

103^D CONGRESS
2^D SESSION

H. R. 4086

To establish a youth development grant program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 17, 1994

Mr. PAYNE of New Jersey (for himself and Mrs. MORELLA) introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To establish a youth development grant program, and for other purposes.

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

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

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Youth Development Block Grant Act of 1993”.

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

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings.
- Sec. 3. Purposes.
- Sec. 4. Definitions.
- Sec. 5. Allocation and distribution of funds.
- Sec. 6. Local Youth Development Board.
- Sec. 7. State Youth Development Commission.
- Sec. 8. National Youth Development Commission.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) In an increasingly complex and competitive
4 world economy, the human capital of the United
5 States is its most important resource. Too many
6 young people in the United States are reaching
7 adulthood unprepared to be productive workers, ef-
8 fective parents, or responsible citizens. The United
9 States cannot remain strong unless the Nation ends
10 this tragic waste of human potential.

11 (2) Over the past decade, public concern related
12 to young people has focused primarily on improving
13 academic performance and combating youth prob-
14 lems such as substance abuse and juvenile delin-
15 quency. The Federal Government has established
16 ambitious National Education Goals and declared a
17 “War on Drugs”, and Federal Government invest-
18 ment related to both initiatives has increased dra-
19 matically.

20 (3) It is becoming increasingly clear, however,
21 that the United States will neither achieve the edu-
22 cation goals of the Nation nor make significant
23 progress on problems such as substance abuse and
24 juvenile delinquency unless the Nation addresses the
25 broader developmental needs of youth. Young people
26 who lack self-confidence, self-discipline, respect for

1 others, and a sense of connection to their families
2 and communities, are unlikely to be successful in
3 school, and far more likely to engage in high-risk
4 behaviors.

5 (4) Parents have primary responsibility for the
6 social, moral, emotional, physical, and cognitive de-
7 velopment of their children. However, tremendous
8 social and demographic changes during the last 30
9 years have had a significant effect on family life and
10 youth development, creating the need for programs
11 to strengthen families and help parents meet the so-
12 cial, moral, emotional, physical, and cognitive needs
13 of their children.

14 (5) The lack of supervision of youth by parents
15 and the lack of meaningful activity after school for
16 youth contributes to the spread of violent juvenile
17 delinquency in the form of youth and gang violence,
18 drug trafficking, dangerous and self-destructive be-
19 havior, and lack of hope among youth in our Nation.

20 (6) The United States expects too much of its
21 schools if the Nation asks the schools to meet single-
22 handedly the needs described in paragraph (5) in ad-
23 dition to accomplishing their basic educational mis-
24 sion. Only a strong partnership among families,
25 schools, local government, religious organizations,

1 community-based youth-serving organizations, com-
2 munity-based family-serving organizations, business,
3 and labor can create a community environment that
4 truly supports the youth of the Nation in reaching
5 their highest potential.

6 (7) Nonschool-based youth development pro-
7 grams, including youth clubs, sports and recreation
8 programs, mentoring programs, and leadership de-
9 velopment and community service programs, make a
10 major contribution to helping youth develop the life
11 skills and moral values that will prepare the youth
12 for the challenges of adolescence and the independ-
13 ence and responsibilities of adulthood.

14 (8) Participation in positive youth development
15 programs can lead to a reduction in high-risk behav-
16 iors, including school failure, teenage pregnancy, use
17 of alcohol and drugs, and juvenile delinquency.
18 Youth from low-income, at-risk communities, who
19 would greatly benefit from such programs, however,
20 are least likely to have access to such programs.

21 (9) Community-based youth-serving
22 organizations are an effective resource in developing
23 and implementing community youth development
24 plans, both because of the responsiveness of the or-
25 ganizations to local community values and concerns,

1 and the ability of the organizations to mobilize com-
2 munity resources. For example, the 15 member or-
3 ganizations of the National Collaboration for Youth
4 collectively serve over 25,000,000 youth, and mobi-
5 lize over 4,000,000 volunteers to carry out commu-
6 nity-based youth development services.

7 (10) Notwithstanding the efforts of community-
8 based youth-serving organizations, in most local
9 communities youth development efforts are so frag-
10 mented and underfunded that millions of youth na-
11 tionwide go unserved, and no process exists through
12 which key groups regularly come together to develop
13 a comprehensive youth development plan. Without a
14 mechanism for coordination, narrowly focused Fed-
15 eral programs are unable to meet the comprehensive
16 needs of the youth of the Nation.

17 (11) Increased Federal investment in programs
18 under the Head Start Act and other early childhood
19 development programs signals an encouraging shift
20 toward a comprehensive long-term, holistic, invest-
21 ment-oriented strategy in promoting the healthy de-
22 velopment of children in the United States.

23 (12) It is critical that the Federal Government
24 adopt the same type of comprehensive strategy in
25 promoting the positive development of youth, and

1 encourage and empower communities to develop and
2 implement comprehensive youth development plans.

3 **SEC. 3. PURPOSES.**

4 It is the purpose of this Act to expand community-
5 based youth development services, and to support commu-
6 nities in designing strategic plans for youth development
7 that—

8 (1) give priority to prevention of youth prob-
9 lems through youth development;

10 (2) support the primary role of the family in
11 positive youth development;

12 (3) support community-based youth develop-
13 ment organizations in expanding youth development
14 opportunities; and

15 (4) promote increased community coordination
16 and collaboration in meeting the developmental
17 needs of youth.

18 **SEC. 4. DEFINITIONS.**

19 As used in this Act:

20 (1) ASSISTANT SECRETARY.—The term “Assist-
21 ant Secretary” means the Assistant Secretary for
22 Children and Families of the Department of Health
23 and Human Services.

24 (2) COMMUNITY-BASED.—The term “commu-
25 nity-based”, used with respect to a youth develop-

1 ment organization or a youth-serving organization,
2 means such an organization that—

3 (A) is exempt from taxation under section
4 501(c)(3) of the Internal Revenue Code of
5 1986;

6 (B) is not a government entity; and

7 (C) is representative of a community or a
8 significant segment of a community and is en-
9 gaged in providing services to the community.

10 (3) COUNTY.—The term “county” includes a
11 political subdivision of a State.

12 (4) LOCAL BOARD.—The term “Local Board”
13 means a Local Youth Development Board estab-
14 lished under section 6.

15 (5) LOW INCOME FAMILY.—The term “low in-
16 come family” means a family with an income below
17 the poverty line.

18 (6) NATIONAL COMMISSION.—The term “Na-
19 tional Commission” means the National Youth De-
20 velopment Commission established under section 8.

21 (7) NATIONAL YOUTH DEVELOPMENT ORGANI-
22 ZATION.—The term “national youth development or-
23 ganization” means an organization whose purpose
24 and activities are national in scope, and that, either

1 directly or through its local affiliates, provides youth
2 development programs in at least 7 States.

3 (8) OUTCOME OBJECTIVE.—The term “outcome
4 objective” means an objective that relates to the im-
5 pact of a program or initiative, with respect to the
6 participants in the program or initiative or the com-
7 munity that the program or initiative serves, such as
8 an objective relating to changes—

9 (A) in the competencies described in para-
10 graph (15)(A) of individual participants in the
11 program or initiative;

12 (B) in the incidence of positive or negative
13 behaviors among such participants; or

14 (C) in the incidence of such behaviors
15 among youth in such community.

16 (9) POVERTY LINE.—The term “poverty line”
17 means the income official poverty line (as defined by
18 the Office of Management and Budget, and revised
19 annually in accordance with section 673(2) of the
20 Community Services Block Grant Act (42 U.S.C.
21 9902(2)) applicable to a family of the size involved.

22 (10) PROCESS OBJECTIVE.—The term “process
23 objective” means an objective that relates to the
24 manner in which a program or initiative is carried
25 out, such as an objective relating to—

1 (A) the degree to which the program or
2 initiative is reaching its intended target popu-
3 lation;

4 (B) the number, age, gender, and ethnicity
5 of the youth involved in the program or initia-
6 tive;

7 (C) the degree to which the services deliv-
8 ered are consistent with the intended program
9 model; and

10 (D) the cost of delivering services under
11 the program or initiative.

12 (11) STATE.—The term “State” means each of
13 the several States of the United States, the District
14 of Columbia, the Commonwealth of Puerto Rico, the
15 Commonwealth of the Northern Mariana Islands,
16 American Samoa, Guam, and the United States
17 Virgin Islands.

18 (12) STATE COMMISSION.—The term “State
19 Commission” means a State Youth Development
20 Commission established under section 7.

21 (13) YOUTH.—The term “youth” means an in-
22 dividual who is not younger than 6 and not older
23 than 19.

24 (14) YOUTH DEVELOPMENT ORGANIZATION.—
25 The term “youth development organization” means

1 a youth-serving organization with a major emphasis
2 on providing youth development programs.

3 (15) YOUTH DEVELOPMENT PROGRAM.—The
4 term “youth development program” means a pro-
5 gram that—

6 (A) in order to enable youth to deal suc-
7 cessfully with the challenges of adolescence and
8 prepare the youth for the independence and re-
9 sponsibilities of being parents, workers, and
10 citizens, helps the youth to develop—

11 (i) social competencies, such as work
12 and family life skills, problem-solving
13 skills, and communication skills;

14 (ii) moral competencies, such as per-
15 sonal values and ethics, a sense of respon-
16 sibility and citizenship (including participa-
17 tion in civic life and community service),
18 and respect for diversity;

19 (iii) emotional competencies, such as a
20 sense of personal identity, self-confidence,
21 autonomy, and the ability to resist negative
22 peer pressure;

23 (iv) physical competencies, such as
24 physical conditioning and endurance, and
25 an appreciation for and strategies to

1 achieve lifelong physical health and fitness;
2 and

3 (v) cognitive competencies, such as
4 knowledge, reasoning ability, creativity,
5 and a lifelong commitment to learning and
6 achievement;

7 (B) conducts activities with a primarily
8 nonacademic focus;

9 (C) employs primarily active and experien-
10 tial learning methods; and

11 (D) promotes the competencies described
12 in subparagraph (A) through group and one-to-
13 one activities, which may include activities in
14 youth clubs, sports and recreation, mentoring,
15 arts, values education, leadership development,
16 crime and delinquency prevention, community
17 service or volunteerism, child care, career coun-
18 seling, job skills training, life skills training,
19 health education including drug and alcohol
20 prevention, parenting skills activities, camping,
21 environmental education, ethnic or cultural en-
22 richment, tutoring, and academic enrichment.

23 (16) YOUTH-SERVING ORGANIZATION.—The
24 term “youth-serving organization” means an organi-
25 zation with a primary focus on providing youth de-

1 velopment, medical, educational, special education,
2 psychological, vocational and training, rehabilitative,
3 or housing services to youth.

4 **SEC. 5. ALLOCATION AND DISTRIBUTION OF FUNDS.**

5 (a) AUTHORIZATION OF APPROPRIATIONS.—There
6 are authorized to be appropriated to carry out this Act,
7 \$400,000,000 for fiscal year 1995, and such sums as may
8 be necessary for each of the fiscal years 1996, 1997, and
9 1998.

10 (b) ALLOCATION AND DISTRIBUTION OF LOCAL AL-
11 LOCATION FOR FISCAL YEARS FOR WHICH APPROPRIA-
12 TIONS EQUAL OR EXCEED \$100,000,000.—

13 (1) TOTAL LOCAL ALLOCATION.—For any fiscal
14 year for which the total sums appropriated under
15 subsection (a) are not less than \$100,000,000, the
16 Assistant Secretary shall reserve 93.5 percent of
17 such sums (referred to in this subsection as the
18 “total local allocation”) to make allocations under
19 this subsection to States to assist Local Boards in
20 carrying out the activities described in section 6.

21 (2) ALLOCATION OF FUNDS TO STATES.—

22 (A) IN GENERAL.—For each such fiscal
23 year, the Assistant Secretary shall allocate to
24 each State Commission the sum (referred to in

1 this subsection as the “State portion of the
2 total local allocation”) of—

3 (i) an amount that bears the same re-
4 lation to $\frac{1}{3}$ of the total local allocation as
5 the number of youth in the State bears to
6 the number of youth in all States;

7 (ii) an amount that bears the same re-
8 lation to $\frac{1}{3}$ of such allocation as the num-
9 ber of youth from low income families in
10 the State bears to the number of such
11 youth in all States; and

12 (iii) an amount from the remaining $\frac{1}{3}$
13 of such allocation, calculated in accordance
14 with a formula prescribed by the Secretary
15 that takes into account the extent to which
16 violent juvenile crime has increased in the
17 State since 1990, relative to the extent to
18 which violent juvenile crime has increased
19 in all States since 1990.

20 (B) REGULATION.—The Secretary shall
21 prescribe the formula described in subpara-
22 graph (A)(iii) by regulation issued after con-
23 sultation with the Attorney General.

24 (3) DISTRIBUTION OF FUNDS TO STATES.—To
25 be eligible to receive such State portion of the total

1 local allocation, the State Commission shall prepare,
2 and submit to the Assistant Secretary, an applica-
3 tion at such time, in such manner, and containing
4 such information, as the Assistant Secretary may
5 reasonably require. Such application shall include, at
6 a minimum, an assurance that the State Commis-
7 sion is prepared to administer such amount in com-
8 pliance with all the requirements of this Act, and, in
9 the case of any application submitted after the first
10 year in which the State Commission receives funds
11 under this Act, the State strategic plan described in
12 section 7(c)(4).

13 (4) ALLOCATION OF FUNDS TO LOCAL
14 BOARDS.—

15 (A) IN GENERAL.—For each fiscal year for
16 which a State receives such State portion of the
17 total local allocation, the State Commission
18 shall allocate to each Local Board in the State
19 the sum (referred to in this subsection as the
20 “local allocation”) of—

21 (i) an amount that bears the same re-
22 lation to $\frac{1}{3}$ of the State portion of the
23 total local allocation as the number of
24 youth in the county served by the Local

1 Board bears to the number of youth in the
2 State;

3 (ii) an amount that bears the same re-
4 lation to $\frac{1}{3}$ of such State portion as the
5 number of youth from low income families
6 in the county bears to the number of such
7 youth in the State; and

8 (iii) an amount from the remaining $\frac{1}{3}$
9 of such State portion, calculated in accord-
10 ance with a formula prescribed by the Sec-
11 retary that takes into account the extent to
12 which violent juvenile crime has increased
13 in the county since 1990, relative to the
14 extent to which violent juvenile crime has
15 increased in the State since 1990.

16 (B) REGULATION.—The Secretary shall
17 prescribe the formula described in subpara-
18 graph (A)(iii) by regulation issued after con-
19 sultation with the Attorney General.

20 (5) DISTRIBUTION OF FUNDS TO LOCAL
21 BOARDS.—

22 (A) INITIAL PLANNING FUNDS.—For the
23 first fiscal year for which Local Boards in a
24 State are eligible to receive funds under this
25 subsection, the State Commission shall make

1 available to each eligible Local Board in the
2 State, 5 percent of the local allocation of such
3 Board, to be used for initial planning purposes.
4 To be eligible to receive such amount, the Local
5 Board shall submit to the State Commission a
6 letter of intent to apply for funds under this
7 subsection. Such letter of intent shall include a
8 list of the members of the Local Board, includ-
9 ing sufficient information about their organiza-
10 tional affiliations to demonstrate compliance
11 with the requirements of subsections (c) and (d)
12 of section 6.

13 (B) DISTRIBUTION OF PROGRAM FUNDS.—

14 (i) IN GENERAL.—For each fiscal year
15 for which a State receives a State portion
16 of the total local allocation, the State Com-
17 mission shall distribute to each eligible
18 Local Board in the State an amount equal
19 to the remainder of the local allocation of
20 such Board.

21 (ii) APPLICATION.—To be eligible to
22 receive such amount, the Local Board shall
23 prepare, and submit to the State Commis-
24 sion, an application, at such time, in such
25 manner, and containing such information

1 as the State Commission may reasonably
2 require to assure compliance with this Act.
3 Such application shall include, at a mini-
4 mum, a local strategic plan described in
5 section 6(f), a description of the programs
6 for which funding will be provided, and in-
7 formation indicating the extent to which
8 the programs meet the effective practice
9 standards described in section 8(c)(3)(C).

10 (c) ALLOCATION AND DISTRIBUTION OF STATE AL-
11 LOCATION FOR FISCAL YEARS FOR WHICH APPROPRIA-
12 TIONS EQUAL OR EXCEED \$100,000,000.—

13 (1) TOTAL STATE ALLOCATION.—For any fiscal
14 year for which the total sums appropriated under
15 subsection (a) are not less than \$100,000,000, the
16 Assistant Secretary shall reserve 4 percent of such
17 sums (referred to in this section as the “total State
18 allocation”) to make allocations to State Commis-
19 sions to carry out the activities described in section
20 7.

21 (2) GENERAL ALLOCATION.—Except as pro-
22 vided in paragraph (3), for each such year, the As-
23 sistant Secretary shall make such allocations in ac-
24 cordance with the requirements of subsection (b)(2).
25 For the purposes of the application of such require-

1 ments to allocations under this subsection, ref-
2 erences in subsection (b)(2) to the total local alloca-
3 tion shall be deemed to be references to the total
4 State allocation.

5 (3) MINIMUM STATE ALLOCATION.—For each
6 such year, the Assistant Secretary shall allocate to
7 each State Commission under this subsection an
8 amount that is not less than $\frac{1}{2}$ of 1 percent of the
9 total State allocation.

10 (d) ALLOCATION AND DISTRIBUTION OF LOCAL AL-
11 LOCATION FOR FISCAL YEARS FOR WHICH APPROPRIA-
12 TIONS ARE LESS THAN \$100,000,000.—

13 (1) GRANTS.—For any fiscal year for which the
14 total sums appropriated under subsection (a) are
15 less than \$100,000,000, the Assistant Secretary
16 shall reserve 97.5 percent of such sums and shall
17 make grants from such reserved sums, on a competi-
18 tive basis, to eligible Local Boards to carry out the
19 activities described in section 6.

20 (2) CONSIDERATIONS.—In making such grants,
21 the Assistant Secretary shall consider the criteria
22 described in the formula provided in subsection
23 (b)(2). The Assistant Secretary shall ensure an equi-
24 table geographic distribution of such grants, and

1 shall ensure that a variety of program models receive
2 funding under this subsection.

3 (3) APPLICATION.—To be eligible to receive a
4 grant under this section, a Local Board shall submit
5 to the Assistant Secretary an application at such
6 time, in such manner, and containing such informa-
7 tion as the Assistant Secretary may require, includ-
8 ing an assurance that the Local Board will comply
9 with such evaluation process as the Assistant Sec-
10 retary may reasonably require to assure compliance
11 with this Act, and including any information that a
12 Local Board is required to submit in an application
13 described in subsection (b)(5)(B).

14 (4) ELIGIBILITY.—To be eligible to receive a
15 grant under this subsection, a Local Board shall
16 meet such requirements as the Assistant Secretary
17 may by regulation require.

18 (5) INITIAL DISTRIBUTION.—The Assistant
19 Secretary may award an initial grant to a Local
20 Board under this subsection for a period of up to 3
21 years. The Assistant Secretary may terminate the
22 funding made available through such grant during
23 such period if the Local Board fails to comply with
24 the provisions of this Act.

1 (6) RENEWAL OF GRANTS.—After the initial
2 grant period, in determining whether to renew or
3 continue a grant to a Local Board to carry out ac-
4 tivities, the Assistant Secretary shall give substantial
5 weight to the effectiveness of the activities in achiev-
6 ing the process and outcome objectives specified in
7 the local strategic plan described in section 6(f)(1).
8 If the total sums appropriated under subsection (a)
9 are greater than \$100,000,000 for the fiscal year for
10 which the Local Board seeks a renewal or continu-
11 ation, the Local Board shall apply to the State Com-
12 mission for funding under subsection (b).

13 (7) TREATMENT OF GRANTS.—For purposes of
14 this Act, a grant awarded to a Local Board under
15 this section shall be considered to be a local alloca-
16 tion.

17 (8) APPLICATION OF PROVISIONS.—The provi-
18 sions of section 6 shall apply to Local Boards receiv-
19 ing funds under this subsection. For purposes of the
20 application of such provisions, references to the
21 State Commission shall be deemed to be references
22 to the Assistant Secretary.

23 (e) NATIVE AMERICAN ORGANIZATIONS.—

24 (1) IN GENERAL.—From the sums appropriated
25 under subsection (a) for any fiscal year, the Assist-

1 ant Secretary shall reserve 1.5 percent of such sums
2 to make grants to eligible Native American organiza-
3 tions to assist the organizations in carrying out the
4 activities described in section 6.

5 (2) APPLICATION.—To be eligible to receive a
6 grant under paragraph (1), a Native American orga-
7 nization shall submit an application to the Assistant
8 Secretary at such time, in such manner, and con-
9 taining such information as the Assistant Secretary
10 may reasonably require to assure compliance with
11 this Act, including any information that a Local
12 Board is required to submit in an application de-
13 scribed in subsection (b)(5)(B).

14 (3) APPLICATION OF PROVISIONS.—The provi-
15 sions of section 6 shall apply to Native American or-
16 ganizations receiving funds through grants made
17 under this subsection. For purposes of the applica-
18 tion of such provisions, references to a county shall
19 be deemed to be references to the area served by the
20 organization, and references to the State Commis-
21 sion shall be deemed to be references to the Assist-
22 ant Secretary.

23 (4) DEFINITION.—As used in this subsection:

24 (A) INDIAN TRIBE.—The term “Indian
25 tribe” has the meaning given the term in sec-

1 tion 4(e) of the Indian Self-Determination and
2 Education Assistance Act (25 U.S.C. 250b(e)).

3 (B) NATIVE AMERICAN ORGANIZATION.—
4 The term “Native American organization”
5 means an Indian tribe or Native Hawaiian
6 Organization.

7 (C) NATIVE HAWAIIAN ORGANIZATION.—
8 The term “Native Hawaiian Organization” has
9 the meaning given the term in section 4009(4)
10 of the Augustus F. Hawkins-Robert T. Stafford
11 Elementary and Secondary School Improvement
12 Amendments of 1988 (20 U.S.C. 4909(4)).

13 (f) RESERVATION OF FUNDS FOR ADMINISTRATION
14 FOR CHILDREN AND FAMILIES.—From the sums appro-
15 priated under subsection (a) for each fiscal year, the As-
16 sistant Secretary shall reserve 1 percent of such sums for
17 the National Commission and the Administration for Chil-
18 dren and Families to carry out the activities required by
19 this Act.

20 (g) AUTHORITY TO ASSIST LOCAL BOARDS IN
21 NONPARTICIPATING STATES/REALLOCATION OF STATE
22 FUNDS.—

23 (1) IN GENERAL.—For any fiscal year for
24 which a State Commission does not submit an appli-
25 cation for an allocation under subsection (b), the As-

1 Assistant Secretary may use the allocation of such
2 State to make direct grants to eligible Local Boards
3 in the nonparticipating State.

4 (2) APPLICATION.—To be eligible to receive a
5 direct grant under paragraph (1), a Local Board
6 shall submit an application to the Assistant Sec-
7 retary at such time, in such manner, and containing
8 such information as the Assistant Secretary may
9 reasonably require to assure compliance with this
10 Act, including any information that a Local Board
11 is required to submit in an application described in
12 subsection (b)(5)(B).

13 (3) APPLICATION OF PROVISIONS.—The provi-
14 sions of section 6 shall apply to Local Boards receiv-
15 ing funds through grants made under this sub-
16 section. For purposes of the application of such pro-
17 visions, references to the State Commission shall be
18 deemed to be references to the Assistant Secretary.

19 (h) STATE REALLOCATION.—For any fiscal year for
20 which a State Commission does not submit an application
21 for an allocation under subsection (b), and the Assistant
22 Secretary does not use the allocation as described in sub-
23 section (g), the Assistant Secretary shall make available
24 the allocation of such State to such other States as the
25 Assistant Secretary may determine to be appropriate.

1 (i) COUNTY REALLOCATION.—For any fiscal year for
2 which a Local Board in a State does not submit an appli-
3 cation for an allocation under subsection (b), the State
4 Commission shall make available the allocation of such
5 county to such other counties in the State as the State
6 Commission may determine to be appropriate.

7 (j) OBLIGATION AND EXPENDITURE OF FUNDS.—

8 (1) STATE OBLIGATION OF FUNDS.—Any State
9 Commission that receives an allocation from the As-
10 sistant Secretary under subsection (b) or (c) shall
11 obligate the allocation not later than 1 year after the
12 date of such receipt or return the allocation to the
13 Assistant Secretary for reallocation in accordance
14 with subsection (h).

15 (2) LOCAL BOARD EXPENDITURE OF FUNDS.—
16 Any Local Board that receives an allocation from a
17 State Commission under subsection (b) or (d) shall
18 expend the allocation not later than 3 years after the
19 date of such receipt or return the allocation to the
20 State Commission for reallocation in accordance
21 with subsection (i).

22 **SEC. 6. LOCAL YOUTH DEVELOPMENT BOARD.**

23 (a) ESTABLISHMENT OF LOCAL BOARD.—

24 (1) IN GENERAL.—In order for entities within
25 a county to be eligible to receive assistance under

1 this Act, the Chief Elected Officer of a county shall
2 facilitate the establishment of a local entity, or des-
3 ignate an existing local entity, that meets the re-
4 quirements of this section, to serve as a Local Youth
5 Development Board.

6 (2) ESTABLISHMENT OF MULTICOUNTY LOCAL
7 BOARD.—The Chief Executive Officers of 2 or more
8 counties may agree to facilitate the establishment of
9 a local entity, or designate an existing entity, that
10 meets the requirements of this section, to serve as
11 a multicounty Local Board. Such a multicounty
12 Local Board shall carry out the duties described in
13 subsections (f), (g), (i), and (j) with respect to the
14 counties involved. If such a multicounty Local Board
15 is established, all duties required by this section to
16 be carried out by the Chief Executive Officer of a
17 county shall be carried out jointly by the Chief
18 Executive Officers of each participating county.

19 (b) NUMBER OF MEMBERS ON THE LOCAL BOARD.—
20 The Chief Executive Officer of the county shall determine
21 the total number of members on the Local Board.

22 (c) COMPOSITION OF LOCAL BOARD.—

23 (1) REPRESENTATIVES OF YOUTH DEVELOP-
24 MENT ORGANIZATIONS.—

1 (A) REPRESENTATIVES OF NATIONALLY
2 AFFILIATED YOUTH DEVELOPMENT ORGANIZA-
3 TIONS.—One-third of the members of the Local
4 Board shall be representatives of community-
5 based youth development organizations that are
6 affiliated with national youth development orga-
7 nizations.

8 (B) REPRESENTATIVES OF
9 NONAFFILIATED YOUTH DEVELOPMENT ORGA-
10 NIZATIONS.—One-third of the members of the
11 Local Board shall be representatives of commu-
12 nity-based youth development organizations
13 that are not affiliated with national youth devel-
14 opment organizations.

15 (C) SPECIAL RULE FOR LESS POPULATED
16 COUNTIES.—In the case of a county with a pop-
17 ulation of 100,000 or less, if the Chief Execu-
18 tive Officer of the county determines that, be-
19 cause of the absence of community-based youth
20 development organizations, the county cannot
21 establish a Local Board meeting the require-
22 ments of subparagraph (A) or (B), representa-
23 tives of community-based youth-serving organi-
24 zations may be selected to serve on the Local
25 Board, and may participate on the Local

1 Board, on the same basis as representatives of
2 community-based youth development organiza-
3 tions.

4 (2) OTHER COMMUNITY REPRESENTATIVES.—

5 One-third of the members of the Local Board shall
6 be representatives of the community, such as rep-
7 resentatives of youth-serving organizations, local
8 government, religious organizations, educational in-
9 stitutions, business, labor, private funding organiza-
10 tions, parents, or youth.

11 (d) SELECTION OF LOCAL BOARD MEMBERS.—

12 (1) REPRESENTATIVES OF YOUTH DEVELOP-
13 MENT ORGANIZATIONS.—Organizations described in
14 subsection (c)(1)(A) that provide services within the
15 county shall select the members described in such
16 subsection. Organizations described in subsection
17 (c)(1)(B) that provide services within the county
18 shall select the members described in such sub-
19 section. The Local Board shall include, in the appli-
20 cation described in section 5(b)(5), a description of
21 the processes used by both such types of organiza-
22 tions to select members of the Local Board.

23 (2) OTHER COMMUNITY REPRESENTATIVES.—

24 Members described in subsection (c)(2) shall be ap-
25 pointed by the Chief Executive Officer of the county.

1 If any political subdivision of a State is located to-
2 tally or partially within the county, and the popu-
3 lation of the subdivision is more than 40 percent of
4 the total population of the county, the Chief Execu-
5 tive Officer of the subdivision and the Chief Execu-
6 tive Officer shall jointly appoint such members.

7 (3) AGE OF MEMBERS.—At least 2 of the mem-
8 bers of the Local Board shall be under the age of
9 20 at the time of such appointment.

10 (4) BACKGROUND OF MEMBERS.—The member-
11 ship of the Board shall reflect the racial, ethnic, and
12 gender composition of the county population.

13 (5) TERMS; OFFICERS; VACANCIES.—The Local
14 Board shall adopt, and shall include in the applica-
15 tion described in section 5(b)(5), bylaws that include
16 provisions regarding the terms of office of members,
17 the election of officers, and the selection of members
18 to fill vacancies, of the Local Board.

19 (e) FISCAL AGENT.—

20 (1) APPOINTMENT OF FISCAL AGENT.—The
21 Local Board shall appoint a fiscal agent for the
22 Board.

23 (2) DUTIES.—The fiscal agent shall carry out
24 such duties as the Local Board may determine to be
25 appropriate.

1 (f) DUTIES OF LOCAL BOARD.—

2 (1) LOCAL STRATEGIC PLAN.—The Local
3 Board shall prepare and submit to the State Com-
4 mission for approval, as part of the application de-
5 scribed in section 5(b)(5), a local strategic plan for
6 youth development in the county involved, includ-
7 ing—

8 (A) the results of an assessment of local
9 needs and resources;

10 (B) specific process and outcome objectives
11 for youth development programs; and

12 (C) measures of program effectiveness that
13 shall be used to evaluate the progress of grant
14 recipients in achieving such objectives.

15 (2) MONITORING, EVALUATION, AND TECH-
16 NICAL ASSISTANCE.—The Local Board shall be re-
17 sponsible for establishing monitoring and evaluation
18 procedures, consistent with such requirements as
19 may be established by the Assistant Secretary, to as-
20 sess the progress of grant recipients in achieving the
21 process and outcome objectives identified in the local
22 strategic plan. Such procedures shall utilize the
23 measures of program effectiveness described in para-
24 graph (1)(C) and the standards for effective prac-
25 tices described in section 8(c)(3)(C). Local Boards

1 shall also provide technical assistance to applicants
2 and grant recipients under subsection (g).

3 (3) APPEAL.—In the event that a State Com-
4 mission denies approval of the strategic plan of the
5 Local Board described in paragraph (1), the Local
6 Board may, in accordance with regulations to be es-
7 tablished by the Assistant Secretary, appeal the
8 denial.

9 (g) GRANTS.—

10 (1) IN GENERAL.—The Local Board shall
11 award grants in accordance with this subsection
12 to—

13 (A) eligible community-based youth devel-
14 opment organizations; and

15 (B) eligible partnerships that—

16 (i) are comprised of youth-serving or-
17 ganizations and governmental entities; and

18 (ii) conduct youth development pro-
19 grams,

20 to pay for the Federal share of carrying out
21 youth development programs addressing one or
22 more of the process objectives, and one or more
23 of the outcome objectives, established in the
24 local strategic plan described in subsection
25 (f)(1).

1 (2) REQUEST FOR PROPOSALS.—The Local
2 Board shall issue a request for proposals, which
3 shall invite the organizations and partnerships de-
4 scribed in paragraph (1) to apply for a grant under
5 paragraph (1). Such request shall specify the process
6 and outcome objectives to be addressed by the Local
7 Board.

8 (3) ELIGIBLE APPLICANTS.—

9 (A) AWARD OF GRANTS.—In awarding
10 grants under paragraph (1), the Local Board
11 shall—

12 (i) award at least 85 percent of the
13 funds made available through such grants
14 to community-based youth development or-
15 ganizations certified under subparagraph
16 (B); and

17 (ii) take into account the extent to
18 which the program meets the effective
19 practice standards described in section
20 8(c)(3)(C).

21 (B) CERTIFICATION.—

22 (i) PROCEDURE.—The Local Board
23 shall establish a procedure, in accordance
24 with regulations to be issued by the Assist-
25 ant Secretary, for certifying organizations

1 as community-based youth development or-
2 ganizations.

3 (ii) APPEAL.—The Assistant Sec-
4 retary shall issue regulations that specify a
5 process by which an organization may ap-
6 peal a denial of such certification.

7 (4) GRANT APPLICATIONS.—To be eligible to
8 receive a grant under this subsection, an organiza-
9 tion or partnership described in paragraph (1) shall
10 submit an application to the Local Board at such
11 time, in such manner, and containing such informa-
12 tion as the Local Board reasonably may require, in-
13 cluding, at a minimum, the following information:

14 (A) In the case of an organization, a state-
15 ment regarding whether the organization is a
16 community-based youth development organiza-
17 tion, and, if the organization seeks certification
18 as such an organization, sufficient information
19 to substantiate the statement.

20 (B) The manner in which the program will
21 address the process and outcome objectives
22 identified in the local strategic plan described in
23 subsection (f)(1).

1 (C) The extent to which the program uti-
2 lizes the effective practice standards established
3 under section 8(c)(3)(C).

4 (D) A proposed budget for the program.

5 (5) FUNDING PERIOD.—The Local Board may
6 award a grant to an organization or partnership
7 under paragraph (1) for a period of up to 3 years.
8 The Local Board may terminate the funding made
9 available through such grant during such period if
10 the program fails to comply with the requirements of
11 this Act, or if insufficient Federal funds are appro-
12 priated under section 5(a) to permit the continu-
13 ation of funding for the full grant period of all such
14 grants awarded by the Local Board.

15 (6) RENEWALS OF GRANTS.—The Local Board
16 may renew grants made under paragraph (1). After
17 the initial grant period, in determining whether to
18 renew a grant to a Local Board to carry out activi-
19 ties, the Local Board shall give substantial weight to
20 the effectiveness of the activities in achieving process
21 and outcome objectives specified in a local strategic
22 plan described in subsection (f)(1).

23 (7) FEDERAL SHARE REQUIREMENT.—

1 (A) FEDERAL SHARE.—The Federal share
2 of the cost of carrying out a youth development
3 program described in paragraph (1) shall be—

4 (i) 80 percent for the first year for
5 which the program receives funding under
6 this subsection;

7 (ii) 65 percent for the second such
8 year;

9 (iii) 50 percent for the third such
10 year; and

11 (iv) 30 percent for the fourth such
12 year and any subsequent year.

13 (B) NON-FEDERAL SHARE.—In providing
14 for the remaining share of the cost of carrying
15 out such a program, each recipient of assistance
16 under this subsection—

17 (i) shall provide for such share
18 through private sources;

19 (ii) may provide for such share
20 through a payment in cash; and

21 (iii) may provide for not more than 25
22 percent of such share through a payment
23 in kind, fairly evaluated, including facili-
24 ties, equipment, or services.

1 (h) ANNUAL REPORTS TO LOCAL BOARD.—Each or-
2 ganization or partnership receiving a grant under sub-
3 section (g) to carry out a program shall, not later than
4 45 days after the end of each fiscal year of the Local
5 Board, prepare and submit to the Local Board an annual
6 report on the program during the fiscal year, in such man-
7 ner and containing such information as the Assistant Sec-
8 retary may reasonably require to determine compliance
9 with this Act.

10 (i) ANNUAL REPORT TO STATE COMMISSION.—Each
11 Local Board shall, not later than 75 days after the end
12 of each fiscal year of the Local Board, prepare and submit
13 to the State Commission an annual report in such manner
14 and containing such information as the Assistant Sec-
15 retary may reasonably require to determine compliance
16 with this Act. Such report shall contain, at a minimum,
17 information on the programs and activities funded by the
18 Local Board during the fiscal year under this section and
19 the extent to which the programs achieved the process and
20 outcome objectives specified in the local strategic plan
21 under subsection (f).

22 (j) PLANNING, ADMINISTRATION, COORDINATION,
23 EVALUATION, AND FISCAL AGENT EXPENSES.—In addi-
24 tion to any initial planning funds provided under section
25 5(b)(5)(A), the Local Board may use up to 5 percent of

1 the funds received under section 5(b)(5)(B) for planning,
2 administration, coordination, and evaluation expenses, and
3 expenses of the fiscal agent of the Local Board. Each or-
4 ganization or partnership that receives a grant under sub-
5 section (g) may use up to 10 percent of the funds received
6 under the grant for planning, administration, and coordi-
7 nation, and may use up to an additional 5 percent of such
8 funds for evaluation expenses.

9 **SEC. 7. STATE YOUTH DEVELOPMENT COMMISSION.**

10 (a) ESTABLISHMENT OF COMMISSION.—In order for
11 entities within a State to be eligible to receive assistance
12 under this Act, the Governor of the State shall establish
13 an entity, or designate an existing entity, that meets the
14 requirements of this section, to serve as a State Youth
15 Development Commission.

16 (b) SIZE, COMPOSITION, AND APPOINTMENT OF
17 COMMISSION.—

18 (1) NUMBER OF MEMBERS.—The Governor of
19 the State shall determine the total number of mem-
20 bers on the Commission.

21 (2) APPOINTMENT BY THE GOVERNOR.—The
22 members of the Commission shall be appointed by
23 the Governor.

24 (3) COMPOSITION OF COMMISSION.—

1 (A) REPRESENTATIVES OF NATIONALLY
2 AFFILIATED YOUTH DEVELOPMENT ORGANIZA-
3 TIONS.—One-third of the members of the State
4 Commission shall be representatives described
5 in section 6(c)(1)(A).

6 (B) REPRESENTATIVES OF
7 NONAFFILIATED YOUTH DEVELOPMENT ORGA-
8 NIZATIONS.—One-third of the members of the
9 State Commission shall be representatives de-
10 scribed in section 6(c)(1)(B).

11 (C) OTHER MEMBERS.—One-third of the
12 members of the State Commission shall be rep-
13 resentatives of State governments or represent-
14 atives described in section 6(c)(2).

15 (D) AGE OF MEMBERS.—At least 2 of the
16 members appointed to the Commission shall be
17 under the age of 20 at the time of such ap-
18 pointment.

19 (E) BACKGROUND OF MEMBERS.—The
20 Governor shall ensure that the membership of
21 the State Commission fairly represents urban
22 and rural populations and reflects the racial,
23 ethnic, and gender composition of the State
24 population.

1 (F) LOCAL BOARD REPRESENTATION.—At
2 least 2 of the members appointed to the Com-
3 mission shall be members of different Local
4 Boards in the State at the time of their ap-
5 pointment.

6 (4) TERMS; OFFICERS; VACANCIES.—The State
7 Commission shall adopt, and shall include in the ap-
8 plication described in section 5(b)(3), bylaws that in-
9 clude provisions regarding the terms of office of
10 members, the election of officers, and the selection
11 of members to fill vacancies, of the State Commis-
12 sion.

13 (c) DUTIES OF STATE COMMISSION.—

14 (1) REVIEW OF COMMUNITY YOUTH DEVELOP-
15 MENT PLANS.—In accordance with regulations is-
16 sued by the Assistant Secretary, within 30 days of
17 the submission by a Local Board of an application
18 under section 5(b)(5), the State Commission shall ei-
19 ther approve the application and distribute to the
20 Local Board its local allocation under section 5, or
21 notify the Local Board of the additional steps that
22 the Local Board shall take to bring the plan into
23 compliance with this Act.

24 (2) MONITORING OPERATIONS OF LOCAL
25 BOARDS.—The Commission shall have primary re-

1 sponsibility for ensuring that the Local Boards oper-
2 ate in compliance with this Act.

3 (3) TECHNICAL ASSISTANCE TO LOCAL
4 BOARDS.—The State Commission shall provide tech-
5 nical assistance related to the development and im-
6 plementation of local strategic plans described in
7 section 6(f) to Local Boards that are applicants for,
8 or recipients of, local allocations under section 5(b).

9 (4) GOALS AND STRATEGIC PLAN FOR YOUTH
10 DEVELOPMENT.—

11 (A) STATE POLICY GOALS.—After a review
12 of local strategic plans submitted by Local
13 Boards within the State under section 6(f), the
14 State Commission and the Governor shall de-
15 velop policy goals for the State, based on the
16 process and outcome objectives in such strategic
17 plans.

18 (B) STATE STRATEGIC PLAN.—Based on
19 the State policy goals, the Commission and the
20 Governor shall develop a State strategic plan
21 for youth development, including specific State
22 process and outcome objectives, designed to
23 achieve the State policy goals.

24 (5) ANNUAL REPORT.—Each State Commission
25 shall, not later than 120 days after the end of each

1 fiscal year of the State Commission, prepare and
2 submit to the Assistant Secretary and the National
3 Commission an annual report, in such manner and
4 containing such information as the Assistant Sec-
5 retary may reasonably require to determine compli-
6 ance with this Act. Such report shall contain, at a
7 minimum, information on the programs and activi-
8 ties funded in the State during the fiscal year under
9 this Act, and the extent to which the Local Boards
10 in the State achieved the process and outcome objec-
11 tives specified in the local strategic plan described in
12 section 6(f)(1).

13 (d) RELATIONSHIP TO INDEPENDENT STATE BODY
14 ESTABLISHED UNDER THE CLAUDE PEPPER YOUNG
15 AMERICANS ACT OF 1990.—To provide improved coordi-
16 nation of public and private services for youth and their
17 families, the State Commission shall—

18 (1) consult with the Independent State Body
19 established under section 930 of the Claude Pepper
20 Young Americans Act of 1990 (42 U.S.C. 12336) in
21 the development of the State strategic plan under
22 subsection (c)(4);

23 (2) consult with the Independent State Body in
24 developing and implementing strategies for improved
25 coordination between activities funded under this

1 Act and other public and private services for youth
2 and their families; and

3 (3) submit a copy of the annual report required
4 under subsection (c)(5) to the Independent State
5 Body, concurrently with the submission of the report
6 to the Assistant Secretary and the National Com-
7 mission.

8 (e) COORDINATION WITH INDEPENDENT STATE
9 BODY ESTABLISHED UNDER THE CLAUDE PEPPER
10 YOUNG AMERICANS ACT OF 1990.—In addition to the an-
11 nual report required under subsection (c)(5), the State
12 Commission shall provide information obtained from the
13 annual reports submitted by the Local Boards under sec-
14 tion 6(i) to the Independent State Body under subsection
15 (d)(3), including a detailed accounting of the number of
16 participants in programs in the State that are funded
17 under this Act, specified by age, gender, economic back-
18 ground, race, ethnicity, and disability.

19 **SEC. 8. NATIONAL YOUTH DEVELOPMENT COMMISSION.**

20 (a) ESTABLISHMENT OF NATIONAL YOUTH DEVEL-
21 OPMENT COMMISSION.—There is established a National
22 Youth Development Commission that shall advise the As-
23 sistant Secretary on the implementation of this Act.

24 (b) ESTABLISHMENT, SIZE, COMPOSITION, AND AP-
25 POINTMENT OF NATIONAL COMMISSION.—

1 (1) ESTABLISHMENT; NUMBER OF MEMBERS.—
2 The National Youth Development Commission shall
3 be composed of 21 voting members, and such ex
4 officio nonvoting members as the President may de-
5 termine to be appropriate.

6 (2) APPOINTMENT OF NATIONAL COMMIS-
7 SION.—

8 (A) IN GENERAL.—The voting members of
9 the National Commission shall be appointed by
10 the President, by and with the advice and con-
11 sent of the Senate.

12 (B) NOMINATIONS FROM HOUSE OF REP-
13 RESENTATIVES.—Seven voting members of the
14 National Commission shall be appointed from
15 among individuals nominated by the Speaker
16 and Minority Leader of the House of Rep-
17 resentatives.

18 (C) NOMINATIONS FROM SENATE.—Seven
19 voting members of the National Commission
20 shall be appointed from among individuals nom-
21 inated by the Majority Leader and Minority
22 Leader of the Senate.

23 (D) TIMING.—The President shall appoint
24 the initial voting members of the Commission

1 within 90 days after the date of enactment of
2 this Act.

3 (3) COMPOSITION OF NATIONAL COMMISSION.—

4 (A) REPRESENTATIVES OF NATIONALLY
5 AFFILIATED YOUTH DEVELOPMENT ORGANIZA-
6 TIONS.—Seven of the voting members of the
7 National Commission shall be representatives of
8 national youth development organizations, or of
9 the affiliates of such organizations.

10 (B) REPRESENTATIVES OF
11 NONAFFILIATED YOUTH DEVELOPMENT ORGA-
12 NIZATIONS.—Seven of the voting members of
13 the National Commission shall be representa-
14 tives described in section 6(c)(1)(B).

15 (C) OTHER MEMBERS.—Seven of the vot-
16 ing members of the National Commission shall
17 be appointed from among representatives de-
18 scribed in section 7(b)(3)(C).

19 (D) AGE OF MEMBERS.—At least 2 of the
20 voting members appointed to the National Com-
21 mission shall be under the age of 20 at the time
22 of such appointment.

23 (E) BACKGROUND OF MEMBERS.—The
24 President shall ensure that the voting member-
25 ship of the National Commission fairly rep-

1 resents urban and rural populations and re-
2 fects the racial, ethnic, and gender composition
3 of the population of the United States.

4 (4) TERM OF OFFICE.—

5 (A) IN GENERAL.—Each voting member of
6 the Commission shall serve for a term of 3
7 years, except that one-third of the members
8 first appointed to the Commission after the
9 date of enactment of this section shall serve for
10 a term of 1 year, and one-third of such mem-
11 bers shall serve for a term of 2 years, as des-
12 ignated by the President. The members des-
13 ignated to serve a term of 1 year, and the mem-
14 bers designated to serve a term of 2 years, shall
15 include a fair distribution of members from the
16 3 categories of members described in subpara-
17 graphs (A), (B), and (C) of paragraph (3), and
18 a fair distribution of members appointed as pro-
19 vided in paragraph (2)(B), of members ap-
20 pointed as provided in paragraph (2)(C), and of
21 other members.

22 (B) REAPPOINTMENT.—Members of the
23 National Commission may not serve more than
24 2 consecutive terms.

1 (5) VACANCIES.—Any vacancy on the National
2 Commission shall be filled in the same manner as
3 the original appointment. In filling such a vacancy,
4 the President shall ensure that the National Com-
5 mission meets the requirements of paragraph (3).
6 Any member appointed to fill such a vacancy shall
7 serve for the remainder of the term for which the
8 predecessor of the member was appointed or elected.

9 (6) CHAIRPERSON AND VICE CHAIRPERSON.—
10 The National Commission shall elect a Chairperson
11 and Vice Chairperson from among its members.

12 (7) OTHER OFFICERS.—The Commission may
13 elect from among its membership such additional of-
14 ficers for the Commission as the Commission deter-
15 mines to be appropriate.

16 (8) MEETINGS.—The Commission shall meet
17 not less often than 2 times each year. The Commis-
18 sion shall hold additional meetings if 15 members of
19 the Commission request such meetings in writing. A
20 majority of the appointed members of the Commis-
21 sion shall constitute a quorum.

22 (9) EXPENSES.—While away from their homes
23 or regular places of business on the business of the
24 Commission, members of such Commission may be
25 allowed travel expenses, including per diem in lieu of

1 subsistence, at rates authorized for employees of
2 agencies under subchapter I of chapter 57 of title 5,
3 United States Code, for persons employed intermit-
4 tently in the Government service.

5 (10) SPECIAL GOVERNMENT EMPLOYEES.—For
6 purposes of the provisions of chapter 11 of part I of
7 title 18, United States Code, and any other provision
8 of Federal law, a member of the Commission (to
9 whom such provisions would not otherwise apply ex-
10 cept for this subsection) shall be a special Govern-
11 ment employee.

12 (11) STATUS OF MEMBERS.—

13 (A) TORT CLAIMS.—For the purposes of
14 the tort claims provisions of chapter 171 of title
15 28, United States Code, a member of the Com-
16 mission shall be considered to be a Federal em-
17 ployee.

18 (B) OTHER CLAIMS.—A member of the
19 Commission has no personal liability under
20 Federal law with respect to any claim arising
21 out of or resulting from any act or omission by
22 such person, within the scope of the service of
23 the member on the Commission, in connection
24 with any transaction involving the provision of
25 financial assistance by the Commission or the

1 Administration for Children and Families. This
2 paragraph shall not be construed to limit per-
3 sonal liability for criminal acts or omissions,
4 willful or malicious misconduct, acts or omis-
5 sions for private gain, or any other act or omis-
6 sion outside the scope of the service of such
7 member on the Commission.

8 (C) EFFECT ON OTHER LAW.—This sub-
9 section shall not be construed—

10 (i) to affect any other immunities and
11 protections that may be available to such
12 member under applicable law with respect
13 to such transactions; or

14 (ii) to affect any other right or rem-
15 edy against the United States under appli-
16 cable law, or against any person.

17 (12) ADMINISTRATION.—The Federal Advisory
18 Committee Act (5 U.S.C. App.) shall not apply with
19 respect to the National Commission.

20 (c) DUTIES OF NATIONAL COMMISSION AND ASSIST-
21 ANT SECRETARY.—

22 (1) DUTIES OF NATIONAL COMMISSION.—The
23 National Commission shall—

24 (A) review and approve the proposal de-
25 scribed in paragraph (2)(A)(i), regarding the

1 goals and strategic plan referred to in such
2 paragraph;

3 (B) review and approve the proposal de-
4 scribed in paragraph (2)(B)(i), regarding the
5 grants, contracts, allocations, reallocations, and
6 payments described in paragraph (2)(B);

7 (C) review and approve the proposal de-
8 scribed in paragraph (2)(C)(i), regarding the
9 regulations, standards, policies, and procedures,
10 described in such paragraph;

11 (D) review and approve the proposed plan
12 for evaluation and monitoring referred to in
13 paragraph (2)(D)(i);

14 (E) review and approve the proposed re-
15 port referred to in paragraph (2)(E)(i);

16 (F) review, and advise the Assistant Sec-
17 retary regarding, such standards, policies, pro-
18 cedures, programs, and initiatives as are nec-
19 essary or appropriate to carry out this Act;

20 (G) inform the Assistant Secretary of any
21 aspects of the actions of the Assistant Secretary
22 that are not in compliance with the goals and
23 strategic plan approved under subparagraph
24 (A), the proposals approved under subpara-
25 graphs (B) and (C), the plan approved under

1 subparagraph (D), and the report approved
2 under subparagraph (E);

3 (H) advise the President and the Congress
4 concerning developments relating to youth de-
5 velopment that merit the attention of the Presi-
6 dent and the Congress;

7 (I) ensure the effective dissemination of in-
8 formation and facilitation of the transfer of
9 technology on youth development issues, includ-
10 ing program information, sources of funding,
11 and methods of evaluation;

12 (J) provide (directly or by contract) train-
13 ing and technical assistance to State Commis-
14 sions and Local Boards; and

15 (K) carry out any other activities deter-
16 mined to be appropriate by the Assistant Sec-
17 retary.

18 (2) GENERAL DUTIES OF ASSISTANT SEC-
19 RETARY.—The Assistant Secretary shall—

20 (A)(i) prepare and submit to the National
21 Commission a proposal regarding the goals and
22 strategic plan described in paragraph (3)(A);
23 and

24 (ii) after receiving and reviewing approved
25 goals and an approved strategic plan under

1 paragraph (1)(A), issue the goals and strategic
2 plan described in paragraph (3)(A);

3 (B)(i) prepare and submit to the National
4 Commission a proposal regarding such grants,
5 contracts, allocations, and reallocations, as are
6 necessary or appropriate to carry out this Act;
7 and

8 (ii) after receiving and reviewing an ap-
9 proved proposal under paragraph (1)(B), make
10 such grants, contracts, allocations, and
11 reallocations, and make such payments (in lump
12 sum or installments, and in advance or by way
13 of reimbursement, and in the case of financial
14 assistance otherwise authorized under this Act,
15 with necessary adjustments on account of over-
16 payments and underpayments);

17 (C)(i) prepare and submit to the National
18 Commission a proposal regarding the regula-
19 tions described in paragraph (3)(B), and such
20 other standards, policies, and procedures, as are
21 necessary or appropriate to carry out this Act;
22 and

23 (ii) after receiving and reviewing an ap-
24 proved proposal under paragraph (1)(C)—

1 (I) establish such regulations, stand-
2 ards, policies, and procedures as are nec-
3 essary or appropriate to carry out this Act;
4 and

5 (II) establish and administer such
6 programs and initiatives as are necessary
7 or appropriate to carry out this Act;

8 (D)(i) prepare and submit to the National
9 Commission a proposed plan for the evaluation
10 and monitoring of activities under this Act, in
11 accordance with paragraph (3)(D); and

12 (ii) after receiving an approved plan under
13 paragraph (1)(D) establish the system de-
14 scribed in paragraph (3)(D);

15 (E)(i) prepare and submit to the National
16 Commission a proposed report described in
17 paragraph (3)(F); and

18 (ii) after receiving an approved report
19 under paragraph (1)(E), submit the report de-
20 scribed in paragraph (3)(F);

21 (F) prepare and submit to the National
22 Commission an annual report, and such interim
23 reports as may be necessary, describing the
24 major actions of the Assistant Secretary with
25 respect to the personnel that carry out this Act,

1 and with respect to the standards, policies, pro-
2 cedures, programs, and initiatives implemented
3 to carry out this Act;

4 (G) inform the National Commission of,
5 and provide an explanation to the National
6 Commission regarding, any substantial dif-
7 ferences regarding the implementation of this
8 Act between—

9 (i) the actions of the Assistant Sec-
10 retary; and

11 (ii)(I) the goals and strategic plan ap-
12 proved by the National Commission under
13 paragraph (1)(A);

14 (II) the proposals approved by the
15 National Commission under subparagraph
16 (B) or (C) of paragraph (1);

17 (III) the evaluation and monitoring
18 plan approved by the National Commission
19 under paragraph (1)(D); or

20 (IV) the report approved by the Na-
21 tional Commission under paragraph
22 (1)(E); and

23 (H) consult with appropriate Federal agen-
24 cies in administering the programs and initia-
25 tives carried out under this Act.

1 (3) SPECIFIC DUTIES OF THE ASSISTANT SEC-
2 RETARY.—

3 (A) NATIONAL POLICY GOALS AND STRA-
4 TEGIC PLAN.—

5 (i) NATIONAL POLICY GOALS.—After
6 a review of State strategic plans developed
7 under section 7(c)(4), and input from
8 Local Boards, the Assistant Secretary shall
9 develop and issue national policy goals that
10 are based on the process and outcome ob-
11 jectives specified in such plans.

12 (ii) NATIONAL STRATEGIC PLAN FOR
13 YOUTH DEVELOPMENT.—Based on the na-
14 tional policy goals, the Assistant Secretary
15 shall develop a national strategic plan for
16 youth development, including specific proc-
17 ess and outcome objectives, designed to
18 achieve the national policy goals.

19 (B) REGULATIONS.—The Assistant Sec-
20 retary shall issue all regulations necessary for
21 the administration of this Act, including—

22 (i) regulations (regarding funding for-
23 mulas) described in paragraphs (2) and (4)
24 of section 5(b);

1 (ii) regulations (regarding appeals of
2 denials of local strategic plans) under sec-
3 tion 6(f)(3);

4 (iii) regulations (regarding certifi-
5 cation, and appeals of denials of certifi-
6 cation, of organizations as community-
7 based youth development organizations)
8 under section 6(g)(3);

9 (iv) regulations (regarding review of
10 the applications of Local Boards by State
11 Commissions) under section 7(c)(1);

12 (v) effective practice standards de-
13 scribed in subparagraph (C);

14 (vi) regulations that specify a process
15 for certifying that an organization qualifies
16 as a national youth development organiza-
17 tion; and

18 (vii) interim final regulations govern-
19 ing the first fiscal year of operation under
20 this Act, which shall be issued within 120
21 days after the appointment of the National
22 Commission.

23 (C) EFFECTIVE PRACTICE STANDARDS.—

24 The Assistant Secretary shall develop and issue
25 standards that specify effective practices for

1 conducting community-based youth development
2 programs, and such specified practices shall in-
3 clude—

4 (i) addressing one or more of the
5 process objectives, and one or more of the
6 outcome objectives, identified in the local
7 strategic plan described in section 6(f)(1);

8 (ii) incorporating components that
9 promote the competencies described in sec-
10 tion 4(15)(A) in youth;

11 (iii) recognizing the primary role of
12 the family in positive youth development
13 and seeking to strengthen families;

14 (iv) promoting the involvement of
15 youth, parents, and other community mem-
16 bers in the planning and implementation of
17 the program;

18 (v) coordinating services with other
19 youth and family services in the commu-
20 nity, and helping participants access the
21 services;

22 (vi) exposing youth to a variety of
23 adult role models and mentors;

24 (vii) encouraging youth leadership and
25 civic involvement;

1 (viii) seeking to establish a long-term
2 relationship with participating youth;

3 (ix) employing strong outreach efforts
4 to low-income youth and their families;

5 (x) providing age-appropriate pro-
6 grams;

7 (xi) providing programs that—

8 (I) are open to all youth regard-
9 less of such factors as race, color, reli-
10 gion, sex, national origin, disability, or
11 social or economic background; or

12 (II) target a population related
13 on the basis of one or more of such
14 factors, if such targeting is designed
15 to meet the special needs of such pop-
16 ulation; and

17 (xii) using not less than 5 percent and
18 not more than 10 percent of funds made
19 available through the grant to provide
20 preservice and inservice training and edu-
21 cational materials and services for program
22 staff.

23 (D) MONITORING AND EVALUATION.—The
24 Assistant Secretary shall develop and establish
25 a system for monitoring and evaluating the ef-

1 fectiveness of activities funded under this Act.
2 The system shall utilize the standards for effec-
3 tive practices issued under subparagraph (C).

4 (E) COORDINATION.—The Assistant Sec-
5 retary shall consult with appropriate Federal
6 agencies to ensure effective coordination of pro-
7 grams funded under this Act with other Federal
8 programs serving youth and families.

9 (F) REPORT.—Every 2 years, the Assist-
10 ant Secretary shall submit to the President and
11 the Congress a report describing the activities
12 funded under this Act, and an assessment of
13 the effectiveness of the activities in meeting the
14 process and outcome objectives described in
15 subparagraph (A)(ii).

16 (d) RELATIONSHIP TO FEDERAL COUNCIL ON CHIL-
17 DREN, YOUTH, AND FAMILIES.—To provide improved co-
18 ordination of public and private services for youth and
19 their families, the National Commission shall—

20 (1) consult with the Federal Council on Chil-
21 dren, Youth, and Families established under section
22 918 of the Claude Pepper Young Americans Act of
23 1990 (42 U.S.C. 12314), in developing and imple-
24 menting strategies for improved coordination be-
25 tween activities funded under this Act and other

1 public and private services for youth and their fami-
2 lies; and

3 (2) submit a copy of any reports required under
4 subsection (c)(3)(F) to the Federal Council on Chil-
5 dren, Youth, and Families, concurrently with the
6 submission of the report to the President and the
7 Congress.

8 (e) STAFF AND CONSULTANTS.—

9 (1) STAFF.—

10 (A) IN GENERAL.—The National Commis-
11 sion may, without regard to the civil service
12 laws and regulations, appoint and terminate an
13 executive director and such other additional
14 personnel as may be necessary to enable the
15 Commission to perform its duties.

16 (B) COMPENSATION.—The National Com-
17 mission may fix the compensation of the execu-
18 tive director and other personnel without regard
19 to the provisions of chapter 51 and subchapter
20 III of chapter 53 of title 5, United States Code,
21 relating to classification of positions and Gen-
22 eral Schedule pay rates, except that the rate of
23 pay for the executive director and other person-
24 nel may not exceed the rate payable for level V

1 of the Executive Schedule under section 5316
2 of such title.

3 (2) CONSULTANTS.—The executive director
4 may procure the temporary and intermittent services
5 of experts and consultants and compensate the ex-
6 perts and consultants in accordance with section
7 3109(b) of title 5, United States Code, at rates for
8 individuals that do not exceed the daily equivalent of
9 the annual rate of basic pay prescribed for level IV
10 of the Executive Schedule under section 5315 of
11 such title.

12 (3) DETAILS OF PERSONNEL.—The head of any
13 Federal department or agency may detail on a reim-
14 bursable basis, or on a nonreimbursable basis for not
15 to exceed 180 calendar days during any fiscal year,
16 as agreed upon by the Director and the head of the
17 Federal agency, any of the personnel of that depart-
18 ment or agency to the National Commission to assist
19 the Commission in carrying out the duties of the
20 Commission under this Act. Any detail shall not in-
21 terrupt or otherwise affect the civil service status or
22 privileges of the Federal employee.

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