

Union Calendar No. 87

103D CONGRESS
1ST SESSION

H. R. 2010

[Report No. 103-1551]

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 24, 1993

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

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[Report No. 103-155]

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.

IN THE HOUSE OF REPRESENTATIVES

MAY 6, 1993

Mr. MARTINEZ (for himself, Mr. FORD of Michigan, Mr. OWENS, Mr. KILDEE, Mr. CLAY, Mr. MILLER of California, Mr. MURPHY, Mr. WILLIAMS, Mr. SAWYER, Mr. PAYNE of New Jersey, Mrs. UNSOELD, Mrs. MINK, Mr. ANDREWS of New Jersey, Mr. REED, Mr. ROEMER, Mr. ENGEL, Mr. BECERRA, Mr. SCOTT, Mr. GENE GREEN of Texas, Ms. WOOLSEY, Mr. ROMERO-BARCELÓ, Mr. KLINK, Ms. ENGLISH of Arizona, Mr. STRICKLAND, Mr. DE LUGO, Mr. FALEOMAVAEGA, Mr. BAESLER, Mr. UNDERWOOD, Mr. GUNDERSON, Mr. HOEKSTRA, Mr. MCCURDY, Mr. SHAYS, Mr. ABERCROMBIE, Mr. ACKERMAN, Mr. BACCHUS of Florida, Mr. BARLOW, Mr. BEILENSON, Mr. BEREUTER, Mr. BERMAN, Mr. BEVILL, Mr. BILBRAY, Mr. BLUTE, Mr. BOUCHER, Mr. BREWSTER, Mr. BROWDER, Mr. BRYANT, Mr. CARR, Mr. CHAPMAN, Mr. CLEMENT, Mr. COOPER, Mr. COPPERSMITH, Mr. COSTELLO, Mr. CRAMER, Mr. DARDEN, Mr. DEAL, Ms. DELAURO, Mr. DERRICK, Mr. DICKEY, Mr. DICKS, Mr. ENGLISH of Oklahoma, Ms. ESHOO, Mr. FAZIO, Mr. FIELDS of Louisiana, Mr. FILNER, Mr. FISH, Mr. FLAKE, Mr. FRANK of Massachusetts, Mr. PETE GEREN of Texas, Mr. GILMAN, Mr. GILLMOR, Mr. GORDON, Mr. HAYES, Mr. HEFNER, Mr. HINCHEY, Mr. HOCHBRUECKNER, Mr. HOLDEN, Mr. HORN, Mr. HOUGHTON, Mr. HOYER, Mr. HUGHES, Mr. JEFFERSON, Mr. JOHNSON of Georgia, Mr. KENNEDY, Mrs. KENNELLY, Mr. KLEIN, Mr. LAFALCE, Mr. LANCASTER, Mr. LANTOS, Mr. LAROCOCO, Mr. LAZIO, Mr. LEACH, Mr. LEWIS of Florida, Mr. LEWIS of Georgia, Mr. LIPINSKI, Mrs. LLOYD, Mrs. LOWEY, Mr. MCDERMOTT, Mr. MCHALE, Mr. MACHTLEY, Mrs. MALONEY, Mr. MANTON, Mr. MAZZOLI, Mr. MENENDEZ, Mr. MFUME, Mr. MOLLOHAN, Mr. MONTGOMERY, Mr. MORAN, Mrs. MORELLA, Mr. MURTHA, Mr. OBERSTAR, Mr. ORTON, Mr.

PAYNE of Virginia, Ms. PELOSI, Mr. PENNY, Mr. PETERSON of Minnesota, Mr. POSHARD, Mr. PRICE of North Carolina, Mr. RICHARDSON, Mr. ROSE, Ms. SCHENK, Mr. SERRANO, Ms. SHEPHERD, Mr. SKELTON, Mr. SLATTERY, Ms. SLAUGHTER, Ms. SNOWE, Mr. SPRATT, Mr. STOKES, Mr. STUDDS, Mr. STUPAK, Mr. SWETT, Mr. SWIFT, Mr. TANNER, Mr. TAUZIN, Mrs. THURMAN, Mr. TORKILDSEN, Mr. TORRES, Mr. UPTON, Ms. VELÁZQUEZ, Mr. VENTO, Mr. VOLKMER, Ms. WATERS, Mr. WATT, Mr. WAXMAN, Mr. WHEAT, and Mr. WISE) introduced the following bill; which was referred to the Committee on Education and Labor

JUNE 24, 1993

Additional sponsors: Mrs. CLAYTON, Mr. GLICKMAN, Mr. MATSUI, Mr. NADLER, Mr. PICKLE, Mr. THOMPSON of Mississippi, Mr. WYNN, Mr. STARK, Mr. MINETA, Mr. GEJDENSON, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BARCIA of Michigan, Mr. BONIOR, Mr. CARDIN, Mr. CONYERS, Mr. DELLUMS, Mr. DINGELL, Mr. DIXON, Mr. EDWARDS of California, Mr. FORD of Tennessee, Mr. GEPHARDT, Mr. GIBBONS, Mr. KANJORSKI, Ms. KAPTUR, Mr. KLECZKA, Mr. LEHMAN, Mr. LEVIN, Mr. McCLOSKEY, Mr. MARKEY, Mr. MEEHAN, Mr. MOAKLEY, Mr. NATCHER, Mr. NEAL of Massachusetts, Mr. OLVER, Mr. POMEROY, Ms. ROYBALLARD, Mr. SABO, Mr. SCHUMER, Mr. SMITH of Iowa, Mr. TORRICELLI, Mr. TUCKER, Mr. WYDEN, Mr. YATES, Mr. FINGERHUT, Mr. FROST, Mr. DEFazio, Mr. KOPETSKI, Miss COLLINS of Michigan, Mr. DURBIN, Mr. BISHOP, Mr. BROWN of California, Ms. BROWN of Florida, Mr. CLYBURN, Mr. FOGLIETTA, Ms. FURSE, Mr. GUTIERREZ, Mr. HAMILTON, Mr. HASTINGS, Mr. HILLIARD, Ms. LONG, Ms. MCKINNEY, Mrs. MEEK, Mr. NEAL of North Carolina, Ms. NORTON, Mr. PALLONE, Mr. PASTOR, Mr. RANGEL, Mr. ROWLAND, Mr. RUSH, Mr. SARPALIUS, Mr. BLACKWELL, Mr. BARCA of Wisconsin, Mr. BORSKI, Mr. FARR of California, Mr. HAMBURG, and Ms. MARGOLIES-MEZVINSKY

JUNE 24, 1993

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

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

[For text of introduced bill, see copy of bill as introduced on May 6, 1993]

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 “Na-*
 5 *tional Service Trust Act of 1993”.*

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

Sec. 105. Public Lands Corps.

Sec. 106. Urban Youth Corps.

Subtitle B—Related Provisions

Sec. 111. Definitions.

Sec. 112. Authority to make State grants.

Sec. 113. Family and medical leave.

Sec. 114. Reports.

Sec. 115. Nondiscrimination.

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

Sec. 117. Nondisplacement.

Sec. 118. Evaluation.

Sec. 119. Engagement of participants.

Sec. 120. Contingent extension.

Sec. 121. Repeals.

TITLE II—ORGANIZATION

Sec. 201. State Commissions on National Service.

Sec. 202. Interim authorities of the Corporation for National Service and ACTION Agency.

Sec. 203. Final authorities of the Corporation for National Service.

TITLE III—REAUTHORIZATION

Subtitle A—National and Community Service Act of 1990

Sec. 301. Authorization of appropriations.

Subtitle B—Domestic Volunteer Service Act of 1973

Sec. 311. Short title; references.

CHAPTER 1—VISTA AND OTHER ANTI-POVERTY PROGRAMS

- Sec. 321. Purpose of the VISTA program.*
Sec. 321A. Assistant Director for 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. Conditions of grants and contracts.
Sec. 347. Agreements with other Federal agencies.
Sec. 348. Minority group participation.
Sec. 349. Programs of national significance.
Sec. 350. Demonstration programs.

CHAPTER 3—ADMINISTRATION

- Sec. 361. Purpose of agency.*
Sec. 362. Authority of the Director.
Sec. 362A. Political activities.
Sec. 363. Compensation for volunteers.
Sec. 364. Repeal of report.
Sec. 365. Application of Federal law.
Sec. 366. Nondiscrimination provisions.
Sec. 367. Elimination of separate requirements for setting regulations.
Sec. 368. Clarification of role of Inspector General.
Sec. 369. Copyright protection.
Sec. 370. 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.

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 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 that transcend race, reli-
12 gion, disability, or region.

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

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

1 “(5) Nonprofit organizations, local governments,
2 States, and the Federal Government are already sup-
3 porting a wide variety of national service programs
4 that deliver needed services in a cost-effective manner.

5 “(6) Residents of low-income communities, espe-
6 cially youths and young adults in these communities,
7 can be empowered through their service to help pro-
8 vide future community leadership.

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

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

13 “(2) renew the ethic of civic responsibility and
14 the spirit of community throughout the United States;

15 “(3) expand educational opportunity by reward-
16 ing individuals who participate in national service
17 with an increased ability to pursue higher education
18 or job training;

19 “(4) encourage citizens of the United States, re-
20 gardless of age, income, or disability, to engage in
21 full-time or part-time national service;

22 “(5) reinvent government to eliminate duplica-
23 tion, support locally established initiatives, require
24 measurable goals for performance, and offer flexibility
25 in meeting those goals;

1 “(6) expand and strengthen existing service pro-
2 grams with demonstrated experience in providing
3 structured service opportunities with visible benefits
4 to the participants and community;

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

9 “(8) provide tangible benefits to the communities
10 in which national service is performed.”.

11 (b) *TABLE OF CONTENTS.*—Section 1(b) of the Na-
12 tional and Community Service Act of 1990 (Public Law
13 101–610; 104 Stat. 3127) is amended by striking the item
14 relating to section 2 and inserting the following new item:
 “Sec. 2. Findings and purpose.”.

15 **TITLE I—PROGRAMS AND**
16 **RELATED PROVISIONS**
17 **Subtitle A—Programs**

18 **SEC. 101. FEDERAL INVESTMENT IN SUPPORT OF NATIONAL**
19 **SERVICE.**

20 (a) *TRANSFER OF EXISTING SUBTITLE.*—Title I of the
21 National and Community Service Act of 1990 (42 U.S.C.
22 12501 et seq.) is amended—

23 (1) by redesignating subtitle C (42 U.S.C. 12653
24 et seq.) as subtitle I;

1 (2) by inserting subtitle I (as redesignated by
2 paragraph (1) of this subsection) after subtitle H; and
3 (3) by redesignating sections 120 through 136 as
4 sections 199 through 199O, respectively.

5 (b) *ASSISTANCE PROGRAM AUTHORIZED.*—Title I of
6 the National and Community Service Act of 1990 (42
7 U.S.C. 12501 et seq.) is amended by inserting after subtitle
8 B the following new subtitle:

9 **“Subtitle C—National Service Trust**
10 **Program**

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

12 **“SEC. 121. AUTHORITY TO PROVIDE ASSISTANCE AND AP-**
13 **PROVED NATIONAL SERVICE POSITIONS.**

14 “(a) *PROVISION OF ASSISTANCE.*—The Corporation
15 for National Service may make grants to States, subdivi-
16 sions of States, Indian tribes, public and private nonprofit
17 organizations, and institutions of higher education for the
18 purpose of assisting the recipients of the grants—

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

22 “(2) to make grants in support of other national
23 service programs described in section 122(a) that are
24 carried out by other entities.

1 “(b) *AGREEMENTS WITH FEDERAL AGENCIES.*—The
2 *Corporation may enter into a contract or cooperative agree-*
3 *ment with another Federal agency to support a national*
4 *service program carried out by the agency. The support pro-*
5 *vided by the Corporation pursuant to the contract or coop-*
6 *erative agreement may include the transfer to the Federal*
7 *agency of funds available to the Corporation under this sub-*
8 *title. A Federal agency receiving assistance under this sub-*
9 *section shall not be required to satisfy the matching funds*
10 *requirements specified in subsection (e). However, the*
11 *supplementation requirements specified in section 173 shall*
12 *apply with respect to the Federal national service programs*
13 *supported with such assistance. A Federal agency receiving*
14 *assistance under this subsection shall consult with the State*
15 *Commissions for those States in which projects will be con-*
16 *ducted in order to ensure that the projects do not duplicate*
17 *existing State or local programs.*

18 “(c) *PROVISION OF APPROVED NATIONAL SERVICE PO-*
19 *SITIONS.*—As part of the provision of assistance under sub-
20 *sections (a) and (b), the Corporation shall—*

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

1 “(2) deposit in the National Service Trust estab-
2 lished in section 145(a) an amount equal to the prod-
3 uct of—

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

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

8 “(d) FIVE PERCENT LIMITATION ON ADMINISTRATIVE
9 COSTS.—

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

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

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

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

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

23 “(B) that portion of the assistance available
24 to cover administrative costs should be distrib-
25 uted between—

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

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

6 “(e) MATCHING FUNDS REQUIREMENTS.—

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

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

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

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

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

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

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

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

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

24 “(2) *A full-time, year-round youth corps pro-*
25 *gram or full-time summer youth corps program, such*

1 *as a conservation corps or youth service corps (in-*
2 *cluding the Public Lands Corps established under the*
3 *Public Lands Corps Act of 1993, the Urban Youth*
4 *Corps established under section 106 of the National*
5 *Service Trust Act of 1993, and other conservation*
6 *corps or youth service corps that performs service on*
7 *Federal or other public lands or on Indian lands or*
8 *Hawaiian home lands), that—*

9 *“(A) undertakes meaningful service projects*
10 *with visible public benefits, including natural re-*
11 *source, urban renovation, or human services*
12 *projects;*

13 *“(B) includes as participants youths and*
14 *young adults between the ages of 16 and 25, in-*
15 *clusive, including out-of-school youths and other*
16 *disadvantaged youths (such as youths with lim-*
17 *ited basic skills, youths in foster care who are be-*
18 *coming too old for foster care, youths of limited*
19 *English proficiency, and homeless youths, and*
20 *youths with disabilities) who are between those*
21 *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) if consistent with the purposes of the*
22 *program, brings participants together for addi-*
23 *tional training and other activities designed to*
24 *foster civic responsibility, increase the skills of*

1 *participants, and improve the quality of the*
2 *service provided.*

3 “(5) *An individualized placement program that*
4 *includes regular group activities, such as leadership*
5 *training and special service projects.*

6 “(6) *A campus-based program that is designed to*
7 *provide substantial service in a community during*
8 *the school term and during summer or other vacation*
9 *periods through the use of—*

10 “(A) *students who are attending an institu-*
11 *tion of higher education, including students sup-*
12 *ported by work-study funds under part C of title*
13 *IV of the Higher Education Act of 1965 (42*
14 *U.S.C. 2751 et seq.);*

15 “(B) *teams composed of such students; or*

16 “(C) *teams composed of a combination of*
17 *such students and community residents.*

18 “(7) *A preprofessional training program in*
19 *which students enrolled in an institution of higher*
20 *education—*

21 “(A) *receive training in specified fields,*
22 *which may include classes containing service-*
23 *learning;*

24 “(B) *perform service related to such train-*
25 *ing outside the classroom during the school term*

1 *and during summer or other vacation periods;*
2 *and*

3 *“(C) agree to provide service upon gradua-*
4 *tion to meet unmet human, educational, environ-*
5 *mental, or public safety needs related to such*
6 *training.*

7 *“(8) A professional corps program that recruits,*
8 *trains, and places qualified participants in posi-*
9 *tions—*

10 *“(A) as teachers, nurses, police officers,*
11 *early childhood development staff, or other pro-*
12 *essionals providing service to meet educational,*
13 *human, environmental, or public safety needs in*
14 *communities with an inadequate number of such*
15 *professionals;*

16 *“(B) that may include a salary in excess of*
17 *the maximum living allowance authorized in*
18 *subsection (a)(3) of section 140, as provided in*
19 *subsection (c) of such section; and*

20 *“(C) that are sponsored by public or private*
21 *nonprofit employers who agree to pay 100 per-*
22 *cent of the salaries and benefits (other than any*
23 *national service educational award under sub-*
24 *title D) of the participants.*

1 “(9) A program in which economically disadvan-
2 taged individuals (including individuals with disabil-
3 ities) who are between the ages of 16 and 25 years of
4 age, inclusive, are provided with opportunities to per-
5 form service that, while enabling such individuals to
6 obtain the education and employment skills necessary
7 to achieve economic self-sufficiency, will help their
8 communities meet—

9 “(A) the housing needs of low-income fami-
10 lies and the homeless; and

11 “(B) the need for community facilities in
12 low-income areas.

13 “(10) A national service entrepreneur program
14 that identifies, recruits, and trains gifted young
15 adults of all backgrounds and assists them in design-
16 ing solutions to community problems.

17 “(11) An intergenerational program that com-
18 bines students, out-of-school youths, and older adults
19 as participants to provide needed community services,
20 including an intergenerational component for other
21 national service programs described in this sub-
22 section.

23 “(12) A program that is administered by a com-
24 bination of nonprofit organizations located in a low-
25 income area, provides a broad range of services to

1 *residents of such area, is governed by a board com-*
2 *posed in significant part of low-income individuals,*
3 *and is intended to provide opportunities for individ-*
4 *uals or teams of individuals to engage in community*
5 *projects in such area that meet unaddressed commu-*
6 *nity and individual needs, including projects that*
7 *would—*

8 *“(A) meet the needs of low-income children*
9 *and youth aged 18 and younger, such as provid-*
10 *ing after-school ‘safe-places’ with opportunities*
11 *for learning and recreation; or*

12 *“(B) be directed to other important*
13 *unaddressed needs in such area.*

14 *“(13) A community service program designed to*
15 *meet the needs of rural communities, using teams or*
16 *individual placements to address the development*
17 *needs of rural communities and to combat rural pov-*
18 *erty, including health care, education, and job train-*
19 *ing.*

20 *“(14) Such other national service programs ad-*
21 *dressing unmet human, educational, environmental,*
22 *or public safety needs as the Corporation may des-*
23 *ignate.*

24 *“(b) QUALIFICATION CRITERIA TO DETERMINE ELIGI-*
25 *BILITY.—*

1 “(1) *ESTABLISHMENT BY CORPORATION.*—The
2 *Corporation shall establish qualification criteria for*
3 *different types of national service programs for the*
4 *purpose of determining whether a particular national*
5 *service program should be considered to be a national*
6 *service program eligible to receive assistance or ap-*
7 *proved national service positions under this subtitle.*

8 “(2) *CONSULTATION.*—In establishing qualifica-
9 *tion criteria under paragraph (1), the Corporation*
10 *shall consult with organizations and individuals with*
11 *extensive experience in developing and administering*
12 *effective national service programs or regarding the*
13 *delivery of human, educational, environmental, or*
14 *public safety services to communities or persons.*

15 “(3) *APPLICATION TO SUBGRANTS.*—The quali-
16 *fication criteria established by the Corporation under*
17 *paragraph (1) shall also be used by each recipient of*
18 *assistance under section 121(a) that uses any portion*
19 *of the assistance to conduct a grant program to sup-*
20 *port other national service programs.*

21 “(4) *ENCOURAGEMENT OF INTERGENERATIONAL*
22 *COMPONENTS OF PROGRAMS.*—The Corporation shall
23 *encourage national service programs eligible to receive*
24 *assistance or approved national service positions*
25 *under this subtitle to establish, if consistent with the*

1 *purposes of the program, an intergenerational compo-*
2 *nent of the program that combines students, out-of-*
3 *school youths, and older adults as participants to pro-*
4 *vide services to address unmet human, educational,*
5 *environmental, or public safety needs.*

6 *“(c) NATIONAL SERVICE PRIORITIES.—*

7 *“(1) ESTABLISHMENT BY CORPORATION.—In*
8 *order to concentrate national efforts on meeting cer-*
9 *tain unmet human, educational, environmental, or*
10 *public safety needs and to achieve the other purposes*
11 *of this Act, the Corporation may establish, and peri-*
12 *odically alter, priorities regarding the types of na-*
13 *tional service programs to be assisted under section*
14 *121 and the purposes for which such assistance may*
15 *be used.*

16 *“(2) NOTICE TO APPLICANTS.—The Corporation*
17 *shall provide advance notice to potential applicants of*
18 *any national service priorities to be in effect under*
19 *this subsection for a fiscal year. The notice shall spe-*
20 *cifically include—*

21 *“(A) a description of any alteration made*
22 *in the priorities since the previous notice; and*

23 *“(B) a description of the national service*
24 *programs that are designated by the Corporation*
25 *under section 133(d)(2) as eligible for priority*

1 *consideration in the next competitive distribu-*
2 *tion of assistance under section 121(a).*

3 “(3) *APPLICATION TO SUBGRANTS.*—Any na-
4 *tional service priorities established by the Corporation*
5 *under this subsection shall also be used by each recip-*
6 *ient of funds under section 121(a) that uses any por-*
7 *tion of the assistance to conduct a grant program to*
8 *support other national service programs.*

9 **“SEC. 123. TYPES OF NATIONAL SERVICE POSITIONS ELIGI-**
10 **BLE FOR APPROVAL FOR NATIONAL SERVICE**
11 **EDUCATIONAL AWARDS.**

12 *“The Corporation may approve of any of the following*
13 *service positions as an approved national service position*
14 *that includes the national service educational award de-*
15 *scribed in subtitle D as one of the benefits to be provided*
16 *for successful service in the position:*

17 “(1) *A position for a participant in a national*
18 *service program described in section 122(a) that re-*
19 *ceives assistance under subsection (a) or (b) of section*
20 *121.*

21 “(2) *A position for a participant in a program*
22 *that—*

23 “(A) *is carried out by a State, a subdivi-*
24 *sion of a State, an Indian tribe, a public or pri-*

1 vate nonprofit organization, an institution of
2 higher education, or a Federal agency; and

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

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

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

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

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

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

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

22 “(a) *PLANNING ASSISTANCE.*—The Corporation may
23 provide assistance under section 121 to a qualified appli-
24 cant that submits an application under section 130 for the
25 planning of a national service program. Assistance pro-

1 *vided in accordance with this subsection may cover a period*
2 *of not more than 1 year.*

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

11 “(c) *REPLICATION ASSISTANCE.*—*The Corporation*
12 *may provide assistance under section 121 to a qualified ap-*
13 *plicant that submits an application under section 130 for*
14 *the expansion of a proven national service program to an-*
15 *other geographical location. Assistance provided in accord-*
16 *ance with this subsection may cover a period of not more*
17 *than 3 years, but may be renewed by the Corporation upon*
18 *consideration of a new application under section 130.*

19 “(d) *APPLICATION TO SUBGRANTS.*—*The requirements*
20 *of this section shall apply to any State or other applicant*
21 *receiving assistance under section 121 that proposes to con-*
22 *duct a grant program using the assistance to support other*
23 *national service programs.*

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

2 “(a) *TRAINING PROGRAMS.*—*The Corporation may*
3 *conduct, directly or by grant or contract, appropriate train-*
4 *ing programs regarding national service in order to—*

5 “(1) *improve the ability of national service pro-*
6 *grams assisted under section 121 to meet human, edu-*
7 *cational, environmental, or public safety needs in*
8 *communities—*

9 “(A) *where services are needed most; and*

10 “(B) *where programs do not currently exist*
11 *or are currently too limited to meet community*
12 *needs;*

13 “(2) *promote leadership development in such*
14 *programs;*

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

18 “(4) *develop the management and budgetary*
19 *skills of program operators; and*

20 “(5) *provide for or improve the training pro-*
21 *vided to the participants in such programs.*

22 “(b) *TECHNICAL ASSISTANCE.*—*The Corporation shall*
23 *make appropriate technical assistance available to States,*
24 *subdivisions of States, Federal agencies, Indian tribes, pub-*
25 *lic and private nonprofit organizations, and institutions of*
26 *higher education that desire—*

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

2 “(2) to apply for assistance under such section
3 or under a grant program conducted using assistance
4 provided under such section.

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

6 “(a) *SUPPORT FOR STATE COMMISSIONS.*—

7 “(1) *ASSISTANCE AUTHORIZED.*—Of the funds
8 appropriated to carry out this subtitle in each fiscal
9 year, not to exceed \$17,500,000 shall be available to
10 the Corporation to make assistance available to assist
11 a State to establish or operate the State Commission
12 on National Service required to be established by the
13 State under section 178.

14 “(2) *AMOUNT OF ASSISTANCE.*—Except as pro-
15 vided in paragraph (3), the amount of assistance that
16 may be provided to a State Commission under this
17 subsection, together with other Federal funds available
18 to establish or operate the State Commission, may not
19 exceed—

20 “(A) 85 percent of the total cost to establish
21 or operate the State Commission for the first
22 year for which the State Commission receives as-
23 sistance under this subsection; and

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

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

7 “(3) *MAXIMUM AMOUNT OF ASSISTANCE.*—*The*
8 *total amount of assistance that may be provided to a*
9 *State Commission under this subsection for a year*
10 *may not exceed \$500,000.*

11 “(b) *DISASTER SERVICE.*—*The Corporation may un-*
12 *dertake activities to involve youth corps programs described*
13 *in section 122(a)(2) and other programs that receive assist-*
14 *ance under the national service laws in relief efforts in re-*
15 *sponse to an emergency or major disaster declared by the*
16 *President under the Robert T. Stafford Disaster Relief and*
17 *Emergency Assistance Act (42 U.S.C. 5121 et seq.).*

18 “(c) *CHALLENGE GRANTS FOR NATIONAL SERVICE*
19 *PROGRAMS.*—

20 “(1) *ASSISTANCE AUTHORIZED.*—*The Corpora-*
21 *tion may make challenge grants under this subsection*
22 *to a national service program that receives assistance*
23 *under section 121. The Corporation shall develop cri-*
24 *teria for the selection of challenge grant recipients so*
25 *as to make the grants widely available to a variety*

1 of high-quality national service programs with dem-
2 onstrated experience in providing service opportuni-
3 ties with visible benefits to the participants and to the
4 community served.

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

15 **“PART II—APPLICATION AND APPROVAL**

16 **PROCESS**

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

20 “(a) ALLOTMENTS OF ASSISTANCE AND APPROVED PO-
21 SITIONS TO STATES AND INDIAN TRIBES.—

22 “(1) 33 $\frac{1}{3}$ PERCENT ALLOTMENT OF ASSISTANCE
23 TO CERTAIN STATES.—Of the funds allocated by the
24 Corporation for provision of assistance under sub-
25 sections (a) and (b) of section 121 for a fiscal year,

1 *the Corporation shall make a grant under section*
2 *121(a) (and a corresponding allotment of approved*
3 *national service positions) to each of the several*
4 *States, the District of Columbia, and the Common-*
5 *wealth of Puerto Rico that has an application ap-*
6 *proved by the Corporation under section 133. The*
7 *amount allotted as a grant to each such State under*
8 *this paragraph for a fiscal year shall be equal to the*
9 *amount that bears the same ratio to 33⅓ percent of*
10 *the allocated funds for that fiscal year as the popu-*
11 *lation of the State bears to the total population of the*
12 *several States, the District of Columbia, and the Com-*
13 *monwealth of Puerto Rico.*

14 “(2) ONE PERCENT ALLOTMENT FOR CERTAIN
15 TERRITORIES AND POSSESSIONS.—*Of the funds allo-*
16 *cated by the Corporation for provision of assistance*
17 *under subsections (a) and (b) of section 121 for a fis-*
18 *cal year, the Corporation shall reserve 1 percent of the*
19 *allocated funds for grants under section 121(a) to the*
20 *Virgin Islands of the United States, Guam, American*
21 *Samoa, and the Commonwealth of the Northern Mari-*
22 *ana Islands upon approval of an application by the*
23 *Corporation under section 133. Palau shall also be el-*
24 *igible for a grant under this paragraph from the al-*
25 *lotment until such time as the Compact of Free Asso-*

1 *ciation with Palau is ratified. The amount allotted as*
2 *a grant to each such territory or possession under this*
3 *paragraph for a fiscal year shall be equal to the*
4 *amount that bears the same ratio to 1 percent of the*
5 *allocated funds for that fiscal year as the population*
6 *of the territory or possession bears to the total popu-*
7 *lation of such territories and possessions.*

8 *“(3) ONE PERCENT ALLOTMENT FOR INDIAN*
9 *TRIBES.—Of the funds allocated by the Corporation*
10 *for provision of assistance under subsections (a) and*
11 *(b) of section 121 for a fiscal year, the Corporation*
12 *shall reserve 1 percent of the allocated funds for*
13 *grants under section 121(a) to Indian tribes, to be al-*
14 *lotted by the Corporation on a competitive basis in*
15 *accordance with their respective needs.*

16 *“(4) EFFECT OF FAILURE TO APPLY.—If a State*
17 *or Indian tribe fails to apply for, or fails to give no-*
18 *tice to the Corporation of its intent to apply for, an*
19 *allotment under this subsection, the Corporation shall*
20 *use the amount that would have been allotted under*
21 *this subsection to the State or Indian tribe—*

22 *“(A) to make grants (and provide approved*
23 *national service positions in connection with*
24 *such grants) to other eligible entities under sec-*
25 *tion 121 that propose to carry out national serv-*

1 *ice programs in the State or on behalf of the In-*
2 *dian tribe; and*

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

7 *“(b) RESERVATION OF APPROVED POSITIONS.—The*
8 *Corporation shall ensure that each individual selected dur-*
9 *ing a fiscal year for assignment as a VISTA volunteer*
10 *under title I of the Domestic Volunteer Service Act of 1973*
11 *(42 U.S.C. 4951 et seq.) or as a participant in the Civilian*
12 *Community Corps Demonstration Program under subtitle*
13 *E shall receive the national service educational award de-*
14 *scribed in subtitle D if the individual satisfies the eligibility*
15 *requirements for the award. Funds for approved national*
16 *service positions required by this paragraph for a fiscal*
17 *year shall be deducted from the total funding for approved*
18 *national service positions to be available for distribution*
19 *under subsections (a) and (d) for that fiscal year.*

20 *“(c) RESERVATION FOR SPECIAL ASSISTANCE.—Of the*
21 *funds appropriated under section 501(a)(2), and subject to*
22 *the limitation in that section, the Corporation may reserve*
23 *such amount as the Corporation considers to be appropriate*
24 *for the purpose of making assistance available under sec-*
25 *tions 125 and 126. However, the Corporation may not re-*

1 *serve more than \$10,000,000 for a fiscal year for challenge*
2 *grants under section 126(c).*

3 *“(d) COMPETITIVE DISTRIBUTION OF REMAINING*
4 *FUNDS AND APPROVED POSITIONS.—*

5 *“(1) STATE COMPETITION.—Of the funds allo-*
6 *cated by the Corporation for provision of assistance*
7 *under subsections (a) and (b) of section 121 for a fis-*
8 *cal year, the Corporation shall use not less than 33¹/₃*
9 *percent of the allocated funds to make grants to States*
10 *on a competitive basis under section 121(a).*

11 *“(2) FEDERAL AGENCIES AND OTHER APPLI-*
12 *CANTS.—The Corporation shall distribute on a com-*
13 *petitive basis to subdivisions of States, Indian tribes,*
14 *public and private nonprofit organizations (including*
15 *labor organizations), institutions of higher education,*
16 *and Federal agencies the remainder of the funds allo-*
17 *cated by the Corporation for provision of assistance*
18 *under section 121 for a fiscal year, after operation of*
19 *paragraph (1) and subsections (a) and (c). However,*
20 *the Corporation may not provide more than 1/3 of the*
21 *funds available for competitive distribution under this*
22 *paragraph for a fiscal year to Federal agencies under*
23 *section 121(b).*

24 *“(3) LIMITATIONS.—The Corporation may limit*
25 *the categories of eligible applicants for assistance*

1 *under paragraph (2) consistent with the priorities es-*
2 *tablished by the Corporation under section 133(d)(2).*

3 *“(e) APPLICATION REQUIRED.—The allotment of as-*
4 *stance and approved national service positions to a State*
5 *or Indian tribe under subsection (a), and the competitive*
6 *distribution of assistance and approved national service po-*
7 *sitions under subsection (d), shall be made by the Corpora-*
8 *tion only pursuant to an application submitted by a State*
9 *or other applicant under section 130 and approved by the*
10 *Corporation under section 133.*

11 *“(f) DISTRIBUTION OF APPROVED POSITIONS SUBJECT*
12 *TO AVAILABLE FUNDS.—The Corporation may not distrib-*
13 *ute approved national service positions under this section*
14 *for a fiscal year in excess of the number of such positions*
15 *for which the Corporation has sufficient available funds in*
16 *the National Service Trust for that fiscal year to satisfy*
17 *the maximum possible obligations to be incurred by the*
18 *United States to provide the national service educational*
19 *award corresponding to service in these positions.*

20 *“(g) SPONSORSHIP OF APPROVED NATIONAL SERVICE*
21 *POSITIONS.—*

22 *“(1) SPONSORSHIP AUTHORIZED.—The Corpora-*
23 *tion may enter into agreements with persons or enti-*
24 *ties who offer to sponsor national service positions for*
25 *which the person or entity will be responsible for sup-*

1 *plying the funds necessary to provide a national serv-*
2 *ice educational award. The distribution of these ap-*
3 *proved national service positions shall be made pur-*
4 *suant to the agreement, and the creation of these posi-*
5 *tions shall not be taken into consideration in deter-*
6 *mining the number of approved national service posi-*
7 *tions to be available for distribution under this sec-*
8 *tion.*

9 “(2) *DEPOSIT OF CONTRIBUTION.*—Funds pro-
10 *vided pursuant to an agreement under paragraph (1)*
11 *and any other funds contributed to the Corporation*
12 *to support the activities of the Corporation under the*
13 *national service laws shall be deposited in the Na-*
14 *tional Service Trust established in section 145 until*
15 *such time as the funds are needed.*

16 **“SEC. 130. APPLICATION FOR ASSISTANCE AND APPROVED**
17 **NATIONAL SERVICE POSITIONS.**

18 “(a) *TIME, MANNER, AND CONTENT OF APPLICA-*
19 *TION.*—To be eligible to receive assistance under section 121
20 *and approved national service positions for participants*
21 *who serve in the national service programs to be carried*
22 *out using the assistance, a State, subdivision of a State,*
23 *Indian tribe, public or private nonprofit organization, in-*
24 *stitution of higher education, or Federal agency shall pre-*
25 *pare and submit to the Corporation an application at such*

1 *time, in such manner, and containing such information as*
2 *the Corporation may reasonably require.*

3 “(b) *TYPES OF APPLICATION INFORMATION.—In order*
4 *to have adequate information upon which to consider an*
5 *application under section 133, the Corporation may require*
6 *the following information to be provided in an application*
7 *submitted under subsection (a):*

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

11 “(2) *A description of the national service pro-*
12 *grams that are selected by the applicant to receive a*
13 *grant from assistance requested under section 121 and*
14 *a description of the process and criteria by which the*
15 *programs were selected, unless such a process conflicts*
16 *with State or local law, regulation, or policy.*

17 “(3) *A description of other funding sources to be*
18 *used, or sought to be used, for the national service*
19 *programs referred to in paragraphs (1) and (2), and,*
20 *if the application is submitted for the purpose of seek-*
21 *ing a renewal of assistance, a description of the suc-*
22 *cess of the programs in not increasing their reliance*
23 *on funds provided under this Act.*

24 “(4) *A description of the extent to which the*
25 *projects to be conducted using the assistance will ad-*

1 *dress unmet human, educational, environmental, or*
2 *public safety needs and produce a direct benefit for*
3 *the community in which the projects are performed.*

4 “(5) A description of the plan to be used to re-
5 *recruit participants, including youth with disabilities*
6 *and economically disadvantaged youth, for the na-*
7 *tional service programs referred to in paragraphs (1)*
8 *and (2).*

9 “(6) A description of the manner in which the
10 *national service programs referred to in paragraphs*
11 *(1) and (2) build on existing programs, including*
12 *Federal programs.*

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

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

22 “(B) *in leadership positions in implement-*
23 *ing and evaluating the program.*

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

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

7 “(B) the service experience to be provided to
8 participants in the programs.

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

14 “(10) A description of the past experience of the
15 applicant in operating a comparable program or in
16 conducting a grant program in support of other com-
17 parable service programs.

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

24 “(12) A description of the manner and extent to
25 which participants, representatives of the community

1 *served, community-based agencies with a dem-*
2 *onstrated record of experience in providing services,*
3 *and labor organizations contributed to the develop-*
4 *ment of the national service programs referred to in*
5 *paragraphs (1) and (2), including the identity of the*
6 *individual representing each appropriate labor orga-*
7 *nization (if any) who was consulted and the nature*
8 *of the consultation.*

9 *“(13) Such other information as the Corporation*
10 *may reasonably require.*

11 *“(c) APPLICATION TO RECEIVE ONLY APPROVED NA-*
12 *TIONAL SERVICE POSITIONS.—*

13 *“(1) APPLICABILITY OF SUBSECTION.—This sub-*
14 *section shall apply in the case of an application in*
15 *which—*

16 *“(A) the applicant is not seeking assistance*
17 *under subsection (a) or (b) of section 121, but re-*
18 *quests national service educational awards for*
19 *individuals serving in service positions described*
20 *in section 123; or*

21 *“(B) the applicant requests national service*
22 *educational awards for service positions de-*
23 *scribed in section 123, but the positions are not*
24 *positions in a national service program de-*
25 *scribed in section 122(a) for which assistance*

1 *may be provided under subsection (a) or (b) of*
2 *section 121.*

3 “(2) *SPECIAL APPLICATION REQUIREMENTS.—*
4 *For the applications described in paragraph (1), the*
5 *Corporation shall establish special application re-*
6 *quirements in order to determine—*

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

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

17 “(d) *SPECIAL RULE FOR STATE APPLICANTS.—*

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

22 “(2) *COMPETITIVE SELECTION.—The application*
23 *of a State shall contain an assurance that all assist-*
24 *ance provided under section 121(a) to the State will*
25 *be used to support national service programs that*

1 *were selected by the State on a competitive basis. In*
2 *making such competitive selections, the State shall*
3 *seek to ensure the equitable allocation within the*
4 *State of assistance and approved national service po-*
5 *sitions provided under this subtitle to the State tak-*
6 *ing into consideration such factors as the location of*
7 *the programs applying to the State, population den-*
8 *sity, and economic distress.*

9 *“(3) ASSISTANCE TO NONSTATE ENTITIES.—The*
10 *application of a State shall also contain an assurance*
11 *that not less than 60 percent of the assistance will be*
12 *used to make grants in support of national service*
13 *programs other than national service programs car-*
14 *ried out by a State agency. The Corporation may*
15 *permit a State to deviate from the percentage speci-*
16 *fied by this subsection if the State has not received a*
17 *sufficient number of acceptable applications to com-*
18 *ply with the percentage.*

19 *“(e) SPECIAL RULE FOR CERTAIN APPLICANTS.—*

20 *“(1) WRITTEN CONCURRENCE.—In the case of a*
21 *program applicant that proposes to also serve as the*
22 *service sponsor, the application shall include the writ-*
23 *ten concurrence of any local labor organization rep-*
24 *resenting employees of the service sponsor who are en-*

1 *gaged in the same or substantially similar work as*
2 *that proposed to be carried out.*

3 *“(2) PROGRAM APPLICANT DEFINED.—For pur-*
4 *poses of this subsection, the term ‘program applicant’*
5 *means—*

6 *“(A) a State, subdivision of a State, Indian*
7 *tribe, public or private nonprofit organization,*
8 *institution of higher education, or Federal agen-*
9 *cy submitting an application under this section;*
10 *or*

11 *“(B) an entity applying for assistance or*
12 *approved national service positions through a*
13 *grant program conducted using assistance pro-*
14 *vided to a State, subdivision of a State, Indian*
15 *tribe, public or private nonprofit organization,*
16 *institution of higher education, or Federal agen-*
17 *cy under section 121.*

18 *“(f) LIMITATION ON SAME PROJECT IN MULTIPLE AP-*
19 *PLICATIONS.—The Corporation shall reject an application*
20 *submitted under this section if a project proposed to be con-*
21 *ducted using assistance requested by the applicant is al-*
22 *ready described in another application pending before the*
23 *Corporation.*

1 **“SEC. 131. NATIONAL SERVICE PROGRAM ASSISTANCE**
2 **REQUIREMENTS.**

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

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

13 *“(2) comply with the nonduplication and*
14 *nondisplacement requirements of section 177.*

15 *“(b) IMPACT ON PARTICIPANTS.—An application sub-*
16 *mitted under section 130 shall also include an assurance*
17 *by the applicant that any national service program carried*
18 *out by the applicant using assistance provided under sec-*
19 *tion 121 and any national service program supported by*
20 *a grant made by the applicant using such assistance will—*

21 *“(1) provide participants in the national service*
22 *program with the training, skills, and knowledge nec-*
23 *essary for the projects that participants are called*
24 *upon to perform; and*

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

4 “(A) *to those participants who are complet-*
5 *ing a term of service and making the transition*
6 *to other educational and career opportunities;*
7 *and*

8 “(B) *to those participants who are school*
9 *dropouts in order to assist those participants in*
10 *earning the equivalent of a high school diploma.*

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

17 “(1) *provide in the design, recruitment, and op-*
18 *eration of the program for broad-based input from—*

19 “(A) *the community served and potential*
20 *participants in the program; and*

21 “(B) *community-based agencies with a dem-*
22 *onstrated record of experience in providing serv-*
23 *ices and local labor organizations representing*
24 *employees of service sponsors, if these entities*
25 *exist in the area to be served by the program;*

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 by
5 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 funded
9 through a State, consult with and coordinate activi-
10 ties with the State Commission for the State in which
11 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 evaluation
17 of any national service program carried out
18 using assistance provided to the applicant under
19 section 121 or, with the approval of the Corpora-
20 tion, conduct an internal evaluation of the pro-
21 gram;

22 “(B) apply measurable performance goals
23 and evaluation methods (such as the use of sur-
24 veys of participants and persons served), which

1 are to be used as part of such evaluation to de-
2 termine the impact of the program—

3 “(i) on communities and persons
4 served by the projects performed by the pro-
5 gram;

6 “(ii) on participants who take part in
7 the projects; and

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

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

12 “(2) EVALUATION.—Subject to paragraph (3),
13 the Corporation shall develop evaluation criteria and
14 performance goals applicable to all national service
15 programs carried out with assistance provided under
16 section 121.

17 “(3) ALTERNATIVE EVALUATION REQUIRE-
18 MENTS.—The Corporation may establish alternative
19 evaluation requirements for national service programs
20 based upon the amount of assistance received under
21 section 121 or received by a grant made by a recipi-
22 ent of assistance under such section. The determina-
23 tion of whether a national service program is covered
24 by this paragraph shall be made in such manner as
25 the Corporation may prescribe.

1 “(e) *LIVING ALLOWANCES AND OTHER INSERVICE*
2 *BENEFITS.*—*Except as provided in section 140(c), an ap-*
3 *plication submitted under section 130 shall also include an*
4 *assurance by the applicant that the applicant will—*

5 “(1) *ensure the provision of a living allowance*
6 *and other benefits specified in section 140 to partici-*
7 *pants in any national service program carried out by*
8 *the applicant using assistance provided under section*
9 *121; and*

10 “(2) *require that each national service program*
11 *that receives a grant from the applicant using such*
12 *assistance will also provide a living allowance and*
13 *other benefits specified in section 140 to participants*
14 *in the program.*

15 “(f) *SELECTION OF PARTICIPANTS FROM INDIVIDUALS*
16 *RECRUITED BY CORPORATION OR STATE COMMISSIONS.*—
17 *The Corporation may also require an assurance by the ap-*
18 *plicant that any national service program carried out by*
19 *the applicant using assistance provided under section 121*
20 *and any national service program supported by a grant*
21 *made by the applicant using such assistance will select a*
22 *portion of the participants for the program from among*
23 *prospective participants recruited by the Corporation or*
24 *State Commissions under section 138(d). The Corporation*
25 *may specify a minimum percentage of participants to be*

1 *selected from the national leadership pool established under*
2 *section 138(e) and may vary the percentage for different*
3 *types of national service programs. In the case of programs*
4 *conducted by a State or subdivision of a State, the Corpora-*
5 *tion shall permit the State or subdivision to select only resi-*
6 *dents of that State if such a restrictive selection procedure*
7 *is necessary to comply with State or local law, regulation,*
8 *or policy.*

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

10 *“An application submitted to the Corporation under*
11 *section 130 shall include an assurance by the applicant that*
12 *any national service program carried out using assistance*
13 *provided under section 121 and any approved national*
14 *service position provided to an applicant will not be used*
15 *to perform service that provides a direct benefit to any—*

16 *“(1) business organized for profit;*

17 *“(2) labor union;*

18 *“(3) partisan political organization; or*

19 *“(4) organization engaged in religious activities,*
20 *unless such service does not involve the use of assist-*
21 *ance provided under section 121 or participants to*
22 *give religious instruction, conduct worship services, or*
23 *engage in any form of proselytization.*

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

2 “(a) *CORPORATION CONSIDERATION OF CERTAIN CRI-*
3 *TERIA.—The Corporation shall apply the criteria described*
4 *in subsections (c) and (d) in determining whether—*

5 “(1) *to approve an application submitted under*
6 *section 130 and provide assistance under section 121*
7 *to the applicant; and*

8 “(2) *to approve service positions described in the*
9 *application as national service positions that include*
10 *the national service educational award described in*
11 *subtitle D and provide such approved national service*
12 *positions to the applicant.*

13 “(b) *APPLICATION TO SUBGRANTS.—A State or other*
14 *entity that uses assistance provided under section 121(a)*
15 *to support national service programs selected on a competi-*
16 *tive basis to receive a share of the assistance shall use the*
17 *criteria described in subsections (c) and (d) when consider-*
18 *ing an application submitted by a national service program*
19 *to receive a portion of such assistance or an approved na-*
20 *tional service position. The application of the State or other*
21 *entity under section 130 shall contain a certification that*
22 *the State or other entity complied with these criteria in the*
23 *selection of national service programs to receive assistance.*

24 “(c) *ASSISTANCE CRITERIA.—The criteria required to*
25 *be applied in evaluating applications submitted under sec-*
26 *tion 130 are as follows:*

1 “(1) *The quality of the national service program*
2 *proposed to be carried out directly by the applicant*
3 *or supported by a grant from the applicant.*

4 “(2) *The innovative aspects of the national serv-*
5 *ice program, and the feasibility of replicating the pro-*
6 *gram.*

7 “(3) *The sustainability of the national service*
8 *program, based on evidence such as the existence—*

9 “(A) *of strong and broad-based community*
10 *support for the program; and*

11 “(B) *of multiple funding sources or private*
12 *funding for the program.*

13 “(4) *The quality of the leadership of the national*
14 *service program, the past performance of the program,*
15 *and the extent to which the program builds on exist-*
16 *ing programs.*

17 “(5) *The extent to which participants of the na-*
18 *tional service program are recruited from among resi-*
19 *dents of the communities in which projects are to be*
20 *conducted, and the extent to which participants and*
21 *community residents are involved in the design, lead-*
22 *ership, and operation of the program.*

23 “(6) *The extent to which projects would be con-*
24 *ducted in the following areas where they are needed*
25 *most—*

1 “(A) communities designated as enterprise
2 zones or redevelopment areas, targeted for special
3 economic incentives, or otherwise identifiable as
4 having high concentrations of low-income people;

5 “(B) areas that are environmentally dis-
6 tressed;

7 “(C) areas adversely affected by Federal ac-
8 tions related to the management of Federal lands
9 that result in significant regional job losses and
10 economic dislocation;

11 “(D) areas adversely affected by reductions
12 in defense spending or the closure or realignment
13 of military installations;

14 “(E) rural areas adversely affected by un-
15 fair trading practices of international competi-
16 tors of the United States; or

17 “(F) areas that have an unemployment rate
18 greater than the national average unemployment
19 for the most recent 12 months for which satisfac-
20 tory data are available.

21 “(7) In the case of applicants other than States,
22 the extent to which the application is consistent with
23 the application under section 130 of the State in
24 which the projects would be conducted.

1 “(8) *Such other criteria as the Corporation con-*
2 *siders to be appropriate.*

3 “(d) *OTHER CONSIDERATIONS.*—

4 “(1) *GEOGRAPHIC DIVERSITY.*—*The Corporation*
5 *shall ensure that recipients of assistance provided*
6 *under section 121 are geographically diverse and in-*
7 *clude projects to be conducted in those urban and*
8 *rural areas in a State with the highest rates of pov-*
9 *erty.*

10 “(2) *PRIORITIES.*—*The Corporation may des-*
11 *ignate, under such criteria as may be established by*
12 *the Corporation, certain national service programs or*
13 *types of national service programs described in sec-*
14 *tion 122(a) for priority consideration in the competi-*
15 *tive distribution of funds under section 129(d)(2). In*
16 *designating national service programs to receive pri-*
17 *ority, the Corporation may include—*

18 “(A) *national service programs carried out*
19 *by another Federal agency;*

20 “(B) *national service programs that con-*
21 *form to the national service priorities in effect*
22 *under section 122(c);*

23 “(C) *innovative national service programs;*

24 “(D) *national service programs that are*
25 *well established in one or more States at the time*

1 *of the application and are proposed to be ex-*
2 *anded to additional States using assistance*
3 *provided under section 121;*

4 “(E) *grant programs in support of other*
5 *national service programs if the grant programs*
6 *are to be conducted by nonprofit organizations*
7 *with a demonstrated and extensive expertise in*
8 *the provision of services to meet human, edu-*
9 *cational, environmental, or public safety needs;*
10 *and*

11 “(F) *professional corps programs described*
12 *in section 122(a)(8).*

13 “(e) *EMPHASIS ON AREAS MOST IN NEED.—In mak-*
14 *ing assistance available under section 121 and in providing*
15 *approved national service positions under section 123, the*
16 *Corporation shall ensure that not less than 50 percent of*
17 *the total amount of assistance to be distributed to States*
18 *under subsections (a) and (d)(1) of section 129 for a fiscal*
19 *year are provided to carry out or support national service*
20 *programs and projects that—*

21 “(1) *are conducted in areas of economic distress*
22 *described in subsection (c)(6) or on Federal or other*
23 *public lands to address unmet human, educational,*
24 *environmental, or public safety needs in such areas;*
25 *and*

1 “(2) *place a priority on the recruitment of par-*
2 *ticipants who are residents of areas of economic dis-*
3 *stress described in subsection (c)(6) or Federal or other*
4 *public lands.*

5 “(f) *REJECTION OF STATE APPLICATIONS.—*

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

12 “(2) *RESUBMISSION AND RECONSIDERATION.—*
13 *The Corporation shall provide a State Commission*
14 *notified under paragraph (1) with a reasonable op-*
15 *portunity to revise and resubmit the application. At*
16 *the request of the State Commission, the Corporation*
17 *shall provide technical assistance to the State Com-*
18 *mission as part of the resubmission process. The Cor-*
19 *poration shall promptly reconsider an application re-*
20 *submitted under this paragraph.*

21 “(3) *REALLOTMENT.—The amount of any State’s*
22 *allotment under section 129(a) for a fiscal year that*
23 *the Corporation determines will not be provided for*
24 *that fiscal year shall be available for distribution by*

1 “(d) *ASSISTANCE FOR DISTRESSED AREAS.*—The eval-
2 uating entity shall also determine the amount of assistance
3 provided under section 121 during the period covered by
4 the report that has been expended for projects conducted in
5 areas of economic distress described in section 133(c)(6).

6 “(e) *REPORT.*—The evaluating entity shall submit a
7 report containing the results of the evaluation to the Presi-
8 dent, the Congress, the Corporation, and each State Com-
9 mission.

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

11 “(1) The term ‘total income’ has the meaning
12 given that term in subsection (a) of the Higher Edu-
13 cation Act of 1965 (20 U.S.C. 1087vv).

14 “(2) The term ‘independent’ has the meaning
15 given that term in subsection (d) of such section.

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 serv-
2 ice specified in section 139 to be performed before,
3 during, or after attendance at an institution of higher
4 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, agrees to obtain a high school diploma or
9 its equivalent (unless this requirement is waived
10 based on an individual education assessment con-
11 ducted by the program) and the individual did not
12 drop out of an elementary or secondary school to en-
13 roll in the program, or is enrolled in an institution
14 of higher education on an ability to benefit basis and
15 is considered eligible for funds under section 484 of
16 the Higher Education Act of 1965 (20 U.S.C. 1091);
17 and

18 “(6) is a citizen or national of the United States
19 or lawful permanent resident alien of the United
20 States.

21 “(b) *SPECIAL RULES FOR CERTAIN YOUTH PRO-*
22 *GRAMS.*—An individual shall be considered to be a partici-
23 pant in a youth corps program described in section
24 122(a)(2) or a program described in section 122(a)(9) that

1 *is carried out with assistance provided under section 121(a)*
2 *if the individual—*

3 “(1) *satisfies the requirements specified in sub-*
4 *section (a), except paragraph (4) of such subsection;*
5 *and*

6 “(2) *is between the ages of 16 and 25, inclusive,*
7 *at the time the individual begins the term of service.*

8 **“SEC. 138. SELECTION OF NATIONAL SERVICE PARTICI-**
9 **PANTS.**

10 “(a) *SELECTION PROCESS.—Subject to subsections (b)*
11 *and (c) and section 131(f), the actual recruitment and selec-*
12 *tion of an individual to serve in a national service program*
13 *receiving assistance under section 121 or to fill an approved*
14 *national service position shall be conducted by the State,*
15 *subdivision of a State, Indian tribe, public or private non-*
16 *profit organization, institution of higher education, Federal*
17 *agency, or other entity to which the assistance and ap-*
18 *proved national service positions are provided.*

19 “(b) *NONDISCRIMINATION AND NONPOLITICAL SELEC-*
20 *TION OF PARTICIPANTS.—The recruitment and selection of*
21 *individuals to serve in national service programs receiving*
22 *assistance under section 121 or to fill approved national*
23 *service positions shall be consistent with the requirements*
24 *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 titles I and II of the Domestic Volunteer Service*
11 *Act of 1973 (42 U.S.C. 4951 et seq.). The Corporation and*
12 *State Commissions shall disseminate information regarding*
13 *available approved national service positions through co-*
14 *operation with secondary schools, institutions of higher edu-*
15 *cation, employment service offices, vocational rehabilitation*
16 *agencies and other State offices that serve primarily people*
17 *with disabilities, and other appropriate entities, particu-*
18 *larly those organizations that provide outreach to disadvan-*
19 *tagged youths and youths with disabilities.*

20 “(e) *NATIONAL LEADERSHIP POOL.*—

21 “(1) *SELECTION AND TRAINING.*—From among
22 *individuals recruited under subsection (d), the Cor-*
23 *poration may select individuals with significant lead-*
24 *ership potential, as determined by the Corporation, to*
25 *receive special training to enhance their leadership*

1 *ability. The leadership training shall be provided by*
2 *the Corporation directly or through a grant or con-*
3 *tract.*

4 “(2) *EMPHASIS ON CERTAIN INDIVIDUALS.—In*
5 *selecting individuals to receive leadership training*
6 *under this subsection, the Corporation shall make spe-*
7 *cial efforts to select individuals who have served in*
8 *the Peace Corps, as VISTA volunteers, as participants*
9 *in a program under title II of the Domestic Volunteer*
10 *Service Act of 1973 (42 U.S.C. 5000 et seq.), or as*
11 *participants in national service programs receiving*
12 *assistance under section 121, or who are honorably*
13 *discharged members of the Armed Forces of the Unit-*
14 *ed States.*

15 “(3) *ASSIGNMENT.—At the request of a program*
16 *that receives assistance under the national service*
17 *laws, the Corporation may assign an individual who*
18 *receives leadership training under paragraph (1) to*
19 *work with the program in a leadership position and*
20 *carry out assignments not otherwise performed by*
21 *regular participants. An individual assigned to a*
22 *program shall be considered to be a participant of the*
23 *program.*

24 “(f) *EVALUATION OF SERVICE.—The Chairperson shall*
25 *issue regulations regarding the manner and criteria by*

1 *which the service of a participant shall be evaluated to de-*
2 *termine whether the service is satisfactory and successful*
3 *for purposes of eligibility for a second term of service or*
4 *a national service educational award.*

5 ***“SEC. 139. TERMS OF SERVICE.***

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

11 *“(b) TERM OF SERVICE.—*

12 *“(1) FULL-TIME SERVICE.—An individual per-*
13 *forming full-time national service in an approved na-*
14 *tional service position shall agree to participate in*
15 *the program sponsoring the position for not less than*
16 *1,700 hours during a period of not less than 9 months*
17 *and not more than 1 year.*

18 *“(2) PART-TIME SERVICE.—Except as provided*
19 *in paragraph (3), an individual performing part-*
20 *time national service in an approved national service*
21 *position shall agree to participate in the program*
22 *sponsoring the position for not less than 1,700 hours*
23 *during a period of—*

24 *“(A) not less than 1 year and not more*
25 *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 institute of higher education while performing
4 all or a portion of the 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 sistance 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 FOR COMPELLING CIR-
25 CUMSTANCES.—If a participant eligible for release

1 *under paragraph (1)(A) is serving in an approved*
2 *national service position, the recipient of assistance*
3 *under section 121 or a program sponsoring an ap-*
4 *proved national service position may elect—*

5 *“(A) to grant such release and provide to*
6 *the participant that portion of the national serv-*
7 *ice educational award corresponding to the por-*
8 *tion of the term of service actually completed, as*
9 *provided in section 147(b); or*

10 *“(B) to permit the participant to tempo-*
11 *rarily suspend performance of the term of service*
12 *for a period of up to 2 years (and such addi-*
13 *tional period as the Corporation may allow for*
14 *extenuating circumstances) and, upon comple-*
15 *tion of such period, to allow return to the pro-*
16 *gram with which the individual was serving in*
17 *order to complete the remainder of the term of*
18 *service and obtain the entire national service*
19 *educational award.*

20 *“(3) EFFECT OF RELEASE FOR CAUSE.—A par-*
21 *ticipant released for cause may not receive any por-*
22 *tion of the national service educational award.*

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

25 *“(a) PROVISION OF LIVING ALLOWANCE.—*

1 “(1) *LIVING ALLOWANCE REQUIRED.*—Subject to
2 *paragraph (3), a national service program carried*
3 *out using assistance provided under section 121 shall*
4 *provide to each participant in the program a living*
5 *allowance in an amount equal or greater than the av-*
6 *erage annual subsistence allowance provided to*
7 *VISTA volunteers under section 105 of the Domestic*
8 *Volunteer Service Act of 1973 (42 U.S.C. 4955).*

9 “(2) *LIMITATION ON FEDERAL SHARE.*—The
10 *amount of the annual living allowance provided*
11 *under paragraph (1) that may be paid using assist-*
12 *ance provided under section 121 and using any other*
13 *Federal funds shall not exceed 85 percent of the total*
14 *average annual provided to VISTA volunteers under*
15 *section 105 of the Domestic Volunteer Service Act of*
16 *1973 (42 U.S.C. 4955).*

17 “(3) *MAXIMUM LIVING ALLOWANCE.*—Except as
18 *provided in subsection (c), the total amount of an an-*
19 *nual living allowance that may be provided to a par-*
20 *ticipant in a national service program shall not ex-*
21 *ceed 200 percent of the average annual subsistence al-*
22 *lowance provided to VISTA volunteers under section*
23 *105 of the Domestic Volunteer Service Act of 1973 (42*
24 *U.S.C. 4955).*

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

6 “(5) *WAIVER OR REDUCTION OF LIVING ALLOW-*
7 *ANCE.*—The Corporation may waive or reduce the re-
8 *quirement of paragraph (1) with respect to such na-*
9 *tional service program if it is demonstrated that to*
10 *provide the living allowance required by such para-*
11 *graph would cause undue hardship to such program.*

12 “(6) *EVALUATION OF LIVING ALLOWANCE.*—Not
13 *later than 2 years after the effective date of this sub-*
14 *section, the Corporation shall arrange for an inde-*
15 *pendent evaluation to determine the levels of living*
16 *allowances paid in all programs under this subtitle,*
17 *individually, by State, and by region. Such evalua-*
18 *tion shall determine the effects that such living allow-*
19 *ances have had on the ability of individuals to par-*
20 *ticipate in such programs.*

21 “(b) *COVERAGE OF CERTAIN EMPLOYMENT-RELATED*
22 *TAXES.*—To the extent a national service program that re-
23 *ceives assistance under section 121 is subject, with respect*
24 *to the participants in the program, to the taxes imposed*
25 *on an employer under sections 3111 and 3301 of the Inter-*

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

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

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

12 “(c) *EXCEPTION FROM MAXIMUM LIVING ALLOWANCE*
13 *FOR CERTAIN ASSISTANCE.—A professional corps program*
14 *described in section 122(a)(8) that desires to provide or ar-*
15 *range for a living allowance in excess of the maximum al-*
16 *lowance authorized in subsection (a)(3) may still apply for*
17 *such assistance, except that—*

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

21 “(2) *the applicant shall apply for such assistance*
22 *only by submitting an application to the Corporation*
23 *for assistance on a competitive basis; and*

24 “(3) *the national service program must be oper-*
25 *ated directly by the applicant and must meet urgent,*

1 *unmet human, educational, environmental, or public*
2 *safety needs, as determined by the Corporation.*

3 *“(d) HEALTH INSURANCE.—*

4 *“(1) IN GENERAL.—A State or other recipient of*
5 *assistance under section 121 shall provide a basic*
6 *health care policy for each full-time participant in a*
7 *national service program carried out or supported*
8 *using the assistance if the participant is not other-*
9 *wise covered by a health care policy. Not more than*
10 *85 percent of the cost of a premium shall be provided*
11 *by the Corporation, with the remaining cost paid by*
12 *the entity receiving assistance under section 121. The*
13 *Corporation shall establish minimum standards that*
14 *all plans must meet in order to qualify for payment*
15 *under this part, any circumstances in which an alter-*
16 *native health care policy may be substituted for the*
17 *basic health care policy, and mechanisms to prohibit*
18 *participants from dropping existing coverage.*

19 *“(2) NEUTRALITY.—Section 909 of the Edu-*
20 *cation Amendments of 1972 (20 U.S.C. 1688) shall*
21 *apply with respect to the minimum health care stand-*
22 *ards established by the Corporation under paragraph*
23 *(1) and the basic health care policy to be provided to*
24 *full-time participants under such section. These*
25 *standards shall not apply to a recipient of assistance*

1 *under section 121 or any national service program*
2 *carried out or supported using the assistance if the re-*
3 *recipient or program is controlled by a religious orga-*
4 *nization and application of the standards would not*
5 *be consistent with the religious tenets of the organiza-*
6 *tion.*

7 “(e) *CHILD CARE.*—

8 “(1) *AVAILABILITY.*—A State or other recipient
9 *of assistance under section 121 shall—*

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

16 “(B) *provide a child care allowance to each*
17 *full-time participant in a national service pro-*
18 *gram who needs such assistance in order to par-*
19 *ticipate in the program.*

20 “(2) *GUIDELINES.*—The Corporation shall estab-
21 *lish guidelines regarding the circumstances under*
22 *which child care must be made available under this*
23 *subsection and the value of any allowance to be pro-*
24 *vided.*

1 “(f) *INDIVIDUALIZED SUPPORT SERVICES.*—A State or
2 other recipient of assistance under section 121 shall provide
3 auxiliary aids and services based on the individualized need
4 of a participant who is a qualified individual with a dis-
5 ability.

6 “(g) *WAIVER OF LIMITATION ON FEDERAL SHARE.*—
7 The Corporation may waive in whole or in part the limita-
8 tion on the Federal share specified in this section with re-
9 spect to a particular national service program in any fiscal
10 year if the Corporation determines that such a waiver
11 would be equitable due to a lack of available financial re-
12 sources at the local level.

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

14 “(a) *ELIGIBILITY GENERALLY.*—A participant in a
15 national service program carried out using assistance pro-
16 vided to an applicant under section 121 shall be eligible
17 for the national service educational award described in sub-
18 title D if the participant—

19 “(1) serves in an approved national service posi-
20 tion; and

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

24 “(b) *SPECIAL RULE FOR VISTA VOLUNTEERS.*—A
25 VISTA volunteer who serves in an approved national serv-

1 *ice position shall be ineligible for a national service edu-*
 2 *cational award if the VISTA volunteer accepts the stipend*
 3 *authorized under section 105(a)(1) of the Domestic Volun-*
 4 *teer Service Act of 1973 (42 U.S.C. 4955(a)(1)).”.*

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—*

8 (1) *by striking the items relating to subtitle C of*
 9 *title I of such Act and inserting the following new*
 10 *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.

“Sec. 134. Evaluation of success of investment in national service.

“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.”;

11 *and*

1 (2) by inserting after the item relating to section
2 1950 the following new items:

“Subtitle I—American Conservation and Youth Corps

“Sec. 199. Short title.

“Sec. 199A. General authority.

“Sec. 199B. Allocation of funds.

“Sec. 199C. State application.

“Sec. 199D. Focus of programs.

“Sec. 199E. Related programs.

“Sec. 199F. Public lands or Indian lands.

“Sec. 199G. Training and education services.

“Sec. 199H. Amount of award; matching requirement.

“Sec. 199I. Preference for certain projects.

“Sec. 199J. Age and citizenship criteria for enrollment.

“Sec. 199K. Use of volunteers.

“Sec. 199L. Post-service benefits.

“Sec. 199M. Living allowance.

“Sec. 199N. Joint programs.

“Sec. 199O. Federal and State employee status.”.

3 (d) *LIVING ALLOWANCE UNDER SUBTITLE I.—Section*
4 *199M(a) of the National and Community Service Act of*
5 *1990 (former section 133(a) of such Act as redesignated in*
6 *subsection (a)(3) of this section) (42 U.S.C. 12553(a)) is*
7 *amended by striking paragraphs (1) and (2) and inserting*
8 *the following new paragraphs:*

9 “(1) *LIVING ALLOWANCE REQUIRED.—Subject to*
10 *paragraph (3), each participant in a full-time youth*
11 *corps program that receives assistance under this sub-*
12 *title shall receive a living allowance in an amount*
13 *equal or greater than the average annual subsistence*
14 *allowance provided to VISTA volunteers under section*
15 *105 of the Domestic Volunteer Service Act of 1973 (42*
16 *U.S.C. 4955).*

1 “(2) *LIMITATION ON FEDERAL SHARE.*—The
2 *amount of the annual living allowance provided*
3 *under paragraph (1) that may be paid using assist-*
4 *ance provided under this subtitle, section 121, and*
5 *any other Federal funds shall not exceed 85 percent*
6 *of the total average annual subsistence allowance pro-*
7 *vided to VISTA volunteers under section 105 of the*
8 *Domestic Volunteer Service Act of 1973 (42 U.S.C.*
9 *4955).*

10 “(3) *MAXIMUM LIVING ALLOWANCE.*—The total
11 *amount of an annual living allowance that may be*
12 *provided to a participant in a full-time youth corps*
13 *program that receives assistance under this subtitle*
14 *shall not exceed 200 percent of the average annual*
15 *subsistence allowance provided to VISTA volunteers*
16 *under section 105 of the Domestic Volunteer Service*
17 *Act of 1973 (42 U.S.C. 4955).*

18 “(4) *WAIVER OR REDUCTION OF LIVING ALLOW-*
19 *ANCE.*—The Corporation may waive or reduce the re-
20 *quirement of paragraph (1) with respect to such na-*
21 *tional service program if it is demonstrated that to*
22 *provide the living allowance required by such para-*
23 *graph would cause undue hardship to such program.*

24 “(5) *EVALUATION OF LIVING ALLOWANCE.*—Not
25 *later than 2 years after the effective date of this sub-*

1 *section, the Corporation shall arrange for an inde-*
2 *pendent evaluation to determine the levels of living*
3 *allowances paid in all programs under this subtitle,*
4 *individually, by State, and by region. Such evalua-*
5 *tion shall determine the effects that such living allow-*
6 *ances have had on the ability of individuals to par-*
7 *ticipate in such programs.”.*

8 *(e) TECHNICAL AND CONFORMING AMENDMENTS.—*

9 *(1) REFERENCES.—Subtitle I of title I of the*
10 *National and Community Service Act of 1990 (as so*
11 *redesignated by subsection (a)(1) of this section) is*
12 *amended by striking “Commission” each place it ap-*
13 *pears in sections 199A, 199B, 199C, 199D, 199F,*
14 *199H, 199I, 199M, and 199N (as redesignated in sub-*
15 *section (a)(3) of this section) and inserting “Corpora-*
16 *tion”.*

17 *(2) GENERAL AUTHORITY.—Section 199A of such*
18 *Act (as redesignated in subsection (a)(3) of this sec-*
19 *tion) (42 U.S.C. 12541) is amended—*

20 *(A) by striking “under section 102”; and*

21 *(B) by striking “, to the Secretary of the In-*
22 *terior, or to the Director of ACTION” and in-*
23 *serting “or to the Secretary of the Interior”.*

24 *(3) ALLOCATION.—Section 199B of such Act (as*
25 *redesignated in subsection (a)(3) of this section) (42*

1 U.S.C. 12542) is amended by striking “section 123”
2 each place it appears and inserting “section 199C”.

3 (4) *STATE APPLICATION.*—Section 199C(a) of
4 such Act (as redesignated in subsection (a)(3) of this
5 section) (42 U.S.C. 12543(a)) is amended by striking
6 “section 122(b)” and inserting “section 199B(b)”.

7 (5) *PUBLIC LANDS.*—Section 199F(b) of such Act
8 (as redesignated in subsection (a)(3) of this section)
9 (42 U.S.C. 12546(b)) is amended by striking “section
10 123” and inserting “section 199C”.

11 (6) *PREFERENCE.*—Section 199I(a) of such Act
12 (as redesignated in subsection (a)(3) of this section)
13 (42 U.S.C. 12549) is amended by striking “section
14 123” and inserting “section 199C”.

15 **SEC. 102. NATIONAL SERVICE TRUST AND PROVISION OF**
16 **NATIONAL SERVICE EDUCATIONAL AWARDS.**

17 (a) *ESTABLISHMENT OF TRUST; PROVISION OF*
18 *AWARDS.*—Subtitle D of title I of the National and Commu-
19 nity Service Act of 1990 (42 U.S.C. 12571 et seq.) is amend-
20 ed to read as follows:

1 **“Subtitle D—National Service Trust**
2 **and Provision of National Serv-**
3 **ice Educational Awards**

4 **“SEC. 145. ESTABLISHMENT OF THE NATIONAL SERVICE**
5 **TRUST.**

6 “(a) *ESTABLISHMENT.*—There is established in the
7 Treasury of the United States an account to be known as
8 the National Service Trust. The Trust shall consist of—

9 “(1) from the amounts appropriated to the Cor-
10 poration and made available to carry out this subtitle
11 pursuant to section 501(a)(2), such amounts as the
12 Corporation may designate to be available for the
13 payment of—

14 “(A) national service educational awards;
15 and

16 “(B) interest expenses pursuant to section
17 148(e);

18 “(2) any amounts received by the Corporation as
19 gifts, bequests, devise, or otherwise pursuant to section
20 196(a)(2); and

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

23 “(b) *INVESTMENT OF TRUST.*—It shall be the duty of
24 the Secretary of the Treasury to invest in full the amounts
25 appropriated to the Trust. Except as otherwise expressly

1 *provided in instruments concerning a gift, bequest, devise,*
2 *or other donation and agreed to by the Corporation, such*
3 *investments may be made only in interest-bearing obliga-*
4 *tions of the United States or in obligations guaranteed as*
5 *to both principal and interest by the United States. For*
6 *such purpose, such obligations may be acquired (1) on origi-*
7 *nal issue at the issue price, or (2) by purchase of outstand-*
8 *ing obligations at the marketplace. Any obligation acquired*
9 *by the Trust may be sold by the Secretary at the market*
10 *price.*

11 “(c) *EXPENDITURES FROM TRUST.*—Amounts in the
12 *Trust shall be available for payments of national service*
13 *educational awards in accordance with section 148.*

14 “(d) *REPORTS TO CONGRESS ON RECEIPTS AND EX-*
15 *PENDITURES.*—Not later than March 1 of each year, the
16 *Corporation shall submit a report to the Congress on the*
17 *financial status of the Trust during the preceding fiscal*
18 *year. Such report shall—*

19 “(1) *specify the amount deposited to the Trust*
20 *from the most recent appropriation to the Corpora-*
21 *tion, the amount received by the Corporation as gifts*
22 *or bequest during the period covered by the report,*
23 *and any amounts obtained by the Trust pursuant to*
24 *subsection (a)(3);*

1 “(2) identify the number of individuals who are
2 currently performing service to qualify, or have quali-
3 fied, for national service educational awards;

4 “(3) identify the number of individuals whose
5 ability to claim national service educational awards
6 during the period covered by the report—

7 “(A) has been reduced pursuant to section
8 147(b); or

9 “(B) has lapsed pursuant to section 146(d);
10 and

11 “(4) estimate the number of additional approved
12 national service positions which the Corporation will
13 be able to make available under subtitle C on the
14 basis of any accumulated surplus in the Trust above
15 the amount required to provide national service edu-
16 cational awards to individuals identified under para-
17 graph (2), including any amounts available as a re-
18 sult of the circumstances referred to in paragraph (3).

19 **“SEC. 146. INDIVIDUALS ELIGIBLE TO RECEIVE A NATIONAL**
20 **SERVICE EDUCATIONAL AWARD FROM THE**
21 **TRUST.**

22 “(a) *ELIGIBLE INDIVIDUALS.*—An individual shall re-
23 ceive a national service educational award from the Na-
24 tional Service Trust if the individual—

1 “(1) successfully completes the required term of
2 service described in subsection (b) in an approved na-
3 tional service position;

4 “(2) was 17 years of age or older at the time the
5 individual began serving in the approved national
6 service position or was an out-of-school youth serving
7 in an approved national service position with a youth
8 corps program described in section 122(a)(2) or a
9 program described in section 122(a)(9);

10 “(3) has received a high school diploma, or the
11 equivalent of such diploma, at the time the individual
12 uses the national service educational award, unless
13 this requirement has been waived based on an indi-
14 vidual education assessment conducted by the pro-
15 gram; and

16 “(4) is a citizen or national of the United States
17 or lawful permanent resident alien of the United
18 States.

19 “(b) *TERM OF SERVICE.*—The term of service for an
20 approved national service position shall not be less than
21 the full- or part-time term of service specified in section
22 139(b).

23 “(c) *LIMITATION ON NUMBER OF TERMS OF SERVICE*
24 *FOR AWARDS.*—Although an individual may serve more
25 than 2 terms of service described in subsection (b) in an

1 *approved national service position, the individual shall re-*
2 *ceive a national service educational award from the Na-*
3 *tional Service Trust only on the basis of the first and second*
4 *of such terms of service.*

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

6 *“(1) FIVE-YEAR REQUIREMENT.—An individual*
7 *eligible to receive a national service educational*
8 *award under this section may not use such award*
9 *after the end of the 5-year period beginning on the*
10 *date the individual completes the term of service in*
11 *an approved national service position that is the*
12 *basis of the award.*

13 *“(2) EXCEPTION.—The Corporation may extend*
14 *the period within which an individual may use a na-*
15 *tional service educational award if the Corporation*
16 *determines that the individual—*

17 *“(A) was unavoidably prevented from using*
18 *the national service educational award during*
19 *the original 5-year period; or*

20 *“(B) performed another term of service in*
21 *an approved national service position during*
22 *that period.*

23 *“(e) SUSPENSION OF ELIGIBILITY FOR DRUG-RELAT-*
24 *ED OFFENSES.—*

1 “(1) *IN GENERAL.*—An individual who, after
 2 qualifying under this section as an eligible individ-
 3 ual, has been convicted under any Federal or State
 4 law of the possession or sale of a controlled substance
 5 shall not be eligible to receive a national service edu-
 6 cational award during the period beginning on the
 7 date of such conviction and ending after the interval
 8 specified in the following table:

<i>“If convicted of:</i>	
<i>The possession of a controlled substance:</i>	<i>Ineligibility period is:</i>
<i>1st conviction</i>	<i>1 year</i>
<i>2nd conviction</i>	<i>2 years</i>
<i>3rd conviction</i>	<i>indefinite</i>
<i>The sale of a controlled substance:</i>	
<i>1st conviction</i>	<i>2 years</i>
<i>2nd conviction</i>	<i>indefinite</i>

9 “(2) *REHABILITATION.*—An individual whose
 10 eligibility has been suspended under paragraph (1)
 11 shall resume eligibility before the end of the period de-
 12 termined under such paragraph if the individual sat-
 13 isfactorily completes a drug rehabilitation program
 14 that complies with such criteria as the Corporation
 15 shall prescribe for purposes of this paragraph.

16 “(3) *FIRST CONVICTIONS.*—An individual whose
 17 eligibility has been suspended under paragraph (1)
 18 and is convicted of his or her first offense may resume
 19 eligibility before the end of the period determined
 20 under such paragraph if the student demonstrates
 21 that he or she has enrolled or been accepted for enroll-

1 *service position is released in accordance with section*
2 *139(c)(1)(A) from completing the term of service agreed to*
3 *by the individual, the Corporation may provide the individ-*
4 *ual with that portion of the national service educational*
5 *award approved for the individual that corresponds to the*
6 *quantity of the term of service actually completed by the*
7 *individual.*

8 ***“SEC. 148. DISBURSEMENT OF NATIONAL SERVICE EDU-***
9 ***CATIONAL AWARDS.***

10 *“(a) IN GENERAL.—Amounts in the Trust shall be*
11 *available—*

12 *“(1) to repay student loans in accordance with*
13 *subsection (b);*

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

17 *“(3) to pay expenses incurred in participating*
18 *in an approved school-to-work program in accordance*
19 *with subsection (d); and*

20 *“(4) to pay interest expenses in accordance with*
21 *regulations prescribed pursuant to subsection (e).*

22 *“(b) USE OF EDUCATIONAL AWARD TO REPAY OUT-*
23 *STANDING STUDENT LOANS.—*

24 *“(1) APPLICATION BY ELIGIBLE INDIVIDUALS.—*
25 *An eligible individual under section 146 who desires*

1 *to apply his or her national service educational*
2 *award to the repayment of qualified student loans*
3 *shall submit, in a manner prescribed by the Corpora-*
4 *tion, an application to the Corporation that—*

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

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

11 *“(C) specifies, if the outstanding balance is*
12 *greater than the amount disbursed under para-*
13 *graph (2), which of the loans the individual pre-*
14 *fers to be paid by the Corporation; and*

15 *“(D) contains or is accompanied by such*
16 *other information as the Corporation may re-*
17 *quire.*

18 *“(2) DISBURSEMENT OF REPAYMENTS.—Upon*
19 *receipt of an application from an eligible individual*
20 *of an application that complies with paragraph (1),*
21 *the Corporation shall, as promptly as practicable con-*
22 *sistent with paragraph (5), disburse the amount of*
23 *the national service educational award to which the*
24 *eligible individual is entitled. Such disbursement*
25 *shall be made by check or other means that is payable*

1 to the holder of the loan and requires the endorsement
2 or other certification by the eligible individual.

3 “(3) *APPLICATION OF DISBURSED AMOUNTS.*—If
4 the amount disbursed under paragraph (2) is less
5 than the principal and accrued interest on any quali-
6 fied student loan, such amount shall be applied ac-
7 cording to the specified priorities of the individual.

8 “(4) *REPORTS BY HOLDERS.*—Any holder receiv-
9 ing a loan payment pursuant to this subsection shall
10 submit to the Corporation such information as the
11 Corporation may require to verify that such payment
12 was applied in accordance with this subsection and
13 any regulations prescribed to carry out this sub-
14 section.

15 “(5) *NOTIFICATION OF INDIVIDUAL.*—The Cor-
16 poration upon disbursing the national service edu-
17 cational award, shall notify the individual of the
18 amount paid for each outstanding loan and the date
19 of payment.

20 “(6) *AUTHORITY TO AGGREGATE PAYMENTS.*—
21 The Corporation may, by regulation, provide for the
22 aggregation of payments to holders under this sub-
23 section.

1 “(7) *DEFINITION OF QUALIFIED STUDENT*
2 *LOANS.—As used in this subsection, the term ‘quali-*
3 *fied student loans’ means—*

4 “(A) *any loan made, insured, or guaranteed*
5 *pursuant to title IV of the Higher Education Act*
6 *of 1965 (20 U.S.C. 1070 et seq.), other than a*
7 *loan to a parent of a student pursuant to section*
8 *428B of such Act (20 U.S.C. 1078–2); and*

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

12 “(8) *DEFINITION OF HOLDER.—As used in this*
13 *subsection, the term ‘holder’ with respect to any eligi-*
14 *ble loan means the original lender or, if the loan is*
15 *subsequently sold, transferred, or assigned to some*
16 *other person, and such other person acquires a legally*
17 *enforceable right to receive payments from the bor-*
18 *rower, such other person.*

19 “(c) *USE OF EDUCATIONAL AWARDS TO PAY CURRENT*
20 *EDUCATIONAL EXPENSES.—*

21 “(1) *APPLICATION BY ELIGIBLE INDIVIDUAL.—*
22 *An eligible individual under section 146 who desires*
23 *to apply his or her national service educational*
24 *award to the payment of current full-time or part-*
25 *time educational expenses shall, on a form prescribed*

1 *by the Corporation, submit an application to the in-*
2 *stitution of higher education in which the student will*
3 *be enrolled that contains such information as the Cor-*
4 *poration may require to verify the individual's eligi-*
5 *bility.*

6 “(2) *SUBMISSION OF REQUESTS FOR PAYMENT*
7 *BY INSTITUTIONS.—An institution of higher education*
8 *that receives one or more applications that comply*
9 *with paragraph (1) shall submit to the Corporation*
10 *a statement, in a manner prescribed by the Corpora-*
11 *tion, that—*

12 “(A) *identifies each eligible individual fil-*
13 *ing an application under paragraph (1) for a*
14 *disbursement of the individual's national service*
15 *educational award under this subsection;*

16 “(B) *specifies the amounts for which such*
17 *eligible individuals are, consistent with para-*
18 *graph (6), qualified for disbursement under this*
19 *subsection;*

20 “(C) *certifies that (i) the institution of*
21 *higher education has in effect a program partici-*
22 *pation agreement under section 487 of the High-*
23 *er Education Act of 1965 (20 U.S.C. 1094), and*
24 *(ii) the institution's eligibility to participate in*
25 *any of the programs under title IV of such Act*

1 (20 U.S.C. 1070 et seq.) has not been limited,
2 suspended, or terminated; and

3 “(D) contains such provisions concerning fi-
4 nancial compliance as the Corporation may re-
5 quire.

6 “(3) *DISBURSEMENT OF PAYMENTS.*—Upon re-
7 ceipt of a statement from an institution of higher
8 education that complies with paragraph (2), the Cor-
9 poration shall, subject to paragraph (4), disburse the
10 total amount of the national service educational
11 awards for which eligible individuals who have sub-
12 mitted applications to that institution under para-
13 graph (1) are qualified. Such disbursement shall be
14 made by check or other means that is payable to the
15 institution and requires the endorsement or other cer-
16 tification by the eligible individual.

17 “(4) *MULTIPLE DISBURSEMENTS REQUIRED.*—
18 The total amount required to be disbursed to an insti-
19 tution of higher education under paragraph (3) for
20 any period of enrollment shall be disbursed by the
21 Corporation in 2 or more installments, none of which
22 exceeds $\frac{1}{2}$ of such total amount. The interval between
23 the first and second such installment shall not be less
24 than $\frac{1}{2}$ of such period of enrollment, except as nec-
25 essary to permit the second installment to be paid at

1 *the beginning of the second semester, quarter, or simi-*
2 *lar division of such period of enrollment.*

3 “(5) *REFUND RULES.*—*The Corporation shall, by*
4 *regulation, provide for the refund to the Corporation*
5 *(and the crediting to the national service educational*
6 *award of an eligible individual) of amounts disbursed*
7 *to institutions for the benefit of eligible individuals*
8 *who withdraw or otherwise fail to complete the period*
9 *of enrollment for which the assistance was provided.*
10 *Such regulations shall be consistent with the fair and*
11 *equitable refund policies required of institutions pur-*
12 *suant to section 484B of the Higher Education Act of*
13 *1965 (20 U.S.C. 1091b). Amounts refunded to the*
14 *Trust pursuant to this paragraph may be used by the*
15 *Corporation to fund additional approved national*
16 *service positions under subtitle C.*

17 “(6) *MAXIMUM AWARD.*—*The portion of an eligi-*
18 *ble individual’s total available national service edu-*
19 *cational award that may be disbursed under this sub-*
20 *section for any period of enrollment shall not exceed*
21 *the difference between—*

22 “(A) *the eligible individual’s cost of attend-*
23 *ance for such period of enrollment, determined in*
24 *accordance with section 472 of the Higher Edu-*
25 *cation Act of 1965 (20 U.S.C. 10871l); and*

1 “(B) the sum of (i) the student’s estimated
2 financial assistance for such period under part A
3 of title IV of such Act (20 U.S.C. 1070 et seq.),
4 and (ii) the student’s veterans’ education bene-
5 fits, determined in accordance with section
6 480(c) of such Act (20 U.S.C. 1087vv(c)).

7 “(d) *USE OF EDUCATIONAL AWARD TO PARTICIPATE*
8 *IN APPROVED SCHOOL-TO-WORK PROGRAMS.*—The Cor-
9 *poration shall by regulation provide for the payment of na-*
10 *tional service educational awards to permit eligible individ-*
11 *uals to participate in school-to-work programs approved by*
12 *the Secretaries of Labor and Education.*

13 “(e) *INTEREST PAYMENTS DURING FORBEARANCE ON*
14 *LOAN REPAYMENT.*—The Corporation shall provide by reg-
15 *ulation for the payment on behalf of an eligible individual*
16 *of interest that accrues during a period for which such indi-*
17 *vidual has obtained forbearance in the repayment of a*
18 *qualified student loan (as defined in subsection (b)(6)), if*
19 *the eligible individual successfully completes his or her re-*
20 *quired term of service (as determined under section 146(b)).*
21 *Such regulations shall be prescribed after consultation with*
22 *the Secretary of Education.*

23 “(f) *EXCEPTION.*—With the approval of the Director,
24 *an approved national service program funded under section*
25 *121, may offer participants the option of waiving their*

1 *right to receive a National Service Education Award in*
 2 *order to receive an alternative post-service benefit funded*
 3 *by the program entirely with non-Federal funds.*

4 “(g) *DEFINITION OF INSTITUTION OF HIGHER EDU-*
 5 *CATION.*—*Notwithstanding section 101 of this Act, for pur-*
 6 *poses of this section the term ‘institution of higher edu-*
 7 *cation’ has the meaning provided by section 481(a) of the*
 8 *Higher Education Act of 1965 (20 U.S.C. 1088(a)).”.*

9 (b) *TABLE OF CONTENTS.*—*Section 1(b) of the Na-*
 10 *tional and Community Service Act of 1990 (Public Law*
 11 *101–610; 104 Stat. 3127) is amended by striking the items*
 12 *relating to subtitle D of title I of such Act and inserting*
 13 *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.”.

14 (c) *CONFORMING AMENDMENTS.*—

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

1 *title D of title I of the National and Community*
2 *Service Act of 1990 (42 U.S.C. 12751 et seq.),”.*

3 (2) *FORBEARANCE IN THE COLLECTION OF STAF-*
4 *FORD LOANS.—Section 428 of the Higher Education*
5 *Act of 1965 is amended—*

6 (A) *in subsection (b)(1)—*

7 (i) *by redesignating subparagraphs*
8 *(W), (X), and (Y) as subparagraphs (X),*
9 *(Y), and (Z), respectively; and*

10 (ii) *by inserting immediately after*
11 *subparagraph (V) the following new sub-*
12 *paragraph:*

13 “(W)(i) *provides that, upon written request,*
14 *a lender shall grant a borrower forbearance on*
15 *such terms as are otherwise consistent with the*
16 *regulations of the Secretary, during periods in*
17 *which the borrower is serving in a national serv-*
18 *ice position, for which he or she receives a na-*
19 *tional service educational award under the Na-*
20 *tional Service Trust Act of 1993;*

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

24 “(iii) *provides that interest shall continue*
25 *to accrue on a loan for which a borrower receives*

1 *forbearance under this subparagraph and shall*
2 *be capitalized or paid by the borrower;”*; and

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

6 *(3) ELIGIBILITY FOR STAFFORD LOAN FORGIVE-*
7 *NESS.—Section 428J of the Higher Education Act of*
8 *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 “Octo-*
11 *ber 1, 1989”*; and

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

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

20 *(4) ELIGIBILITY FOR PERKINS LOAN FORGIVE-*
21 *NESS.—Section 465(a) of the Higher Education Act*
22 *of 1965 (20 U.S.C. 1087ee(a)) is amended by adding*
23 *at the end the following new paragraph:*

24 *“(6) No borrower may, for the same volunteer*
25 *service, receive a benefit under both this section and*

1 *subtitle D of title I of the National and Community*
2 *Service Act of 1990 (42 U.S.C. 12751 et seq.).”.*

3 (5) *IMPACT ON GENERAL NEEDS ANALYSIS.*—*Sec-*
4 *tion 480(j) of such Act (20 U.S.C. 1087vv(j)) is*
5 *amended by adding at the end the following new*
6 *paragraph:*

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

14 **SEC. 103. SCHOOL-BASED AND COMMUNITY-BASED SERV-**
15 **ICE-LEARNING PROGRAMS.**

16 (a) *AMENDMENTS TO SERVE-AMERICA PROGRAMS.*—

17 (1) *PURPOSE.*—*The purpose of this subsection is*
18 *to improve the Serve-America programs established*
19 *under part I of subtitle B of the National and Com-*
20 *munity Service Act of 1990, and to enable the Cor-*
21 *poration for National Service, and the entities receiv-*
22 *ing financial assistance under such part, to—*

23 (A) *work with teachers in elementary*
24 *schools and secondary schools within a commu-*
25 *nity, and with community-based agencies, to cre-*

1 *ate and offer service-learning opportunities for*
2 *all school-age youth;*

3 *(B) educate teachers, and faculty providing*
4 *teacher training and retraining, about service-*
5 *learning, and incorporate service-learning oppor-*
6 *tunities into classroom teaching to strengthen*
7 *academic learning;*

8 *(C) coordinate the work of adult volunteers*
9 *who work with elementary and secondary schools*
10 *as part of their community service activities;*
11 *and*

12 *(D) work with employers in the commu-*
13 *nities to ensure that projects introduce the stu-*
14 *dents to various careers and expose the students*
15 *to needed further education and training.*

16 *(2) PROGRAMS.—Subtitle B of title I of the Na-*
17 *tional and Community Service Act of 1990 (42*
18 *U.S.C. 12501 et seq.) is amended by striking the sub-*
19 *title heading and all that follows through the end of*
20 *part I and inserting the following:*

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

4 **“PART I—SERVE-AMERICA PROGRAMS**

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

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

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

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

19 *“(A) providing training for teachers, super-*
20 *visors, personnel from community-based agencies*
21 *(particularly with regard to the utilization of*
22 *participants), and trainers, to be conducted by*
23 *qualified individuals or organizations that have*
24 *experience with service-learning;*

1 “(B) developing service-learning curricula
2 to be integrated into academic programs, includ-
3 ing the age-appropriate learning component de-
4 scribed in section 114(d)(5)(B);

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

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

13 “(E) establishing effective outreach and dis-
14 semination of information to ensure the broadest
15 possible involvement of community-based agen-
16 cies with demonstrated effectiveness in working
17 with school-age youth in their communities;

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

1 “(A) local educational agencies; and

2 “(B) one or more community partners

3 that—

4 “(i) shall include a public or private
5 nonprofit organization that—

6 “(I) has a demonstrated and ex-
7 tensive expertise in the provision of
8 services to meet unmet human, edu-
9 cational, environmental, or public safe-
10 ty needs;

11 “(II) was in existence at least 1
12 year before the date on which the orga-
13 nization applies to participate in the
14 partnership; and

15 “(III) will make projects available
16 for participants, who shall be students;
17 and

18 “(ii) may include a private for-profit
19 business or private elementary or secondary
20 school;

21 “(3) planning of school-based service-learning
22 programs through State distribution of Federal funds
23 made available under this subpart to local edu-
24 cational agencies, which planning may include pay-
25 ing for the cost of—

1 “(A) the salaries and benefits of service-
2 learning coordinators; or

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

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

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

18 “(A) local educational agencies; and

19 “(B) one or more—

20 “(i) public or private nonprofit organi-
21 zations;

22 “(ii) other educational agencies; or

23 “(iii) private for-profit businesses,
24 that coordinate and operate projects for participants,
25 who shall be students.

1 “(b) *DUTIES OF SERVICE-LEARNING COORDINATOR.*—
2 *A service-learning coordinator referred to in paragraph (2)*
3 *or (3) of subsection (a) shall provide services to a local edu-*
4 *cational agency by—*

5 “(1) *expanding the awareness of teachers of the*
6 *potential of service-learning in strengthening the edu-*
7 *cational achievement, leadership development, and*
8 *substantive learning, of students;*

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

12 “(3) *assisting local partnerships described in*
13 *subsection (a) in the planning, development, and exe-*
14 *cution of service-learning projects;*

15 “(4) *recruiting and supervising adult volunteers,*
16 *or individuals who are participants in a program*
17 *under subtitle C or receive a national service edu-*
18 *cational award under subtitle D, to expand service-*
19 *learning opportunities; and*

20 “(5) *coordinating the activities of the service-*
21 *learning coordinator with the activities of the com-*
22 *mittee described in section 114(d)(1), and, where ap-*
23 *propriate, assisting the committee.*

24 “(c) *RELATED EXPENSES.*—*A partnership, local edu-*
25 *cational agency, or other qualified organization that re-*

1 ceives financial assistance under this subpart may, in car-
2 rying out the activities described in subsection (a), use such
3 assistance to pay for the Federal share of reasonable costs
4 related to the supervision of participants, program admin-
5 istration, transportation, insurance, evaluations, and for
6 other reasonable expenses related to the activities.

7 **“SEC. 111A. AUTHORITY TO ASSIST LOCAL APPLICANTS IN**
8 **NONPARTICIPATING STATES.**

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

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

19 “(2) carrying out the activities described in
20 paragraph (3) of such section, to an agency described
21 in such paragraph,

22 that is located in the State.

1 **“SEC. 111B. AUTHORITY TO ASSIST PUBLIC OR PRIVATE**
2 **NONPROFIT ORGANIZATIONS.**

3 *“(a) IN GENERAL.—The Corporation may make*
4 *grants under section 112(b)(1) to public and private non-*
5 *profit organizations that—*

6 *“(1) have experience with service-learning;*

7 *“(2) were in existence 1 year before the date on*
8 *which the organization submitted an application*
9 *under section 114(a); and*

10 *“(3) meet such other criteria as the Chairperson*
11 *may establish.*

12 *“(b) USE OF FUNDS.—Such organizations may use*
13 *grants made under subsection (a) to make grants to part-*
14 *nerships described in paragraph (2) or (4) of section 111(a)*
15 *to implement, operate, or expand school-based service-learn-*
16 *ing programs as described in such section and provide tech-*
17 *nical assistance and training to appropriate persons.*

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

19 *“(a) INDIAN TRIBES AND TERRITORIES.—Of the*
20 *amounts appropriated to carry out this subpart for any fis-*
21 *cal year, the Corporation shall reserve an amount of not*
22 *more than 1 percent for payments to Indian tribes, the Vir-*
23 *gin Islands of the United States, Guam, American Samoa,*
24 *and the Commonwealth of the Northern Mariana Islands,*
25 *to be allotted in accordance with their respective needs. The*
26 *Corporation may also make payments from such amount*

1 *to Palau, in accordance with its needs, until such time as*
2 *the Compact of Free Association with Palau is ratified.*

3 “(b) *GRANTS AND ALLOTMENTS THROUGH STATES.*—
4 *The Corporation shall use the remainder of the funds appro-*
5 *priated to carry out this subpart for any fiscal year as fol-*
6 *lows:*

7 “(1) *GRANTS.*—*Except as provided in paragraph*
8 *(3), from 25 percent of such funds, the Corporation*
9 *may make grants, on a competitive basis, to—*

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

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

14 “(2) *ALLOTMENTS.*—

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

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

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

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

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

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

1 *the allotment under section 113 that meets the requirements*
2 *of such section and such other requirements as the Chair-*
3 *person may determine to be appropriate, the Corporation*
4 *shall, after making any grants under section 111A to a*
5 *partnership or agency described in such section, make any*
6 *remainder of such allotment available for reallocation to*
7 *such other States, and Indian tribes, with approved appli-*
8 *cations submitted under section 113, as the Corporation*
9 *may determine to be appropriate.*

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

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

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

1 *grams meet the goals described in subpara-*
2 *graph (A);*

3 *“(iii) in reviewing applications sub-*
4 *mitted under section 114(c), the applicant*
5 *has ranked the applications according to the*
6 *criteria described in section 115(b), has con-*
7 *sidered the factors described in section*
8 *115(a), and has reviewed the applications*
9 *in a manner that ensured the equitable*
10 *treatment of all such applications;*

11 *“(iv) the programs will be coordinated*
12 *with—*

13 *“(I) the education reform efforts of*
14 *the applicant;*

15 *“(II) other efforts to meet the Na-*
16 *tional Education Goals;*

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

20 *“(IV) other education programs,*
21 *training programs, social service pro-*
22 *grams, and appropriate programs that*
23 *serve school-age youth, that are author-*
24 *ized under Federal law;*

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

13 “(vi) the applicant will promote ap-
14 propriate projects in such programs for eco-
15 nomically disadvantaged students, students
16 with limited basic skills, students in foster
17 care who are becoming too old for foster
18 care, students of limited English pro-
19 ficiency, homeless students, and students
20 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 as-

1 *sisted education specialists in the State*
2 *or serving the Indian tribe, and local*
3 *recipients of grants under this subpart,*
4 *to raise the awareness of service-learn-*
5 *ing among such personnel, specialists,*
6 *and recipients; and*

7 *“(II) by qualified and experienced*
8 *individuals employed by the State or*
9 *Indian tribe or through grants or con-*
10 *tracts with such individuals;*

11 *“(viii) a service-learning network will*
12 *be established for the State or Indian tribe,*
13 *comprised of expert teachers and adminis-*
14 *trators who have carried out successful serv-*
15 *ice-learning activities within the State or*
16 *serving the Indian tribe; and*

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

22 *“(2) assurances that—*

23 *“(A) the applicant will keep such records*
24 *and provide such information to the Corporation*

1 *with respect to the programs as may be required*
2 *for fiscal audits and program evaluation; and*

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

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

8 **“SEC. 114. LOCAL APPLICATIONS.**

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

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

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

24 *“(b) DIRECT APPLICATION TO CORPORATION TO*
25 *CARRY OUT SCHOOL-BASED SERVICE-LEARNING PRO-*

1 *GRAMS IN NONPARTICIPATING STATES.—To be eligible to*
2 *receive a grant from the Corporation in the circumstances*
3 *described in section 111A to carry out an activity described*
4 *in such section, a partnership or agency described in such*
5 *section shall prepare, submit to the Corporation, and obtain*
6 *approval of, an application. Such application shall be sub-*
7 *mitted at such time and in such manner, and shall contain*
8 *such information, as the Chairperson may reasonably re-*
9 *quire.*

10 *“(c) APPLICATION TO STATE OR INDIAN TRIBE TO RE-*
11 *CEIVE ASSISTANCE TO CARRY OUT SCHOOL-BASED SERV-*
12 *ICE-LEARNING PROGRAMS.—*

13 *“(1) IN GENERAL.—Any—*

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

18 *“(B) partnership described in section*
19 *111(a)(2) that desires to receive such assistance*
20 *from a State, Indian tribe, or grantmaking en-*
21 *tity for an activity described in section*
22 *111(a)(2);*

23 *“(C) agency described in section 111(a)(3)*
24 *that desires to receive such assistance from a*

1 *State or Indian tribe for an activity described in*
2 *such section; or*

3 “(D) *partnership described in section*
4 *111(a)(4) that desires to receive such assistance*
5 *from a State or Indian tribe for an activity de-*
6 *scribed in such section,*

7 *to be carried out through a service-learning program*
8 *described in section 111, shall prepare, submit to the*
9 *State educational agency, Indian tribe, or*
10 *grantmaking entity, and obtain approval of, an ap-*
11 *plication for the program.*

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

16 “(d) *CONTENTS OF APPLICATION.—An application*
17 *that is submitted under subsection (a), (b), or (c) with re-*
18 *spect to a service-learning program described in section 111*
19 *shall, at a minimum, contain a proposal that includes—*

20 “(1) *information specifying the membership and*
21 *role of an established advisory committee, consisting*
22 *of representatives of community-based agencies in-*
23 *cluding service recipients, students, parents, teachers,*
24 *administrators, representatives of agencies that serve*
25 *school-age youth or older adults, school board mem-*

1 *bers, representatives of local labor organizations, and*
2 *representatives of business, that will provide advice*
3 *with respect to the program;*

4 *“(2) a description of—*

5 *“(A) the goals of the program which shall*
6 *include goals that are quantifiable and dem-*
7 *onstrate any benefits from the program to par-*
8 *ticipants and the community;*

9 *“(B) service-learning projects to be provided*
10 *under the program, and evidence that partici-*
11 *pants will make a sustained commitment to serv-*
12 *ice in the projects;*

13 *“(C) the manner in which participants in*
14 *the program were or will be involved in the de-*
15 *sign and operation of the program;*

16 *“(D) training for supervisors, teachers, serv-*
17 *ice sponsors, and participants in the program;*

18 *“(E) the manner in which exemplary serv-*
19 *ice will be recognized under the program; and*

20 *“(F) any resources that will permit con-*
21 *tinuation of the program, if needed, after the as-*
22 *sistance received under this subpart for the pro-*
23 *gram has ended;*

24 *“(3) information that shall include—*

1 “(A) a disclosure of whether or not the par-
2 ticipants will receive academic credit for partici-
3 pation in the program;

4 “(B) the expected number of participants in
5 the program and the hours of service that such
6 participants will provide individually and as a
7 group;

8 “(C) the proportion of expected participants
9 in the program who are economically disadvan-
10 taged, including participants with disabilities;
11 and

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

15 “(4) in the case of an application submitted by
16 a local partnership, a written agreement, between the
17 members of the local partnership, stating that the pro-
18 gram was jointly developed by the members and that
19 the program will be jointly executed by the members;
20 and

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 *grievance procedure requirements of section*
14 *176(f).*

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

16 *“(a) CRITERIA FOR APPLICATIONS.—In approving ap-*
17 *plications for financial assistance under subsection (a), (b),*
18 *(c), or (d) of section 112, the Corporation shall consider*
19 *such criteria with respect to sustainability, replicability,*
20 *innovation, and quality of programs under this subpart as*
21 *the Chairperson may by regulation specify. In providing*
22 *assistance under this subpart, a State educational agency,*
23 *Indian tribe, or grantmaking entity shall consider such cri-*
24 *teria.*

25 *“(b) PRIORITY FOR LOCAL APPLICATIONS.—*

1 “(1) *IN GENERAL.*—*In providing assistance*
2 *under this subpart, a State educational agency or In-*
3 *Indian tribe, or the Corporation if section 111A or*
4 *111B applies, shall give priority to entities that sub-*
5 *mit applications under section 114 with respect to*
6 *service-learning programs described in section 111*
7 *that—*

8 “(A) *involve participants in the design and*
9 *operation of the program;*

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

12 “(C) *involve—*

13 “(i) *students from public elementary or*
14 *secondary schools, and students from pri-*
15 *vate elementary or secondary schools, serv-*
16 *ing together; or*

17 “(ii) *students of different ages, races,*
18 *sexes, ethnic groups, disabilities, or eco-*
19 *nomical backgrounds, serving together; or*

20 “(D) *are integrated into the academic pro-*
21 *gram of the participants.*

22 “(c) *REJECTION OF APPLICATIONS.*—*If the Corpora-*
23 *tion rejects an application submitted by a State under sec-*
24 *tion 113 for an allotment under subsection (b)(2) of section*
25 *112, the Corporation shall promptly notify the State of the*

1 *reasons for the rejection of the application. The Corporation*
2 *shall provide the State with a reasonable opportunity to*
3 *revise and resubmit the application and shall provide tech-*
4 *nical assistance, if needed, to the State as part of the resub-*
5 *mission process. The Corporation shall promptly reconsider*
6 *such resubmitted application.*

7 ***“SEC. 115A. PARTICIPATION OF STUDENTS AND TEACHERS***
8 ***FROM PRIVATE SCHOOLS.***

9 *“(a) IN GENERAL.—To the extent consistent with the*
10 *number of students in the State or Indian tribe or in the*
11 *school district of the local educational agency involved who*
12 *are enrolled in private nonprofit elementary and secondary*
13 *schools, such State, Indian tribe, or agency shall (after con-*
14 *sultation with appropriate private school representatives)*
15 *make provision—*

16 *“(1) for the inclusion of services and arrange-*
17 *ments for the benefit of such students so as to allow*
18 *for the equitable participation of such students in the*
19 *programs implemented to carry out the objectives and*
20 *provide the benefits described in this subpart; and*

21 *“(2) for the training of the teachers of such stu-*
22 *dents so as to allow for the equitable participation of*
23 *such teachers in the programs implemented to carry*
24 *out the objectives and provide the benefits described in*
25 *this subpart.*

1 “(b) *WAIVER.*—*If a State, Indian tribe, or local edu-*
2 *cational agency is prohibited by law from providing for the*
3 *participation of students or teachers from private nonprofit*
4 *schools as required by subsection (a), or if the Corporation*
5 *determines that a State, Indian tribe, or local educational*
6 *agency substantially fails or is unwilling to provide for*
7 *such participation on an equitable basis, the Chairperson*
8 *shall waive such requirements and shall arrange for the pro-*
9 *vision of services to such students and teachers. Such waiv-*
10 *ers shall be subject to consultation, withholding, notice, and*
11 *judicial review requirements in accordance with para-*
12 *graphs (3) and (4) of section 1017(b) of the Elementary*
13 *and Secondary Education Act of 1965 (20 U.S.C. 2727(b)).*

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

15 “(a) *SHARE.*—

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

20 “(A) *90 percent of the total cost of the pro-*
21 *gram for the first year for which the program re-*
22 *ceives assistance under this subpart;*

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

1 “(C) 70 percent of the total cost of the pro-
2 gram for the third year for which the program
3 receives assistance under this subpart; and

4 “(D) 50 percent of the total cost of the pro-
5 gram for the fourth year, and for any subsequent
6 year, for which the program receives assistance
7 under this subpart.

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

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

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

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

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

2 “(a) *ADMINISTRATIVE COSTS.*—

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

10 “(A) the original recipient; or

11 “(B) the entity carrying out the service-
12 learning programs supported with the assistance.

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

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

17 “(B) that portion of the assistance available
18 to cover administrative costs should be distrib-
19 uted between—

20 “(i) the original recipient; and

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

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

1 *dian tribe that is the original recipient of a grant or allot-*
2 *ment under subsection (a), (b), (c), or (d) of section 112*
3 *for a fiscal year may be used to build capacity through*
4 *training, technical assistance, curriculum development, and*
5 *coordination activities, described in section 111(a)(1).*

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

13 **“SEC. 116B. DEFINITIONS.**

14 “As used in this subpart:

15 “(1) *GRANTMAKING ENTITY.*—The term
16 ‘grantmaking entity’ means an organization described
17 in section 111B(a).

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

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

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

3 **“SEC. 117. DEFINITIONS.**

4 *“As used in this subpart:*

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

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

8 *“(2) GRANTMAKING ENTITY.—The term*

9 *‘grantmaking entity’ means a qualified organization*
10 *that—*

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

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

17 *“(3) QUALIFIED ORGANIZATION.—The term*

18 *‘qualified organization’ means a public or private*
19 *nonprofit organization with experience working with*
20 *school-age youth that meets such criteria as the Chair-*
21 *person may establish.*

22 **“SEC. 117A. GENERAL AUTHORITY.**

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

1 *of the implementation, operation, expansion, or replication*
2 *of community-based service programs.*

3 *“(b) USE OF FUNDS.—*

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

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

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

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

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

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

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

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

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

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

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

1 *section 117A(a) to implement, operate, expand, or replicate*
2 *a community service program, a qualified organization*
3 *shall prepare, submit to the Corporation, and obtain ap-*
4 *proval of, an application that proposes a community-based*
5 *service program to be carried out at multiple sites, or that*
6 *proposes an innovative community-based service program.*
7 *Such application shall be submitted at such time and in*
8 *such manner, and shall contain such information, as the*
9 *Chairperson may reasonably require.*

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

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

23 “(1) *a description of any community-based serv-*
24 *ice program proposed to be implemented, operated,*

1 *expanded, or replicated directly by the applicant*
2 *using assistance provided under this subpart;*

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

7 “(3) a proposal for carrying out the community-
8 *based service program that describes the manner in*
9 *which the entity carrying out the program will—*

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

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

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

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

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

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

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

7 “(H) establish and measure progress toward
8 the goals of the program; and

9 “(I) organize participants in the program
10 into teams, if appropriate, with team leaders
11 who may be participants in a program under
12 subtitle C or individuals who receive a national
13 service educational award under subtitle D; and

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

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

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

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

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

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

12 “(a) *FEDERAL SHARE.*—

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

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

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

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

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

8 “(1) the original recipient; or

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

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

13 “(1) such assistance may be used to cover admin-
14 istrative costs; and

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

18 “(A) the original recipient; and

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

22 **“Subpart C—Clearinghouse**

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

24 “(a) *IN GENERAL.*—The Corporation shall provide fi-
25 nancial assistance, from funds appropriated to carry out
26 subtitle H, to agencies described in subsection (b) to estab-

1 *lish a clearinghouse, which shall carry out activities, either*
2 *directly or by arrangement with another such entity, with*
3 *respect to information about service-learning.*

4 “(b) *PUBLIC AND PRIVATE NONPROFIT AGENCIES.—*
5 *Public and private nonprofit agencies that have extensive*
6 *experience with service-learning, including use of adult vol-*
7 *unteers to foster service-learning, shall be eligible to receive*
8 *assistance under subsection (a).*

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

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

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

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

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

23 “(4) *facilitate communication among entities*
24 *carrying out service-learning programs and partici-*
25 *pants in such programs;*

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

6 “(6) provide information regarding methods to
7 make service-learning programs accessible to individ-
8 uals with disabilities;

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

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

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

20 “(9) assist organizations in recruiting, screening,
21 and placing service-learning coordinators; and

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

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

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

3 **“PART II—HIGHER EDUCATION INNOVATIVE**

4 **PROGRAMS FOR COMMUNITY SERVICE**

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

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

13 *“(b) GENERAL AUTHORITY.—The Corporation, in con-*
14 *sultation with the Secretary of Education, is authorized to*
15 *make grants to, and enter into contracts with, institutions*
16 *of higher education (including a combination of such insti-*
17 *tutions), and partnerships comprised of such institutions*
18 *and of other public agencies or nonprofit private organiza-*
19 *tions, to pay for the Federal share of the cost of—*

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

23 *“(A) engenders a sense of social responsibil-*
24 *ity and commitment to the community in which*
25 *the institution is located; and*

1 “(B) provides projects for participants, who
2 shall be students, faculty, administration, or
3 staff of the institution, or residents of the com-
4 munity;

5 “(2) supporting student-initiated and student-de-
6 signed community service projects through the pro-
7 gram;

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

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

19 “(5) strengthening the service infrastructure
20 within institutions of higher education in the United
21 States through the program; and

22 “(6) providing for the training of teachers, pro-
23 spective teachers, related education personnel, and
24 community leaders in the skills necessary to develop,
25 supervise, and organize service-learning.

1 “(c) *FEDERAL SHARE.*—

2 “(1) *SHARE.*—

3 “(A) *IN GENERAL.*—*The Federal share of*
4 *the cost of carrying out a community service*
5 *project for which a grant or contract is awarded*
6 *under this part may not exceed 50 percent.*

7 “(B) *CALCULATION.*—*Each recipient of as-*
8 *sistance under this part shall comply with sec-*
9 *tion 116(a)(2).*

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

13 “(d) *APPLICATION FOR GRANT.*—

14 “(1) *SUBMISSION.*—*To receive a grant or enter*
15 *into a contract under this part, an institution or*
16 *partnership described in subsection (b) shall prepare,*
17 *submit to the Corporation, and obtain approval of,*
18 *an application at such time and in such manner as*
19 *the Chairperson may reasonably require.*

20 “(2) *CONTENTS.*—*An application submitted*
21 *under paragraph (1) shall contain—*

22 “(A) *such information as the Chairperson*
23 *may reasonably require, such as a description*
24 *of—*

1 “(i) the proposed program to be estab-
2 lished with assistance provided under the
3 grant or contract;

4 “(ii) the human, educational, environ-
5 mental, or public safety service that partici-
6 pants will perform and the community need
7 that will be addressed under such program;

8 “(iii) whether or not students will re-
9 ceive academic credit for community service
10 projects under the program;

11 “(iv) the procedure for training super-
12 visors and participants and for supervising
13 and organizing participants in such pro-
14 gram;

15 “(v) the procedures to ensure that the
16 program includes the age-appropriate learn-
17 ing component described in section
18 114(d)(5)(B);

19 “(vi) the roles played by students and
20 community members, including service re-
21 cipients, in the design and implementation
22 of the program; and

23 “(vii) the budget for the program;

24 “(B) assurances that—

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

9 “(ii) the applicant will comply with
10 the nonduplication and nondisplacement
11 provisions of section 177 and grievance pro-
12 cedure requirements of section 176(f); and

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

15 “(e) PRIORITY.—

16 “(1) IN GENERAL.—In making grants and enter-
17 ing into contracts under subsection (b), the Corpora-
18 tion shall give priority to applicants that submit ap-
19 plications containing proposals that—

20 “(A) demonstrate the commitment of the in-
21 stitution of higher education, other than by dem-
22 onstrating the commitment of the students, to
23 supporting the community service projects car-
24 ried out under the program;

1 “(B) *specify the manner in which the insti-*
2 *tution will promote faculty, administration, and*
3 *staff participation in the community service*
4 *projects;*

5 “(C) *specify the manner in which the insti-*
6 *tution will provide service to the community*
7 *through organized programs, including, where*
8 *appropriate, clinical programs for students in*
9 *professional schools;*

10 “(D) *describe any partnership that will*
11 *participate in the community service projects,*
12 *such as a partnership comprised of—*

13 “(i) *the institution;*

14 “(ii)(I) *a community-based agency;*

15 “(II) *a local government agency; or*

16 “(III) *a nonprofit entity that serves or*
17 *involves school-age youth or older adults;*

18 *and*

19 “(iii) *a student organization;*

20 “(E) *demonstrate community involvement*
21 *in the development of the proposal;*

22 “(F) *specify that the institution will use*
23 *such assistance to strengthen the service infra-*
24 *structure in institutions of higher education; or*

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

4 “(2) DETERMINATION.—In giving priority to ap-
5 plicants under paragraph (1), the Corporation shall
6 give increased priority to such an applicant for each
7 characteristic described in subparagraphs (A) through
8 (G) of paragraph (1) that is reflected in the applica-
9 tion submitted by the applicant.

10 “(f) NATIONAL SERVICE EDUCATIONAL AWARD.—A
11 participant in a program funded under this part shall be
12 eligible for the national service educational award described
13 in subtitle D, if the participant served in an approved na-
14 tional service position.

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

19 **“PART III—GENERAL PROVISIONS**

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

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

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

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

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

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

7 (c) *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 B of title I of such Act and inserting
11 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 nonprofit 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 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 (42 U.S.C. 12501 et seq.) is amend-*
7 *ed—*

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

10 (2) *by inserting subtitle E (as redesignated by*
11 *paragraph (1) of this subsection) after subtitle D; 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 1990*
16 *is further amended by adding before subtitle I (as trans-*
17 *ferred by section 101(a) of this Act) the following new sub-*
18 *title:*

1 **“Subtitle H—Investment for Quality**
2 **and Innovation**

3 **“SEC. 198. ADDITIONAL CORPORATION ACTIVITIES TO SUP-**
4 **PORT NATIONAL SERVICE.**

5 “(a) *METHODS OF CONDUCTING ACTIVITIES.*—The
6 Corporation may carry out this section directly or through
7 grants, contracts, and cooperative agreements with other en-
8 tities.

9 “(b) *INNOVATION AND QUALITY IMPROVEMENT.*—

10 “(1) *ACTIVITIES.*—The Corporation may under-
11 take activities to improve the quality of national serv-
12 ice programs and to support innovative and model
13 programs, including—

14 “(A) programs under subtitle B or C for
15 rural youth;

16 “(B) employer-based retiree programs;

17 “(C) intergenerational programs;

18 “(D) programs involving and integrating
19 individuals with disabilities as participants pro-
20 viding service; and

21 “(E) programs sponsored by Governors.

22 “(2) *INTERGENERATIONAL PROGRAM.*—An
23 intergenerational program referred to in paragraph
24 (1)(C) may include a program in which older adults

1 *provide services to children who participate in Head*
2 *Start programs.*

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

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

15 “(e) *IMPROVE ABILITY TO APPLY FOR ASSISTANCE.*—
16 *The Corporation shall provide training and technical as-*
17 *sistance to individuals, programs, local labor organizations,*
18 *State educational agencies, State commissions, local edu-*
19 *cational agencies, local governments, community-based*
20 *agencies, and other entities to enable them to apply for*
21 *funding under one of the national service laws, to conduct*
22 *high-quality programs, to evaluate such programs, and for*
23 *other purposes.*

24 “(f) *NATIONAL SERVICE FELLOWSHIPS.*—*The Cor-*
25 *poration may award national service fellowships.*

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

6 “(h) *PEACE CORPS AND VISTA TRAINING.*—The Cor-
7 poration may provide training assistance to selected indi-
8 viduals who volunteer to serve in the Peace Corps or a pro-
9 gram authorized under title I of the Domestic Volunteer
10 Service Act of 1973 (42 U.S.C. 4951 et seq.). The training
11 shall be provided as part of the course of study of the indi-
12 vidual at an institution of higher education, shall involve
13 service-learning, and shall cover appropriate skills that the
14 individual will use in the Peace Corps or VISTA.

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

21 “(j) *TRAINING.*—The Corporation may support na-
22 tional and regional participant and supervisor training,
23 including leadership training and training in specific types
24 of service and in building the ethic of civic responsibility.

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

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

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

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

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

20 “(p) *SERVICE-LEARNING.*—*The Corporation shall sup-*
21 *port innovative programs and activities that promote serv-*
22 *ice-learning.*

23 **“SEC. 198A. CLEARINGHOUSES.**

24 “(a) *ASSISTANCE.*—*The Corporation shall provide as-*
25 *sistance to appropriate entities to establish one or more*

1 *clearinghouses, including the clearinghouse described in sec-*
2 *tion 118.*

3 “(b) *APPLICATION.*—*To be eligible to receive assistance*
4 *under subsection (a), an entity shall submit an application*
5 *to the Corporation at such time, in such manner, and con-*
6 *taining such information as the Corporation may require.*

7 “(c) *FUNCTION OF CLEARINGHOUSES.*—*An entity that*
8 *receives assistance under subsection (a) may—*

9 “(1) *assist entities carrying out State or local*
10 *community service programs with needs assessments*
11 *and planning;*

12 “(2) *conduct research and evaluations concern-*
13 *ing community service;*

14 “(3)(A) *provide leadership development and*
15 *training to State and local community service pro-*
16 *gram administrators, supervisors, and participants;*
17 *and*

18 “(B) *provide training to persons who can pro-*
19 *vide the leadership development and training de-*
20 *scribed in subparagraph (A);*

21 “(4) *facilitate communication among entities*
22 *carrying out community service programs and par-*
23 *ticipants;*

24 “(5) *provide information, curriculum materials,*
25 *technical assistance relating to planning and oper-*

1 *ation of community service programs, to States and*
2 *local entities eligible to receive funds under this title;*

3 *“(6)(A) gather and disseminate information on*
4 *successful community service programs, components of*
5 *such successful programs, innovative youth skills cur-*
6 *riculum, and community service projects; and*

7 *“(B) coordinate the activities of the clearing-*
8 *house with appropriate entities to avoid duplication*
9 *of effort;*

10 *“(7) make recommendations to State and local*
11 *entities on quality controls to improve the delivery of*
12 *community service programs and on changes in the*
13 *programs under this title; and*

14 *“(8) carry out such other activities as the Chair-*
15 *person determines to be appropriate.*

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

17 *“(a) PRESIDENTIAL AWARDS.—*

18 *“(1) IN GENERAL.—The President, acting*
19 *through the Corporation, may make Presidential*
20 *awards for service to individuals providing signifi-*
21 *cant service, and to outstanding service programs.*

22 *“(2) INDIVIDUALS AND PROGRAMS.—Notwith-*
23 *standing section 101(17)—*

1 “(A) an individual receiving an award
2 under this subsection need not be a participant
3 in a program authorized under this Act; and

4 “(B) a program receiving an award under
5 this subsection need not be a program authorized
6 under this Act.

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

10 “(A) is authorized to incur necessary ex-
11 penses for the honorary recognition of the indi-
12 vidual or program; and

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

15 “(b) INFORMATION.—The President, acting through the
16 Corporation, shall ensure that information concerning indi-
17 viduals and programs receiving awards under this section
18 is widely disseminated.

19 **“SEC. 198C. ASSISTANCE FOR HEAD START.**

20 “Under section 198, the Corporation may make grants
21 to, and contracts and cooperative agreements with, public
22 and nonprofit private agencies and organizations that re-
23 ceive grants and contracts under the Foster Grandparent
24 Program (part B of title II of the Domestic Volunteer Serv-
25 ice Act of 1973), for projects of the type described in section

1 211(a) of such Act operating under memoranda of agree-
 2 ment with the ACTION Agency, for the purpose of increas-
 3 ing the number of low-income individuals who provide serv-
 4 ices under such program to children who participate in
 5 Head Start programs.”.

6 (d) TABLE OF CONTENTS.—

7 (1) CIVILIAN COMMUNITY CORPS.—Section 1(b)
 8 of the National and Community Service Act of 1990
 9 (Public Law 101–610; 104 Stat. 3127) is amended by
 10 striking the items relating to subtitle E of title I of
 11 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 members.

“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.”.

12 (2) QUALITY AND INNOVATION.—Section 1(b) of
 13 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 H of title I of
 16 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. Assistance for Head Start.”.*

1 (e) *TECHNICAL AND CONFORMING AMENDMENTS.—*

2 (1) *NATIONAL DEFENSE AUTHORIZATION ACT*
3 *FOR FISCAL YEAR 1993.—*

4 (A) *Section 1091(f)(2) of the National De-*
5 *fense Authorization Act for Fiscal Year 1993*
6 *(Public Law 102–484) is amended by striking*
7 *“195G” and inserting “158”.*

8 (B) *Paragraphs (1) and (2) of section*
9 *1092(b), and sections 1092(c), 1093(a), and*
10 *1094(a) of such Act are amended by striking*
11 *“195A” and inserting “152”.*

12 (C) *Sections 1091(f)(2), 1092(b)(1), and*
13 *1094(a), and subsections (a) and (c) of section*
14 *1095 of such Act are amended by striking “sub-*
15 *title H” and inserting “subtitle E”.*

16 (D) *Section 1094(b)(1) and subsections (b)*
17 *and (c)(1) of section 1095 of such Act are*
18 *amended by striking “subtitles B, C, D, E, F,*
19 *and G” and inserting “subtitles B, C, D, F, G,*
20 *and H”.*

21 (2) *NATIONAL AND COMMUNITY SERVICE ACT OF*
22 *1990.—*

1 (A) *Section 153(a) of the National and*
2 *Community Service Act of 1990 (as redesignated*
3 *in subsection (b)(3) of this section) (42 U.S.C.*
4 *12653b(a)) is amended by striking “195A(a)”*
5 *and inserting “152(a)”.*

6 (B) *Section 154(a) of such Act (as redesignated*
7 *in subsection (b)(3) of this section) (42*
8 *U.S.C. 12653c(a)) is amended by striking*
9 *“195A(a)” and inserting “152(a)”.*

10 (C) *Section 155 of such Act (as redesignated*
11 *in subsection (b)(3) of this section) (42 U.S.C.*
12 *12653d) is amended—*

13 (i) *in subsection (a), by striking*
14 *“195H(c)(1)” and inserting “159(c)(1)”;*

15 (ii) *in subsection (c)(2), by striking*
16 *“195H(c)(2)” and inserting “159(c)(2)”;*

17 *and*

18 (iii) *in subsection (d)(3), by striking*
19 *“195K(a)(3)” and inserting “162(a)(3)”.*

20 (D) *Section 156 of such Act (as redesignated*
21 *in subsection (b)(3) of this section) (42*
22 *U.S.C. 12653e) is amended—*

23 (i) *in subsection (c)(1), by striking*
24 *“195H(c)(2)” and inserting “159(c)(2)”;*

25 *and*

1 (ii) in subsection (d), by striking
2 “195K(a)(3)” and inserting “162(a)(3)”.

3 (E) Section 159 of such Act (as redesignated
4 in subsection (b)(3) of this section) (42 U.S.C.
5 12653h) is amended—

6 (i) in subsection (a)—

7 (I) by striking “195A” and insert-
8 ing “152”; and

9 (II) by striking “195” and insert-
10 ing “151”; and

11 (ii) in subsection (c)(2)(C)(i), by strik-
12 ing “195K(a)(2)” and inserting
13 “162(a)(2)”.

14 (F) Section 161(b)(1)(B) of such Act (as re-
15 designated in subsection (b)(3) of this section)
16 (42 U.S.C. 12653j(b)(1)(B)) is amended by strik-
17 ing “195K(a)(3)” and inserting “162(a)(3)”.

18 (G) Section 162(a)(2)(A) of such Act (as re-
19 designated in subsection (b)(3) of this section)
20 (42 U.S.C. 12653k(a)(2)(A)) is amended by
21 striking “195(3)” and inserting “151(3)”.

22 (H) Section 166 of such Act (as redesign-
23 ated in subsection (b)(3) of this section) (42
24 U.S.C. 12653o) is amended—

1 (i) in paragraph (2), by striking
2 “195D” and inserting “155”;

3 (ii) in paragraph (8), by striking
4 “195A” and inserting “152”;

5 (iii) in paragraph (10), by striking
6 “195D(d)” and inserting “155(d)”; and

7 (iv) in paragraph (11), by striking
8 “195D(c)” and inserting “155(c)”.

9 (f) *EXTENSION OF AUTHORITY TO CONDUCT CIVILIAN*
10 *COMMUNITY CORPS.*—Section 1092(c) of the National De-
11 *fense Authorization Act for Fiscal Year 1993 (Public Law*
12 *102–484; 106 Stat. 2534), as amended by subsection (e)(1)*
13 *of this section, is further amended by adding at the end*
14 *the following new sentence: “The amount made available*
15 *for the Civilian Community Corps Demonstration Program*
16 *pursuant to this subsection shall remain available for ex-*
17 *penditure during fiscal years 1993 and 1994.”.*

18 (g) *ADDITIONAL AMENDMENT REGARDING CIVILIAN*
19 *COMMUNITY CORPS.*—Section 158 of the National and
20 *Community Service Act of 1990 (as redesignated in sub-*
21 *section (b)(3) of this section) (42 U.S.C. 12653g) is amend-*
22 *ed by striking subsections (f), (g), and (h) and inserting*
23 *the following new subsections:*

24 “(f) *NATIONAL SERVICE EDUCATIONAL AWARDS.*—A
25 *Corps member who successfully completes a period of agreed*

1 *service in the Corps may receive the national service edu-*
2 *cational award described in subtitle D if the Corps mem-*
3 *ber—*

4 “(1) *serves in an approved national service posi-*
5 *tion; and*

6 “(2) *satisfies the eligibility requirements speci-*
7 *fied in section 146 with respect to service in that ap-*
8 *proved national service position.*

9 “(g) *ALTERNATIVE BENEFIT.—If a Corps member who*
10 *successfully completes a period of agreed service in the*
11 *Corps is ineligible for the national service educational*
12 *award described in subtitle D, the Director may provide*
13 *for the provision of a suitable alternative benefit for the*
14 *Corps member.”.*

15 **SEC. 105. PUBLIC LANDS CORPS.**

16 *Public Law 91–378 (16 U.S.C. 1701–1706; commonly*
17 *known as the Youth Conservation Corps Act of 1970) is*
18 *amended—*

19 (1) *by inserting before section 1 the following:*

20 **“TITLE I—YOUTH**
21 **CONSERVATION CORPS”;**

22 (2) *by striking “Act” each place it appears and*
23 *inserting “title”;*

24 (3) *by redesignating sections 1 through 6 as sec-*
25 *tions 101 through 106, respectively;*

1 (4) in section 102 (as so redesignated), by insert-
2 ing “in this title” after “hereinafter” in subsection
3 (a);

4 (5) in section 104 (as so redesignated), by strik-
5 ing “section 6” in subsection (d) and inserting “sec-
6 tion 106”; and

7 (6) by adding at the end the following new title:

8 **“TITLE II—PUBLIC LANDS CORPS**

9 **“SEC. 201. SHORT TITLE.**

10 *“This title may be cited as the ‘Public Lands Corps*
11 *Act of 1993’.*

12 **“SEC. 202. CONGRESSIONAL FINDINGS AND PURPOSE.**

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

14 *“(1) Conserving or developing natural and cul-*
15 *tural resources and enhancing and maintaining envi-*
16 *ronmentally important lands and waters through the*
17 *use of the Nation’s young men and women in a Pub-*
18 *lic Lands Corps can benefit those men and women by*
19 *providing them with education and work opportuni-*
20 *ties, furthering their understanding and appreciation*
21 *of the natural and cultural resources, and providing*
22 *a means to pay for higher education or to repay in-*
23 *debtedness they have incurred to obtain higher edu-*
24 *cation while at the same time benefiting the Nation’s*
25 *economy and its environment.*

1 “(2) Many facilities and natural resources lo-
2 cated on eligible service lands are in disrepair or de-
3 graded and in need of labor intensive rehabilitation,
4 restoration, and enhancement work which cannot be
5 carried out by Federal agencies at existing personnel
6 levels.

7 “(3) Youth conservation corps have established a
8 good record of restoring and maintaining these kinds
9 of facilities and resources in a cost effective and effi-
10 cient manner, especially when they have worked in
11 partnership arrangements with government land
12 management agencies.

13 “(b) PURPOSE.—It is the purpose of this title to—

14 “(1) perform, in a cost-effective manner, appro-
15 priate conservation projects on eligible service lands
16 where such projects will not be performed by existing
17 employees;

18 “(2) assist governments and Indian tribes in
19 performing research and public education tasks asso-
20 ciated with natural and cultural resources on eligible
21 service lands;

22 “(3) expose young men and women to public
23 service while furthering their understanding and ap-
24 preciation of the nation’s natural and cultural re-
25 sources;

1 “(4) expand educational opportunities by re-
2 warding individuals who participate in national
3 service with an increased ability to pursue higher
4 education or job training; and

5 “(5) stimulate interest among the nation’s young
6 men and women in conservation careers by exposing
7 them to conservation professionals in land managing
8 agencies.

9 **“SEC. 203. DEFINITIONS.**

10 “For purposes of this title:

11 “(1) The term ‘appropriate conservation project’
12 means any project for the conservation, restoration,
13 construction or rehabilitation of natural, cultural,
14 historic, archaeological, recreational, or scenic re-
15 sources.

16 “(2) The terms ‘Corps’ and ‘Public Lands Corps’
17 mean the Public Lands Corps established under sec-
18 tion 204.

19 “(3) The term ‘eligible service lands’ means pub-
20 lic lands, Indian lands, and Hawaiian home lands.

21 “(4) The term ‘Hawaiian home lands’ means all
22 lands given the status of Hawaiian home lands under
23 section 204 of the Hawaiian Homes Commission Act,
24 1920 (42 Stat. 110), or under the corresponding pro-
25 vision of the Constitution of the State of Hawaii

1 *adopted under section 4 of the Act entitled ‘An Act*
2 *to provide for the admission of the State of Hawaii*
3 *into the Union’, approved March 18, 1959 (Public*
4 *Law 86–3; 73 Stat. 5).*

5 *“(5) The term ‘Indian tribe’ means an Indian*
6 *tribe, band, nation, or other organized group or com-*
7 *munity, including any Native village, Regional Cor-*
8 *poration, or Village Corporation, as defined in sub-*
9 *section (c), (g), or (j), respectively, of section 3 of the*
10 *Alaska Native Claims Settlement Act (43 U.S.C. 1602*
11 *(c), (g), or (j)), that is recognized as eligible for the*
12 *special programs and services provided by the United*
13 *States under Federal law to Indians because of their*
14 *status as Indians.*

15 *“(6) The term ‘Indian’ means a person who is*
16 *a member of an Indian tribe.*

17 *“(7) The term ‘Indian lands’ means—*

18 *“(A) any Indian reservation;*

19 *“(B) any public domain Indian allotments;*

20 *“(C) any former Indian reservation in the*
21 *State of Oklahoma;*

22 *“(D) any land held by incorporated Native*
23 *groups, regional corporations, and village cor-*
24 *porations under the Alaska Native Claims Settle-*
25 *ment Act (43 U.S.C. 1701 et seq.); and*

1 “(E) any land held by dependent Indian
2 communities within the borders of the United
3 States whether within the original or subse-
4 quently acquired territory thereof, and whether
5 within or without the limits of a State.

6 “(8) The term ‘public lands’ means any lands or
7 waters (or interest therein) owned or administered by
8 the United States, except that such term does not in-
9 clude any Indian lands.

10 “(9) The term ‘qualified youth or conservation
11 corps’ means any program established by a State or
12 local government, by the governing body of any In-
13 dian tribe, or by a nonprofit organization that—

14 “(A) is capable of offering meaningful, full-
15 time, productive work for individuals between
16 the ages of 16 and 25, inclusive, in a natural or
17 cultural resource setting;

18 “(B) gives participants a mix of work expe-
19 rience, basic and life skills, education, training,
20 and support services; and

21 “(C) provides participants with the oppor-
22 tunity to develop citizenship values and skills
23 through service to their community and the
24 United States.

1 “(10) The term ‘resource assistant’ means a re-
2 source assistant selected under section 206.

3 “(11) The term ‘State’ means any State of the
4 United States, the District of Columbia, the Common-
5 wealth of Puerto Rico, Guam, the Virgin Islands of
6 the United States, American Samoa, and the Com-
7 monwealth of the Northern Mariana Islands.

8 **“SEC. 204. PUBLIC LANDS CORPS PROGRAM.**

9 “(a) *ESTABLISHMENT OF PUBLIC LANDS CORPS.*—
10 There is hereby established in the Department of the Inte-
11 rior and the Department of Agriculture a Public Lands
12 Corps.

13 “(b) *PARTICIPANTS.*—The Corps shall consist of indi-
14 viduals between the ages of 16 and 25, inclusive, who are
15 enrolled as participants in the Corps by the Secretary of
16 the Interior or the Secretary of Agriculture. To be eligible
17 for enrollment in the Corps, an individual shall satisfy the
18 criteria specified in section 137(b) of the National and
19 Community Service Act of 1990. The Secretaries may enroll
20 such individuals in the Corps without regard to the civil
21 service and classification laws, rules, or regulations of the
22 United States. The Secretaries may establish a preference
23 for the enrollment in the Corps of individuals who are eco-
24 nomicallly, physically, or educationally disadvantaged.

1 “(c) *QUALIFIED YOUTH OR CONSERVATION CORPS.*—
2 *The Secretary of the Interior and the Secretary of Agri-*
3 *culture are authorized to enter into contracts and coopera-*
4 *tive agreements with any qualified youth or conservation*
5 *corps to perform appropriate conservation projects referred*
6 *to in subsection (d).*

7 “(d) *PROJECTS TO BE CARRIED OUT.*—*The Secretary*
8 *of the Interior and the Secretary of Agriculture may each*
9 *utilize the Corps or any qualified youth or conservation*
10 *corps to carry out appropriate conservation projects which*
11 *such Secretary is authorized to carry out under other au-*
12 *thority of law on public lands. Appropriate conservation*
13 *projects may also be carried out under this title on Indian*
14 *lands with the approval of the Indian tribe involved and*
15 *on Hawaiian home lands with the approval of the Depart-*
16 *ment of Hawaiian Home Lands of the State of Hawaii.*

17 “(e) *PREFERENCE FOR CERTAIN PROJECTS.*—*In se-*
18 *lecting appropriate conservation projects to be carried out*
19 *under this title, the Secretary of the Interior and the Sec-*
20 *retary of Agriculture shall give preference to those projects*
21 *which—*

22 “(1) *will provide long-term benefits to the public;*

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

25 “(3) *will be labor intensive;*

1 “(4) can be planned and initiated promptly; and

2 “(5) will provide academic, experiential, or envi-
3 ronmental education opportunities.

4 “(f) *CONSISTENCY.*—Each appropriate conservation
5 project carried out under this title on eligible service lands
6 shall be consistent with the provisions of law and policies
7 relating to the management and administration of such
8 lands, with all other applicable provisions of law, and with
9 all management, operational, and other plans and docu-
10 ments which govern the administration of the area.

11 “**SEC. 205. CONSERVATION CENTERS.**

12 “(a) *ESTABLISHMENT AND USE.*—The Secretary of the
13 Interior and the Secretary of Agriculture are each author-
14 ized to provide such quarters, board, medical care, transpor-
15 tation, and other services, facilities, supplies, and equip-
16 ment as such Secretary deems necessary in connection with
17 the Public Lands Corps and appropriate conservation
18 projects carried out under this title and to establish and
19 use conservation centers owned and operated by such Sec-
20 retary for purposes of the Corps and such projects. The Sec-
21 retaries shall establish basic standards of health, nutrition,
22 sanitation, and safety for all conservation centers estab-
23 lished under this section and shall assure that such stand-
24 ards are enforced. Where necessary or appropriate, the Sec-
25 retaries may enter into contracts and other appropriate ar-

1 *rangements with State and local government agencies and*
2 *private organizations for the management of such conserva-*
3 *tion centers.*

4 “(b) *LOGISTICAL SUPPORT.*—*The Secretary of the In-*
5 *terior and the Secretary of Agriculture may make arrange-*
6 *ments with the Secretary of Defense to have logistical sup-*
7 *port provided by the Armed Forces to the Corps and any*
8 *conservation center established under this section, where*
9 *feasible. Logistical support may include the provision of*
10 *temporary tent shelters where needed, transportation, and*
11 *residential supervision.*

12 “(c) *USE OF MILITARY INSTALLATIONS.*—*The Sec-*
13 *retary of the Interior and the Secretary of Agriculture may*
14 *make arrangements with the Secretary of Defense to iden-*
15 *tify military installations and other facilities of the Depart-*
16 *ment of Defense and, in consultation with the adjutant gen-*
17 *erals of the State National Guards, National Guard facili-*
18 *ties that may be used, in whole or in part, by the Corps*
19 *for training or housing Corps participants.*

20 **“SEC. 206. RESOURCE ASSISTANTS.**

21 “(a) *AUTHORIZATION.*—*The Secretary of the Interior*
22 *and the Secretary of Agriculture are each authorized to pro-*
23 *vide individual placements of resource assistants with any*
24 *Federal land managing agency under the jurisdiction of*
25 *such Secretary to carry out research or resource protection*

1 *activities on behalf of the agency. To be eligible for selection*
2 *as a resource assistant, an individual must be at least 17*
3 *years of age. The Secretaries may select resource assistants*
4 *without regard to the civil service and classification laws,*
5 *rules, or regulations of the United States. The Secretaries*
6 *shall give a preference to the selection of individuals who*
7 *are enrolled in an institution of higher education or are*
8 *recent graduates from an institution of higher education,*
9 *with particular attention given to ensure full representation*
10 *of women and participants from historically black, His-*
11 *panic, and Native American schools.*

12 “(b) *USE OF EXISTING NONPROFIT ORGANIZATIONS.—*
13 *Whenever one or more existing nonprofit organizations can*
14 *provide, in the judgment of the Secretary of the Interior*
15 *or the Secretary of Agriculture, appropriate recruitment*
16 *and placement services to fulfill the requirements of this sec-*
17 *tion, the Secretary may implement this section through*
18 *such existing organizations. Participating nonprofit orga-*
19 *nizations shall contribute to the expenses of providing and*
20 *supporting the resource assistants, through private sources*
21 *of funding, at a level equal to 25 percent of the total costs*
22 *of each participant in the Resource Assistant program who*
23 *has been recruited and placed through that organization.*
24 *Any such participating nonprofit conservation service orga-*
25 *nization shall be required, by the respective land managing*

1 agency, to submit an annual report evaluating the scope,
2 size, and quality of the program, including the value of
3 work contributed by the Resource Assistants, to the mission
4 of the agency.

5 **“SEC. 207. LIVING ALLOWANCES AND TERMS OF SERVICE.**

6 “(a) *LIVING ALLOWANCES.*—The Secretary of the Inte-
7 rior and the Secretary of Agriculture shall provide each
8 participant in the Public Lands Corps and each resource
9 assistant with a living allowance in an amount not to ex-
10 ceed the maximum living allowance authorized by section
11 140(a)(3) of the National and Community Service Act of
12 1990 for participants in a national service program as-
13 sisted under subtitle C of title I of such Act.

14 “(b) *TERMS OF SERVICE.*—Each participant in the
15 Corps and each resource assistant shall agree to participate
16 in the Corps or serve as a resource assistant, as the case
17 may be, for such term of service as may be established by
18 the Secretary enrolling or selecting the individual.

19 **“SEC. 208. NATIONAL SERVICE EDUCATIONAL AWARDS.**

20 “(a) *EDUCATIONAL BENEFITS AND AWARDS.*—If a
21 participant in the Public Lands Corps or a resource assist-
22 ant also serves in an approved national service position des-
23 igned under subtitle C of title I of the National and Com-
24 munity Service Act of 1990, the participant or resource as-
25 sistant shall be eligible for a national service educational

1 *award in the manner prescribed in subtitle D of such title*
2 *upon successfully complying with the requirements for the*
3 *award. The period during which the national service edu-*
4 *cational award may be used, the purposes for which the*
5 *award may be used, and the amount of the award shall*
6 *be determined as provided under such subtitle.*

7 “(b) *FORBEARANCE IN THE COLLECTION OF STAFFORD*
8 *LOANS.—For purposes of section 428 of the Higher Edu-*
9 *cation Act of 1965, in the case of borrowers who are either*
10 *participants in the Corps or resource assistants, upon writ-*
11 *ten request, a lender shall grant a borrower forbearance on*
12 *such terms as are otherwise consistent with the regulations*
13 *of the Secretary of Education, during periods in which*
14 *the borrower is serving as such a participant or a resource*
15 *assistant.*

16 **“SEC. 209. NONDISPLACEMENT.**

17 “*The nondisplacement requirements of section 177 of*
18 *the National and Community Service Act of 1990 shall be*
19 *applicable to all activities carried out by the Public Lands*
20 *Corps, to all activities carried out under this title by a*
21 *qualified youth or conservation corps, and to the selection*
22 *and service of resource assistants.*

23 **“SEC. 210. FUNDING.**

24 “(a) *COST SHARING.—*

1 “(1) *PROJECTS BY QUALIFIED YOUTH OR CON-*
2 *SERVATION CORPS.*—*The Secretary of the Interior and*
3 *the Secretary of Agriculture are each authorized to*
4 *pay not more than 75 percent of the costs of any ap-*
5 *propriate conservation project carried out pursuant to*
6 *this title on public lands by a qualified youth or con-*
7 *servation corps. The remaining 25 percent of the costs*
8 *of such a project may be provided from nonfederal*
9 *sources in the form of funds, services, facilities, mate-*
10 *rials, equipment, or any combination of the foregoing.*
11 *No cost sharing shall be required in the case of any*
12 *appropriate conservation project carried out on In-*
13 *dian lands or Hawaiian home lands under this title.*

14 “(2) *PUBLIC LANDS CORPS PROJECTS.*—*The Sec-*
15 *retary of the Interior and the Secretary of Agriculture*
16 *are each authorized to accept donations of funds, serv-*
17 *ices, facilities, materials, or equipment for the pur-*
18 *poses of operating the Public Lands Corps and carry-*
19 *ing out appropriate conservation projects by the*
20 *Corps. However, nothing in this title shall be con-*
21 *strued to require any cost sharing for any project car-*
22 *ried out directly by the Corps.*

23 “(b) *FUNDS AVAILABLE UNDER NATIONAL AND COM-*
24 *MUNITY SERVICE ACT.*—*In order to carry out the Public*
25 *Lands Corps or to support resource assistants and qualified*

1 *youth or conservation corps under this title, the Secretary*
2 *of the Interior and the Secretary of Agriculture shall be eli-*
3 *gible to apply for and receive assistance under section*
4 *121(b) of the National and Community Service Act of 1990.*

5 “(c) *AUTHORIZATION OF APPROPRIATIONS.—There are*
6 *authorized to be appropriated such sums as may be nec-*
7 *essary to carry out this title.”*

8 ***SEC. 106. URBAN YOUTH CORPS.***

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

10 *(1) The rehabilitation, reclamation, and beautifi-*
11 *cation of urban public housing, recreational sites,*
12 *youth and senior centers, and public roads and public*
13 *works facilities through the efforts of young people in*
14 *the United States in an Urban Youth Corps can bene-*
15 *fit these youths, while also benefiting their commu-*
16 *nities, by—*

17 *(A) providing them with education and*
18 *work opportunities;*

19 *(B) furthering their understanding and ap-*
20 *preciation of the challenges faced by individuals*
21 *residing in urban communities; and*

22 *(C) providing them with a means to pay for*
23 *higher education or to repay indebtedness they*
24 *have incurred to obtain higher education.*

1 (2) *A significant number of housing units for*
2 *low-income individuals in urban areas has become*
3 *substandard and unsafe and the deterioration of*
4 *urban roadways, mass transit systems, and transpor-*
5 *tation facilities in the United States have contributed*
6 *to the blight encountered in many cities in the United*
7 *States.*

8 (3) *As a result, urban housing, public works, and*
9 *transportation resources are in need of labor intensive*
10 *rehabilitation, reclamation, and beautification work*
11 *that has been neglected in the past and cannot be ade-*
12 *quately carried out by Federal, State, and local gov-*
13 *ernment at existing personnel levels.*

14 (4) *Urban youth corps have established a good*
15 *record of rehabilitating, reclaiming, and beautifying*
16 *these kinds of resources in a cost efficient manner, es-*
17 *pecially when they have worked in partnership with*
18 *government housing, public works, and transportation*
19 *authorities and agencies.*

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

21 (1) *to perform, in a cost-effective manner, appro-*
22 *priate service projects to rehabilitate, reclaim, beau-*
23 *tify, and improve public housing and public works*
24 *and transportation facilities and resources in urban*

1 *areas suffering from high rates of poverty where work*
2 *will not be performed by existing employees;*

3 *(2) to assist government housing, public works,*
4 *and transportation authorities and agencies;*

5 *(3) to expose young people in the United States*
6 *to public service while furthering their understanding*
7 *and appreciation of their community;*

8 *(4) to expand educational opportunity for indi-*
9 *viduals who participate in the Urban Youth Corps es-*
10 *tablished by this section by providing them with an*
11 *increased ability to pursue postsecondary education*
12 *or job training; and*

13 *(5) to stimulate interest among young people in*
14 *the United States in lifelong service to their commu-*
15 *nities and the United States.*

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

17 *(1) The term “appropriate service project”*
18 *means any project for the rehabilitation, reclamation,*
19 *or beautification of urban public housing and public*
20 *works and transportation resources or facilities.*

21 *(2) The term “Corps” and “Urban Youth Corps”*
22 *mean the Urban Youth Corps established under sub-*
23 *section (d)(1).*

1 (3) *The term “qualified urban youth corps”*
2 *means any program established by a State or local*
3 *government or by a nonprofit organization that—*

4 (A) *is capable of offering meaningful, full-*
5 *time, productive work for individuals between*
6 *the ages of 16 and 25, inclusive, in an urban or*
7 *public works or transportation setting;*

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

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

15 (4) *The term “State” means any State of the*
16 *United States, the District of Columbia, the Common-*
17 *wealth of Puerto Rico, Guam, the Virgin Islands of*
18 *the United States, American Samoa, and the Com-*
19 *monwealth of the Northern Mariana Islands.*

20 (d) *ESTABLISHMENT OF URBAN YOUTH CORPS.—*

21 (1) *ESTABLISHMENT.—There is hereby estab-*
22 *lished in the appropriate executive departments of the*
23 *Federal Government an Urban Youth Corps. The*
24 *Corps shall consist of individuals between the ages of*
25 *16 and 25, inclusive, who are enrolled as participants*

1 *in the Corps by the Secretaries of such departments.*
2 *To be eligible for enrollment in the Corps, an individ-*
3 *ual shall satisfy the criteria specified in section*
4 *139(b) of the National and Community Service Act of*
5 *1990. The Secretaries may enroll such individuals in*
6 *the Corps without regard to the civil service and clas-*
7 *sification laws, rules, or regulations of the United*
8 *States. The Secretaries may establish a preference for*
9 *the enrollment in the Corps of individuals who are*
10 *economically, physically, or educationally disadvan-*
11 *tagged.*

12 (2) *USE OF QUALIFIED URBAN YOUTH CORPS.—*
13 *The Secretaries are authorized to enter into contracts*
14 *and cooperative agreements with any qualified urban*
15 *youth corps to perform appropriate service projects*
16 *described in paragraph (3).*

17 (3) *SERVICE PROJECTS.—The Secretaries may*
18 *each utilize the Corps or any qualified urban youth*
19 *corps to carry out appropriate service projects that*
20 *the Secretary involved is authorized to carry out*
21 *under other authority of law involving public housing*
22 *projects or public works resources or facilities.*

23 (4) *PREFERENCE FOR CERTAIN PROJECTS.—In*
24 *selecting an appropriate service project to be carried*

1 *out under this section, the Secretaries shall give a*
2 *preference to those projects which—*

3 *(A) will provide long-term benefits to the*
4 *public;*

5 *(B) will instill in the participant a work*
6 *ethic and a sense of public service;*

7 *(C) will be labor intensive;*

8 *(D) can be planned and initiated promptly;*
9 *and*

10 *(E) will provide academic, experiential, or*
11 *community education opportunities.*

12 *(5) CONSISTENCY.—Each appropriate service*
13 *project carried out under this section in any public*
14 *housing project or public works resource or facility*
15 *shall be consistent with the provisions of law and*
16 *policies relating to the management and administra-*
17 *tion of such projects, facilities, or resources, with all*
18 *other applicable provisions of law, and with all man-*
19 *agement, operational, and other plans and documents*
20 *which govern the administration of such projects, fa-*
21 *cilities, or resources.*

22 *(e) LIVING ALLOWANCES.—The Secretaries shall pro-*
23 *vide each participant in the Urban Youth Corps with a liv-*
24 *ing allowance in an amount not to exceed the maximum*
25 *living allowance authorized by section 140(a)(3) of the Na-*

1 *tional and Community Service Act of 1990 for participants*
2 *in a national service program assisted under subtitle C of*
3 *title I of such Act.*

4 (f) *TERMS OF SERVICE.—Each participant in the*
5 *Urban Youth Corps shall agree to participate in the Corps*
6 *for a term of service established by the Secretary involved,*
7 *consistent with the terms of service required under section*
8 *139(b) of the National and Community Service Act of 1990*
9 *for participants in a national service program assisted*
10 *under subtitle C of title I of such Act.*

11 (g) *EDUCATIONAL AWARDS.—*

12 (1) *ELIGIBILITY.—Each participant in the*
13 *Urban Youth Corps shall be eligible for a national*
14 *service educational award in the manner prescribed*
15 *in subtitle D of title I of the National and Commu-*
16 *nity Service Act of 1990 if such participant complies*
17 *with such requirements as may be established under*
18 *this subtitle by the Secretary involved respecting eligi-*
19 *bility for the award. The period during which the*
20 *award may be used, the purposes for which the award*
21 *may be used, and the amount of the award shall be*
22 *determined as provided under such subtitle.*

23 (2) *FORBEARANCE IN THE COLLECTION OF STAF-*
24 *FORD LOANS.—For purposes of section 428 of the*
25 *Higher Education Act of 1965, in the case of borrow-*

1 *ers who are participants in the Urban Youth Corps,*
2 *upon written request, a lender shall grant a borrower*
3 *forbearance on such terms as are otherwise consistent*
4 *with the regulations of the Secretary of Education,*
5 *during periods in which the borrower is serving as*
6 *such a participant and eligible for a national service*
7 *educational award under paragraph (1).*

8 *(h) NONDISPLACEMENT.—The nondisplacement re-*
9 *quirements of section 177 of the National and Community*
10 *Service Act of 1990 shall be applicable to all activities car-*
11 *ried out by the Urban Youth Corps and to all activities*
12 *carried out under this section by a qualified urban youth*
13 *corps.*

14 *(i) COST SHARING.—*

15 *(1) PROJECTS BY QUALIFIED URBAN YOUTH*
16 *CORPS.—The Secretaries are each authorized to pay*
17 *not more than 75 percent of the costs of any appro-*
18 *priate service project carried out pursuant to this sec-*
19 *tion by a qualified urban youth corps. The remaining*
20 *25 percent of the costs of such a project may be pro-*
21 *vided from nonfederal sources in the form of funds,*
22 *services, facilities, materials, equipment, or any com-*
23 *bination of the foregoing.*

24 *(2) DONATIONS.—The Secretaries are each au-*
25 *thorized to accept donations of funds, services, facili-*

1 *ties, materials, or equipment for the purposes of oper-*
2 *ating the Urban Youth Corps and carrying out ap-*
3 *propriate service projects by the Corps. However,*
4 *nothing in this section shall be construed to require*
5 *any cost sharing for any project carried out directly*
6 *by the Corps.*

7 (3) *FUNDS AVAILABLE UNDER NATIONAL AND*
8 *COMMUNITY SERVICE ACT.—In order to carry out the*
9 *Urban Youth Corps or to support qualified urban*
10 *youth corps under this section, the Secretaries shall be*
11 *eligible to apply for and receive assistance under sec-*
12 *tion 121(b) of the National and Community Service*
13 *Act of 1990.*

14 (4) *AUTHORIZATION OF APPROPRIATIONS.—*
15 *There are authorized to be appropriated such sums as*
16 *may be necessary to carry out this section.*

17 ***Subtitle B—Related Provisions***

18 ***SEC. 111. DEFINITIONS.***

19 (a) *IN GENERAL.—Section 101 of the National and*
20 *Community Service Act of 1990 (42 U.S.C. 12511) is*
21 *amended to read as follows:*

22 ***“SEC. 101. DEFINITIONS.***

23 *“For purposes of this title:*

24 *“(1) ADULT VOLUNTEER.—The term ‘adult vol-*
25 *unteer’ means an individual, such as an older adult,*

1 *an individual with a disability, a parent, or an em-*
2 *ployee of a business or public or private nonprofit*
3 *agency, who—*

4 *“(A) works without financial remuneration*
5 *in an educational institution to assist students*
6 *or out-of-school youth; and*

7 *“(B) is beyond the age of compulsory school*
8 *attendance in the State in which the educational*
9 *institution is located.*

10 *“(2) APPROVED NATIONAL SERVICE POSITION.—*

11 *The term ‘approved national service position’ means*
12 *a national service position designated by the Corpora-*
13 *tion as a position that includes a national service*
14 *educational award described in section 147 as one of*
15 *the benefits to be provided for successful service in the*
16 *position.*

17 *“(3) CARRY OUT.—The term ‘carry out’, when*
18 *used in connection with a national service program*
19 *described in section 122, means the planning, estab-*
20 *lishment, operation, expansion, or replication of the*
21 *program.*

22 *“(4) CHAIRPERSON.—The term ‘Chairperson’*
23 *means the Chairperson and Director of the Corpora-*
24 *tion appointed under section 193.*

1 “(5) *COMMUNITY-BASED AGENCY*.—The term
2 ‘community-based agency’ means a private nonprofit
3 organization (including a church or other religious
4 entity) that—

5 “(A) is representative of a community or a
6 significant segment of a community; and

7 “(B) is engaged in meeting human, edu-
8 cational, environmental, or public safety commu-
9 nity needs.

10 “(6) *CORPORATION*.—The term ‘Corporation’
11 means the Corporation for National Service estab-
12 lished under section 191.

13 “(7) *ECONOMICALLY DISADVANTAGED*.—The term
14 ‘economically disadvantaged’ means, with respect to
15 an individual, an individual who is determined by
16 the Chairperson to be low-income according to the lat-
17 est available data from the Department of Commerce.

18 “(8) *ELEMENTARY SCHOOL*.—The term ‘elemen-
19 tary school’ has the same meaning given such term in
20 section 1471(8) of the Elementary and Secondary
21 Education Act of 1965 (20 U.S.C. 2891(8)).

22 “(9) *INDIAN*.—The term ‘Indian’ means a person
23 who is a member of an Indian tribe.

24 “(10) *INDIAN LANDS*.—The term ‘Indian lands’
25 means—

1 “(A) any Indian reservation;

2 “(B) any public domain Indian allotments;

3 “(C) any former Indian reservation in the
4 State of Oklahoma;

5 “(D) any land held by incorporated Native
6 groups, regional corporations, and village cor-
7 porations under the Alaska Native Claims Settle-
8 ment Act (43 U.S.C. 1701 et seq.); and

9 “(E) any land held by dependent Indian
10 communities within the borders of the United
11 States whether within the original or subse-
12 quently acquired territory thereof, and whether
13 within or without the limits of a State.

14 “(11) INDIAN TRIBE.—The term ‘Indian tribe’
15 means an Indian tribe, band, nation, or other orga-
16 nized group or community, including any Native vil-
17 lage, Regional Corporation, or Village Corporation, as
18 defined in subsection (c), (g), or (j), respectively, of
19 section 3 of the Alaska Native Claims Settlement Act
20 (43 U.S.C. 1602 (c), (g), or (j)), that is recognized as
21 eligible for the special programs and services provided
22 by the United States under Federal law to Indians
23 because of their status as Indians.

24 “(12) INSTITUTION OF HIGHER EDUCATION.—
25 The term ‘institution of higher education’ has the

1 *same meaning given such term in section 1201(a) of*
2 *the Higher Education Act of 1965 (20 U.S.C.*
3 *1141(a)).*

4 “(13) *LOCAL EDUCATIONAL AGENCY.*—*The term*
5 *‘local educational agency’ has the same meaning*
6 *given such term in section 1471(12) of the Elemen-*
7 *tary and Secondary Education Act of 1965 (20*
8 *U.S.C. 2891(12)).*

9 “(14) *NATIONAL SERVICE LAWS.*—*The term ‘na-*
10 *tional service laws’ means this Act and the Domestic*
11 *Volunteer Service Act of 1973 (42 U.S.C. 4950 et*
12 *seq.).*

13 “(15) *OUT-OF-SCHOOL YOUTH.*—*The term ‘out-*
14 *of-school youth’ means an individual who—*

15 “(A) *has not attained the age of 27;*

16 “(B) *has not completed college or the equiv-*
17 *alent thereof; and*

18 “(C) *is not enrolled in an elementary or*
19 *secondary school or institution of higher edu-*
20 *cation.*

21 “(16) *PARTICIPANT.*—

22 “(A) *IN GENERAL.*—*The term ‘participant’*
23 *means—*

1 “(i) for purposes of subtitle C, an indi-
2 vidual in an approved national service po-
3 sition; and

4 “(ii) for purposes of any other provi-
5 sion of this Act, an individual enrolled in
6 a program that receives assistance under
7 this title.

8 “(B) *RULE.*—A participant shall not be
9 considered to be an employee of the program in
10 which the participant is enrolled.

11 “(17) *PARTNERSHIP PROGRAM.*—The term ‘part-
12 nership program’ means a program through which an
13 adult volunteer, a public or private nonprofit agency,
14 an institution of higher education, or a business as-
15 sists a local educational agency.

16 “(18) *PROGRAM.*—The term ‘program’, except
17 when used as part of the term ‘academic program’,
18 means a program described in section 111(a) (other
19 than a program referred to in paragraph (3)(B) of
20 such section), 117A(a), 119(b)(1), or 122(a), in para-
21 graph (1) or (2) of section 152(b), or in section 198.

22 “(19) *PROJECT.*—The term ‘project’ means an
23 activity, carried out through a program that receives
24 assistance under this title, that results in a specific
25 identifiable service or improvement that otherwise

1 *would not be done with existing funds, and that does*
2 *not duplicate the routine services or functions of the*
3 *employer to whom participants are assigned.*

4 “(20) *SCHOOL-AGE YOUTH.*—*The term ‘school-*
5 *age youth’ means an individual who is—*

6 “(A) *between the ages of 5 and 17, inclu-*
7 *sive; or*

8 “(B) *a child with a disability covered by*
9 *the Individuals with Disabilities Education Act*
10 *(20 U.S.C. 1400 et seq.).*

11 “(21) *SECONDARY SCHOOL.*—*The term ‘second-*
12 *ary school’ has the same meaning given such term in*
13 *section 1471(21) of the Elementary and Secondary*
14 *Education Act of 1965 (20 U.S.C. 2891(21)).*

15 “(22) *SERVICE-LEARNING.*—*The term ‘service-*
16 *learning’ means a method—*

17 “(A) *under which students or participants*
18 *learn and develop through active participation*
19 *in thoughtfully organized service that—*

20 “(i) *is conducted in and meets the*
21 *needs of a community;*

22 “(ii) *is coordinated with an elemen-*
23 *tary school, secondary school, institution of*
24 *higher education, or community service pro-*
25 *gram, and with the community; and*

1 “(iii) helps foster civic responsibility;

2 and

3 “(B) that—

4 “(i) is integrated into and enhances
5 the academic curriculum of the students, or
6 the educational components of the commu-
7 nity service program in which the partici-
8 pants are enrolled; and

9 “(ii) provides structured time for the
10 students or participants to reflect on the
11 service experience.

12 “(23) *SERVICE-LEARNING COORDINATOR*.—The
13 term ‘service-learning coordinator’ means an individ-
14 ual who provides services as described in section sub-
15 section (a)(3) or (b) of section 111.

16 “(24) *SERVICE SPONSOR*.—The term ‘service
17 sponsor’ means an organization, or other entity, that
18 has been selected to provide a placement for a partici-
19 pant.

20 “(25) *STATE*.—The term ‘State’ means each of
21 the several States, the District of Columbia, the Com-
22 monwealth of Puerto Rico, the Virgin Islands of the
23 United States, Guam, American Samoa, and the
24 Commonwealth of the Northern Mariana Islands. The

1 *term also includes Palau, until such time as the Com-*
2 *pact of Free Association is ratified.*

3 “(26) *STATE COMMISSION.*—*The term ‘State*
4 *Commission’ means a State Commission on National*
5 *Service maintained by a State pursuant to section*
6 *178. Except when used in section 178, the term in-*
7 *cludes an alternative administrative entity for a*
8 *State approved by the Corporation under such section*
9 *to act in lieu of a State Commission.*

10 “(27) *STATE EDUCATIONAL AGENCY.*—*The term*
11 *‘State educational agency’ has the same meaning*
12 *given such term in section 1471(23) of the Elemen-*
13 *tary and Secondary Education Act of 1965 (20*
14 *U.S.C. 2891(23)).*

15 “(28) *STUDENT.*—*The term ‘student’ means an*
16 *individual who is enrolled in an elementary or sec-*
17 *ondary school or institution of higher education on a*
18 *full- or part-time basis.”.*

19 *(b) TECHNICAL AND CONFORMING AMENDMENTS.*—

20 *(1) Section 182(a)(2) of the National and Com-*
21 *munity Service Act of 1990 (42 U.S.C 12642(a)(2))*
22 *is amended by striking “adult volunteer and partner-*
23 *ship” each place the term appears and inserting*
24 *“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(19) 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(22)*

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 follow-
16 ing:

 “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 fol-*
4 *lows:*

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 Chairperson*
19 *shall promulgate rules and regulations to provide for the*
20 *enforcement of this section that shall include provisions for*
21 *summary suspension of assistance for not more than 30*
22 *days, on an emergency basis, until notice and an oppor-*
23 *tunity to 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 Chairperson shall appoint an arbitrator
4 from a list of qualified arbitrators within
5 15 days after receiving a request for such
6 appointment 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 Chairperson in accordance with subpara-
13 graph (A)(ii), not later than 30 days after the
14 appointment 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-

1 *vidual described in paragraph (1) prevails*
2 *under a binding arbitration proceeding, the*
3 *State, local agency, public or private non-*
4 *profit organization, or partnership of such*
5 *agencies and organizations, that is a party*
6 *to such grievance shall pay the total cost of*
7 *such proceeding and the attorneys' fees of*
8 *such participant, labor organization, or in-*
9 *dividual, as the case may be.*

10 *“(5) PROPOSED PLACEMENT.—If a grievance is*
11 *filed regarding a proposed placement of a participant*
12 *in a project that receives assistance under this title,*
13 *such placement shall not be made unless the place-*
14 *ment is consistent with the resolution of the grievance*
15 *pursuant to this subsection.*

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

18 *“(A) suspension of payments for assistance*
19 *under this title;*

20 *“(B) termination of such payments;*

21 *“(C) prohibition of the placement described*
22 *in paragraph (5); and*

23 *“(D) in a case in which the grievance in-*
24 *volves a violation of subsection (a) or (b) of sec-*
25 *tion 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:*

1 “(B) *SUPPLANTATION OF HIRING.*—A par-
2 *ticipant in any program receiving assistance*
3 *under this title shall not perform any services or*
4 *duties, or engage in activities, that—*

5 “(i) *will supplant the hiring of em-*
6 *ployed workers; or*

7 “(ii) *are services, duties, or activities*
8 *with respect to which an individual has re-*
9 *call rights pursuant to a collective bargain-*
10 *ing agreement or applicable personnel pro-*
11 *cedures.”; and*

12 (2) *in subparagraph (C)(iii), to read as follows:*

13 “(iii) *employee who—*

14 “(I) *is subject to a reduction in*
15 *force; or*

16 “(II) *has recall rights pursuant to*
17 *a collective bargaining agreement or*
18 *applicable personnel procedures;”.*

19 **SEC. 118. EVALUATION.**

20 *Section 179 of the National and Community Service*
21 *Act of 1990 (42 U.S.C 12639) is amended—*

22 (1) *in subsection (a)—*

23 (A) *in the matter preceding paragraph (1),*
24 *by striking “this title” and inserting “the na-*
25 *tional service laws”; and*

1 (B) in paragraph (2)—

2 (i) in the matter preceding
3 subparagraph (A), by striking “for purposes
4 of the reports required by subsection (j),”
5 and inserting “with respect to the programs
6 authorized 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”; and

19 (3) by striking subsections (i) and (j).

20 **SEC. 119. ENGAGEMENT OF PARTICIPANTS.**

21 Section 180 of the National and Community Service
22 Act of 1990 (42 U.S.C. 12640) is amended by striking
23 “post-service benefits” and inserting “national service edu-
24 cational 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 Act
7 (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 follow-
12 ing:

“Sec. 181. Contingent extension.”.

13 **SEC. 121. REPEALS.**

14 (a) *IN GENERAL.*—Subtitle F of title I of the National
15 and Community Service Act of 1990 (42 U.S.C. 12631 et
16 seq.) is amended—

17 (1) by repealing sections 183, 185, and 186; and

18 (2) by redesignating section 184 as section 183.

19 (b) *TABLE OF CONTENTS.*—Section 1(b) of the Na-
20 tional and Community Service Act of 1990 (Public Law
21 101–610; 104 Stat. 3127) is amended by striking the items
22 relating to sections 183, 184, and 185 of such Act and in-
23 serting 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 178 (42 U.S.C. 12638) and inserting the following new section:

7 **“SEC. 178. STATE COMMISSIONS ON NATIONAL SERVICE.**

8 “(a) *EXISTENCE REQUIRED.*—

9 “(1) *STATE COMMISSION.*—Except as provided
10 in paragraph (2), to be eligible to receive a grant or
11 allotment under subtitle B or C or to receive a dis-
12 tribution of approved national service positions under
13 subtitle C, a State shall maintain a State Commis-
14 sion on National Service that satisfies the require-
15 ments of this section.

16 “(2) *ALTERNATIVE ADMINISTRATIVE ENTITY.*—
17 The chief executive officer of a State may apply to the
18 Corporation for approval to use an alternative ad-
19 ministrative entity to carry out the duties otherwise
20 entrusted to a State Commission under this Act. The
21 chief executive officer shall ensure that any alter-
22 native administrative entity used in lieu of a State
23 Commission still provides for the individuals de-
24 scribed in paragraphs (1) and (2) of subsection (c) to
25 play a significant policy-making role in carrying out

1 *the duties otherwise entrusted to a State Commission,*
2 *including the submission of applications on behalf of*
3 *the State under sections 117B and 130.*

4 “(b) *APPOINTMENT AND SIZE.*—*Except as provided in*
5 *subsection (c)(3), the members of a State Commission for*
6 *a State shall be appointed by the chief executive officer of*
7 *the State. A State Commission shall consist of not less than*
8 *15 voting members.*

9 “(c) *COMPOSITION AND MEMBERSHIP.*—

10 “(1) *REQUIRED MEMBERS.*—*The State Commis-*
11 *sion for a State shall include as voting members at*
12 *least one of each of the following individuals:*

13 “(A) *An individual with expertise in the*
14 *educational, training, and development needs of*
15 *youth, particularly disadvantaged youth.*

16 “(B) *An individual with experience in pro-*
17 *moting the involvement of older Americans in*
18 *service and voluntarism.*

19 “(C) *A representative of community action*
20 *agencies and community-based organizations*
21 *within the State, particularly those agencies and*
22 *organizations that—*

23 “(i) *are located in areas of the State*
24 *with high rates of poverty;*

1 “(ii) provide a comprehensive range of
2 services to economically disadvantaged indi-
3 viduals and families;

4 “(iii) have a demonstrated record of ef-
5 fectiveness; and

6 “(iv) are governed by a board com-
7 posed in significant part of economically
8 disadvantaged individuals.

9 “(D) A youth who is or has been a partici-
10 pant in a service program.

11 “(E) An individual with expertise in the
12 delivery of human, educational, environmental,
13 or public safety services to communities and per-
14 sons.

15 “(F) The head of the State educational
16 agency.

17 “(G) A representative of local governments
18 in the State.

19 “(H) A representative of local labor organi-
20 zations in the State.

21 “(I) Representatives of business.

22 “(2) *ADDITIONAL MEMBERS.*—The State Com-
23 mission for a State may also include as voting mem-
24 bers the following individuals:

1 “(A) *Representatives of entities which re-*
2 *ceive assistance under the Domestic Volunteer*
3 *Service Act of 1973 (42 U.S.C. 4950 et seq.).*

4 “(B) *Educators.*

5 “(C) *Individuals who are recognized for*
6 *their outstanding contributions as volunteers in*
7 *service to their community, State, and Nation.*

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 for that State.*

12 “(4) *EX OFFICIO STATE REPRESENTATIVES.—*
13 *The chief executive officer of a State may appoint as*
14 *nonvoting ex officio members of the State Commission*
15 *for the State representatives selected from among offi-*
16 *cers and employees of State agencies operating com-*
17 *munity service, youth service, education, social serv-*
18 *ice, senior service, and job training programs.*

19 “(5) *LIMITATION ON NUMBER OF STATE EMPLOY-*
20 *EES AS MEMBERS.—The number of voting members of*
21 *a State Commission selected under paragraph (1) or*
22 *(2) who are officers or employees of the State may not*
23 *exceed 25 percent (reduced to the nearest whole num-*
24 *ber) of the total membership of the State Commission.*

25 “(d) *MISCELLANEOUS MATTERS.—*

1 “(1) *MEMBERSHIP BALANCE.*—*The chief execu-*
2 *tive officer of a State shall ensure that the member-*
3 *ship of the State Commission for the State is balanced*
4 *according to race, ethnic background, age, and gender.*
5 *Not more than 50 percent of the voting members of*
6 *a State Commission, plus 1 additional member, may*
7 *be from the same political party.*

8 “(2) *TERMS.*—*Each member of the State Com-*
9 *mission for a State shall serve for a term of 3 years,*
10 *except that the chief executive officer of a State shall*
11 *initially appoint a portion of the members to terms*
12 *of 1 year and 2 years.*

13 “(3) *VACANCIES.*—*As vacancies occur on a State*
14 *Commission, new members shall be appointed by the*
15 *chief executive of the State and serve for the remain-*
16 *der of the term for which the predecessor of such mem-*
17 *ber was appointed. The vacancy shall not affect the*
18 *power of the remaining members to execute the duties*
19 *of the State Commission.*

20 “(4) *COMPENSATION.*—*A member of a State*
21 *Commission shall not receive any additional com-*
22 *penetration by reason of service on the State Commis-*
23 *sion, except that the State may authorize the reim-*
24 *bursement of travel expenses, including a per diem in*
25 *lieu of subsistence, in the same manner as other em-*

1 *ployees serving intermittently in the service of the*
2 *State.*

3 “(5) *CHAIRPERSON.*—*The voting members of a*
4 *State Commission shall elect one of the voting mem-*
5 *bers to serve as chairperson of the State Commission.*

6 “(e) *DUTIES OF A STATE COMMISSION.*—*The State*
7 *Commission for a State shall be responsible for the following*
8 *duties:*

9 “(1) *Preparation of a national service plan for*
10 *the State that—*

11 “(A) *is developed through an open and pub-*
12 *lic process (such as through regional forums,*
13 *hearings, and other means) that provides for*
14 *maximum participation and input from existing*
15 *national service programs within the State and*
16 *other interested members of the public;*

17 “(B) *covers a 3-year period;*

18 “(C) *is updated annually; and*

19 “(D) *contains such information as the State*
20 *Commission considers to be appropriate or as the*
21 *Corporation may require.*

22 “(2) *Preparation of the applications of the State*
23 *under sections 117B and 130 for financial assistance.*

1 “(3) Assistance in the preparation of the appli-
2 cation of the State educational agency for assistance
3 under section 113.

4 “(4) Preparation of the application of the State
5 under section 130 for the approval of service positions
6 that include the national service educational award
7 described in subtitle D.

8 “(5) Make recommendations to the Corporation
9 with respect to priorities for programs receiving as-
10 sistance under the Domestic Volunteer Service Act of
11 1973.

12 “(6) Make technical assistance available to en-
13 able applicants under section 121—

14 “(A) to plan and implement service pro-
15 grams; and

16 “(B) to apply for assistance under the na-
17 tional service laws using, if appropriate, infor-
18 mation and materials available through a clear-
19 inghouse established under section 198A.

20 “(7) Assistance in the provision of health care
21 and child care benefits under section 140 to partici-
22 pants in national service programs that receive assist-
23 ance under section 121.

24 “(8) Development of a State system for the re-
25 cruitment and placement of participants in national

1 *service programs that receive assistance under the na-*
2 *tional service laws and dissemination of information*
3 *concerning national service programs that receive as-*
4 *istance and approved national service positions.*

5 “(9) *Administration of the grant program in*
6 *support of national service programs that is con-*
7 *ducted by the State using assistance provided to the*
8 *State under section 121, including selection, oversight,*
9 *and evaluation of grant recipients.*

10 “(10) *Development of projects, training methods,*
11 *curriculum materials, and other materials and activi-*
12 *ties related to national service programs that receive*
13 *assistance from the State using assistance provided*
14 *under section 121.*

15 “(f) *ACTIVITY INELIGIBLE FOR ASSISTANCE.*—A State
16 *Commission may not directly carry out any national serv-*
17 *ice program that receives assistance under section 121.*

18 “(g) *DELEGATION.*—Subject to such requirements as
19 *the Corporation may prescribe, a State Commission may*
20 *delegate nonpolicymaking duties to a State agency or public*
21 *or private nonprofit organization.*

22 “(h) *APPROVAL OF STATE COMMISSION OR ALTER-*
23 *NATIVE.*—

24 “(1) *SUBMISSION TO CORPORATION.*—The chief
25 *executive officer for a State shall notify the Corpora-*

1 *tion of the establishment or designation of the State*
2 *Commission for the State. The notification shall in-*
3 *clude a description of—*

4 *“(A) the composition and membership of the*
5 *State Commission; and*

6 *“(B) the authority of the State Commission*
7 *regarding national service activities carried out*
8 *by the State.*

9 *“(2) APPROVAL OF ALTERNATIVE ADMINISTRA-*
10 *TIVE ENTITY.—Any use of an alternative administra-*
11 *tive entity to carry out the duties of a State Commis-*
12 *sion shall be subject to the approval of the Corpora-*
13 *tion.*

14 *“(3) REJECTION.—The Corporation may reject a*
15 *State Commission if the Corporation determines that*
16 *the composition, membership, or duties of the State*
17 *Commission do not comply with the requirements of*
18 *this section. The Corporation shall reject a request to*
19 *use an alternative administrative entity in lieu of a*
20 *State Commission if the Corporation determines that*
21 *use of the alternative administrative entity does not*
22 *allow the individuals described in paragraphs (1) and*
23 *(2) of subsection (c) to play a significant policy-mak-*
24 *ing role in carrying out the duties otherwise entrusted*
25 *to a State Commission. If the Corporation rejects a*

1 *State Commission or alternative administrative en-*
2 *tity under this paragraph, the Corporation shall*
3 *promptly notify the State of the reasons for the rejec-*
4 *tion.*

5 “(4) *RESUBMISSION AND RECONSIDERATION.*—
6 *The Corporation shall provide a State notified under*
7 *paragraph (3) with a reasonable opportunity to revise*
8 *the rejected State Commission or alternative adminis-*
9 *trative entity. At the request of the State, the Cor-*
10 *poration shall provide technical assistance to the*
11 *State as part of the revision process. The Corporation*
12 *shall promptly reconsider any resubmission of a noti-*
13 *fication under paragraph (1) or application to use an*
14 *alternative administrative entity under paragraph*
15 *(2).*

16 “(5) *SUBSEQUENT CHANGES.*—*This subsection*
17 *shall also apply to any change in the composition or*
18 *duties of a State Commission or an alternative ad-*
19 *ministrative entity made after approval of the State*
20 *Commission or the alternative administrative en-*
21 *tity.”.*

22 “(b) *TABLE OF CONTENTS.*—*Section 1(b) of the Na-*
23 *tional and Community Service Act of 1990 (Public Law*
24 *101–610; 104 Stat. 3127) is amended by striking the item*

1 *relating to section 178 and inserting the following new*
2 *item:*

“Sec. 178. State Commissions on National Service.”.

3 (c) *EFFECTIVE DATE.*—*The amendments made by this*
4 *section shall take effect on the date of the enactment of this*
5 *Act.*

6 (d) *TRANSITIONAL PROVISIONS.*—

7 (1) *USE OF ALTERNATIVES TO STATE COMMIS-*
8 *SION.*—*If a State does not have a State Commission*
9 *on National Service that satisfies the requirements*
10 *specified in section 178 of the National and Commu-*
11 *nity Services Act of 1990, as amended by subsection*
12 *(a), the Corporation for National Service may author-*
13 *ize the chief executive of the State to use an existing*
14 *agency of the State to perform the duties otherwise re-*
15 *served to a State Commission under subsection (e) of*
16 *such section.*

17 (2) *APPLICATION OF SUBSECTION.*—*This sub-*
18 *section shall apply only during the 18-month period*
19 *beginning on the date of the enactment of this Act.*

20 ***SEC. 202. INTERIM AUTHORITIES OF THE CORPORATION***
21 ***FOR NATIONAL SERVICE AND ACTION AGEN-***
22 ***CY.***

23 (a) *NATIONAL AND COMMUNITY SERVICE ACT OF*
24 *1990.*—*Subtitle G of title I of the National and Community*

1 *Service Act of 1990 (42 U.S.C. 12651) is amended to read*
2 *as follows:*

3 ***“Subtitle G—Corporation for***
4 ***National Service***

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

6 *“There is established a Corporation for National Serv-*
7 *ice that shall administer the programs established under*
8 *this Act. The Corporation shall be a Government corpora-*
9 *tion, as defined in section 103 of title 5, United States Code.*

10 ***“SEC. 192. BOARD OF DIRECTORS.***

11 *“(a) COMPOSITION.—*

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

15 *“(A) not less than 15 members, including*
16 *the Chairperson appointed under section 193, to*
17 *be appointed by the President, by and with the*
18 *advice and consent of the Senate; and*

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

21 *“(2) QUALIFICATIONS.—To the maximum extent*
22 *practicable, the President shall appoint members—*

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

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

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

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

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

10 “(E) *so that no more than 50 percent of the*
11 *appointed members of the Board, plus 1 addi-*
12 *tional appointed member, are from a single po-*
13 *litical party.*

14 “(3) *EX OFFICIO MEMBERS.—The Secretary of*
15 *Education, the Secretary of Health and Human Serv-*
16 *ices, the Secretary of Labor, the Secretary of the Inte-*
17 *rior, the Secretary of Agriculture, the Secretary of*
18 *Housing and Urban Development, the Secretary of*
19 *Defense, the Attorney General, the Director of the*
20 *Peace Corps, and the Administrator of the Environ-*
21 *mental Protection Agency shall serve as ex officio*
22 *nonvoting members of the Board.*

23 “(b) *TERMS.—Each appointed member of the Board*
24 *shall serve for a term of 5 years, except that, as designated*
25 *by the President—*

1 *States to examine and review operation of the national*
2 *service laws.*

3 “(b) *QUORUM.*—*A majority of the appointed members*
4 *of the Board shall constitute a quorum.*

5 “(c) *OFFICERS.*—

6 “(1) *VICE CHAIRPERSON.*—*The Board shall elect*
7 *a Vice Chairperson from among its membership. The*
8 *Vice Chairperson may conduct meetings of the Board*
9 *in the absence of the Chairperson.*

10 “(2) *OTHER OFFICERS.*—*The Board may elect*
11 *from among its membership such additional officers*
12 *of the Board as the Board determines to be appro-*
13 *priate.*

14 “(d) *INSPECTOR GENERAL OVERSIGHT COMMITTEE.*—
15 *The Board shall establish an Inspector General oversight*
16 *committee (referred to in this subtitle as the ‘oversight com-*
17 *mittee’). Such committee shall be comprised of the Vice*
18 *Chairperson and two members selected by the Vice Chair-*
19 *person. The Chairperson shall not serve on the oversight*
20 *committee.*

21 “(e) *EXPENSES.*—*While away from their homes or reg-*
22 *ular places of business on the business of the Board, mem-*
23 *bers of such Board shall be allowed travel expenses, includ-*
24 *ing per diem in lieu of subsistence, at rates authorized for*
25 *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 “(f) *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 “(g) *STATUS OF MEMBERS.*—

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

22 “(2) *EFFECT ON OTHER LAW.*—This subsection
23 *shall not be construed—*

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

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

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

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

12 *“(h) DUTIES.—The Board shall—*

13 *“(1) prepare a strategic plan every 3 years, and*
14 *annual updates of the plan, for the Corporation with*
15 *respect to the grants, allotments, contracts, assistance,*
16 *and payments made by the Corporation, and with re-*
17 *spect to such standards, policies, procedures, pro-*
18 *grams, and initiatives as are necessary or appro-*
19 *priate to carry out this Act;*

20 *“(2) make recommendations with respect to the*
21 *regulations established under section 195(b)(3)(A);*

22 *“(3)(A) review the actions of the Chairperson*
23 *with respect to—*

24 *“(i) grants, allotments, contracts, assist-*
25 *ance, and payments made by the Corporation;*

1 “(ii) the personnel of the Corporation; and

2 “(iii) the standards, policies, procedures,
3 programs, and initiatives of the Corporation;
4 and

5 “(B) inform the Chairperson of any aspects of
6 the actions of the Chairperson that are not in compli-
7 ance with the annual strategic plan described in
8 paragraph (1) or the recommendations described in
9 paragraph (2), or are not consistent with the objec-
10 tives of this Act;

11 “(4) receive reports issued by the Inspector Gen-
12 eral of the Corporation and review actions taken by
13 the Chairperson with respect to such reports;

14 “(5) review the evaluation of programs estab-
15 lished under this Act, in accordance with section 179;

16 “(6) make recommendations for research with re-
17 spect to national and community service programs,
18 including service-learning programs;

19 “(7) advise the President and the Congress con-
20 cerning developments in national and community
21 service that merit the attention of the President and
22 the Congress;

23 “(8) disseminate information regarding the pro-
24 grams and initiatives of the Corporation; and

1 “(9) carry out any other activities determined to
2 be appropriate by the Chairperson.

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

4 “(a) APPOINTMENT.—The Corporation shall be headed
5 by an individual who shall serve as Chairperson of the
6 Board and as Director of the Corporation, and who shall
7 be appointed by the President, by and with the advice and
8 consent of the Senate.

9 “(b) COMPENSATION.—The Chairperson shall be com-
10 pensated at the rate provided for level III of the Executive
11 Schedule under section 5314 of title 5, United States Code.

12 “(c) REGULATIONS.—The Chairperson shall prescribe
13 such rules and regulations as are necessary or appropriate
14 to carry out this Act.

15 **“SEC. 193A. AUTHORITIES AND DUTIES OF THE CHAIR-**
16 **PERSON.**

17 “(a) GENERAL POWERS AND DUTIES.—The Chair-
18 person shall be responsible for the exercise of the powers and
19 the discharge of the duties of the Corporation that are not
20 reserved to the Board, and shall have authority and control
21 over all personnel of the Corporation.

22 “(b) DUTIES.—In addition to the duties conferred on
23 the Chairperson under any other provision of this Act, the
24 Chairperson shall—

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

5 “(2) establish and administer such programs and
6 initiatives as the Chairperson, acting on the rec-
7 ommendation of the Board, may determine to be nec-
8 essary or appropriate to carry out this Act;

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

11 “(4) on the recommendation of the Board, sus-
12 pend or terminate payments and positions provided
13 pursuant to the national service laws, in accordance
14 with section 176;

15 “(5) prepare and submit to the Board an annual
16 report, and such interim reports as may be necessary,
17 describing the major actions of the Chairperson with
18 respect to the personnel of the Corporation, and with
19 respect to such standards, policies, procedures, pro-
20 grams, and initiatives;

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

1 “(7) 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; and

8 “(B) the manner in which the Corporation
9 used or disposed of such services, money, and
10 property.

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

14 “(1) establish, alter, consolidate, or discontinue
15 such organizational units or components within the
16 Corporation as the Chairperson considers necessary or
17 appropriate;

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

19 “(A) arrange with and reimburse the heads
20 of other Federal agencies for the performance of
21 any of the provisions of this Act; and

22 “(B) as necessary or appropriate—

23 “(i) delegate any of the functions of the
24 Chairperson under this Act, or, with the
25 permission of the Board, any of the func-

1 *tions of the Board under this Act, to such*
2 *heads of Federal agencies; and*

3 *“(ii) authorize the redelegation of such*
4 *functions,*

5 *subject to provisions to assure the maximum pos-*
6 *sible liaison between the Corporation and such*
7 *other agencies at all operating levels;*

8 *“(3) with their consent, utilize the services and*
9 *facilities of Federal agencies with or without reim-*
10 *bursement, and, with the consent of any State, or po-*
11 *litical subdivision of a State, accept and utilize the*
12 *services and facilities of the agencies of such State or*
13 *subdivisions without reimbursement;*

14 *“(4) allocate and expend, or transfer to other*
15 *Federal agencies for expenditure, funds made avail-*
16 *able under this Act, including expenditure for con-*
17 *struction, repairs, and capital improvements;*

18 *“(5) disseminate, without regard to the provi-*
19 *sions of section 3204 of title 39, United States Code,*
20 *data and information, in such form as the Chair-*
21 *person shall determine to be appropriate to public*
22 *agencies, private organizations, and the general pub-*
23 *lic;*

24 *“(6) collect or compromise all obligations to or*
25 *held by the Chairperson and all legal or equitable*

1 *rights accruing to the Chairperson in connection with*
2 *the payment of obligations in accordance with chap-*
3 *ter 37 of title 31, United States Code (commonly*
4 *known as the ‘Federal Claims Collection Act of*
5 *1966’);*

6 *“(7) expend funds made available for purposes of*
7 *this Act, without regard to any other law or regula-*
8 *tion, for rent of buildings and space in buildings and*
9 *for repair, alteration, and improvement of buildings*
10 *and space in buildings rented by the Chairperson;*

11 *“(8) file a civil action in any court of record of*
12 *a State having general jurisdiction or in any district*
13 *court of the United States, with respect to a claim*
14 *arising under this Act;*

15 *“(9) exercise the authorities of the Corporation*
16 *under section 196; and*

17 *“(10) generally perform such functions and take*
18 *such steps consistent with the objectives and provi-*
19 *sions of this Act, as the Chairperson determines to be*
20 *necessary or appropriate to carry out such provisions.*

21 *“(d) DELEGATION.—*

22 *“(1) DEFINITION.—As used in this subsection,*
23 *the term ‘function’ means any duty, obligation,*
24 *power, authority, responsibility, right, privilege, ac-*
25 *tivity, or program.*

1 “(2) *IN GENERAL.*—Except as otherwise prohib-
2 ited by law or provided in this Act, the Chairperson
3 may delegate any function under this Act, and au-
4 thorize such successive redelegations of such function
5 as may be necessary or appropriate. No delegation of
6 a function by the Chairperson under this subsection
7 or under any other provision of this Act shall relieve
8 such Chairperson of responsibility for the administra-
9 tion of such function.

10 “(3) *FUNCTION OF BOARD.*—The Chairperson
11 may not delegate a function of the Board without the
12 permission of the Board.

13 “(e) *ACTIONS.*—In an action described in subsection
14 (c)(8)—

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

18 “(2) such an action brought by the Chairperson
19 shall survive notwithstanding any change in the per-
20 son occupying the office of Chairperson or any va-
21 cancy in that office;

22 “(3) no attachment, injunction, garnishment, or
23 other similar process, mesne or final, shall be issued
24 against the Chairperson or the Board or property

1 *under the control of the Chairperson or the Board;*
2 *and*

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

7 **“SEC. 194. OFFICERS.**

8 “(a) *MANAGING DIRECTORS.—*

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

13 “(2) *COMPENSATION.—The Managing Directors*
14 *shall be compensated at the rate provided for level IV*
15 *of the Executive Schedule under section 5315 of title*
16 *5, United States Code.*

17 “(3) *DUTIES.—*

18 “(A) *FEDERAL PROGRAMS.—One of the*
19 *Managing Directors shall be primarily respon-*
20 *sible for the Federal programs carried out by the*
21 *Corporation.*

22 “(B) *INVESTMENT PROGRAMS.—The other*
23 *Managing Director shall be primarily respon-*
24 *sible for the financial assistance programs car-*
25 *ried out by the Corporation.*

1 “(b) *INSPECTOR GENERAL.*—*There shall be in the Cor-*
2 *poration an Office of Inspector General as provided in sec-*
3 *tion 8E(a)(2) of the Inspector General Act of 1978 (5 U.S.C.*
4 *App.).*

5 “(c) *CHIEF FINANCIAL OFFICER.*—

6 “(1) *OFFICE.*—*There shall be in the Corporation*
7 *a Chief Financial Officer, who shall be appointed by*
8 *the President, by and with the advice and consent of*
9 *the Senate.*

10 “(2) *COMPENSATION.*—*The Chief Financial Offi-*
11 *cer shall be compensated at the rate provided for level*
12 *IV of the Executive Schedule under section 5315 of*
13 *title 5, United States Code.*

14 “(3) *DUTIES.*—*The Chief Financial Officer*
15 *shall—*

16 “(A) *report directly to the Chairperson re-*
17 *garding financial management matters;*

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

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

1 “(D) develop and maintain any joint finan-
2 cial management systems with the Department
3 of Education necessary to carry out the pro-
4 grams of the Corporation; and

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

9 **“SEC. 194A. CORPORATION STATE OFFICES.**

10 “(a) *IN GENERAL.*—The Chairperson shall establish
11 and maintain a decentralized field structure which provides
12 for an office of the Corporation for each State which is lo-
13 cated in or in reasonable proximity of each such State. Such
14 State office may be directed by the State Corporation rep-
15 resentative designated under section 195(b)(1).

16 “(b) *DUTIES.*—Each State office established pursuant
17 to subsection (a) shall—

18 “(1) provide to the State Commissions estab-
19 lished under section 178 technical and other assist-
20 ance for the development and implementation of State
21 service plans;

22 “(2) provide to community-based agencies and
23 other entities within the State technical assistance for
24 the preparation of applications for assistance under
25 the national service laws, utilizing, as appropriate,

1 *information and materials provided by the clearing-*
2 *houses established pursuant to section 198A;*

3 *“(3) provide to the State Commission and other*
4 *entities within the State support and technical assist-*
5 *ance necessary to assure that there is an effective sys-*
6 *tem of recruitment, placement, and training of volun-*
7 *teers within the State;*

8 *“(4) monitor and evaluate the performance of all*
9 *programs and projects within the State which receive*
10 *assistance under the national service laws; and*

11 *“(5) perform such other duties and functions*
12 *which may be assigned or delegated by the Chair-*
13 *person.*

14 **“SEC. 195. EMPLOYEES, CONSULTANTS, AND OTHER PER-**
15 **SONNEL.**

16 *“(a) EMPLOYEES.—*

17 *“(1) IN GENERAL.—Except as provided in para-*
18 *graph (2) and subsections (b) and (c), the Chair-*
19 *person shall, in accordance with applicable provisions*
20 *of title 5 of the United States Code, appoint and de-*
21 *termine the compensation of such employees as the*
22 *Chairperson determines to be necessary to carry out*
23 *the duties of the Corporation.*

24 *“(2) ASSISTANT DIRECTORS FOR VISTA AND NA-*
25 *TIONAL SENIOR VOLUNTEER CORPS.—*

1 “(A) *APPOINTMENT.*—*The Managing Direc-*
2 *tor primarily responsible for the Federal pro-*
3 *grams carried out by the Corporation (appointed*
4 *pursuant to section 194(a)) shall, in accordance*
5 *with applicable provisions of title 5 of the*
6 *United States Code, appoint 4 Assistant Direc-*
7 *tors who shall report directly to such Managing*
8 *Director, of which—*

9 “(i) *1 Assistant Director shall be re-*
10 *sponsible for parts A and B of title I of the*
11 *Domestic Volunteer Service Act of 1973 (the*
12 *Volunteers in Service to America (VISTA)*
13 *program) and other antipoverty programs*
14 *under title I of that Act;*

15 “(ii) *1 Assistant Director shall be re-*
16 *sponsible for part A of title II of that Act*
17 *(relating to the Retired Senior Volunteer*
18 *Program);*

19 “(iii) *1 Assistant Director shall be re-*
20 *sponsible for part B of title II of that Act*
21 *(relating to the Foster Grandparent Pro-*
22 *gram); and*

23 “(iv) *1 Assistant Director shall be re-*
24 *sponsible for part C of title II of that Act*

1 *(relating to the Senior Companion Pro-*
2 *gram).*

3 “(B) *EFFECTIVE DATE FOR EXERCISE OF*
4 *AUTHORITY.—Each Assistant Director appointed*
5 *pursuant to subparagraph (A) may exercise the*
6 *authority assigned to each such Director only*
7 *after the effective date of section 203(b) of the*
8 *National Service Trust Act of 1993.*

9 “(b) *ALTERNATIVE PERSONNEL SYSTEM.—*

10 “(1) *AUTHORITY.—To the extent the Chairperson*
11 *determines it appropriate and desirable to further the*
12 *effective operation of the Corporation, the Chairperson*
13 *may designate positions in the Corporation to which*
14 *appointments may be made and for which compensa-*
15 *tion may be determined without regard to the provi-*
16 *sions of title 5, United States Code, governing ap-*
17 *pointments in the competitive service, and without re-*
18 *gard to the provisions of chapter 51 and subchapter*
19 *III of chapter 53 of such title relating to classification*
20 *and General Schedule pay rates. The Chairperson*
21 *may provide for appointments to such positions to be*
22 *made on a limited term basis.*

23 “(2) *APPOINTMENT IN THE COMPETITIVE SERV-*
24 *ICE AFTER EMPLOYMENT UNDER ALTERNATIVE PER-*
25 *SONNEL SYSTEM.—The Director of the Office of Per-*

1 *sonnel Management may grant competitive status for*
2 *appointment to the competitive service, under such*
3 *conditions as the Director may prescribe, to an em-*
4 *ployee who is appointed under this subsection and*
5 *who is separated from the Corporation (other than by*
6 *removal for cause).*

7 *“(3) SELECTION AND COMPENSATION SYSTEM.—*

8 *“(A) ESTABLISHMENT OF SYSTEM.—The*
9 *Chairperson, after reviewing the recommenda-*
10 *tions of the Board under section 192A(h)(2), and*
11 *after obtaining the approval of the Director of*
12 *the Office of Personnel Management, shall issue*
13 *regulations establishing a selection and com-*
14 *penetration system for employees of the Corpora-*
15 *tion appointed under paragraph (1). In issuing*
16 *such regulations, the Chairperson shall take into*
17 *consideration the need for flexibility in such a*
18 *system.*

19 *“(B) APPLICATION.—The Chairperson shall*
20 *appoint and determine the compensation of em-*
21 *ployees in accordance with the selection and*
22 *compensation system established under subpara-*
23 *graph (A).*

1 “(C) *SELECTION.*—*The system established*
2 *under subparagraph (A) shall provide for the se-*
3 *lection of employees—*

4 “(i) *through a competitive process; and*

5 “(ii) *on the basis of the qualifications*
6 *of applicants and the requirements of the*
7 *positions.*

8 “(D) *COMPENSATION.*—*The system estab-*
9 *lished under subparagraph (A) shall include a*
10 *scheme for the classification of positions in the*
11 *Corporation. The system shall require that the*
12 *compensation of an employee be determined in*
13 *part on the basis of the job performance of the*
14 *employee, and in a manner consistent with the*
15 *principles described in section 5301 of title 5,*
16 *United States Code. The rate of compensation for*
17 *each employee compensated under the system*
18 *shall not exceed the annual rate of basic pay*
19 *payable for level IV of the Executive Schedule*
20 *under section 5315 of title 5, United States Code.*

21 “(c) *CORPORATION REPRESENTATIVE IN EACH*
22 *STATE.—*

23 “(1) *APPOINTMENT OF REPRESENTATIVE.*—*The*
24 *Chairperson shall, without regard to the provisions of*
25 *title 5, United States Code, governing appointments*

1 *in the competitive service, appoint an employee to*
2 *serve as the representative of the Corporation for each*
3 *State or group of States to assist the Corporation in*
4 *carrying out the activities described in this Act in the*
5 *State or States.*

6 “(2) *DUTIES.*—*The representative appointed*
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 *and*

12 “(B) *the Corporation and any subdivision*
13 *of a State, Indian tribe, public or private non-*
14 *profit organization, or institution of higher edu-*
15 *cation, in the State or States, that is awarded a*
16 *grant under section 121 directly from the Cor-*
17 *poration.*

18 “(3) *MEMBER OF STATE COMMISSION.*—*The rep-*
19 *resentative appointed under this subsection for a*
20 *State or group of States shall also serve as a voting*
21 *member of the State Commission established in the*
22 *State or States.*

23 “(4) *COMPENSATION.*—

24 “(A) *IN GENERAL.*—*The Chairperson may*
25 *determine the compensation of representatives*

1 *appointed under this subsection without regard*
2 *to the provisions of chapter 51 and subchapter*
3 *III of chapter 53 of title 5, United States Code,*
4 *relating to classification and General Schedule*
5 *pay rates.*

6 “(B) *LIMITATION ON COMPENSATION.*—*The*
7 *rate of compensation for each representative ap-*
8 *pointed under this subsection shall not exceed the*
9 *maximum rate of basic pay payable for GS-15*
10 *of the General Schedule under section 5332 of*
11 *title 5, United States Code.*

12 “(d) *CONSULTANTS.*—*The Chairperson may procure*
13 *the temporary and intermittent services of experts and con-*
14 *sultants and compensate the experts and consultants in ac-*
15 *cordance with section 3109(b) of title 5, United States Code.*

16 “(e) *DETAILS OF PERSONNEL.*—*The head of any Fed-*
17 *eral department or agency may detail on a reimbursable*
18 *basis, or on a nonreimbursable basis for not to exceed 180*
19 *calendar days during any fiscal year, as agreed upon by*
20 *the Chairperson and the head of the Federal agency, any*
21 *of the personnel of that department or agency to the Cor-*
22 *poration to assist the Corporation in carrying out the du-*
23 *ties of the Corporation under this Act. Any detail shall not*
24 *interrupt or otherwise affect the civil service status or privi-*
25 *leges of the Federal employee.*

1 “(f) *ADVISORY COMMITTEES.*—

2 “(1) *ESTABLISHMENT.*—*The Chairperson, acting*
3 *upon the recommendation of the Board, may establish*
4 *advisory committees in the Corporation to advise the*
5 *Board with respect to national service issues, such as*
6 *the type of programs to be established or assisted*
7 *under the national service laws, priorities and cri-*
8 *teria for such programs, and methods of conducting*
9 *outreach for, and evaluation of, such programs.*

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

14 “(3) *EXPENSES.*—*Members of such an advisory*
15 *committee may be allowed travel expenses as described*
16 *in section 192A(e).*

17 “(4) *STAFF.*—*The Chairperson is authorized to*
18 *appoint and fix the compensation of such staff as the*
19 *Chairperson determines to be necessary to carry out*
20 *the functions of the advisory committee, without re-*
21 *gard to the provisions of title 5, United States Code,*
22 *governing appointments in the competitive service,*
23 *and without regard to the provisions of chapter 51*
24 *and subchapter III of chapter 53 of such title relating*
25 *to classification and General Schedule pay rates.*

1 *Such compensation shall not exceed the maximum*
2 *rate of basic pay payable for GS-15 of the General*
3 *Schedule under section 5332 of title 5, United States*
4 *Code.*

5 **“SEC. 196. ADMINISTRATION**

6 “(a) *DONATIONS.*—

7 “(1) *SERVICES.*—

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

16 “(B) *LIMITATION.*—*Such a volunteer shall*
17 *not be considered to be a Federal employee and*
18 *shall not be subject to the provisions of law relat-*
19 *ing to Federal employment, including those re-*
20 *lating to hours of work, rates of compensation,*
21 *leave, unemployment compensation, and Federal*
22 *employee benefits, except that for the purposes of*
23 *subchapter I of chapter 81 of title 5, United*
24 *States Code, relating to compensation to Federal*
25 *employees for work injuries, volunteers under*

1 *this subtitle shall be considered to be employees,*
2 *as defined in section 8101(1)(B) of title 5, Unit-*
3 *ed States Code, and the provisions of such sub-*
4 *chapter shall apply.*

5 “(C) *VOLUNTEER DEFINED.*—*For purposes*
6 *of this paragraph, the term ‘volunteer’ does not*
7 *include a participant.*

8 “(2) *PROPERTY.*—

9 “(A) *SOLICITATION AND ACCEPTANCE AU-*
10 *THORIZED.*—*The Corporation may solicit, ac-*
11 *cept, hold, administer, use, and dispose of, in*
12 *furtherance of the purposes of this Act, donations*
13 *of any money or property, real, personal, or*
14 *mixed, tangible or intangible, received by gift,*
15 *devise, bequest, or otherwise. Donations accepted*
16 *under this subparagraph shall be used as nearly*
17 *as possibly in accordance with the terms, if any,*
18 *of such donation.*

19 “(B) *STATUS OF CONTRIBUTION.*—*Any do-*
20 *nation accepted under subparagraph (A) shall be*
21 *considered to be a gift, devise, or bequest to, or*
22 *for the use of, the United States.*

23 “(C) *RULES.*—*The Corporation shall estab-*
24 *lish written rules to ensure that the solicitation,*

1 *acceptance, holding, administration, and use of*
2 *donations described in subparagraph (A)—*

3 “(i) *will not reflect unfavorably upon*
4 *the ability of the Corporation, or of any of-*
5 *ficer or employee of the Corporation, to*
6 *carry out the responsibilities or official du-*
7 *ties of the Corporation in a fair and objec-*
8 *tive manner; and*

9 “(ii) *will not compromise the integrity*
10 *of the programs of the Corporation or any*
11 *official or employee of the Corporation in-*
12 *volved in such programs.*

13 “(D) *DISPOSITION.—Upon completion of*
14 *the use by the Corporation of any donation ac-*
15 *cepted pursuant to subparagraph (A) (other than*
16 *money or monetary proceeds from sales of prop-*
17 *erty accepted), such completion shall be reported*
18 *to the General Services Administration and such*
19 *property shall be disposed of in accordance with*
20 *title II of the Federal Property and Administra-*
21 *tive Services Act of 1949 (40 U.S.C. 481 et seq.).*

22 “(b) *CONTRACTS.—Subject to the Federal Property*
23 *and Administrative Services Act of 1949, the Corporation*
24 *may enter into contracts, and cooperative and interagency*
25 *agreements, with Federal and State agencies, private firms,*

1 *institutions, and individuals to conduct activities necessary*
2 *to carry out the duties of the Corporation under this Act.”.*

3 (b) *DOMESTIC VOLUNTEER SERVICE ACT OF 1973.—*
4 *Section 401 of the Domestic Volunteer Service Act of 1973*
5 *(42 U.S.C. 5041) is amended by inserting after the second*
6 *sentence the following: “The Director shall report directly*
7 *to the Chairperson of the Corporation for National Serv-*
8 *ice.”.*

9 (c) *TRANSFER OF FUNCTIONS OF COMMISSION ON NA-*
10 *TIONAL AND COMMUNITY SERVICE.—*

11 (1) *DEFINITIONS.—For purposes of this sub-*
12 *section, unless otherwise provided or indicated by the*
13 *context, each term specified in section 203(c)(1) shall*
14 *have the meaning given the term in such section.*

15 (2) *TRANSFER OF FUNCTIONS.—There are trans-*
16 *ferred to the Corporation the functions that the Board*
17 *of Directors or Executive Director of the Commission*
18 *on National and Community Service exercised before*
19 *the effective date of this subsection (including all re-*
20 *lated functions of any officer or employee of the Com-*
21 *mission).*

22 (3) *APPLICATION.—The provisions of paragraphs*
23 *(3) through (10) of section 203(c) shall apply with re-*
24 *spect to the transfer described in paragraph (2), ex-*
25 *cept that—*

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

4 (B) paragraph (10) of such section shall not
5 preclude the transfer of the members of the Board
6 of Directors of the Commission to the Corpora-
7 tion if, on the effective date of this subsection, the
8 Board of Directors of the Corporation has not
9 been confirmed.

10 (d) *CONTINUING PERFORMANCE OF CERTAIN FUNC-*
11 *TIONS.—The individuals who, on the day before the date*
12 *of enactment of this Act, are performing any of the func-*
13 *tions required by section 190 of the National and Commu-*
14 *nity Service Act of 1990 (42 U.S.C. 12651), as in effect*
15 *on such date, to be performed by the members of the Board*
16 *of Directors of the Commission on National and Commu-*
17 *nity Service may, subject to section 193A of the National*
18 *and Community Service Act of 1990, as added by subsection*
19 *(a) of this section, continue to perform such functions until*
20 *the date on the Board of Directors of the Corporation for*
21 *National Service conducts the first meeting of the Board.*
22 *The service of such individuals as members of the Board*
23 *of Directors of such Commission, and the employment of*
24 *such individuals as special government employees, shall ter-*
25 *minate on such date.*

1 (e) *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 independ-
11 ent”.

12 (f) *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 as
21 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 ac-
25 tivities, the Chairperson, through such officers or employees

1 of the Corporation as the Chairperson may designate, may
 2 sell, lease, or donate such property to any entity that re-
 3 ceives financial assistance under the National and Commu-
 4 nity 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 (g) *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 items
 11 relating to subtitle G of title I of such Act and inserting
 12 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. 194A. Corporation State offices.

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

“Sec. 196. Administration.”.

13 (h) *EFFECTIVE DATES.*—

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

1 “(9) notwithstanding any other provision of law,
2 make grants to or contracts with Federal or other
3 public departments or agencies and private nonprofit
4 organizations for the assignment or referral of volun-
5 teers under the provisions of the Domestic Volunteer
6 Service Act of 1973 (except as provided in section 108
7 of the Domestic Volunteer Service Act of 1973), which
8 may provide that the agency or organization shall
9 pay all or a part of the costs of the program; and”.

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

13 (c) *TRANSFER OF FUNCTIONS FROM ACTION AGEN-*
14 *CY*.—

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

18 (A) the term “Chairperson” means the
19 Chairperson of the Corporation;

20 (B) the term “Corporation” means the Cor-
21 poration for National Service, established under
22 section 191 of the National and Community
23 Service Act of 1990;

1 (C) the term “Federal agency” has the
2 meaning given to the term “agency” by section
3 551(1) of title 5, United States Code;

4 (D) the term “function” means any duty,
5 obligation, power, authority, responsibility,
6 right, privilege, activity, or program; and

7 (E) the term “office” includes any office,
8 administration, agency, institute, unit, organi-
9 zational entity, or component thereof.

10 (2) *TRANSFER OF FUNCTIONS.*—There are trans-
11 ferred to the Corporation the functions that the Direc-
12 tor of the ACTION Agency exercised before the effec-
13 tive date of this subsection (including all related func-
14 tions of any officer or employee of the ACTION Agen-
15 cy).

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

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

1 (5) *TRANSFER AND ALLOCATIONS OF APPROPRIA-*
2 *TIONS AND PERSONNEL.*—*Except as otherwise pro-*
3 *vided in this subsection, the personnel employed in*
4 *connection with, and the assets, liabilities, contracts,*
5 *property, records, and unexpended balances of appro-*
6 *priations, authorizations, allocations, and other funds*
7 *employed, used, held, arising from, available to, or to*
8 *be made available in connection with the functions*
9 *transferred by this subsection, subject to section 1531*
10 *of title 31, United States Code, shall be transferred to*
11 *the Corporation. Unexpended funds transferred pur-*
12 *suant to this paragraph shall be used only for the*
13 *purposes for which the funds were originally author-*
14 *ized and appropriated.*

15 (6) *INCIDENTAL TRANSFER.*—*The Director of the*
16 *Office of Management and Budget, at such time or*
17 *times as the Director shall provide, is authorized to*
18 *make such determinations as may be necessary with*
19 *regard to the functions transferred by this subsection,*
20 *and to make such additional incidental dispositions*
21 *of personnel, assets, liabilities, grants, contracts,*
22 *property, records, and unexpended balances of appro-*
23 *priations, authorizations, allocations, and other funds*
24 *held, used, arising from, available to, or to be made*
25 *available in connection with such functions, as may*

1 *be necessary to carry out the provisions of this sub-*
2 *section. The Director of the Office of Management and*
3 *Budget shall provide for the termination of the affairs*
4 *of all entities terminated by this subsection and for*
5 *such further measures and dispositions as may be*
6 *necessary to effectuate the purposes of this subsection.*

7 (7) *EFFECT ON PERSONNEL.—*

8 (A) *IN GENERAL.—Except as otherwise pro-*
9 *vided by this subsection, the transfer pursuant to*
10 *this subsection of full-time personnel (except spe-*
11 *cial Government employees) and part-time per-*
12 *sonnel holding permanent positions shall be to*
13 *positions in the Corporation subject to section*
14 *195(a)(1) of the National and Community Serv-*
15 *ice Act of 1990, as added by section 202(a) of*
16 *this Act, and shall not cause any such employee*
17 *to be separated or reduced in grade or compensa-*
18 *tion, or to have the benefits of the employee re-*
19 *duced, for 1 year after the date of transfer of*
20 *such employee under this subsection, and such*
21 *transfer shall be deemed to be a transfer of func-*
22 *tions for purposes of section 3503 of title 5 of the*
23 *United States Code.*

24 (B) *EXECUTIVE SCHEDULE POSITIONS.—*

25 *Except as otherwise provided in this subsection,*

1 any person who, on the day preceding the effec-
2 tive date of this subsection, held a position com-
3 pensated in accordance with the Executive
4 Schedule prescribed in chapter 53 of title 5,
5 United States Code, and who, without a break in
6 service, is appointed in the Corporation to a po-
7 sition having duties comparable to the duties
8 performed immediately preceding such appoint-
9 ment shall continue to be compensated in such
10 new position at not less than the rate provided
11 for such previous position, for the duration of the
12 service of such person in such new position.

13 (C) *TERMINATION OF CERTAIN POSI-*
14 *TIONS.*—Positions whose incumbents are ap-
15 pointed by the President, by and with the advice
16 and consent of the Senate, the functions of which
17 are transferred by this subsection, shall termi-
18 nate on the effective date of this subsection.

19 (8) *SAVINGS PROVISIONS.*—

20 (A) *CONTINUING EFFECT OF LEGAL DOCU-*
21 *MENTS.*—All orders, determinations, rules, regu-
22 lations, permits, agreements, grants, contracts,
23 certificates, licenses, registrations, privileges, and
24 other administrative actions—

1 (i) that have been issued, made, grant-
2 ed, or allowed to become effective by the
3 President, any Federal agency or official
4 thereof, or by a court of competent jurisdic-
5 tion, in the performance of functions that
6 are transferred under this subsection; and

7 (ii) that are in effect at the time this
8 subsection takes effect, or were final before
9 the effective date of this subsection and are
10 to become effective on or after the effective
11 date of this subsection,

12 shall continue in effect according to their terms
13 until modified, terminated, superseded, set aside,
14 or revoked in accordance with law by the Presi-
15 dent, the Chairperson, or other authorized offi-
16 cial, a court of competent jurisdiction, or by op-
17 eration of law.

18 (B) *PROCEEDINGS NOT AFFECTED.*—The
19 provisions of this subsection shall not affect any
20 proceedings, including notices of proposed rule-
21 making, or any application for any license, per-
22 mit, certificate, or financial assistance pending
23 before the ACTION Agency at the time this sub-
24 section takes effect, with respect to functions
25 transferred by this subsection but such proceed-

1 *ings and applications shall be continued. Orders*
2 *shall be issued in such proceedings, appeals shall*
3 *be taken therefrom, and payments shall be made*
4 *pursuant to such orders, as if this subsection had*
5 *not been enacted, and orders issued in any such*
6 *proceedings shall continue in effect until modi-*
7 *fied, terminated, superseded, or revoked by a*
8 *duly authorized official, by a court of competent*
9 *jurisdiction, or by operation of law. Nothing in*
10 *this subparagraph shall be deemed to prohibit*
11 *the discontinuance or modification of any such*
12 *proceeding under the same terms and conditions*
13 *and to the same extent that such proceeding*
14 *could have been discontinued or modified if this*
15 *subsection had not been enacted.*

16 *(C) SUITS NOT AFFECTED.—The provisions*
17 *of this subsection shall not affect suits com-*
18 *menced before the effective date of this subsection,*
19 *and in all such suits, proceedings shall be had,*
20 *appeals taken, and judgments rendered in the*
21 *same manner and with the same effect as if this*
22 *subsection had not been enacted.*

23 *(D) NONABATEMENT OF ACTIONS.—No suit,*
24 *action, or other proceeding commenced by or*
25 *against the ACTION Agency, or by or against*

1 *any individual in the official capacity of such*
2 *individual as an officer of the ACTION Agency,*
3 *shall abate by reason of the enactment of this*
4 *subsection.*

5 *(E) ADMINISTRATIVE ACTIONS RELATING TO*
6 *PROMULGATION OF REGULATIONS.—Any admin-*
7 *istrative action relating to the preparation or*
8 *promulgation of a regulation by the ACTION*
9 *Agency relating to a function transferred under*
10 *this subsection may be continued by the Corpora-*
11 *tion with the same effect as if this subsection had*
12 *not been enacted.*

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

18 *(10) TRANSITION.—Prior to, or after, any trans-*
19 *fer of a function under this subsection, the Chair-*
20 *person is authorized to utilize—*

21 *(A) the services of such officers, employees,*
22 *and other personnel of the ACTION Agency with*
23 *respect to functions that will be or have been*
24 *transferred to the Corporation by this subsection;*
25 *and*

1 (B) funds appropriated to such functions
2 for such period of time as may reasonably be
3 needed to facilitate the orderly implementation of
4 this subsection.

5 (d) *EFFECTIVE DATE.*—

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

9 (A) 18 months after the date of enactment
10 of this Act; or

11 (B) on such earlier date as the President
12 shall determine to be appropriate and announce
13 by proclamation published in the Federal Reg-
14 ister.

15 (2) *TRANSITION.*—Subsection (c)(10) shall take
16 effect on the date of enactment of this Act.

17 **TITLE III—REAUTHORIZATION**

18 **Subtitle A—National and**

19 **Community Service Act of 1990**

20 **SEC. 301. AUTHORIZATION OF APPROPRIATIONS.**

21 Section 501 of the National and Community Service
22 Act of 1990 (42 U.S.C. 12681) is amended to read as fol-
23 lows:

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

25 “(a) *TITLE I.*—

1 “(1) *SUBTITLE B.*—There are authorized to be
2 *appropriated to provide financial assistance under*
3 *subtitle B of title I, \$45,000,000 for fiscal year 1994,*
4 *and such sums as may be necessary for each of the*
5 *fiscal years 1995 through 1996.*

6 “(2) *SUBTITLES C, D, AND H.*—There are author-
7 *ized to be appropriated to provide financial assist-*
8 *ance under subtitles C and H of title I, and to pro-*
9 *vide national service educational awards under sub-*
10 *title D of title I, \$389,000,000 for fiscal year 1994,*
11 *and such sums as may be necessary for each of the*
12 *fiscal years 1995 through 1996. Of the funds appro-*
13 *priated under this paragraph for a fiscal year, not*
14 *more than 15 percent of such funds may be made*
15 *available to provide financial assistance for activities*
16 *in subtitle H, section 125, or section 126.*

17 “(3) *ADMINISTRATION.*—There are authorized to
18 *be appropriated for the administration of this Act*
19 *(including subtitle G) such sums as may be necessary*
20 *for each of the fiscal years 1994 through 1996.*

21 “(b) *TITLE III.*—There are authorized to be appro-
22 *priated to carry out title III \$5,000,000 for each of the fis-*
23 *cal years 1994 through 1996.*

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. 321A. ASSISTANT DIRECTOR FOR VISTA PROGRAM.**

2 (a) *IN GENERAL.*—Section 102 (42 U.S.C. 4952) is
3 amended by striking “The Director” and inserting “This
4 part shall be administered by the Assistant Director ap-
5 pointed pursuant to section 195(a)(2) of the National and
6 Community Service Act of 1990. Such Director”.

7 (b) *EFFECTIVE DATE.*—The amendments made by sub-
8 section (a) shall take effect on the effective date of section
9 203(b).

10 **SEC. 322. SELECTION AND ASSIGNMENT OF VISTA VOLUN-**
11 **TEERS.**

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

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

16 (2) in paragraph (2), by striking “and” at the
17 end;

18 (3) in paragraph (3), by striking “illiterate or
19 functionally illiterate youth and other individuals.”;

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

22 (5) in paragraph (6)—

23 (A) by striking “or the Community Eco-
24 nomic” and inserting “the Community Eco-
25 nomic”;

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

3 (C) by striking the period and inserting “;
4 and”; and

5 (6) by adding at the end the following new para-
6 graph:

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

10 (b) *RECRUITMENT PROCEDURES*.—Section 103(b) (42
11 *U.S.C. 4953(b)*) is amended—

12 (1) in paragraph (2)—

13 (A) by amending subparagraph (A) to read
14 as follows:

15 “(2)(A) The Director shall establish and maintain
16 within the national headquarters of the ACTION Agency
17 (or any successor entity of such agency) a volunteer place-
18 ment office which shall be responsible for all functions relat-
19 ed to the recruitment and placement of volunteers under
20 this part. Such functions and activities shall be carried out
21 in coordination or in conjunction with recruitment and
22 placement activities carried out under the National Service
23 Trust Act of 1993.”;

24 (B) by striking subparagraph (C); and

1 (C) by redesignating subparagraph (D) as
2 subparagraph (C);

3 (2) by striking paragraphs (4) and (6); and

4 (3) by redesignating paragraphs (5) and (7) as
5 paragraphs (4) and (6), respectively.

6 (c) *PUBLIC AWARENESS AND RECRUITMENT.*—Sub-
7 section (c) of section 103 (42 U.S.C. 4953(c)) is amended—

8 (1) in paragraph (1)—

9 (A) in the 1st sentence by striking “regional
10 or State employees designated in subparagraphs
11 (C) and (D) of subsection (b)(2)” and inserting
12 “personnel described in subsection (b)(2)(C)”;

13 (B) in the 2nd sentence, by striking “shall
14 include” and inserting “may include”;

15 (C) by redesignating subparagraphs (F)
16 and (G) as subparagraphs (G) and (H), respec-
17 tively; and

18 (D) by inserting after subparagraph (E) the
19 following new subparagraph:

20 “(F) publicizing educational awards avail-
21 able under the National Service Trust Act of
22 1993;”;

23 (2) by striking paragraphs (4) and (5); and

24 (3) by redesignating paragraph (6) as para-
25 graph (4).

1 (d) *COORDINATION WITH OTHER FEDERAL AGEN-*
2 *CIES.—Section 103 (42 U.S.C. 4953) is amended by adding*
3 *at the end the following new subsection:*

4 “(h) *The Director is encouraged to enter into agree-*
5 *ments with other Federal agencies to use VISTA volunteers*
6 *in furtherance of program objectives that are consistent with*
7 *the purposes described in section 101.”.*

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

9 (a) *CLARIFICATION AND PERIODS OF SERVICE.—Sub-*
10 *section (b) of section 104 (42 U.S.C. 4954(b)) is amended*
11 *to read as follows:*

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

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

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

1 (b) *SUMMER PROGRAM.*—Section 104 (42 U.S.C.
2 4954) is amended by adding at the end the following new
3 subsection:

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

10 “(2) In preparing reports relating to programs under
11 this Act, the Director shall report on participants, costs,
12 and accomplishments under the summer program sepa-
13 rately.

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

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

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

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

21 (2) by striking the second sentence and inserting
22 the following:

23 “(B) Such stipend shall not exceed \$95 per month in
24 fiscal year 1994, but shall be set at a minimum of \$100
25 per month during the service of the volunteer after Octo-

1 *ber 1, 1994. The Director may provide a stipend of a maxi-*
2 *imum of \$200 per month in the case of persons who have*
3 *served as volunteers under this part for at least 1 year and*
4 *who, in accordance with standards established in such regu-*
5 *lations as the Director shall prescribe, have been designated*
6 *volunteer leaders on the basis of experience and special skills*
7 *and a demonstrated leadership among volunteers.*

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

12 *(b) SUBSISTENCE ALLOWANCE.—Section 105(b) (42*
13 *U.S.C. 4955(b)) is amended—*

14 *(1) in paragraph (3)—*

15 *(A) by striking subparagraph (A);*

16 *(B) in subparagraph (B), by striking the*
17 *subparagraph designation; and*

18 *(C) by adding at the end the following new*
19 *sentence: “The Director shall review such adjust-*
20 *ments on an annual basis to ensure that the ad-*
21 *justments are current.”; and*

22 *(2) by striking paragraph (4).*

1 **SEC. 325. PARTICIPATION OF YOUNGER AND OLDER PER-**
2 **SONS.**

3 *Section 107 (42 U.S.C. 4957) is amended to read as*
4 *follows:*

5 **“SEC. 107. PARTICIPATION OF YOUNGER AND OLDER PER-**
6 **SONS.**

7 *“In carrying out this part and part C, the Director*
8 *shall take necessary steps, including the development of spe-*
9 *cial projects, where appropriate, to encourage the fullest*
10 *participation of individuals 18 through 27 years of age,*
11 *and individuals 55 years of age and older, in the various*
12 *programs and activities authorized under such parts.”.*

13 **SEC. 326. LITERACY ACTIVITIES.**

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

15 *(1) in subsection (g)—*

16 *(A) by striking paragraph (1); and*

17 *(B) by striking the paragraph designation*
18 *of paragraph (2); and*

19 *(2) in subsection (h)—*

20 *(A) in paragraph (1) by striking “para-*
21 *graphs (2) and (3)” and inserting “paragraph*
22 *(2)”;* and

23 *(B) by striking paragraph (3).*

24 **SEC. 327. APPLICATIONS FOR ASSISTANCE.**

25 *Section 110 (42 U.S.C. 4960) is amended to read as*
26 *follows:*

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

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

13 **SEC. 328. REPEAL OF AUTHORITY FOR STUDENT COMMU-**
14 **NITY SERVICE PROGRAMS.**

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

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

18 *(a) PROGRAM TITLE.—Part B of title I (42 U.S.C.*
19 *4971 et seq.) is amended—*

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

21 *“PART B—UNIVERSITY YEAR FOR VISTA”;*

22 *(2) by striking “University Year for ACTION”*
23 *each place that such term appears in such part and*
24 *inserting “University Year for VISTA”;*

25 *(3) by striking “UYA” each place that such term*
26 *appears in such part and inserting “UYV”; and*

1 *lic or nonprofit organizations to carry out such programs.*
2 *Such programs shall encourage wider volunteer participa-*
3 *tion on a full-time, part-time, or short-term basis to further*
4 *the purpose of this part, and identify particular segments*
5 *of the poverty community that could benefit from volunteer*
6 *and other antipoverty efforts.*

7 “(b) *ASSIGNMENT AND SUPPORT OF VOLUNTEERS.—*
8 *The assignment of volunteers under this section, and the*
9 *provision of support for such volunteers, including any sub-*
10 *sistence allowances and stipends, shall be on such terms and*
11 *conditions as the Director shall determine to be appro-*
12 *priate, but shall not exceed the level of support provided*
13 *under section 105. Projects using volunteers who do not re-*
14 *ceive stipends may also be supported under this section.*

15 “(c) *CRITERIA AND PRIORITIES.—In carrying out this*
16 *section and section 123, the Director shall establish criteria*
17 *and priorities for awarding grants and entering into con-*
18 *tracts under this part in each fiscal year. No grant or con-*
19 *tract exceeding \$100,000 shall be made under this part un-*
20 *less the recipient of the grant or contractor has been selected*
21 *by a competitive process that includes public announcement*
22 *of the availability of funds for such grant or contract, gen-*
23 *eral criteria for the selection of recipients or contractors,*
24 *and a description of the application process and applica-*
25 *tion review process.”.*

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

2 *Section 123 (42 U.S.C. 4993) is amended to read as*
3 *follows:*

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

5 *“The Director may provide technical and financial as-*
6 *sistance to Federal agencies, State and local governments*
7 *and agencies, private nonprofit organizations, employers,*
8 *and other private organizations that utilize or desire to uti-*
9 *lize volunteers in carrying out the purpose of this part.”.*

10 **SEC. 332. ELIMINATION OF SEPARATE AUTHORITY FOR**
11 **DRUG ABUSE PROGRAMS.**

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

13 **CHAPTER 2—NATIONAL SENIOR**
14 **VOLUNTEER CORPS**

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

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

18 *“TITLE II—NATIONAL SENIOR VOLUNTEER*
19 *CORPS”.*

20 (b) *REFERENCES.—*

21 (1) *Section 200(1) (42 U.S.C. 5000(1)) is*
22 *amended by striking “Older American Volunteer Pro-*
23 *grams” and inserting “National Senior Volunteer*
24 *Corps”.*

25 (2) *The heading for section 221 (42 U.S.C. 5021)*
26 *is amended by striking “OLDER AMERICAN VOLUN-*

1 *TEER PROGRAMS*” and inserting “*NATIONAL SENIOR*
2 *VOLUNTEER CORPS*”.

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

4 (A) *in the section heading by striking*
5 *“OLDER AMERICAN VOLUNTEER PROGRAMS” and*
6 *inserting “NATIONAL SENIOR VOLUNTEER*
7 *CORPS”; and*

8 (B) *by striking “volunteer projects for Older*
9 *Americans” and inserting “National Senior Vol-*
10 *unteer Corps projects”.*

11 (4) *Section 205(c) of the Older Americans*
12 *Amendments of 1975 (Public Law 94–135; 89 Stat.*
13 *727; 42 U.S.C. 5001 note) is amended by striking*
14 *“national older American volunteer programs” each*
15 *place the term appears and inserting “National Sen-*
16 *ior Volunteer Corps programs”.*

17 **SEC. 342. THE RETIRED AND SENIOR VOLUNTEER PRO-**
18 **GRAM.**

19 (a) *PART HEADING.—The heading for part A of title*
20 *II is amended by striking “RETIRED SENIOR VOLUNTEER*
21 *PROGRAM” and inserting “RETIRED AND SENIOR VOLUN-*
22 *TEER PROGRAM”.*

23 (b) *REFERENCES.—Section 200 (42 U.S.C. 5000) is*
24 *amended by striking “retired senior volunteer program”*
25 *each place that such term appears in such section and the*

1 Act and inserting “Retired and Senior Volunteer Pro-
2 gram”.

3 **SEC. 343. OPERATION OF THE RETIRED AND SENIOR VOL-**
4 **UNTEER PROGRAM.**

5 Section 201(a) (42 U.S.C. 5001(a)) is amended—

6 (1) in the matter preceding paragraph (1) by
7 striking “retired persons” and inserting “retired indi-
8 viduals and working older individuals”; and

9 (2) in paragraph (2)—

10 (A) by striking “aged sixty or over” and in-
11 serting “55 years of age or older”; and

12 (B) by inserting “, and individuals 60
13 years of age or older will be given priority for
14 enrollment,” after “enrolled”.

15 **SEC. 344. SERVICES UNDER THE FOSTER GRANDPARENT**
16 **PROGRAM.**

17 Section 211(a) (42 U.S.C. 5011(a)) is amended by
18 striking “, including services” and all that follows through
19 “with special needs.” and inserting a period and the follow-
20 ing: “Such services may include services by individuals
21 serving as foster grandparents to children with disabilities
22 and chronic health conditions and to children who are re-
23 ceiving care in hospitals, who are residing in homes for de-
24 pendent and neglected children, or who are receiving serv-
25 ices provided by day care centers, schools, Head Start agen-

1 *cies, early intervention programs, family support pro-*
2 *grams, or other programs, establishments, or institutions*
3 *providing services for children with special or exceptional*
4 *needs. Individual foster grandparents may provide person-*
5 *to-person services to one or more children, depending on the*
6 *need for such services.”.*

7 **SEC. 345. STIPENDS FOR LOW-INCOME VOLUNTEERS.**

8 *Section 211(d) (42 U.S.C. 5011(d)) is amended—*

9 *(1) in the second sentence by striking “Any sti-*
10 *pend or allowance provided under this subsection*
11 *shall not be less than \$2.20 per hour until October 1,*
12 *1990, \$2.35 per hour during fiscal year 1991, and*
13 *\$2.50 per hour on and after October 1, 1992,” and in-*
14 *serting “Any stipend or allowance provided under*
15 *this section shall not be less than \$2.45 per hour on*
16 *and after October 1, 1993, and shall be adjusted once*
17 *prior to December 31, 1997, to account for inflation,*
18 *as determined by the Director and rounded to the*
19 *nearest five cents,”; and*

20 *(2) by adding at the end the following:*

21 *“In establishing the amount of, and the effective date for,*
22 *such adjustment, the Director, in consultation with the*
23 *State commissions (as defined in section 178 of the Na-*
24 *tional and Community Service Act of 1990) and the heads*
25 *of the State offices established under section 195 of such Act,*

1 *shall consider the effect such adjustment will have on the*
2 *ability of non-Federally funded volunteer programs similar*
3 *to the programs under this title to maintain their current*
4 *level of volunteer hours.”.*

5 **SEC. 346. CONDITIONS OF GRANTS AND CONTRACTS.**

6 *Section 212(a) (42 U.S.C. 5012(a)) is amended—*

7 *(1) by striking paragraph (1), and*

8 *(2) in paragraph (2)—*

9 *(A) by striking “(2)(A)” and inserting*
10 *“(1)”,*

11 *(B) in paragraph (1), as so redesignated—*

12 *(i) by redesignating clauses (i) and (ii)*
13 *as subparagraphs (A) and (B), respectively;*

14 *and*

15 *(ii) by redesignating subclauses (I) and*
16 *(II) as clauses (i) and (ii), respectively; and*

17 *(C) by striking “(B)” and inserting “(2)”.*

18 **SEC. 347. AGREEMENTS WITH OTHER FEDERAL AGENCIES.**

19 *(a) PROMOTION.—Section 221(a) (42 U.S.C. 5021(a))*
20 *is amended—*

21 *(1) by striking “(a)” and inserting “(a)(1)”;* and

22 *(2) by adding at the end the following:*

23 *“(2) To the maximum extent practicable, the Director*
24 *shall enter into agreements with—*

1 “(A) the Department of Health and Human
2 Services to—

3 “(i) involve retired and senior volunteers,
4 and foster grandparents, in Head Start pro-
5 grams;

6 “(ii) involve retired and senior volunteers,
7 and senior companions, in providing services au-
8 thorized by title III of the Older Americans Act
9 of 1965; and

10 “(iii) promote the recognition of such volun-
11 teers who are qualified to provide in-home serv-
12 ices for reimbursement under title XVIII of the
13 Social Security Act for providing such services;

14 “(B) the Department of Education to promote
15 intergenerational tutoring and mentoring for at-risk
16 children; and

17 “(C) the Environmental Protection Agency to
18 support conservation efforts.”.

19 (b) *MINIMUM EXPENDITURE.*—Section 221(b)(3) (42
20 U.S.C. 5021(b)(3)) is amended by striking “\$250,000” and
21 inserting “\$500,000”.

22 **SEC. 348. MINORITY GROUP PARTICIPATION.**

23 Section 223 (42 U.S.C. 5023) is amended by adding
24 at the end the following:

1 *“Such efforts shall include using methods appropriate to*
2 *communicate with individuals who have limited English*
3 *proficiency.”*

4 ***SEC. 349. PROGRAMS OF NATIONAL SIGNIFICANCE.***

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

6 *(1) in subsection (a)(2)(B) by striking “para-*
7 *graph (10)” and inserting “paragraphs (10), (12),*
8 *(15), and (16)”;*

9 *(2) in subsection (b), by adding at the end the*
10 *following new paragraphs:*

11 *“(12) Programs that address environmental*
12 *needs.*

13 *“(13) Programs that reach out to organizations*
14 *(such as labor unions and profit-making organiza-*
15 *tions) not previously involved in addressing national*
16 *problems of local concern.*

17 *“(14) Programs that provide for outreach to in-*
18 *crease participation of members of ethnic groups who*
19 *have limited English proficiency.*

20 *“(15) Programs that support criminal justice ac-*
21 *tivities and juvenile justice activities.*

22 *“(16) Programs that involve older volunteers*
23 *working with young people in apprenticeship pro-*
24 *grams.*

1 “(17) Programs that support the community in-
2 tegration of individuals with disabilities.”;

3 (3) in subsection (c)(1), by striking “under this
4 title”; and

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

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

12 **SEC. 350. DEMONSTRATION PROGRAMS.**

13 Title II is amended by adding at the end the following:

14 “PART E—DEMONSTRATION PROGRAMS

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

16 “(a) *IN GENERAL.*—The Director is authorized to
17 make grants to or enter into contracts with public or non-
18 profit private agencies and organizations, including orga-
19 nizations funded under part A, B, or C, for the purposes
20 of demonstrating innovative activities involving older indi-
21 viduals as volunteers. The Director may support under this
22 part both volunteers receiving stipends and volunteers not
23 receiving stipends.

24 “(b) *ACTIVITIES.*—An organization that receives a
25 grant or enters into a contract under subsection (a) may

1 *use funds made available through the grant or contract for*
2 *activities such as—*

3 *“(1) linking youth groups, and organizations*
4 *whose members are older individuals, in volunteer ac-*
5 *tivities;*

6 *“(2) involving older volunteers in programs and*
7 *activities different from those currently supported in*
8 *the community; and*

9 *“(3) testing whether programs for older volun-*
10 *teers may contribute to achieving new objectives or to*
11 *carrying out certain national priorities.”.*

12 **CHAPTER 3—ADMINISTRATION**

13 **SEC. 361. PURPOSE OF AGENCY.**

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

15 *(1) by inserting after the first sentence the fol-*
16 *lowing: “This Agency shall also promote the coordina-*
17 *tion of volunteer efforts among Federal, State, and*
18 *local agencies and organizations, exchange technical*
19 *assistance information among them, and provide tech-*
20 *nical assistance to other nations concerning domestic*
21 *volunteer programs within 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” in each such paragraph.*

5 **SEC. 362A. POLITICAL ACTIVITIES.**

6 *Section 403 (42 U.S.C. 5043) is amended—*

7 *(1) by redesignating subsections (b)(2) and (c) as*
8 *subsections (c) and (d), respectively;*

9 *(2) in subsection (c), as so redesignated, by re-*
10 *designating subparagraphs (A) and (B) as para-*
11 *graphs (1) and (2), respectively; and*

12 *(3) by striking subsection (b)(1) and inserting*
13 *the following:*

14 *“(b)(1) Programs assisted under this Act shall not be*
15 *carried on in a manner involving the use of funds, the pro-*
16 *vision of services, or the employment or assignment of per-*
17 *sonnel in a manner supporting or resulting in the identi-*
18 *fication of such programs with—*

19 *“(A) any partisan or nonpartisan political ac-*
20 *tivity associated with a candidate, or a contending*
21 *faction or group, in an election for public or party*
22 *office;*

23 *“(B) any activity to provide voters or prospec-*
24 *tive voters with transportation to the polls or similar*
25 *assistance in connection with any such election; or*

26 *“(C) any voter registration activity;*

1 *except that programs assisted under this Act may make*
2 *voter registration applications and nonpartisan voter reg-*
3 *istration information available to the public on the prem-*
4 *ises of such programs.*

5 *“(2) In carrying out any voter registration activity*
6 *permitted under paragraph (1), an individual who is affili-*
7 *ated with, or employed to carry out, a program assisted*
8 *under this Act shall not—*

9 *“(A) indicate a preference with respect to any*
10 *candidate, political party, or election issue; or*

11 *“(B) seek to influence the political or party af-*
12 *filiation, or voting decision, of any individual.”.*

13 **SEC. 363. COMPENSATION FOR VOLUNTEERS.**

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

15 *(1) in subsection (c), by inserting “from such*
16 *volunteers or from beneficiaries” after “compensa-*
17 *tion”;*

18 *(2) by striking subsection (f); and*

19 *(3) by redesignating subsection (g) as subsection*
20 *(f).*

21 **SEC. 364. REPEAL OF REPORT.**

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

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

24 *Section 415(b)(4)(A) (42 U.S.C. 5055(b)(4)(A)) is*
25 *amended by striking “a grade GS–7 employee” and insert-*

1 ing “an employee at grade GS-5 of the General Schedule
2 under section 5332 of title 5, United States Code”.

3 **SEC. 366. NONDISCRIMINATION PROVISIONS.**

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

6 **“SEC. 417. NONDISCRIMINATION PROVISIONS.**

7 “(a) *IN GENERAL.*—

8 “(1) *BASIS.*—An individual with responsibility
9 for the operation of a program that receives assistance
10 under this Act shall not discriminate against a par-
11 ticipant in, or member of the staff of, such program
12 on the basis of race, color, national origin, sex, age,
13 or political affiliation of such participant or member,
14 or on the basis of disability, if the participant or
15 member is a qualified individual with a disability.

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

21 “(b) *FEDERAL FINANCIAL ASSISTANCE.*—Any assist-
22 ance provided under this Act shall constitute Federal finan-
23 cial assistance for purposes of title VI of the Civil Rights
24 Act of 1964 (42 U.S.C. 2000d et seq.), title IX of the Edu-
25 cation Amendments of 1972 (20 U.S.C. 1681 et seq.), section

1 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), and
2 the Age Discrimination Act of 1975 (42 U.S.C. 6101 et
3 seq.).

4 “(c) *RELIGIOUS DISCRIMINATION.*—

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

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

19 “(d) *RULES AND REGULATIONS.*—The Director shall
20 promulgate rules and regulations to provide for the enforce-
21 ment of this section that shall include provisions for sum-
22 mary suspension of assistance for not more than 30 days,
23 on an emergency basis, until notice and an opportunity to
24 be heard can be provided.”.

1 **SEC. 367. ELIMINATION OF SEPARATE REQUIREMENTS FOR**
2 **SETTING REGULATIONS.**

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

4 **SEC. 368. CLARIFICATION OF ROLE OF INSPECTOR GEN-**
5 **ERAL.**

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

7 *(1) in subsection (a), by inserting “or the Inspec-*
8 *tor General” after “Director”; and*

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

12 **SEC. 369. COPYRIGHT PROTECTION.**

13 *Title IV is amended by adding at the end, the following*
14 *new section:*

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

16 *“Whoever falsely—*

17 *“(1) advertises or represents; or*

18 *“(2) publishes or displays any sign, symbol, or*
19 *advertisement, reasonably calculated to convey the*
20 *impression,*

21 *that an entity is affiliated with, funded by, or operating*
22 *under the authority of ACTION, VISTA, or any of the pro-*
23 *grams of the National Senior Volunteer Corps may be en-*
24 *joined under an action filed by the Attorney General, on*
25 *a complaint by the Director.”.*

1 **SEC. 372. DEPOSIT REQUIREMENT CREDIT FOR SERVICE AS**
2 **A VOLUNTEER.**

3 (a) *CIVIL SERVICE RETIREMENT SYSTEM.*—

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

6 (A) in paragraph (1)—

7 (i) in the first sentence, by inserting
8 “the period of an individual’s service as a
9 full-time volunteer enrolled in a program of
10 at least 1 year’s duration under part A, B,
11 or C of title I of the Domestic Volunteer
12 Service Act of 1973,” after “Economic Op-
13 portunity Act of 1964,”;

14 (ii) in the second sentence, by inserting
15 “, as a full-time volunteer enrolled in a pro-
16 gram of at least 1 year’s duration under
17 part A, B, or C of title I of the Domestic
18 Volunteer Service Act of 1973,” after “Eco-
19 nomic Opportunity Act of 1964”; and

20 (iii) in the last sentence—

21 (I) by inserting “or under part A,
22 B, or C of title I of the Domestic Vol-
23 unteer Service Act of 1973” after “Eco-
24 nomic Opportunity Act of 1964”; and

25 (II) by inserting “or the Chair-
26 person of the Corporation for National

1 *Service, as appropriate,” after “Direc-*
2 *tor of the Office of Economic Oppor-*
3 *tunity”;* and

4 *(B) by adding at the end the following new*
5 *paragraph:*

6 “(3) *The provisions of paragraph (1) relating to credit*
7 *for service as a volunteer or volunteer leader under the Eco-*
8 *nomic Opportunity Act of 1964, part A, B, or C of title*
9 *I of the Domestic Volunteer Service Act of 1973, or the Peace*
10 *Corps Act shall not apply to any period of service as a*
11 *volunteer or volunteer leader of an employee or Member*
12 *with respect to which the employee or Member has made*
13 *the deposit with interest, if any, required by section*
14 *8334(l).”.*

15 (2) *DEDUCTIONS, CONTRIBUTIONS, AND DEPOS-*
16 *ITS.—*

17 (A) *IN GENERAL.—Section 8334 of title 5,*
18 *United States Code, is amended by adding at the*
19 *end the following new subsection:*

20 “(l)(1) *Each employee or Member who has performed*
21 *service as a volunteer or volunteer leader under part A of*
22 *title VIII of the Economic Opportunity Act of 1964, as a*
23 *full-time volunteer enrolled in a program of at least 1 year’s*
24 *duration under part A, B, or C of title I of the Domestic*
25 *Volunteer Service Act of 1973, or as a volunteer or volunteer*

1 leader under the Peace Corps Act before the date of the sepa-
2 ration on which the entitlement to any annuity under this
3 subchapter is based may pay, in accordance with such regu-
4 lations as the Office of Personnel Management shall issue,
5 an amount equal to 7 percent of the readjustment allowance
6 paid to the employee or Member under title VIII of the Eco-
7 nomic Opportunity Act of 1964 or section 5(c) or 6(1) of
8 the Peace Corps Act or the stipend paid to the employee
9 or Member under part A, B, or C of title I of the Domestic
10 Volunteer Service Act of 1973, for each period of service as
11 such a volunteer or volunteer leader.

12 “(2) Any deposit made under paragraph (1) more than
13 2 years after the later of—

14 “(A) October 1, 1993; or

15 “(B) the date on which the employee or Member
16 making the deposit first becomes an employee or
17 Member,

18 shall include interest on such amount computed and
19 compounded annually beginning on the date of the expira-
20 tion of the 2-year period. The interest rate that is applicable
21 in computing interest in any year under this paragraph
22 shall be equal to the interest rate that is applicable for such
23 year under subsection (e).

24 “(3) The Director of the Peace Corps and the Chair-
25 person of the Corporation for National Service shall furnish

1 *such information to the Office of Personnel Management as*
2 *the Office may determine to be necessary for the adminis-*
3 *tration of this subsection.”.*

4 (B) *CONFORMING AMENDMENT.—Section*
5 *8334(e) of title 5, United States Code, is amend-*
6 *ed in paragraphs (1) and (2) by striking “or*
7 *(k)” each place that such term appears and in-*
8 *serting “(k), or (l)”.*

9 (b) *FEDERAL EMPLOYEES’ RETIREMENT SYSTEM.—*

10 (1) *CREDITABLE SERVICE.—Section 8411 of title*
11 *5, United States Code, is amended—*

12 (A) *in subsection (b)(3), by striking “sub-*
13 *section (f)” and inserting “subsection (f) or (h)”;*
14 *and*

15 (B) *by adding at the end the following new*
16 *subsection:*

17 *“(h) An employee or Member shall be allowed credit*
18 *for service as a volunteer or volunteer leader under part*
19 *A of title VIII of the Economic Opportunity Act of 1964,*
20 *as a full-time volunteer enrolled in a program of at least*
21 *1 year’s duration under part A, B, or C of title I of the*
22 *Domestic Volunteer Service Act of 1973, or as a volunteer*
23 *or volunteer leader under the Peace Corps Act performed*
24 *at any time prior to the separation on which the entitle-*
25 *ment to any annuity under this subchapter is based if the*

1 *employee or Member has made a deposit with interest, if*
2 *any, with respect to such service under section 8422(f).”.*

3 (2) *DEDUCTIONS, CONTRIBUTIONS.—Section*
4 *8422 of title 5, United States Code, is amended by*
5 *adding at the end the following new subsection:*

6 “(f)(1) *Each employee or Member who has performed*
7 *service as a volunteer or volunteer leader under part A of*
8 *title VIII of the Economic Opportunity Act of 1964, as a*
9 *full-time volunteer enrolled in a program of at least 1 year’s*
10 *duration under part A, B, or C of title I of the Domestic*
11 *Volunteer Service Act of 1973, or as a volunteer or volunteer*
12 *leader under the Peace Corps Act before the date of the sepa-*
13 *ration on which the entitlement to any annuity under this*
14 *subchapter, or subchapter V of this chapter, is based may*
15 *pay, in accordance with such regulations as the Office of*
16 *Personnel Management shall issue, an amount equal to 3*
17 *percent of the readjustment allowance paid to the employee*
18 *or Member under title VIII of the Economic Opportunity*
19 *Service Act of 1964 or section 5(c) or 6(1) of the Peace*
20 *Corps Act or the stipend paid to the employee or Member*
21 *under part A, B, or C of title I of the Domestic Volunteer*
22 *Service Act of 1973, for each period of service as such a*
23 *volunteer or volunteer leader.*

24 “(2) *Any deposit made under paragraph (1) more than*
25 *2 years after the later of—*

1 “(A) October 1, 1993, or

2 “(B) the date on which the employee or Member
3 making the deposit first becomes an employee or
4 Member,

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

11 “(3) The Director of the Peace Corps and the Chair-
12 person of the Corporation for National Service shall furnish
13 such information to the Office of Personnel Management as
14 the Office may determine to be necessary for the adminis-
15 tration of this subsection.”.

16 (c) *APPLICABILITY AND OTHER PROVISIONS.*—

17 (1) *APPLICABILITY.*—

18 (A) *AMENDMENTS RELATING TO CSRS.*—

19 (i) *IN GENERAL.*—The amendments
20 made by subsection (a) shall apply with re-
21 spect to any individual entitled to an annu-
22 ity on the basis of a separation from service
23 occurring on or after the effective date of
24 this subtitle.

1 (ii) *RULES RELATING TO ANNUITIES*
2 *BASED ON EARLIER SEPARATIONS.*—An an-
3 nuity under subchapter III of chapter 83 of
4 title 5, United States Code, payable to an
5 individual based on a separation from serv-
6 ice occurring before the effective date of this
7 subtitle shall be subject to the provisions of
8 paragraph (2).

9 (B) *AMENDMENTS RELATING TO FERS.*—

10 (i) *IN GENERAL.*—The amendments
11 made by subsection (b) shall apply with re-
12 spect to any individual entitled to an annu-
13 ity on the basis of a separation from service
14 occurring before, on, or after the effective
15 date of this subtitle, subject to clause (ii).

16 (ii) *RULE RELATING TO ANNUITIES*
17 *BASED ON EARLIER SEPARATIONS.*—In the
18 case of any individual whose entitlement to
19 an annuity is based on a separation from
20 service occurring before the effective date of
21 this subtitle, any increase in such individ-
22 ual's annuity on the basis of a deposit made
23 under section 8442(f) of title 5, United
24 States Code, as amended by subsection
25 (b)(2), shall be effective beginning with the

1 *annuity payment payable for the first cal-*
2 *endar month beginning after the effective*
3 *date of this subtitle.*

4 (2) *SPECIAL RULES.—*

5 (A) *OLD-AGE OR SURVIVORS INSURANCE*
6 *BENEFITS.—Subject to subparagraph (B), in*
7 *any case in which an individual described in*
8 *paragraph (1)(A)(ii) is also entitled to old-age or*
9 *survivors insurance benefits under section 202 of*
10 *the Social Security Act (or would be entitled to*
11 *such benefits upon filing an application there-*
12 *for), the amount of the annuity to which such in-*
13 *dividual is entitled under subchapter III of*
14 *chapter 83 of title 5, United States Code (after*
15 *taking into account any creditable service as a*
16 *volunteer or volunteer leader under the Economic*
17 *Opportunity Act of 1964, the Domestic Volunteer*
18 *Service Act of 1973, or the Peace Corps Act)*
19 *which is payable for any month shall be reduced*
20 *by an amount determined by multiplying the*
21 *amount of such old-age or survivors insurance*
22 *benefit for the determination month by a frac-*
23 *tion—*

24 *(i) the numerator of which is the total*
25 *of the wages (within the meaning of section*

1 209 of the Social Security Act) for service
2 as a volunteer or volunteer leader under the
3 Economic Opportunity Act of 1964, the Do-
4 mestic Volunteer Service Act of 1973, or the
5 Peace Corps Act of such individual credited
6 for years before the calendar year in which
7 the determination month occurs, up to the
8 contribution and benefit base determined
9 under section 230 of the Social Security Act
10 (or other applicable maximum annual
11 amount referred to in section 215(e)(1) of
12 such Act for each such year); and

13 (ii) the denominator of which is the
14 total of all wages described in clause (i),
15 plus all other wages (within the meaning of
16 section 209 of such Act) and all self-employ-
17 ment income (within the meaning of section
18 211(b) of such Act) of such individual cred-
19 ited for years after 1936 and before the cal-
20 endar year in which the determination
21 month occurs, up to the contribution and
22 benefit base (or such other amount referred
23 to in section 215(e)(1) of such Act for each
24 such year.

25 (B) LIMITATIONS.—

1 (i) Subparagraph (A) shall not reduce
2 the annuity of an individual below the
3 amount of the annuity which would be pay-
4 able to the individual for the determination
5 month if the provisions of section 8332(j) of
6 title 5, United States Code, relating to serv-
7 ice as a volunteer or volunteer leader, ap-
8 plied to the individual for such month.

9 (ii) Subparagraph (A) shall not apply
10 in the case of an individual who, prior to
11 the date of enactment of this Act, made a
12 deposit for under section 8334(c) of title 5,
13 United States Code, with respect to service
14 as a volunteer or volunteer leader (as de-
15 scribed in subparagraph (A)).

16 (iii) DETERMINATION MONTH.—For
17 purposes of this paragraph, the term “deter-
18 mination month” means—

19 (I) the first month the individual
20 described in paragraph (1)(A)(ii) is
21 entitled to old-age or survivors benefits
22 under section 202 of the Social Secu-
23 rity Act (or would be entitled to such
24 benefits upon filing an application
25 therefor); or

1 (ii) *the first calendar month be-*
2 *ginning after the date of enactment of*
3 *this Act, in the case of any individual*
4 *entitled to such benefits for such*
5 *month.*

6 (iv) *RULE RELATING TO ANNUITIES*
7 *BASED ON EARLIER SEPARATIONS.—Any in-*
8 *crease in an annuity which occurs by virtue*
9 *of the enactment of this paragraph shall be*
10 *effective beginning with the annuity pay-*
11 *ment payable for the first calendar month*
12 *beginning after the effective date of this sub-*
13 *title.*

14 (3) *FURNISHING OF INFORMATION.—The Sec-*
15 *retary of Health and Human Services shall furnish*
16 *such information to the Office of Personnel Manage-*
17 *ment as may be necessary to carry out this sub-*
18 *section.*

19 (4) *ACTION TO INFORM INDIVIDUALS.—The Di-*
20 *rector of the Office of Personnel Management shall*
21 *take such action as may be necessary and appropriate*
22 *to inform individuals entitled to credit under this sec-*
23 *tion for service as a volunteer or volunteer leader, or*
24 *to have any annuity recomputed, or to make a de-*
25 *posit under this section, of such entitlement.*

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

3 **SEC. 381. AUTHORIZATION OF APPROPRIATIONS FOR**
4 **TITLE I.**

5 *Section 501 (42 U.S.C. 5081) is amended to read as*
6 *follows:*

7 **“SEC. 501. NATIONAL VOLUNTEER ANTIPOVERTY PRO-**
8 **GRAMS.**

9 *“(a) AUTHORIZATIONS.—*

10 *“(1) VOLUNTEERS IN SERVICE TO AMERICA.—*

11 *There are authorized to be appropriated to carry out*
12 *parts A and B of title I, excluding section 109,*
13 *\$56,000,000 for fiscal year 1994, and such sums as*
14 *may be necessary for each of the fiscal years 1995*
15 *through 1996.*

16 *“(2) LITERACY ACTIVITIES.—There are author-*
17 *ized to be appropriated to carry out section 109, such*
18 *sums as may be necessary for each of the fiscal years*
19 *1994 through 1996.*

20 *“(3) SPECIAL VOLUNTEER PROGRAMS.—There*
21 *are authorized to be appropriated to carry out part*
22 *C of title I, excluding section 125, such sums as may*
23 *be necessary for each of the fiscal years 1994 through*
24 *1996.*

1 “(4) *LITERACY CHALLENGE GRANTS.*—There are
2 *authorized to be appropriated to carry out section*
3 *125, such sums as may be necessary for each of the*
4 *fiscal years 1994 through 1996.*

5 “(b) *SUBSISTENCE.*—The minimum level of an allow-
6 *ance for subsistence required under section 105(b)(2), to be*
7 *provided to each volunteer under title I, may not be reduced*
8 *or limited in order to provide for an increase in the number*
9 *of volunteer service years under part A of title I.*

10 “(c) *LIMITATION.*—No part of the funds appropriated
11 *to carry out part A of title I may be used to provide volun-*
12 *teers or assistance to any program or project authorized*
13 *under part B or C of title I, or under title II, unless the*
14 *program or project meets the antipoverty criteria of part*
15 *A of title I.*

16 “(d) *AVAILABILITY.*—Amounts appropriated for part
17 *A of title I shall remain available for obligation until the*
18 *end of the fiscal year following the fiscal year for which*
19 *the amounts were appropriated.*

20 “(e) *VOLUNTEER SERVICE REQUIREMENT.*—

21 “(1) *VOLUNTEER SERVICE YEARS.*—Of the
22 *amounts appropriated under this section for parts A,*
23 *B, and C of title I, including section 125, there shall*
24 *first be available for part A of title I, including sec-*
25 *tions 104(e) and 109, an amount not less than the*

1 *amount necessary to provide 3,700 volunteer service*
2 *years in fiscal year 1994, 4,000 volunteer service*
3 *years in fiscal year 1995, and 4,500 volunteer service*
4 *years in fiscal year 1996.*

5 “(2) *PLAN.—If the Director determines that*
6 *funds appropriated to carry out part A, B, and C of*
7 *title I are insufficient to provide for the years of vol-*
8 *unteer service required by paragraph (1), the Director*
9 *shall submit a plan to the relevant authorizing and*
10 *appropriations committees of Congress that will de-*
11 *tail what is necessary to fully meet this require-*
12 *ment.”.*

13 **SEC. 382. AUTHORIZATION OF APPROPRIATIONS FOR**
14 **TITLE II.**

15 *Section 502 (42 U.S.C. 5082) is amended to read as*
16 *follows:*

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

18 “(a) *RETIRED AND SENIOR VOLUNTEER PROGRAM.—*
19 *There are authorized to be appropriated to carry out part*
20 *A of title II, \$53,100,000 for fiscal year 1994, and such*
21 *sums as may be necessary for each of the fiscal years 1995*
22 *through 1996.*

23 “(b) *FOSTER GRANDPARENT PROGRAM.—There are*
24 *authorized to be appropriated to carry out part B of title*

1 *II, \$98,200,000 for fiscal year 1994, and such sums as may*
2 *be necessary for each of the fiscal years 1995 through 1996.*

3 *“(c) SENIOR COMPANION PROGRAM.—There are au-*
4 *thorized to be appropriated to carry out part C of title II,*
5 *\$48,700,000 for fiscal year 1994, and such sums as may*
6 *be necessary for each of the fiscal years 1995 through 1996.*

7 *“(d) DEMONSTRATION PROGRAMS.—There are author-*
8 *ized to be appropriated to carry out part E of title II, such*
9 *sums as may be necessary for each of the fiscal years 1994*
10 *through 1996.”.*

11 **SEC. 383. AUTHORIZATION OF APPROPRIATIONS FOR**

12 **TITLE IV.**

13 *Section 504 (42 U.S.C. 5084) is amended to read as*
14 *follows:*

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

16 *“(a) IN GENERAL.—For each of the fiscal years 1994*
17 *through 1996, there are authorized to be appropriated for*
18 *the administration of this Act as provided for in title IV,*
19 *21 percent of the total amount appropriated under sections*
20 *501 and 502 with respect to such year.*

21 *“(b) EVALUATION.—For each of the fiscal years 1994*
22 *through 1996, the Director is authorized to expend not less*
23 *than 2½ percent, and not more than 5 percent, of the*
24 *amount appropriated under subsection (a), for the purposes*
25 *prescribed in section 416.”.*

1 **SEC. 384. CONFORMING AMENDMENTS; COMPENSATION**
 2 **FOR VISTA FECA CLAIMANTS.**

3 *Section 8143(b) of title 5, United States Code, is*
 4 *amended by striking “GS-7” and inserting “GS-5 of the*
 5 *General Schedule under section 5332 of title 5, United*
 6 *States Code”.*

7 **SEC. 385. REPEAL OF AUTHORITY.**

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

9 **CHAPTER 5—GENERAL PROVISIONS**

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

11 *The Domestic Volunteer Service Act of 1973 (42 U.S.C.*
 12 *4950 et seq.) is amended by striking “That this Act” and*
 13 *all that follows through the end of the table of contents and*
 14 *inserting the following:*

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

16 *“(a) SHORT TITLE.—This Act may be cited as the ‘Do-*
 17 *mestic Volunteer Service Act of 1973’.*

18 *“(b) TABLE OF CONTENTS.—The table of contents is*
 19 *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 programs.
“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.*
“Sec. 212. Conditions of grants and contracts.

“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.*

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

5 **SEC. 401. DEFINITION OF DIRECTOR.**

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

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

1 **SEC. 402. REFERENCES TO ACTION AND THE ACTION**
2 **AGENCY.**

3 (a) *DOMESTIC VOLUNTEER SERVICE ACT OF 1973.*—

4 (1) *Section 2(b) of the Domestic Volunteer Serv-*
5 *ice Act of 1973 (42 U.S.C. 4950(b)) is amended—*

6 (A) *by striking “ACTION, the Federal do-*
7 *mestic volunteer agency,” and inserting “this*
8 *Act”;* and

9 (B) *by striking “ACTION” and inserting*
10 *“the Corporation for National Service”.*

11 (2) *Section 125(b) of such Act (42 U.S.C.*
12 *4995(b)) is amended by striking “the ACTION Agen-*
13 *cy” and inserting “the Corporation”.*

14 (3) *Section 225(e) of such Act (42 U.S.C.*
15 *5025(e)) is amended by striking “the ACTION Agen-*
16 *cy” and inserting “the Corporation”.*

17 (4) *Section 403(a) of such Act (42 U.S.C.*
18 *5043(a)) is amended—*

19 (A) *by striking “the ACTION Agency” the*
20 *first place it appears and inserting “the Cor-*
21 *poration under this Act”;* and

22 (B) *by striking “the ACTION Agency” the*
23 *second place it appears and inserting “the Cor-*
24 *poration”.*

1 (5) *Section 408 of such Act (42 U.S.C. 5048) is*
2 *amended by striking “the ACTION Agency” and in-*
3 *serting “the Corporation”.*

4 (6) *Section 425 of such Act (as added by section*
5 *369 of this Act) is further amended by striking “AC-*
6 *TION” and inserting “the Corporation”.*

7 (b) *ADMINISTRATION ON CHILDREN, YOUTH, AND FAM-*
8 *ILIES.—Section 916(b) of the Claude Pepper Young Ameri-*
9 *cans Act of 1990 (42 U.S.C. 12312(b)) is amended by strik-*
10 *ing “the Director of the ACTION Agency” and inserting*
11 *“the Chairperson of the Corporation for National Service”.*

12 (c) *INSPECTOR GENERAL.—Section 8E(a)(2) of the In-*
13 *spector General Act of 1978 (5 U.S.C. App.) is amended—*

14 (1) *by striking “ACTION,”; and*

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

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

23 (1) *in paragraph (3)(ii), by striking “ACTION”*
24 *and inserting “the Corporation for National Service”;*
25 *and*

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

3 (e) NATIONAL FOREST VOLUNTEERS.—The first sec-
4 tion of the Volunteers in the National Forests Act of 1972
5 (16 U.S.C. 558a) is amended by striking “ACTION” and
6 inserting “the Corporation for National Service”.

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

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

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

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

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

23 (3) in section 422(b)(12)(C) (42 U.S.C.
24 3035a(b)(12)(C)), by striking “the ACTION Agency”
25 and inserting “the Corporation for National Service”.

1 (i) *VISTA SERVICE EXTENSION*.—Section 101(c)(1) of
2 the *Domestic Volunteer Service Act Amendments of 1989*
3 (Public Law 101–204; 103 Stat. 1810; 42 U.S.C. 4954 note)
4 is amended by striking “Director of the ACTION Agency”
5 and inserting “Chairperson of the Corporation for National
6 Service”.

7 (j) *AGING RESOURCE SPECIALISTS*.—Section 205(c) of
8 the *Older Americans Amendments of 1975* (Public Law 94–
9 135; 89 Stat. 727; 42 U.S.C. 5001 note) is amended—

10 (1) in paragraph (1)—

11 (A) by striking “the ACTION Agency,” and
12 inserting “the Corporation for National Serv-
13 ice,”; and

14 (B) by striking “the Director of the AC-
15 TION Agency” and inserting “the Chairperson
16 of the Corporation”;

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

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

21 “(A) the term ‘Corporation’ means the Corpora-
22 tion for National Service established by section 191 of
23 the *National and Community Service Act of 1990*.”.

24 (k) *PROMOTION OF PHOTOVOLTAIC ENERGY*.—Section
25 11(a) of the *Solar Photovoltaic Energy Research, Develop-*

1 *ment, and Demonstration Act of 1978 (42 U.S.C. 5590) is*
2 *amended by striking “the Director of ACTION,”.*

3 *(l) COORDINATING COUNCIL ON JUVENILE JUSTICE.—*
4 *Section 206(a)(1) of the Juvenile Justice and Delinquency*
5 *Prevention Act of 1974 (42 U.S.C. 5616(a)(1)) is amended*
6 *by striking “the Director of the ACTION Agency” and in-*
7 *serting “the Chairperson of the Corporation for National*
8 *Service”.*

9 *(m) ENERGY CONSERVATION.—Section 413(b)(1) of*
10 *the Energy Conservation and Production Act (42 U.S.C.*
11 *6863(b)(1)) is amended by striking “the Director of the AC-*
12 *TION Agency,”.*

13 *(n) INTERAGENCY COUNCIL ON THE HOMELESS.—Sec-*
14 *tion 202(a) of the Stewart B. McKinney Homeless Assist-*
15 *ance Act (42 U.S.C. 11312(a)) is amended by striking para-*
16 *graph (12) and inserting the following new paragraph:*

17 *“(12) The Chairperson of the Corporation for*
18 *National Service, or the designee of the Chairperson.”.*

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

23 *“(5) the term ‘Director’ means the Chairperson*
24 *and Director of the Corporation for National Serv-*
25 *ice,”.*

1 **SEC. 403. DEFINITIONS.**

2 *Section 421 of the Domestic Volunteer Service Act of*
3 *1973 (42 U.S.C. 5061) is amended—*

4 *(1) by striking “and” at the end of paragraph*
5 *(6);*

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

8 *(3) by adding at the end the following new para-*
9 *graphs:*

10 *“(8) the term ‘Corporation’ means the Corpora-*
11 *tion for National Service established under section*
12 *191 of the National and Community Service Act of*
13 *1990;*

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

16 *“(10) the term ‘Foster Grandparent Program’*
17 *means the program established under part B of title*
18 *II;*

19 *“(11) the term ‘Inspector General’ means the In-*
20 *spector General of the Corporation;*

21 *“(12) the term ‘national senior volunteer’ means*
22 *a volunteer in the National Senior Volunteer Corps;*

23 *“(13) the term ‘National Senior Volunteer Corps’*
24 *means the programs established under parts A, B, C,*
25 *and E of title II;*

1 “(14) the term ‘Retired and Senior Volunteer
2 Program’ means the program established under part
3 A of title II;

4 “(15) the term ‘retired or senior volunteer’
5 means a volunteer in the Retired and Senior Volun-
6 teer Program;

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

9 “(17) the term ‘Senior Companion Program’
10 means the program established under part C of title
11 II;

12 “(18) the terms ‘VISTA’ and ‘Volunteers in Serv-
13 ice to America’ mean the program established under
14 part A of title I; and

15 “(19) the term ‘VISTA volunteer’ means a volun-
16 teer in VISTA.”.

17 **SEC. 404. REFERENCES TO THE COMMISSION ON NATIONAL**
18 **AND COMMUNITY SERVICE.**

19 (a) NATIONAL DEFENSE AUTHORIZATION ACT FOR
20 FISCAL YEAR 1993.—

21 (1) Section 1092(b) of the National Defense Au-
22 thorization Act for Fiscal Year 1993 (42 U.S.C.
23 12653a note) is amended—

24 (A) in paragraph (1)—

1 (i) by striking “Commission on Na-
2 tional Community Service” and inserting
3 “Corporation for National Service”; and

4 (ii) by striking “Commission shall pre-
5 pare” and inserting “Board of Directors of
6 the Corporation shall prepare”; and

7 (B) in paragraph (2), by striking “Board of
8 Directors of the Commission on National and
9 Community Service” and inserting “Board of
10 Directors of the Corporation for National Serv-
11 ice”.

12 (2) Section 1093(a) of such Act (42 U.S.C.
13 12653a note) is amended by striking “the Board of
14 Directors and Executive Director of the Commission
15 on National and Community Service” and inserting
16 “the Board of Directors and Chairperson of the Cor-
17 poration for National Service”.

18 (3) Section 1094 of such Act (Public Law 102-
19 484; 106 Stat. 2535) is amended—

20 (A) in the title, by striking “**COMMISSION**
21 **ON NATIONAL AND COMMUNITY SERVICE**”
22 and inserting “**CORPORATION FOR NA-**
23 **TIONAL SERVICE**”;

24 (B) in subsection (a)—

1 (i) in the heading, by striking “COM-
2 MISSION” and inserting “CORPORATION”;

3 (ii) in the first sentence, by striking
4 “Commission on National and Community
5 Service” and inserting “Corporation for
6 National Service”; and

7 (iii) in the second sentence, by striking
8 “The Commission” and inserting “The
9 Chairperson of the Corporation”; and

10 (C) in subsection (b)—

11 (i) in paragraph (1), by striking
12 “Board of Directors of the Commission on
13 National and Community Service” and in-
14 serting “Chairperson of the Corporation for
15 National Service”; and

16 (ii) in paragraph (2), by striking “the
17 Commission” and inserting “the Chair-
18 person of the Corporation for National
19 Service”.

20 (4) Section 1095 of such Act (Public Law 102-
21 484; 106 Stat. 2535) is amended in the heading for
22 subsection (b) by striking “COMMISSION ON NATIONAL
23 AND COMMUNITY SERVICE” and inserting “CORPORA-
24 TION FOR NATIONAL SERVICE”.

1 (5) *Section 2(b) of such Act (Public Law 102–*
2 *484; 106 Stat. 2315) is amended by striking the item*
3 *relating to section 1094 of such Act and inserting the*
4 *following:*

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

5 (b) *NATIONAL AND COMMUNITY SERVICE ACT OF*
6 *1990.—*

7 (1) *Sections 159(b)(2) (as redesignated in section*
8 *104(b)(3) of this Act) and 165 (as redesignated in sec-*
9 *tion 104(b)(3) of this Act), subsections (a) and (b) of*
10 *section 172, sections 176(a) and 177(c), and sub-*
11 *sections (a), (b), and (d) through (h) of section 179,*
12 *of the National and Community Service Act of 1990*
13 *(42 U.S.C. 12653h(b)(2), 12653n, 12632 (a) and (b),*
14 *12636(a), 12637(c), and 12639 (a), (b), and (d)*
15 *through (h)) are each amended by striking the term*
16 *“Commission” each place the term appears and in-*
17 *serting “Corporation”.*

18 (2) *Sections 152, 157(b)(2), 159(b), 162(a)(2)(C),*
19 *164, and 166(1) of such Act (in each case, as redesign-*
20 *ated in section 104(b)(3) of this Act) (42 U.S.C.*
21 *12653a, 12653f(b)(2), 12653h(b), 12653k(a)(2)(C),*
22 *12653m, and 12653o(1)) are each amended by strik-*
23 *ing “Commission on National and Community Serv-*
24 *ice” and inserting “Corporation”.*

1 (3) *Section 163(b)(9) of such Act (as redesignig-*
2 *nated in section 104(b)(3) of this Act) (42 U.S.C.*
3 *12635l(b)(9)) is amended by striking “Chair of the*
4 *Commission on National and Community Service”*
5 *and inserting “Chairperson”.*

6 (4) *Section 303(a) of such Act (42 U.S.C.*
7 *12662(a)) is amended—*

8 (A) *by striking “The President” and insert-*
9 *ing “The President, acting through the Corpora-*
10 *tion,”;*

11 (B) *by inserting “in furtherance of activi-*
12 *ties under section 302” after “section 501(b)”;*
13 *and*

14 (C) *by striking “the President” both places*
15 *it appears and inserting “the Corporation”.*

16 **SEC. 405. REFERENCES TO DIRECTORS OF THE COMMIS-**
17 **SION ON NATIONAL AND COMMUNITY**
18 **SERVICE.**

19 (a) *CHAIRPERSON.—*

20 (1) *Section 159(a) of such Act (as redesignated*
21 *in section 104(b)(3) of this Act) (42 U.S.C.*
22 *12653h(b)) is amended—*

23 (A) *by striking “BOARD.—The Board” and*
24 *inserting “SUPERVISION.—The Chairperson”;*

1 (B) by striking “the Board” in the matter
2 preceding the paragraphs and in paragraph (1)
3 and inserting “the Chairperson”; and

4 (C) by striking “the Director” in paragraph
5 (1) and inserting “the Board”.

6 (2) Section 159(b) of such Act (as redesignated
7 in section 104(b)(3) of this Act) (42 U.S.C.
8 12653h(b)) is amended by striking “(b)” and all that
9 follows through “Director” and inserting “(b) MON-
10 ITORING AND COORDINATION.—The Chairperson”.

11 (3) Section 159(c)(1) (as redesignated in section
12 104(b)(3) of this Act) (12653h(c)(1)) is amended—

13 (A) in subparagraph (A), by striking “the
14 Board, in consultation with the Executive Direc-
15 tor,” and inserting “the Chairperson”; and

16 (B) in subparagraph (B)(iii), by striking
17 “the Board through the Executive Director” and
18 inserting “the Chairperson”.

19 (4) Section 166 (as redesignated in section
20 104(b)(3) of this Act) (42 U.S.C. 12653o) is amend-
21 ed—

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

23 (B) by redesignating paragraphs (7)
24 through (11) as paragraphs (6) through (10), re-
25 spectively.

1 (b) *DIRECTOR OF CIVILIAN COMMUNITY CORPS.*—Sec-
 2 tions 155(a), 157(b)(1)(A), 158(a), 159(c)(1)(A), and
 3 163(a) (in each case, as redesignated in section 104(b)(3)
 4 of this Act) of the National and Community Service Act
 5 of 1990 (42 U.S.C. 12653d(a), 12653f(b)(1)(A), 12653g(a),
 6 12653h(c)(1)(A), and 12653l(a)) are amended by striking
 7 “Director of the Civilian Community Corps” each place the
 8 term appears and inserting “Director”.

9 **SEC. 406. EFFECTIVE DATE.**

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

13 (b) *COMMISSION.*—The amendments made by section
 14 402(c)(2), and sections 403 through 405, will take effect on
 15 October 1, 1993.

HR 2010 RH—2

HR 2010 RH—3

HR 2010 RH—4

HR 2010 RH—5

HR 2010 RH—6

HR 2010 RH—7

HR 2010 RH—8

HR 2010 RH—9

HR 2010 RH—10

HR 2010 RH—11

HR 2010 RH—12

HR 2010 RH—13

HR 2010 RH—14

HR 2010 RH—15

HR 2010 RH—16

HR 2010 RH—17

HR 2010 RH—18

HR 2010 RH—19

HR 2010 RH—20

HR 2010 RH—21