

107TH CONGRESS  
1ST SESSION

# S. 1792

To further facilitate service for the United States, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

DECEMBER 10, 2001

Mr. BAYH (for himself, Mr. MCCAIN, Mr. CLELAND, and Mr. LIEBERMAN) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To further facilitate service for the United States, 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 “Call to Service Act of 2001”.

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

Sec. 1. Short title; table of contents.

**TITLE I—NATIONAL AND COMMUNITY SERVICE AND DOMESTIC  
VOLUNTEER SERVICE**

Subtitle A—National and Community Service Act of 1990

Sec. 101. Sense of Congress.

- Sec. 102. National service projects.
- Sec. 103. Challenge grants.
- Sec. 104. National service positions.
- Sec. 105. Limitation on national service positions with educational awards only.
- Sec. 106. Applications.
- Sec. 107. Geographic diversity.
- Sec. 108. Educational awards.
- Sec. 109. Consultation with State emergency management agencies.
- Sec. 110. Accountability.
- Sec. 111. Senior training programs and programs of national significance.
- Sec. 112. Authorization of appropriations.

#### Subtitle B—Domestic Volunteer Service Act of 1973

- Sec. 121. Statement of purposes.
- Sec. 122. Retired and Senior Volunteer Program.
- Sec. 123. Foster Grandparent Program.
- Sec. 124. Senior Companion Program.
- Sec. 125. General provisions.
- Sec. 126. Data collection and reporting.
- Sec. 127. Conforming amendments.
- Sec. 128. Authorization of appropriations.

#### Subtitle C—Miscellaneous

- Sec. 131. Community service through grants for Federal work-study programs.
- Sec. 132. Exclusion of national service educational awards.

### TITLE II—MILITARY SERVICE

- Sec. 201. Bonus for short-term enlistment in the Armed Forces.
- Sec. 202. Employment of retired military personnel as instructors in basic training programs of the Armed Forces.
- Sec. 203. Enhancements of Montgomery GI Bill.
- Sec. 204. Improved access to institutions of higher education for military recruiting purposes.
- Sec. 205. Commission on Military Recruitment and National Service.

1 **TITLE I—NATIONAL AND COM-**  
 2 **MUNITY SERVICE AND DO-**  
 3 **MESTIC VOLUNTEER SERVICE**  
 4 **Subtitle A—National and**  
 5 **Community Service Act of 1990**

6 **SEC. 101. SENSE OF CONGRESS.**

7 It is the sense of Congress that Congress should not  
 8 enact legislation establishing a limit on the amount that  
 9 may be used to administer, reimburse, or support any na-

1 tional service program authorized under section 129(d)(2)  
2 of the National and Community Service Act of 1990 (42  
3 U.S.C. 12581(d)(2)).

4 **SEC. 102. NATIONAL SERVICE PROJECTS.**

5 Section 122 of the National and Community Service  
6 Act of 1990 (42 U.S.C. 12572) is amended—

7 (1) in subsection (a)—

8 (A) by redesignating paragraph (15) as  
9 paragraph (17); and

10 (B) by inserting after paragraph (14) the  
11 following:

12 “(15) A program that involves the provision of  
13 service at a facility, such as a hospital or a long-  
14 term care facility, operated by the Department of  
15 Veterans Affairs or a State agency with responsi-  
16 bility for veterans.

17 “(16) A program that promotes public health  
18 through surveillance, prevention, or response, such  
19 as a program that provides a laboratory, or commu-  
20 nications or information center, operated by a State  
21 or local entity with responsibility for public health.”;  
22 and

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

24 “(d) CONSULTATION.—The Corporation shall consult  
25 with the Director of the Office of Homeland Security to

1 determine ways of promoting homeland security, including  
2 providing disaster relief and preparedness activities, and  
3 promoting public health and public safety, through na-  
4 tional service programs carried out under this subtitle.”.

5 **SEC. 103. CHALLENGE GRANTS.**

6 The second sentence of section 129(c) of the National  
7 and Community Service Act of 1990 (42 U.S.C. 12581(c))  
8 is amended by striking “under subsection (b)” and all that  
9 follows and inserting “under section 126(b).”.

10 **SEC. 104. NATIONAL SERVICE POSITIONS.**

11 (a) APPROVAL.—Section 129(f) of the National and  
12 Community Service Act of 1990 (42 U.S.C. 12581(f)) is  
13 amended—

14 (1) by striking “The Corporation” and insert-  
15 ing the following:

16 “(1) IN GENERAL.—Subject to paragraph (2),  
17 the Corporation”; and

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

19 “(2) NUMBER OF POSITIONS.—The Corporation  
20 shall—

21 “(A) increase the number of positions that  
22 are approved as approved national service posi-  
23 tions under this subtitle during each of fiscal  
24 years 2003 through 2011;

1           “(B) increase the number of the approved  
2 positions to—

3           “(i) 70,000 for fiscal year 2003;

4           “(ii) 95,000 for fiscal year 2004;

5           “(iii) 120,000 for fiscal year 2005;

6           “(iv) 145,000 for fiscal year 2006;

7           “(v) 170,000 for fiscal year 2007;

8           “(vi) 195,000 for fiscal year 2008;

9           “(vii) 220,000 for fiscal year 2009;

10           and

11           “(viii) 250,000 for fiscal years 2010

12           and 2011; and

13           “(C) for any fiscal year for which the num-  
14 ber of the approved positions exceeds the num-  
15 ber of the approved positions for fiscal year  
16 2002, ensure that positions equal to 50 percent  
17 of the excess are dedicated to national service  
18 programs that address public safety needs, in-  
19 cluding homeland defense and public health  
20 needs.”.

21 **SEC. 105. LIMITATION ON NATIONAL SERVICE POSITIONS**

22 **WITH EDUCATIONAL AWARDS ONLY.**

23           Section 129 of the National and Community Service  
24 Act of 1990 (42 U.S.C. 12581) is amended by adding at  
25 the end the following:

1       “(h) NATIONAL SERVICE POSITIONS WITH EDU-  
2       CATIONAL AWARDS ONLY.—

3               “(1) PERCENTAGE.—The Corporation may  
4       specify that a percentage (but not more than 30 per-  
5       cent) of the participants in national service pro-  
6       grams receiving assistance under section 121 shall  
7       serve in national service positions for which the  
8       participants—

9               “(A) receive national service educational  
10       awards under subtitle D; but

11              “(B) do not receive the assistance de-  
12       scribed in section 140.

13              “(2) DESIGNATION.—At the time the Corpora-  
14       tion provides national service positions for a national  
15       service program under section 121, the Corporation  
16       shall designate the positions, if any, that are na-  
17       tional service positions described in paragraph (1).”.

18       **SEC. 106. APPLICATIONS.**

19       Section 130 of the National and Community Service  
20       Act of 1990 (42 U.S.C. 12582) is amended—

21              (1) in subsection (c), by adding at the end the  
22       following:

23              “(3) A description of the outcome measures de-  
24       veloped for each program as described in section  
25       185(a)(3), other measures developed for each pro-

1       gram as described in that section, and specific,  
2       quantifiable goals addressing each outcome measure  
3       and other measure.

4               “(4) A description of how the applicant will  
5       conduct evaluations to determine the performance of  
6       the program on the outcome measures and other  
7       measures.”; and

8               (2) in subsection (e)(2), by striking the second  
9       sentence and inserting the following: “In making  
10      such competitive selections, the State shall seek to  
11      ensure the equitable allocation within the State of  
12      national service programs, assistance, and approved  
13      national service positions provided under this sub-  
14      title to the State (including seeking to ensure an eq-  
15      uitable geographic distribution of the programs, as-  
16      sistance, and positions between urban and rural  
17      areas). In ensuring the equitable allocation, the  
18      State shall take into consideration such factors as  
19      the location of the programs for which entities are  
20      applying to the State, population density, and eco-  
21      nomic distress.”.

22   **SEC. 107. GEOGRAPHIC DIVERSITY.**

23       Section 133(d)(1) of the National and Community  
24      Service Act of 1990 (42 U.S.C. 12585(d)(1)) is amended  
25      by striking “to be conducted in those urban and rural

1 areas in a State with the highest rates of poverty.” and  
 2 inserting “in urban and rural areas with the highest rates  
 3 of poverty.”.

4 **SEC. 108. EDUCATIONAL AWARDS.**

5 (a) RELEASE FROM COMPLETING TERM OF SERV-  
 6 ICE.—Section 139(c) of the National and Community  
 7 Service Act of 1990 (42 U.S.C. 12593(c)) is amended—

8 (1) by striking paragraph (1) and inserting the  
 9 following:

10 “(1) RELEASE AUTHORIZED.—

11 “(A) AUTHORIZATION OF RECIPIENT.—A  
 12 recipient of assistance under section 121 or a  
 13 program sponsoring an approved national serv-  
 14 ice position may release a participant from com-  
 15 pleting a term of service in the position—

16 “(i) for compelling personal cir-  
 17 cumstances as demonstrated by the partici-  
 18 pant; or

19 “(ii) for cause.

20 “(B) AUTHORIZATION OF CORPORATION.—

21 The Corporation shall release a participant  
 22 from completing a term of service in the posi-  
 23 tion if—

1           “(i) the participant served in a na-  
2           tional service program for which funds  
3           were withdrawn under section 185(b); and

4           “(ii) the Corporation fails to enter  
5           into an agreement with another entity to  
6           accept the participant into a second na-  
7           tional service program under section  
8           185(e).”;

9           (2) in paragraph (2), by striking “(1)(A)” and  
10          inserting “(1)(A)(i)”; and

11          (3) by adding at the end the following:

12          “(4) EFFECT OF RELEASE FOR PROGRAM TER-  
13          MINATION.—A participant released under paragraph  
14          (1)(B) from completing a term of service in a posi-  
15          tion shall receive a portion of a national service edu-  
16          cational award in accordance with section 147(c).”.

17          (b) ELIGIBLE INDIVIDUALS.—Section 146(a)(1) of  
18          the National and Community Service Act of 1990 (42  
19          U.S.C. 12602(a)(1)) is amended by inserting before the  
20          semicolon “(or obtains a release under section 139(c))”.

21          (c) AWARD FOR PARTIAL COMPLETION OF SERV-  
22          ICE.—Section 147(c) of the National and Community  
23          Service Act of 1990 (42 U.S.C. 12603(c)) is amended by  
24          striking “section 139(c)(1)(A)” and inserting “subpara-  
25          graph (A)(i) or (B) of section 139(c)(1)”.

1 **SEC. 109. CONSULTATION WITH STATE EMERGENCY MAN-**  
2 **AGEMENT AGENCIES.**

3 Section 178(i) of the National and Community Serv-  
4 ice Act of 1990 (42 U.S.C. 12572(i)) is amended by add-  
5 ing at the end the following:

6 “(3) CONSULTATION.—The State Commission  
7 shall consult with the State emergency management  
8 agencies to determine ways of promoting emergency  
9 management, including providing disaster relief and  
10 preparedness activities, and promoting public health  
11 and public safety, through national service programs  
12 that receive assistance under section 121.”.

13 **SEC. 110. ACCOUNTABILITY.**

14 Subtitle F of title I of the National and Community  
15 Service Act of 1990 (42 U.S.C. 12631 et seq.) is amended  
16 by adding at the end the following:

17 **“SEC. 185. AMERICORPS ACCOUNTABILITY.**

18 “(a) EVALUATION AND REPORT.—

19 “(1) IN GENERAL.—The Corporation shall  
20 make a grant or enter into a contract with an eligi-  
21 ble entity to conduct an annual evaluation of the ef-  
22 fectiveness of each national service program that re-  
23 ceives assistance under section 121.

24 “(2) ELIGIBLE ENTITY.—To be eligible to re-  
25 ceive a grant or contract under paragraph (1), an  
26 entity shall not be—

1 “(A) the Corporation;

2 “(B) a State Commission;

3 “(C) an entity that receives assistance  
4 under section 121; or

5 “(D) a division of an entity described in  
6 subparagraph (A), (B), or (C).

7 “(3) CONTENTS.—In conducting the evaluation  
8 with respect to a national service program, the eligi-  
9 ble entity shall—

10 “(A) conduct a cost-benefit analysis of the  
11 program;

12 “(B) determine the number of volunteers  
13 generated by the program, and the estimated  
14 value of their services;

15 “(C) measure the resources (in cash and in  
16 kind, fairly evaluated, including plant, equip-  
17 ment, and services) that are contributed by the  
18 community in which the program is located to  
19 support the program;

20 “(D) determine the performance of the  
21 program on outcome measures developed by the  
22 entity carrying out the program, which may  
23 include—

24 “(i) for a program that involves tutor-  
25 ing for children—

1                   “(I) the number of children tu-  
2                   tored;

3                   “(II) scores on educational tests  
4                   of the children; and

5                   “(III) the level of school readi-  
6                   ness of the children;

7                   “(ii) for a program that involves the  
8                   construction or renovation of housing, the  
9                   number of housing units constructed or  
10                  renovated;

11                  “(iii) for a program that involves the  
12                  construction or renovation of trails, the  
13                  number of trails constructed or renovated;

14                  “(iv) for a program that involves the  
15                  administration of vaccines, the number of  
16                  vaccines administered;

17                  “(v) for a program that involves men-  
18                  toring for children (including youth)—

19                         “(I) the crime rate among such  
20                         children;

21                         “(II) the rate of substance abuse  
22                         among such children; and

23                         “(III) the grades achieved by  
24                         such children;

1           “(vi) for a program involving disaster  
2 relief, the number of individuals assisted;

3           “(vii) for a program involving job  
4 placement of individuals receiving income-  
5 based public assistance, the number of in-  
6 dividuals placed in jobs; and

7           “(viii) for a program involving home-  
8 land defense activities, the number of indi-  
9 viduals participating in carrying out the  
10 activities; and

11          “(E) determine the performance of the  
12 program on other measures developed by the  
13 entity carrying out the program.

14          “(4) REPORT.—For each annual evaluation  
15 conducted under this subsection, the eligible entity  
16 shall submit an annual report to Congress con-  
17 taining the results of the evaluation.

18          “(b) FAILURE TO MEET QUANTIFIABLE GOALS.—

19               “(1) PROGRAMS IN EXISTENCE FOR 3 YEARS OR  
20 LONGER.—A program carried out under subtitle C  
21 that—

22                       “(A) had been in existence for not less  
23 than 3 years on the date of enactment of the  
24 Call to Service Act of 2001; and

1           “(B) fails to meet the goals described in  
2           section 130(e)(3) during fiscal year 2003 or a  
3           subsequent fiscal year,  
4           shall be placed on probation for the following fiscal  
5           year.

6           “(2) PROGRAMS IN EXISTENCE FOR LESS THAN  
7           3 YEARS.—A program carried out under subtitle C  
8           that—

9           “(A) had been in existence for less than 3  
10          years on the date of enactment of such Act; and

11          “(B) fails to meet the goals described in  
12          section 130(e)(3) during fiscal year 2006 or a  
13          subsequent fiscal year,  
14          shall be placed on probation for the following fiscal  
15          year.

16          “(3) FAILURE TO MEET GOALS AFTER PROBA-  
17          TION.—The Chief Executive Officer will withdraw  
18          funding from a grant recipient for a program carried  
19          out under subtitle C that fails to meet the goals de-  
20          scribed in section 130(e)(3) during a year in which  
21          the program is on probation under paragraph (1) or  
22          (2).

23          “(4) REPORT.—The Chief Executive Officer  
24          shall submit a report to Congress within 2 years  
25          after the date of enactment of the Call to Service

1 Act of 2001, and annually thereafter, containing in-  
2 formation on the number of programs on probation,  
3 the number of programs for which funding is with-  
4 drawn, and the number of programs meeting or ex-  
5 ceeding their goals, under this subsection, for the  
6 year covered by the report.

7 “(c) IMPACT ON PARTICIPANTS.—

8 “(1) SECOND NATIONAL SERVICE PROGRAM.—

9 If, under subsection (b), the Corporation terminates  
10 the payments for a national service program, the  
11 Corporation shall endeavor to enter into an agree-  
12 ment with another entity carrying out a second na-  
13 tional service program that has similar objectives  
14 and that receives assistance under section 121. The  
15 Corporation shall endeavor to enter into an agree-  
16 ment under which the entity will accept into the sec-  
17 ond national service program the individuals who  
18 were participants in the first national service pro-  
19 gram, in return for additional payments.

20 “(2) IMPACT ON EDUCATIONAL AWARD.—

21 “(A) AGREEMENT.—If the Corporation  
22 and the entity enter into the agreement, the  
23 Corporation shall calculate the total hours of  
24 service performed by a participant in the first  
25 and second national service programs for pur-

1           poses of determining whether the participant  
 2           has met the requirements of sections 139(b)  
 3           and 146(b).

4           “(B) NO AGREEMENT.—If the Corporation  
 5           and the entity fail to enter into an agreement,  
 6           the Corporation shall, under section  
 7           139(c)(1)(B), release each participant in the  
 8           first national service program from completing  
 9           the term of service involved.”.

10 **SEC. 111. SENIOR TRAINING PROGRAMS AND PROGRAMS**  
 11 **OF NATIONAL SIGNIFICANCE.**

12           (a) IN GENERAL.—Subtitle H of title I of the Na-  
 13 tional and Community Service Act of 1990 (42 U.S.C.  
 14 12653 et seq.) is amended by adding at the end the fol-  
 15 lowing:

16 **“SEC. 198E. SENIOR TRAINING PROGRAMS.**

17           “(a) IN GENERAL.—The Corporation, acting through  
 18 the Director of the National Senior Volunteer Corps, may  
 19 make grants to local organizations to provide training and  
 20 outreach to individuals who are age 55 or older and wish  
 21 to participate in activities under title II of the Domestic  
 22 Volunteer Service Act of 1973 (42 U.S.C. 5000 et seq.).

23           “(b) PLANS.—To be eligible to receive a grant under  
 24 this section, a local organization shall submit a plan to

1 the Corporation at such time, in such manner, and con-  
2 taining such information as the Corporation may require.

3 “(c) USE OF FUNDS.—A local organization that re-  
4 ceives a grant under subsection (a) may use the funds  
5 made available through the grant to provide training and  
6 outreach to individuals described in subsection (a) with re-  
7 spect to physical and mental health, nutrition, caregiving,  
8 child development and psychology, child abuse, and edu-  
9 cation.

10 “(d) EVALUATION AND REPORT.—

11 “(1) EVALUATION.—The Corporation may re-  
12 serve not more than \$1,000,000 of the funds appro-  
13 priated under subsection (f) to evaluate the activities  
14 carried out under this section.

15 “(2) REPORT.—The Corporation shall submit a  
16 report to Congress containing the results of the eval-  
17 uation.

18 “(e) STUDY AND REPORT.—

19 “(1) STUDY.—The Comptroller General of the  
20 United States shall conduct a study of the types of  
21 training programs carried out under this section.

22 “(2) REPORT.—The Comptroller General of the  
23 United States shall submit a report to Congress con-  
24 taining the results of the study and recommenda-  
25 tions concerning areas in which additional training

1 programs are needed for individuals described in  
2 subsection (a).

3 “(f) AUTHORIZATION OF APPROPRIATIONS.—There  
4 is authorized to be appropriated to carry out this section  
5 \$15,000,000 for each of fiscal years 2003 through 2007.

6 **“SEC. 198F. PROGRAMS OF NATIONAL SIGNIFICANCE.**

7 “(a) IN GENERAL.—The Corporation may make  
8 grants, on a competitive basis, to eligible entities to carry  
9 out programs of national significance through demonstra-  
10 tion projects.

11 “(b) APPLICATIONS.—To be eligible to receive a  
12 grant under this section, an entity shall submit an applica-  
13 tion to the Corporation at such time, in such manner, and  
14 containing such information as the Corporation may re-  
15 quire.

16 “(c) USE OF FUNDS.—An entity that receives a grant  
17 under this section shall use the funds made available  
18 through the grant to carry out a program that provides  
19 opportunities for individuals to perform service to meet  
20 unmet national, State, or local needs, including needs con-  
21 cerning education (including tutoring and mentoring),  
22 public safety, health and human services, the environment,  
23 at-risk youth, and child development.

24 “(d) EVALUATION AND REPORT.—

1           “(1) EVALUATION.—The Corporation may re-  
2           serve not more than \$1,000,000 of the funds appro-  
3           priated under subsection (e) to evaluate the activi-  
4           ties carried out under this section.

5           “(2) REPORT.—The Corporation shall submit a  
6           report to Congress containing the results of the eval-  
7           uation.

8           “(e) AUTHORIZATION OF APPROPRIATIONS.—There  
9           is authorized to be appropriated to carry out this section  
10          \$25,000,000 for each of fiscal years 2003 through 2007.

11          **“SEC. 198G. SILVER SCHOLARSHIPS.**

12          “(a) GRANTS TO NATIONAL AND STATE ORGANIZA-  
13          TIONS.—

14                 “(1) IN GENERAL.—The Corporation may make  
15                 grants, on a competitive basis, to eligible national  
16                 and State organizations to enable the organizations  
17                 to assist eligible local groups in carrying out service  
18                 programs with senior volunteers.

19                 “(2) ELIGIBLE ORGANIZATIONS.—To be eligible  
20                 to receive a grant under this subsection, an organi-  
21                 zation shall be a public agency, or a nonprofit pri-  
22                 vate organization, that is—

23                         “(A) a consortium of groups (which may  
24                         be a consortium of small and faith-based  
25                         groups) within a State;

1           “(B) a national organization (which may  
2           be a faith-based group) that operates in mul-  
3           tiple States;

4           “(C) an organization receiving funds under  
5           section 121, or under title II of the Domestic  
6           Volunteer Service Act of 1973 (42 U.S.C. 5000  
7           et seq.);

8           “(D) an Indian tribe; or

9           “(E) a territory.

10           “(3) APPLICATION.—To be eligible to receive a  
11           grant under this subsection, an organization shall  
12           submit an application to the Corporation at such  
13           time, in such manner, and containing such informa-  
14           tion as the Corporation may require.

15           “(4) DEFINITION.—In this subsection, the term  
16           ‘territory’ means the District of Columbia, the Com-  
17           monwealth of Puerto Rico, the United States Virgin  
18           Islands, Guam, American Samoa, the Common-  
19           wealth of the Northern Mariana Islands, the Repub-  
20           lic of the Marshall Islands, the Federated States of  
21           Micronesia, and the Republic of Palau.

22           “(b) GRANTS TO LOCAL GROUPS.—

23           “(1) IN GENERAL.—An organization that re-  
24           ceives a grant under subsection (a) shall use the  
25           funds made available through the grant to make

1 grants to eligible local groups to assist the groups in  
2 carrying out service programs with senior volunteers.

3 “(2) ELIGIBLE GROUPS.—To be eligible to re-  
4 ceive a grant under paragraph (1), a group shall be  
5 a public agency, or a nonprofit private organization.

6 “(3) APPLICATION.—To be eligible to receive a  
7 grant under this subsection, a group shall submit an  
8 application to the organization described in para-  
9 graph (1) at such time, in such manner, and con-  
10 taining such information as the organization may re-  
11 quire.

12 “(4) USE OF FUNDS.—

13 “(A) IN GENERAL.—A group that receives  
14 a grant under paragraph (1) shall use the funds  
15 made available through the grant to carry out  
16 tutoring and mentoring service programs with  
17 senior volunteers, including providing awards  
18 (to be known as ‘Silver Scholarships’) to the  
19 volunteers.

20 “(B) ELIGIBLE INDIVIDUALS.—To be eligi-  
21 ble to participate in such a program and receive  
22 a Silver Scholarship, an individual shall—

23 “(i) be age 55 or older; and

1                   “(ii) agree to tutor or mentor elemen-  
2                   tary school or secondary school students  
3                   for not less than 500 hours per year.

4                   “(C) SCHOLARSHIPS.—The group shall  
5                   award the Silver Scholarships in amounts of  
6                   \$1,000.

7                   “(D) USE OF SCHOLARSHIPS.—A senior  
8                   volunteer who receives a Silver Scholarship shall  
9                   deposit the funds made available through the  
10                  scholarship in an education individual retire-  
11                  ment account under section 530 of the Internal  
12                  Revenue Code of 1986 and designate a child  
13                  (which may be the child or grandchild of the  
14                  volunteer) to be the designated beneficiary of  
15                  the account.

16                  “(E) TREATMENT OF SCHOLARSHIPS AND  
17                  PAYMENTS.—Section 418 of the Domestic Vol-  
18                  unteer Service Act of 1973 (42 U.S.C. 5058)  
19                  shall apply to scholarships and payments made  
20                  under this section to senior volunteers.

21                  “(c) AUTHORIZATION OF APPROPRIATIONS.—There  
22                  is authorized to be appropriated to carry out this section  
23                  \$10,000,000 for each of fiscal years 2003 through 2007.

1 **“SEC. 198H. VOUCHER PROGRAM.**

2       “(a) IN GENERAL.—The Corporation may establish  
3 a demonstration program under which the Corporation  
4 may provide vouchers to eligible individuals to enable the  
5 individuals to participate in national service projects with  
6 eligible organizations.

7       “(b) AUTHORIZATION OF APPROPRIATIONS.—There  
8 is authorized to be appropriated to carry out this section  
9 a total of \$1,000,000 for fiscal years 2003 and 2004.”.

10       (b) CONFORMING AMENDMENTS.—The table of con-  
11 tents in section 1(b) of the National and Community Serv-  
12 ice Act of 1990 (42 U.S.C. prec. 12501) is amended by  
13 inserting after the item relating to section 198D the fol-  
14 lowing:

“Sec. 198E. Senior training programs.

“Sec. 198F. Programs of national significance.

“Sec. 198G. Silver scholarships.

“Sec. 198H. Voucher program.”.

15 **SEC. 112. AUTHORIZATION OF APPROPRIATIONS.**

16       Section 501(a)(2) of the National and Community  
17 Service Act of 1990 (42 U.S.C. 12681(a)(2)) is amended  
18 to read as follows:

19               “(2) SUBTITLES C, D, AND H.—

20                       “(A) IN GENERAL.—There are authorized  
21                       to be appropriated—

1           “(i) such sums as may be necessary  
2           for each of fiscal years 2003 through  
3           2011—

4                   “(I) to provide financial assist-  
5                   ance under subtitles C and H of title  
6                   I (other than sections 126(c), and sec-  
7                   tions 198E through 198H) and to  
8                   provide national service educational  
9                   awards under subtitle D of title I (in-  
10                  cluding providing financial assistance  
11                  and national service educational  
12                  awards to participants in national  
13                  service positions, increased as pro-  
14                  vided in section 129(f)); and

15                   “(II) to carry out such audits  
16                   and evaluations as the Chief Execu-  
17                   tive Officer or the Inspector General  
18                   of the Corporation may determine to  
19                   be necessary; and

20                   “(ii) to provide financial assistance  
21                  under section 126(c) \$100,000,000 for  
22                  each of fiscal years 2003 through 2011.

23                  “(B) PROGRAMS.—Of the amount appro-  
24                  priated under subparagraph (A) for a fiscal  
25                  year, up to 15 percent shall be made available

1 to provide financial assistance under section  
2 125, under section 126(b), and under subtitle  
3 H of title I.”.

4 **Subtitle B—Domestic Volunteer**  
5 **Service Act of 1973**

6 **SEC. 121. STATEMENT OF PURPOSES.**

7 Paragraphs (3) and (4) of section 200 of the Domes-  
8 tic Volunteer Service Act of 1973 (42 U.S.C. 5000) are  
9 amended by striking “low-income”.

10 **SEC. 122. RETIRED AND SENIOR VOLUNTEER PROGRAM.**

11 Section 201(a)(2) of the Domestic Volunteer Service  
12 Act of 1973 (42 U.S.C. 5001(a)(2)) is amended by strik-  
13 ing “, and individuals 60 years of age or older will be given  
14 priority for enrollment,”.

15 **SEC. 123. FOSTER GRANDPARENT PROGRAM.**

16 (a) **INCOME REQUIREMENTS.**—Section 211(a) of the  
17 Domestic Volunteer Service Act of 1973 (42 U.S.C.  
18 5011(a)) is amended, in the first sentence, by striking  
19 “low-income”.

20 (b) **AGE REQUIREMENTS.**—Section 211(a) of the Do-  
21 mestic Volunteer Service Act of 1973 (42 U.S.C. 5011(a))  
22 is amended, in the first sentence, by striking “aged sixty  
23 or over” and inserting “age 55 or older”.

1 (c) STIPENDS.—Section 211(d) of the Domestic Vol-  
2 unteer Service Act of 1973 (42 U.S.C. 5011(d)) is  
3 amended—

4 (1) in the first sentence—

5 (A) by striking “The” and inserting the  
6 following:

7 “(2) The”; and

8 (B) by inserting “for not less than 15  
9 hours per week” before “under this part”;

10 (2) in the second sentence—

11 (A) by redesignating paragraphs (1) and  
12 (2) as subparagraphs (A) and (B), respectively;

13 (B) by striking “Any” and all that follows  
14 through “five cents” and inserting the fol-  
15 lowing:

16 “(3) Effective October 1, 2002, any allowance or sti-  
17 pend provided under this subsection shall not be less than  
18 \$2.55 per hour. The allowance or stipend shall be adjusted  
19 not less than twice after October 1, 2002, and before Sep-  
20 tember 30, 2007, to account for inflation, as determined  
21 by the Director, and rounded to the nearest 5 cents”; and

22 (C) by striking “clause (i) of this excep-  
23 tion” and inserting “subparagraph (A)”;

24 (3) in the third sentence, by striking “In” and  
25 inserting the following:

1 “(4) In”;

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

3 “(5) Allowances, stipends, and other support received  
4 under this subsection shall not be included in gross income  
5 for purposes of the Internal Revenue Code of 1986.”; and

6 (5) by striking “(d)” and inserting the fol-  
7 lowing:

8 “(d)(1) The purpose of this subsection is, consistent  
9 with section 200(3), to enable individuals who are age 55  
10 or older and are low-income persons to engage in providing  
11 supportive, individualized services to children with excep-  
12 tional or special needs by defraying the costs associated  
13 with the services, including the costs of related transpor-  
14 tation, meals, clothing, and medication.”.

15 (d) LOW-INCOME PERSON.—Section 211(e) of the  
16 Domestic Volunteer Service Act of 1973 (42 U.S.C.  
17 5011(e)) is amended to read as follows:

18 “(e)(1) In this part, the term ‘low-income person’  
19 means a person who is from a family with an income that  
20 is not more than 200 percent of the poverty line.

21 “(2) The term ‘poverty line’ means the income official  
22 poverty line (as defined by the Office of Management and  
23 Budget, and revised annually in accordance with section  
24 673(2) of the Community Services Block Grant Act (42

1 U.S.C. 9902(2)) applicable to a family of the size in-  
 2 volved.”.

3 (e) STIPENDS.—Section 211(f) of the Domestic Vol-  
 4 unteer Service Act of 1973 (42 U.S.C. 5011(f)) is  
 5 amended—

6 (1) in paragraph (1)—

7 (A) in subparagraph (A), by striking “sub-  
 8 paragraphs (B) and (C)” and inserting “sub-  
 9 paragraph (B)”;

10 (B) by striking subparagraph (C);

11 (2) in paragraph (2)—

12 (A) in subparagraph (A), by striking  
 13 “(2)(A) Except as provided in subparagraph  
 14 (B), each” and inserting “(2) Each”; and

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

16 (3) in paragraph (3), by striking “such grant  
 17 or” and all that follows and inserting “such grant or  
 18 contract to solicit locally generated contributions, in  
 19 cash or in kind, to support such individuals. The Di-  
 20 rector may not coerce any applicant for, or recipient  
 21 of, such grant or contract to engage in conduct de-  
 22 scribed in the preceding sentence.”.

23 **SEC. 124. SENIOR COMPANION PROGRAM.**

24 (a) INCOME REQUIREMENTS.—Section 213(a) of the  
 25 Domestic Volunteer Service Act of 1973 (42 U.S.C.

1 5013(a)) is amended, in the first sentence, by striking  
2 “low-income”.

3 (b) AGE REQUIREMENTS.—Section 213(a) of the Do-  
4 mestic Volunteer Service Act of 1973 (42 U.S.C. 5013(a))  
5 is amended, in the first sentence, by striking “aged sixty  
6 or over” and inserting “age 55 or older”.

7 **SEC. 125. GENERAL PROVISIONS.**

8 Section 223 of the Domestic Volunteer Service Act  
9 of 1973 (42 U.S.C. 5023) is amended by striking “sixty  
10 years” and inserting “age 55”.

11 **SEC. 126. DATA COLLECTION AND REPORTING.**

12 Part D of title II of the Domestic Volunteer Service  
13 Act of 1973 (42 U.S.C. 5021 et seq.) is amended by add-  
14 ing at the end the following:

15 **“SEC. 228. DATA COLLECTION AND REPORTING.**

16 “(a) DATA COLLECTION.—The Director shall collect  
17 data with respect to the outcomes achieved by each of the  
18 programs carried out under parts A, B, and C.

19 “(b) REPORT.—The Director shall submit to Con-  
20 gress periodic reports containing analyses of the data col-  
21 lected under subsection (a).

22 “(c) RESERVATIONS.—The Director may reserve, for  
23 each fiscal year, not less than \$500,000—

24 “(1) of the funds appropriated under section  
25 502(a) to carry out the data collection and reporting

1 requirements described in this section with respect  
2 to the program carried out under part A;

3 “(2) of the funds appropriated under section  
4 502(b) to carry out such requirements with respect  
5 to the program carried out under part B; and

6 “(3) of the funds appropriated under section  
7 502(c) to carry out such requirements with respect  
8 to the program carried out under part C.”.

9 **SEC. 127. CONFORMING AMENDMENTS.**

10 (a) TABLE OF CONTENTS.—The table of contents in  
11 section 1(b) of the Domestic Volunteer Service Act of  
12 1973 (42 U.S.C. prec. 4950) is amended by inserting after  
13 the item relating to section 227 the following:

“Sec. 228. Data collection and reporting.”.

14 (b) ADMINISTRATION.—Section 404(e) of the Domes-  
15 tic Volunteer Service Act of 1973 (42 U.S.C. 5044(e)) is  
16 amended, in the second sentence, by striking “low-in-  
17 come”.

18 **SEC. 128. AUTHORIZATION OF APPROPRIATIONS.**

19 Section 502 of the Domestic Volunteer Service Act  
20 of 1973 (42 U.S.C. 5082) is amended by striking sub-  
21 sections (a) through (d) and inserting the following:

22 “(a) RETIRED AND SENIOR VOLUNTEER PRO-  
23 GRAM.—There are authorized to be appropriated to carry  
24 out part A of title II such sums as may be necessary for  
25 each of fiscal years 2003 through 2007.

1       “(b) FOSTER GRANDPARENT PROGRAM.—There are  
 2 authorized to be appropriated to carry out part B of title  
 3 II such sums as may be necessary for each of fiscal years  
 4 2003 through 2007.

5       “(c) SENIOR COMPANION PROGRAM.—There are au-  
 6 thorized to be appropriated to carry out part C of title  
 7 II such sums as may be necessary for each of fiscal years  
 8 2003 through 2007.

9       “(d) DEMONSTRATION PROGRAMS.—There are au-  
 10 thorized to be appropriated to carry out part E of title  
 11 II such sums as may be necessary for each of fiscal years  
 12 2003 through 2007.”.

### 13                   **Subtitle C—Miscellaneous**

#### 14   **SEC. 131. COMMUNITY SERVICE THROUGH GRANTS FOR** 15                   **FEDERAL WORK-STUDY PROGRAMS.**

16       (a) IN GENERAL.—Section 443(b)(2)(B) of the High-  
 17 er Education Act of 1965 (20 U.S.C. 2753(b)(2)(B)) is  
 18 amended to read as follows:

19                   “(B)(i) except as provided in clause (iii), of  
 20 the total amount of funds granted to an institu-  
 21 tion under this section for a fiscal year, an in-  
 22 stitution shall use, to compensate students em-  
 23 ployed in community service—

24                   “(I) for fiscal year 2003, not less than  
 25                   9 percent;

1           “(II) for fiscal year 2004, not less  
2           than 11 percent;

3           “(III) for fiscal year 2005, not less  
4           than 13 percent;

5           “(IV) for fiscal year 2006, not less  
6           than 15 percent;

7           “(V) for fiscal year 2007, not less  
8           than 17 percent;

9           “(VI) for fiscal year 2008, not less  
10          than 19 percent;

11          “(VII) for fiscal year 2009, not less  
12          than 21 percent;

13          “(VIII) for fiscal year 2010, not less  
14          than 23 percent; and

15          “(IX) for fiscal year 2011, not less  
16          than 25 percent;

17          “(ii) the institution shall ensure that not  
18          less than 1 tutoring or family literacy project  
19          (as described in subsection (d)) is included in  
20          meeting the requirements of clause (i); and

21          “(iii) the Secretary may waive clauses (i)  
22          and (ii) for an institution if the Secretary deter-  
23          mines that enforcing clauses (i) and (ii) would  
24          cause hardship for students at the institution;  
25          and”.

1 (b) REPORT.—Section 443 of the Higher Education  
2 Act of 1965 (20 U.S.C. 2753) is amended by adding at  
3 the end the following:

4 “(e) REPORT.—Not later than 60 days after the end  
5 of a fiscal year specified in subsection (b)(2)(B), the Sec-  
6 retary shall prepare and submit to Congress a report, with  
7 respect to the institutions of higher education that re-  
8 ceived assistance under this section for that fiscal year,  
9 containing—

10 “(1) a list of the institutions that failed to com-  
11 ply with the requirements of subsection (b)(2)(B) for  
12 that fiscal year;

13 “(2) a list of the institutions that complied with  
14 the requirements of that subsection for that fiscal  
15 year; and

16 “(3) a list of the institutions that exceeded the  
17 requirements of that subsection for that fiscal  
18 year.”.

19 (c) REGULATIONS.—Not later than 60 days after the  
20 date of enactment of the Call to Service Act of 2001, the  
21 Secretary of Education shall issue regulations specifying  
22 the means by which the Secretary shall enforce section  
23 443(b)(2)(B) of the Higher Education Act of 1965 (20  
24 U.S.C. 2753(b)(2)(B)).

1 **SEC. 132. EXCLUSION OF NATIONAL SERVICE EDU-**  
2 **CATIONAL AWARDS.**

3 (a) IN GENERAL.—Section 117 of the Internal Rev-  
4 enue Code of 1986 (relating to qualified scholarships) is  
5 amended by adding at the end the following:

6 “(e) QUALIFIED NATIONAL SERVICE EDUCATIONAL  
7 AWARDS.—

8 “(1) IN GENERAL.—Gross income for any tax-  
9 able year shall not include any qualified national  
10 service educational award.

11 “(2) QUALIFIED NATIONAL SERVICE EDU-  
12 CATIONAL AWARD.—For purposes of this  
13 subsection—

14 “(A) IN GENERAL.—The term ‘qualified  
15 national service educational award’ means any  
16 amount received by an individual in a taxable  
17 year as a national service educational award  
18 under section 148 of the National and Commu-  
19 nity Service Act of 1990 (42 U.S.C. 12604) to  
20 the extent (except as provided in subparagraph  
21 (C)) such amount does not exceed the qualified  
22 tuition and related expenses (as defined in sub-  
23 section (b)(2)) of the individual for such taxable  
24 year.

25 “(B) DETERMINATION OF EXPENSES.—  
26 The total amount of the qualified tuition and

1 related expenses (as so defined) which may be  
2 taken into account under subparagraph (A)  
3 with respect to an individual for the taxable  
4 year shall be reduced (after the application of  
5 the reduction provided in section 25A(g)(2)) by  
6 the amount of such expenses which were taken  
7 into account in determining the credit allowed  
8 to the taxpayer or any other person under sec-  
9 tion 25A with respect to such expenses.

10 “(C) EXCEPTION TO LIMITATION.—The  
11 limitation under subparagraph (A) shall not  
12 apply to any portion of a national service edu-  
13 cational award used by such individual to repay  
14 any student loan described in section 148(a)(1)  
15 of such Act or to pay any interest expense de-  
16 scribed in section 148(a)(4) of such Act.”.

17 (b) EFFECTIVE DATE.—The amendment made by  
18 this section shall apply to amounts received in taxable  
19 years beginning after December 31, 2002.

## 20 **TITLE II—MILITARY SERVICE**

### 21 **SEC. 201. BONUS FOR SHORT-TERM ENLISTMENT IN THE** 22 **ARMED FORCES.**

23 (a) AUTHORITY.—Chapter 5 of title 37, United  
24 States Code, is amended by adding at the end the fol-  
25 lowing new section:

1 **“§ 324. Short-term enlistment bonus**

2       “(a) BONUS AUTHORIZED; BONUS AMOUNT.—The  
3 Secretary of the military department concerned shall pay  
4 a bonus under this section to a person who completes en-  
5 listed service in an armed force in accordance with an  
6 agreement entered into under subsection (b). The amount  
7 of the bonus shall be \$18,000. The bonus shall be paid  
8 in one lump sum upon the completion of the service for  
9 the period covered by the agreement.

10       “(b) ELIGIBILITY; AGREEMENT.—To be eligible for  
11 a bonus under this section, a person—

12               “(1) may not have previously been a member of  
13 the armed forces;

14               “(2) shall enter into a written agreement with  
15 the Secretary of a military department—

16                       “(A) to perform enlisted service in an  
17 armed force under the jurisdiction of the Sec-  
18 retary for a period of three years, the first 18  
19 months of which shall be service on active duty  
20 and the last 18 months of which shall be service  
21 as a member of the Selected Reserve of the  
22 Ready Reserve of a reserve component of that  
23 armed force other than the Army National  
24 Guard of the United States and the Air Na-  
25 tional Guard of the United States; and



1 **“§ 1590. Employment of retired military personnel as**  
2 **instructors in basic training programs**

3 “(a) **AUTHORITY.**—The Secretary of a military de-  
4 partment may employ a member or former member of the  
5 armed forces in a retired status as an instructor in a basic  
6 training program of an armed force under the jurisdiction  
7 of the Secretary.

8 “(b) **SERVICE NOT IN MILITARY DUTY STATUS.**—A  
9 person employed under subsection (a) is not on active duty  
10 or performing inactive-duty training by reason of that em-  
11 ployment.

12 “(c) **RETIRED STATUS DEFINED.**—In this section,  
13 the term ‘retired status’, with respect to a member or  
14 former member of the armed forces, means that the mem-  
15 ber or former member—

16 “(1) is on a retired list of an armed force;

17 “(2) is entitled to receive retired or retainer  
18 pay; or

19 “(3) except for not having attained 60 years of  
20 age, would be entitled to receive retired pay upon  
21 application under chapter 1223 of this title.”.

22 (b) **CLERICAL AMENDMENT.**—The table of sections  
23 at the beginning of such chapter is amended by inserting  
24 after the item relating to section 1589 the following new  
25 item:

“1590. Employment of retired military personnel as instructors in basic training programs.”.

1 **SEC. 203. ENHANCEMENTS OF MONTGOMERY GI BILL.**

2 (a) INCREASE IN AMOUNT OF BASIC EDUCATIONAL  
3 ASSISTANCE.—(1) Subsection (a)(1) of section 3015 of  
4 title 38, United States Code, is amended by striking  
5 “\$650” and inserting “\$1,300”.

6 (2) Subsection (b)(1) of that section is amended by  
7 striking “\$528” and inserting “\$1,056”.

8 (3) The amendments made by this section shall take  
9 effect on the date of the enactment of this Act, and shall  
10 apply with respect to months beginning on or after that  
11 date.

12 (b) PERIOD OF REDUCTION IN BASIC PAY.—(1) Sec-  
13 tion 3011(b) of title 38, United States Code, is amended  
14 in the first sentence by striking “\$100 for each of the first  
15 twelve months” and inserting “\$50 for each of the first  
16 twenty-four months”.

17 (2) Section 3012(e) of that title is amended in the  
18 first sentence by striking “\$100 for each of the first twelve  
19 months” and inserting “\$50 for each of the first twenty-  
20 four months”.

21 (3) The amendments made by this section shall apply  
22 with respect to individuals who first become members of  
23 the Armed Forces, or first enter on active duty as mem-

1 bers of the Armed Forces, on or after the date of the en-  
 2 actment of this Act.

3 (c) USE OF ENTITLEMENT TO BASIC EDUCATIONAL  
 4 ASSISTANCE FOR CONTRIBUTIONS TO COVERDELL EDU-  
 5 CATION SAVINGS ACCOUNTS.—(1) Subchapter II of chap-  
 6 ter 30 of title 38, United States Code, is amended by add-  
 7 ing at the end the following new section:

8 **“§ 3020. Use of entitlement to basic educational as-**  
 9 **sistance for contributions to Coverdell**  
 10 **education savings accounts**

11 “(a) IN GENERAL.—An individual described in sub-  
 12 section (b) who is entitled to basic educational assistance  
 13 under this subchapter may elect to use such entitlement  
 14 to make contributions to a Coverdell education savings ac-  
 15 count under section 530 of the Internal Revenue Code of  
 16 1986 for any child of such individual who has not attained  
 17 the age of 18 years.

18 “(b) COVERED INDIVIDUALS.—An individual de-  
 19 scribed in this subsection is any individual entitled to basic  
 20 educational assistance under this subchapter who has  
 21 completed six years of service in the Armed Forces.

22 “(c) ELECTION.—(1) An individual electing to make  
 23 contributions under this section shall notify the Secretary  
 24 of the election in such form and manner as the Secretary  
 25 shall require.

1       “(2) The election of an individual under this sub-  
2 section shall apply with respect to the taxable year of the  
3 individual in which the election is made.

4       “(3) The notice of election of an individual under this  
5 subsection shall set forth the following:

6           “(A) The period of the taxable year of the indi-  
7 vidual.

8           “(B) Each designated beneficiary for whom  
9 contributions to a Coverdell education savings ac-  
10 count will be made under this section in that taxable  
11 year.

12           “(C) The amount to be contributed to the ac-  
13 count of each designated beneficiary under subpara-  
14 graph (B) in that taxable year.

15           “(D) An account identifier, and the trustee of  
16 account, of the account of each designated bene-  
17 ficiary under subparagraph (B).

18       “(4) The election of an individual under this sub-  
19 section for a taxable year is irrevocable in that taxable  
20 year.

21       “(d) LIMITATION ON YEARLY AMOUNT OF CON-  
22 TRIBUTION.—The amount specified by an individual under  
23 subsection (c)(3)(C) to be contributed to the Coverdell  
24 education savings account of a designated beneficiary  
25 under this section in a taxable year may not, when aggre-

1 gated with any other contributions previously made to the  
2 account in the taxable year, exceed the maximum amount  
3 of contributions permitted for the account for the taxable  
4 year under section 530 of the Internal Revenue Code of  
5 1986.

6       “(e) PAYMENT OF CONTRIBUTIONS.—Upon receiving  
7 notice of an election under subsection (c) with respect to  
8 contributions to the Coverdell education savings account  
9 of a designated beneficiary, the Secretary shall pay the  
10 trustee of the account, for deposit in the account to the  
11 credit of the designated beneficiary, an amount equal to  
12 the amount specified for the designated beneficiary in the  
13 notice.

14       “(f) TREATMENT OF PAYMENTS AGAINST ENTITLE-  
15 MENT.—The entitlement to basic educational assistance  
16 under this subchapter of an individual who makes a con-  
17 tribution to a Coverdell education savings account under  
18 this section shall be reduced by a number of months equal  
19 to the amount of such contribution divided by the monthly  
20 rate of educational assistance allowance payable to the in-  
21 dividual under section 3015 of this title at the time of  
22 payment of such contribution under this section.

23       “(g) REGULATION OF CONTRIBUTIONS.—Contribu-  
24 tions to a Coverdell education savings account under this

1 subsection shall be treated as contributions to the account  
2 under section 530 of the Internal Revenue Code of 1986.”.

3 (d) REPEAL OF TIME LIMITATION FOR USE OF ELI-  
4 GIBILITY AND ENTITLEMENT.—(1) Section 3031 of title  
5 38, United States Code, is repealed.

6 (2) Section 3018C(e)(3)(B) of that title is  
7 amended—

8 (A) by striking “(i)”; and

9 (B) by striking clause (ii).

10 (3) Section 16133(b) of title 10, United States Code,  
11 is amended in paragraphs (2) and (3) by inserting “, as  
12 in effect on the day before the date of the enactment of  
13 the Call to Service Act of 2001,” after “of title 38”.

14 (e) CLERICAL AMENDMENTS.—The table of sections  
15 at the beginning of chapter 30 of title 38, United States  
16 Code, is amended—

17 (1) by inserting after the item relating to sec-  
18 tion 3019 the following new item:

“3020. Use of entitlement to basic educational assistance for contributions to  
Coverdell education savings accounts.”;

19 and

20 (2) by striking the item relating to section  
21 3031.

1 **SEC. 204. IMPROVED ACCESS TO INSTITUTIONS OF HIGHER**  
2 **EDUCATION FOR MILITARY RECRUITING**  
3 **PURPOSES.**

4 (a) **REQUIREMENT FOR ACCESS.**—Section 503 of  
5 title 10, United States Code, is amended—

6 (1) by redesignating subsection (d) as sub-  
7 section (e); and

8 (2) by inserting after subsection (c) the fol-  
9 lowing new subsection (d):

10 “(d) **ACCESS TO COLLEGES AND UNIVERSITIES.**—(1)  
11 The head of each institution of higher education shall pro-  
12 vide to the Department of Defense, upon a request made  
13 for military recruiting purposes, the same access to stu-  
14 dents of that institution, and to directory information con-  
15 cerning such students, as is provided generally to prospec-  
16 tive employers of those students.

17 “(2) If access requested by paragraph (1) is denied  
18 by an institution of higher education, the Secretary of De-  
19 fense, in cooperation with the Secretary of the military  
20 department concerned, shall designate an officer in a  
21 grade not below the grade of colonel or, in the case of  
22 the Navy, captain, or a senior executive of that military  
23 department to meet with representatives of that institu-  
24 tion for the purpose of arranging for recruiting access.  
25 The designated officer or senior executive shall seek to

1 have that meeting within 120 days after the date of the  
2 denial of the request for recruiting access.

3       “(3) If, after a meeting under paragraph (2) with  
4 representatives of an institution of higher education that  
5 has denied a request for recruiting access or (if the institu-  
6 tion declines a request for the meeting) after the end of  
7 such 120-day period, the Secretary of Defense determines  
8 that the institution continues to deny recruiting access,  
9 the Secretary shall transmit to the chief executive of the  
10 State in which the institution is located a notification of  
11 the denial of recruiting access and a request for assistance  
12 in obtaining that access. The notification shall be trans-  
13 mitted within 60 days after the date of the determination.  
14 The Secretary shall provide to the Secretary of Education  
15 a copy of such notification and any other communication  
16 between the Secretary and that chief executive with re-  
17 spect to such access.

18       “(4) If an institution of higher education continues  
19 to deny recruiting access one year after the date of the  
20 transmittal of a notification regarding that institution  
21 under paragraph (3), the Secretary—

22               “(A) shall determine whether the institution de-  
23 nies recruiting access to at least two of the armed  
24 forces (other than the Coast Guard when it is not  
25 operating as a service in the Navy); and

1           “(B) upon making an affirmative determination  
2           under subparagraph (A), shall transmit a notifica-  
3           tion of the denial of recruiting access to—

4                   “(i) the specified congressional committees;

5                   “(ii) the Senators of the State in which the  
6           institution is located; and

7                   “(iii) the member of the House of Rep-  
8           resentatives who represents the district in which  
9           the institution is located.

10          “(5) The requirements of this subsection do not apply  
11          to an institution of higher education that maintains a reli-  
12          gious objection to service in the armed forces if the objec-  
13          tion is verifiable through the corporate or other organiza-  
14          tional documents or materials of that school.

15          “(6) In this subsection:

16                  “(A) The term ‘institution of higher education’  
17                  has the meaning given the term in section 101 of the  
18                  Higher Education Act of 1965 (20 U.S.C. 1001).

19                  “(B) The term ‘recruiting access’ means access  
20                  requested as described in paragraph (1).

21                  “(C) The term ‘senior executive’ has the mean-  
22                  ing given that term in section 3132(a)(3) of title 5.

23                  “(D) The term ‘State’ includes the District of  
24                  Columbia, the Commonwealth of Puerto Rico, the  
25                  Commonwealth of the Northern Mariana Islands,

1 Guam, the Virgin Islands, American Samoa, the  
2 Federated States of Micronesia, the Republic of the  
3 Marshall Islands, and the Republic of Palau.

4 “(E) The term ‘specified congressional commit-  
5 tees’ means the following:

6 “(i) The Committee on Armed Services  
7 and the Committee on Health, Education,  
8 Labor, and Pensions of the Senate.

9 “(ii) The Committee on Armed Services  
10 and the Committee on Education and the  
11 Workforce of the House of Representatives.

12 “(F) The term ‘member of the House of Rep-  
13 resentatives’ includes a Delegate or Resident Com-  
14 missioner to Congress.”.

15 (b) EFFECTIVE DATE.—Subsection (a) and the  
16 amendments made by that subsection shall take effect on  
17 July 1, 2002.

18 **SEC. 205. COMMISSION ON MILITARY RECRUITMENT AND**  
19 **NATIONAL SERVICE.**

20 (a) ESTABLISHMENT.—The Secretary of Defense and  
21 the Secretary of State shall jointly establish a Commission  
22 on Military Recruitment and National Service (hereafter  
23 in this section referred to as the “Commission”).

24 (b) DUTIES.—The Commission shall develop and  
25 evaluate various alternative means for increasing and

1 broadening the participation of the people of the United  
2 States—

3           (1) in all forms of service of the United States;

4           and

5           (2) in service in the Armed Forces in par-  
6           ticular, including participation in such service by  
7           graduates of colleges and universities.

8           (c) COMPOSITION.—(1) The Commission shall be  
9           composed of 9 members of whom—

10           (A) five shall be appointed by the Secretary of  
11           Defense; and

12           (B) four shall be appointed by the Secretary of  
13           State.

14           (2) The Secretary of Defense shall designate one of  
15           the members to serve as the Chairman of the Commission.

16           (3) The appointments of the members of the Commis-  
17           sion and the designation of the Chairman shall be made  
18           not later than 180 days after the date of the enactment  
19           of this Act.

20           (d) PERIOD OF APPOINTMENT; VACANCIES.—Mem-  
21           bers shall be appointed for the life of the Commission. Any  
22           vacancy in the Commission shall not affect its powers, but  
23           shall be filled in the same manner as the original appoint-  
24           ment.

1 (e) MEETINGS.—(1) The Commission shall meet at  
2 the call of the Chairman.

3 (2) The Commission shall hold its first meeting not  
4 later than 30 days after the date on which all members  
5 of the Commission have been appointed.

6 (f) QUORUM.—A majority of the members of the  
7 Commission shall constitute a quorum, but a lesser num-  
8 ber of members may hold hearings.

9 (g) REPORT.—(1) Not later than two years after the  
10 date of the enactment of this Act, the Commission shall  
11 submit to the Secretary of Defense and the Secretary of  
12 State a report which shall contain a detailed statement  
13 of the findings and conclusions of the Commission, to-  
14 gether with its recommendations for such legislation and  
15 administrative actions as it considers appropriate.

16 (2) Not later than 90 days after receiving the Com-  
17 mission's report, the Secretary of Defense and the Sec-  
18 retary of State shall jointly submit the report, together  
19 with any comments that either Secretary considers appro-  
20 priate, to the President and Congress.

21 (h) POWERS OF THE COMMISSION.—(1) The Com-  
22 mission may hold such hearings, sit and act at such times  
23 and places, take such testimony, and receive such evidence  
24 as the Commission considers advisable to carry out this  
25 Act.

1           (2) The Commission may secure directly from any de-  
2   partment or agency of the United States any information  
3   that the Commission considers necessary to carry out its  
4   duties. Upon the request of the Chairman of the Commis-  
5   sion, the head of a department or agency of the United  
6   States shall furnish the requested information to the Com-  
7   mission.

8           (3) The Commission may use the United States mails  
9   in the same manner and under the same conditions as  
10  other departments and agencies of the Federal Govern-  
11  ment.

12          (i) MEMBERS' PAY AND ALLOWANCES.—(1) Each  
13  member of the Commission who is not an officer or em-  
14  ployee of the Federal Government shall be compensated  
15  at a rate equal to the daily equivalent of the annual rate  
16  of basic pay prescribed for level IV of the Executive Sched-  
17  ule under section 5315 of title 5, United States Code, for  
18  each day (including travel time) during which such mem-  
19  ber is engaged in the performance of the duties of the  
20  Commission. All members of the Commission who are offi-  
21  cers or employees of the United States shall serve without  
22  compensation in addition to that received for their services  
23  as officers or employees of the United States.

24          (2) The members of the Commission shall be allowed  
25  travel expenses, including per diem in lieu of subsistence,

1 at rates authorized for employees of agencies under sub-  
2 chapter I of chapter 57 of title 5, United States Code,  
3 while away from their homes or regular places of business  
4 in the performance of services for the Commission.

5 (j) STAFF.—(1) The Chairman of the Commission  
6 may, without regard to the civil service laws and regula-  
7 tions, appoint and terminate an executive director and  
8 such other additional personnel as may be necessary to  
9 enable the Commission to perform its duties. The employ-  
10 ment of an executive director shall be subject to confirma-  
11 tion by the Commission.

12 (2) The Chairman of the Commission may fix the  
13 compensation of the executive director and other personnel  
14 without regard to chapter 51 and subchapter III of chap-  
15 ter 53 of title 5, United States Code, relating to classifica-  
16 tion of positions and General Schedule pay rates, except  
17 that the rate of pay for the executive director and other  
18 personnel may not exceed the rate payable for level V of  
19 the Executive Schedule under section 5316 of such title.

20 (3) Any Federal Government employee may be de-  
21 tailed to the Commission without reimbursement, and  
22 such detail shall be without interruption or loss of civil  
23 service status or privilege.

24 (4) The Chairman of the Commission may procure  
25 temporary and intermittent services under section 3109(b)

1 of title 5, United States Code, at rates for individuals  
2 which do not exceed the daily equivalent of the annual rate  
3 of basic pay prescribed for level V of the Executive Sched-  
4 ule under section 5316 of such title.

5 (k) TERMINATION OF COMMISSION.—The Commis-  
6 sion shall terminate 90 days after the date on which the  
7 Commission's is submitted to the President and Congress  
8 under subsection (g).

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