TION Agency,”.

19          (n) *INTERAGENCY COUNCIL ON THE HOMELESS*.—Sec-  
 20          tion 202(a) of the Stewart B. McKinney Homeless Assist-  
 21          ance Act (42 U.S.C. 11312(a)) is amended by striking para-  
 22          graph (12) and inserting the following new paragraph:

23               “(12) The President of the Corporation for Na-  
 24               tional and Community Service, or the designee of the  
 25               President.”.

1       (o) *ANTI-DRUG ABUSE.*—Section 3601 of the Anti-  
 2       Drug Abuse Act of 1988 (42 U.S.C. 11851) is amended by  
 3       striking paragraph (5) and inserting the following new  
 4       paragraph:

5               “(5) the term ‘Director’ means the President of  
 6       the Corporation for National and Community Serv-  
 7       ice.”.

8       (p) *ADMINISTRATION ON CHILDREN, YOUTH, AND*  
 9       *FAMILIES.*—Section 916(b) of the Claude Pepper Young  
 10      Americans Act of 1990 (42 U.S.C. 12312(b)) is amended  
 11      by striking “the Director of the ACTION Agency” and in-  
 12      serting “the President of the Corporation for National and  
 13      Community Service”.

14      **SEC. 403. DEFINITIONS.**

15      Section 421 of the Domestic Volunteer Service Act of  
 16      1973 (42 U.S.C. 5061) is amended—

17              (1) by striking “and” at the end of paragraph  
 18              (6);

19              (2) by striking the period at the end of para-  
 20              graph (7) and inserting a semicolon; and

21              (3) by adding at the end the following new para-  
 22              graphs:

23               “(8) the term ‘Corporation’ means the Corpora-  
 24              tion for National and Community Service established

1       *under section 191 of the National and Community*  
2       *Service Act of 1990;*

3               “(9) the term ‘foster grandparent’ means a vol-  
4       *unteer in the Foster Grandparent Program;*

5               “(10) the term ‘Foster Grandparent Program’  
6       *means the program established under part B of title*  
7       *II;*

8               “(11) except as provided in section 417, the term  
9       *‘individual with a disability’ has the meaning given*  
10       *the term in section 7(8) of the Rehabilitation Act of*  
11       *1973 (29 U.S.C. 706(8));*

12               “(12) the term ‘Inspector General’ means the In-  
13       *spector General of ACTION;*

14               “(13) the term ‘national senior volunteer’ means  
15       *a volunteer in the National Senior Volunteer Corps;*

16               “(14) the term ‘National Senior Volunteer Corps’  
17       *means the programs established under parts A, B, C,*  
18       *and E of title II;*

19               “(15) the term ‘Retired and Senior Volunteer  
20       *Program’ means the program established under part*  
21       *A of title II;*

22               “(16) the term ‘retired or senior volunteer’  
23       *means a volunteer in the Retired and Senior Volun-*  
24       *teer Program;*

1           “(17) the term ‘senior companion’ means a vol-  
2           unteer in the Senior Companion Program;

3           “(18) the term ‘Senior Companion Program’  
4           means the program established under part C of title  
5           II;

6           “(19) the terms ‘VISTA’ and ‘Volunteers in Serv-  
7           ice to America’ mean the program established under  
8           part A of title I; and

9           “(20) the term ‘VISTA volunteer’ means a volun-  
10          teer in VISTA.”.

11   **SEC. 404. REFERENCES TO THE COMMISSION ON NATIONAL**  
12                           **AND COMMUNITY SERVICE.**

13          (a) NATIONAL DEFENSE AUTHORIZATION ACT FOR  
14          FISCAL YEAR 1993.—

15               (1) Section 1092(b) of the National Defense Au-  
16          thorization Act for Fiscal Year 1993 (42 U.S.C.  
17          12653a note) is amended—

18                       (A) in paragraph (1)—

19                               (i) by striking “Commission on Na-  
20                               tional Community Service” and inserting  
21                               “Corporation for National and Community  
22                               Service”; and

23                               (ii) by striking “Commission shall pre-  
24                               pare” and inserting “Board of Directors of  
25                               the Corporation shall prepare”; and

1           (B) in paragraph (2), by striking “Board of  
 2           Directors of the Commission on National and  
 3           Community Service” and inserting “Board of  
 4           Directors of the Corporation for National and  
 5           Community Service”.

6           (2) Section 1093(a) of such Act (42 U.S.C.  
 7           12653a note) is amended by striking “the Board of  
 8           Directors and Executive Director of the Commission  
 9           on National and Community Service” and inserting  
 10          “the Board of Directors and President of the Corpora-  
 11          tion for National and Community Service”.

12          (3) Section 1094 of such Act (Public Law 102-  
 13          484; 106 Stat. 2535) is amended—

14               (A) in the title, by striking “**COMMISSION**  
 15               **ON NATIONAL AND COMMUNITY SERVICE**”  
 16               and inserting “**CORPORATION FOR NA-**  
 17               **TIONAL AND COMMUNITY SERVICE**”;

18               (B) in subsection (a)—

19                     (i) in the heading, by striking “COM-  
 20                     MISSION” and inserting “CORPORATION”;

21                     (ii) in the first sentence, by striking  
 22                     “Commission on National and Community  
 23                     Service” and inserting “Corporation for  
 24                     National and Community Service”; and

1                   (iii) in the second sentence, by striking  
 2                   “The Commission” and inserting “The  
 3                   President of the Corporation”; and  
 4                   (C) in subsection (b)—

5                   (i) in paragraph (1), by striking  
 6                   “Board of Directors of the Commission on  
 7                   National and Community Service” and in-  
 8                   serting “President of the Corporation for  
 9                   National and Community Service”; and  
 10                  (ii) in paragraph (2), by striking “the  
 11                  Commission” and inserting “the President  
 12                  of the Corporation for National and Com-  
 13                  munity Service”.

14                  (4) Section 1095 of such Act (Public Law 102–  
 15                  484; 106 Stat. 2535) is amended in the heading for  
 16                  subsection (b) by striking “COMMISSION ON NATIONAL  
 17                  AND COMMUNITY SERVICE” and inserting “CORPORA-  
 18                  TION FOR NATIONAL AND COMMUNITY SERVICE”.

19                  (5) Section 2(b) of such Act (Public Law 102–  
 20                  484; 106 Stat. 2315) is amended by striking the item  
 21                  relating to section 1094 of such Act and inserting the  
 22                  following:

“Sec. 1094. Other programs of the Corporation for National and Community  
 Service.”.

23                  (b) NATIONAL AND COMMUNITY SERVICE ACT OF  
 24                  1990.—



1           (1) *Sections 159(b)(2) (as redesignated in section*  
2 *104(b)(3) of this Act) and 165 (as redesignated in sec-*  
3 *tion 104(b)(3) of this Act), subsections (a) and (b) of*  
4 *section 172, sections 176(a) and 177(c), and sub-*  
5 *sections (a), (b), and (d) through (h) of section 179,*  
6 *of the National and Community Service Act of 1990*  
7 *(42 U.S.C. 12653h(b)(2), 12653n, 12632 (a) and (b),*  
8 *12636(a), 12637(c), and 12639 (a), (b), and (d)*  
9 *through (h)) are each amended by striking the term*  
10 *“Commission” each place the term appears and in-*  
11 *serting “Corporation”.*

12           (2) *Sections 152, 157(b)(2), 159(b), 162(a)(2)(C),*  
13 *164, and 166(1) of such Act (in each case, as redesign-*  
14 *ated in section 104(b)(3) of this Act) (42 U.S.C.*  
15 *12653a, 12653f(b)(2), 12653h(b), 12653k(a)(2)(C),*  
16 *12653m, and 12653o(1)) are each amended by strik-*  
17 *ing “Commission on National and Community Serv-*  
18 *ice” and inserting “Corporation”.*

19           (3) *Section 163(b)(9) of such Act (as redesign-*  
20 *ated in section 104(b)(3) of this Act) (42 U.S.C.*  
21 *12635l(b)(9)) is amended by striking “Chair of the*  
22 *Commission on National and Community Service”*  
23 *and inserting “President”.*

24           (4) *Section 303(a) of such Act (42 U.S.C.*  
25 *12662(a)) is amended—*

1           (A) by striking “The President” and insert-  
 2           ing “The President of the United States, acting  
 3           through the Corporation,”;

4           (B) by inserting “in furtherance of activi-  
 5           ties under section 302” after “section 501(b)”;  
 6           and

7           (C) by striking “the President” both places  
 8           it appears and inserting “the Corporation”.

9   **SEC. 405. REFERENCES TO DIRECTORS OF THE COMMIS-**  
 10                   **SION ON NATIONAL AND COMMUNITY SERV-**  
 11                   **ICE.**

12           (a) *PRESIDENT.*—

13           (1) Section 159(a) of such Act (as redesignated  
 14           in section 104(b)(3) of this Act) (42 U.S.C.  
 15           12653h(b)) is amended—

16           (A) by striking “BOARD.—The Board” and  
 17           inserting “SUPERVISION.—The President”;

18           (B) by striking “the Board” in the matter  
 19           preceding the paragraphs and in paragraph (1)  
 20           and inserting “the President”; and

21           (C) by striking “the Director” in paragraph  
 22           (1) and inserting “the Board”.

23           (2) Section 159(b) of such Act (as redesignated  
 24           in section 104(b)(3) of this Act) (42 U.S.C.  
 25           12653h(b)) is amended by striking “(b)” and all that

1 follows through “Commission on National and Com-  
 2 munity Service” and inserting “(b) MONITORING AND  
 3 COORDINATION.—The President”.

4 (3) Section 159(c)(1) (as redesignated in section  
 5 104(b)(3) of this Act) (12653h(c)(1)) is amended—

6 (A) in subparagraph (A), by striking “the  
 7 Board, in consultation with the Executive Direc-  
 8 tor,” and inserting “President”; and

9 (B) in subparagraph (B)(iii), by striking  
 10 “the Board through the Executive Director” and  
 11 inserting “the President”.

12 (4) Section 166(6) (as redesignated in section  
 13 104(b)(3) of this Act) (42 U.S.C. 12653o(6)) is  
 14 amended—

15 (A) by striking paragraph (6); and

16 (B) by redesignating paragraphs (7)  
 17 through (11) as paragraphs (6) through (10), re-  
 18 spectively.

19 (b) DIRECTOR OF CIVILIAN COMMUNITY CORPS.—Sec-  
 20 tions 155(a), 157(b)(1)(A), 158(a), 159(c)(1)(A), and  
 21 163(a) (in each case, as redesignated in section 104(b)(3)  
 22 of this Act) of the National and Community Service Act  
 23 of 1990 (42 U.S.C. 12653d(a), 12653f(b)(1)(A), 12653g(a),  
 24 12653h(c)(1)(A), and 12653l(a)) are amended by striking

1 “*Director of Civilian Community Corps*” each place the  
 2 term appears and inserting “*Director*”.

3 **SEC. 406. EFFECTIVE DATE.**

4 (a) *ACTION*.—The amendments made by sections 401  
 5 and 402 shall take effect on the effective date of section  
 6 203(c)(2).

7 (b) *COMMISSION*.—The amendments made by sections  
 8 403 through 405 will take effect on October 1, 1993.

S 919 RS——2

S 919 RS——3

S 919 RS——4

S 919 RS——5

S 919 RS——6

S 919 RS——7

S 919 RS——8

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S 919 RS——10

S 919 RS——11

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