

103RD CONGRESS
1ST SESSION

H. R. 2010

AMENDMENT

In the Senate of the United States,

August 3 (legislative day, June 30), 1993.

Resolved, That the bill from the House of Representatives (H.R. 2010) entitled “An Act 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”, do pass with the following

AMENDMENT:

Strike out all after the enacting clause and insert:

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

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

3
4 (b) *TABLE OF CONTENTS.*—*The table of contents is as*
5 *follows:*

Sec. 1. Short title; table of contents.

Sec. 2. Findings and purpose.

TITLE I—PROGRAMS AND RELATED PROVISIONS

Subtitle A—Programs

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

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

Subtitle B—Related Provisions

- Sec. 111. Definitions.*
- Sec. 112. Authority to make State grants.*
- Sec. 113. Family and medical leave.*
- Sec. 114. Reports.*
- Sec. 115. Nondiscrimination.*
- Sec. 116. Notice, hearing, and grievance procedures.*
- Sec. 117. Nondisplacement.*
- Sec. 118. Evaluation.*
- Sec. 119. Engagement of participants.*
- Sec. 120. Contingent extension.*
- Sec. 121. Audits.*
- Sec. 122. Repeals.*
- Sec. 123. Effective date.*

TITLE II—ORGANIZATION

- Sec. 201. State Commissions on National and Community Service.*
- Sec. 202. Interim authorities of the Corporation for National and Community Service and ACTION Agency.*
- Sec. 203. Final authorities of the Corporation for National and Community Service.*
- Sec. 204. Business plan.*

TITLE III—REAUTHORIZATION

Subtitle A—National and Community Service Act of 1990

- Sec. 301. Authorization of appropriations.*

Subtitle B—Domestic Volunteer Service Act of 1973

- Sec. 311. Short title; references.*

CHAPTER 1—VISTA AND OTHER ANTI-POVERTY PROGRAMS

- Sec. 321. Purpose of the VISTA program.*
- Sec. 322. Selection and assignment of VISTA volunteers.*
- Sec. 323. Terms and periods of service.*
- Sec. 324. Support for VISTA volunteers.*
- Sec. 325. Participation of younger and older persons.*
- Sec. 326. Literacy activities.*
- Sec. 327. Applications for assistance.*
- Sec. 328. Repeal of authority for student community service programs.*
- Sec. 329. University year for VISTA.*
- Sec. 330. Authority to establish and operate special volunteer and demonstration programs.*
- Sec. 331. Technical and financial assistance.*
- Sec. 332. Elimination of separate authority for drug abuse programs.*

CHAPTER 2—NATIONAL SENIOR VOLUNTEER CORPS

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

CHAPTER 3—ADMINISTRATION

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

CHAPTER 4—AUTHORIZATION OF APPROPRIATIONS AND OTHER AMENDMENTS

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

CHAPTER 5—GENERAL PROVISIONS

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

Subtitle C—Youth Conservation Corps Act of 1970

- Sec. 399. Public Lands Corps.*

TITLE IV—TECHNICAL AND CONFORMING AMENDMENTS

- Sec. 401. Definitions.*
- Sec. 402. References to the Commission on National and Community Service.*
- Sec. 403. References to Directors of the Commission on National and Community Service.*
- Sec. 404. Definition of Director.*
- Sec. 405. References to ACTION and the ACTION Agency.*
- Sec. 406. Effective date.*

TITLE V—RURAL COMMUNITY SERVICE

Sec. 501. Rural community service.

Sec. 502. Demonstration project.

TITLE VI—FEDERAL TORT CLAIMS ACT

Sec. 601. Federal Tort Claims Act.

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

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

5 **“SEC. 2. FINDINGS AND PURPOSE.**

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

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

10 “(2) Americans desire to affirm common respon-
11 sibilities and shared values, and join together in posi-
12 tive experiences, that transcend race, religion, gender,
13 age, disability, region, income, and education.

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

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

20 “(5) Nonprofit organizations, local governments,
21 States, and the Federal Government are already sup-

1 *porting a wide variety of national service programs*
2 *that deliver needed services in a cost-effective manner.*

3 *“(6) Residents of low-income communities, espe-*
4 *cially youth and young adults, can be empowered*
5 *through their service, and can help provide future*
6 *community leadership.*

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

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

11 *“(2) renew the ethic of civic responsibility and*
12 *the spirit of community throughout the United States;*

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

17 *“(4) encourage citizens of the United States, re-*
18 *gardless of race, religion, gender, age, disability, re-*
19 *gion, income, or education, to engage in full-time or*
20 *part-time national service;*

21 *“(5) reinvent government to eliminate duplica-*
22 *tion in national service programs, support locally es-*
23 *tablished service initiatives, encourage private sector*
24 *investment and involvement in national service pro-*
25 *grams, and require measurable goals for performance*

1 *in such programs and offer flexibility in meeting*
2 *those goals;*

3 *“(6) empower residents of low-income commu-*
4 *nities, especially youth and young adults, through*
5 *their service, and help provide future community*
6 *leadership;*

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

11 *“(8) provide tangible benefits to the communities*
12 *in which national service is performed;*

13 *“(9) build ties among Americans that transcend*
14 *race, religion, gender, age, disability, region, income,*
15 *and education;*

16 *“(10) encourage educational reform by introduc-*
17 *ing service-learning into curricula in elementary*
18 *schools, secondary schools, and institutions of higher*
19 *education; and*

20 *“(11) enable service participants to gain per-*
21 *sonal, academic, and occupational skills through serv-*
22 *ice-learning experiences.”.*

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

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

“Sec. 2. Findings and purpose.”.

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

6 **SEC. 101. FEDERAL INVESTMENT IN SUPPORT OF NATIONAL**
7 **SERVICE.**

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

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

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

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

17 “(a) *PROVISION OF ASSISTANCE.*—Subject to the avail-
18 ability of appropriations, the Corporation may make
19 grants to States, subdivisions of States, Indian tribes, pub-
20 lic and private not-for-profit organizations (including labor
21 organizations and community action agencies), and insti-
22 tutions of higher education for the purpose of assisting the
23 recipients of the grants by paying for the Federal share of—

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

4 “(2) making grants in support of other national
5 service programs described in section 122(a) that are
6 carried out by other entities, or grants described in
7 section 129(d)(4).

8 “(b) AGREEMENTS WITH FEDERAL AGENCIES.—

9 “(1) IN GENERAL.—The Corporation may enter
10 into a contract or cooperative agreement with another
11 Federal agency to support a national service program
12 carried out by the agency. The support provided by
13 the Corporation pursuant to the contract or coopera-
14 tive agreement may include the transfer to the Fed-
15 eral agency of funds available to the Corporation
16 under this subtitle.

17 “(2) NONDUPLICATION.—A Federal agency that
18 enters into a contract or cooperative agreement under
19 paragraph (1) to support a national service program
20 within a State—

21 “(A) shall consult with the State Commis-
22 sion serving the State to avoid duplication with
23 any service program that is in existence in the
24 State as of the date of the contract or cooperative
25 agreement; and

1 “(B) shall, in an appropriate case, enter
2 into a contract or cooperative agreement with an
3 entity that is carrying out a service program de-
4 scribed in subparagraph (A) that is of high qual-
5 ity, in order to support the national service pro-
6 gram.

7 “(3) APPLICATION OF REQUIREMENTS.—A Fed-
8 eral agency receiving assistance under this subsection
9 shall comply with the Federal share requirements of
10 section 129(d)(2)(B). The supplementation require-
11 ments specified in section 173 shall apply with re-
12 spect to the Federal national service programs sup-
13 ported with such assistance.

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

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

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

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

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

3 “(d) FIVE PERCENT LIMITATION ON ADMINISTRATIVE
4 COSTS.—

5 “(1) LIMITATION.—Not more than 5 percent of
6 the amount of assistance provided to the original re-
7 cipient of a grant or transfer of assistance under sub-
8 section (a) or (b) for a fiscal year may be used to pay
9 for administrative costs (including indirect costs) in-
10 curred by—

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

12 “(B) national service programs carried out
13 or supported with the assistance.

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

16 “(A) assistance provided under subsection
17 (a) or (b) may be used to cover administrative
18 costs; and

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

22 “(i) the original recipient of the grant
23 or transfer of assistance under such sub-
24 section; and

1 “(ii) national service programs carried
2 out or supported with the assistance.

3 “(e) MATCHING FUNDS REQUIREMENTS.—

4 “(1) REQUIREMENTS.—Except as provided in
5 sections 129(d)(2)(B) and 140, the Federal share of
6 the cost of carrying out a national service program
7 that receives the assistance under subsection (a),
8 whether the assistance is provided directly or as a
9 subgrant from the original recipient of the assistance,
10 may not exceed 75 percent of such cost.

11 “(2) CALCULATION.—

12 “(A) IN GENERAL.—In providing for the re-
13 maining share of the cost of carrying out a na-
14 tional service program, the program—

15 “(i) shall provide for such share
16 through a payment in cash or in kind, fair-
17 ly evaluated, including facilities, equip-
18 ment, or services; and

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

24 “(B) COST OF HEALTH CARE.—In provid-
25 ing for such remaining share through a payment

1 *through the use of organized teams of participants of*
2 *varied social and economic backgrounds, skill levels,*
3 *capabilities, ages, ethnic backgrounds, or genders.*

4 “(2) A full-time youth corps program, carried
5 *out during the summer or throughout the full cal-*
6 *endar year, such as a conservation corps or youth*
7 *service corps (including a conservation corps or youth*
8 *service corps that performs service on Federal or other*
9 *public lands or on Indian lands), that—*

10 “(A) undertakes meaningful service projects
11 *with visible benefits to a community, including*
12 *natural resource, urban renovation, rural devel-*
13 *opment, or human services projects;*

14 “(B) includes as participants youths and
15 *young adults between the ages of 16 and 25, in-*
16 *clusive, including out-of-school youths, other eco-*
17 *nomically disadvantaged youths, and individuals*
18 *with disabilities, who are between those ages; and*

19 “(C) provides those participants who are
20 *youths and young adults with—*

21 “(i) crew-based, highly structured, and
22 *adult-supervised work experience, life skills,*
23 *education, career guidance and counseling,*
24 *employment training, and support services;*
25 *and*

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

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

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

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

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

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

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

5 “(A) students who are attending an institu-
6 tion of higher education, including students par-
7 ticipating in a work-study program assisted
8 under part C of title IV of the Higher Education
9 Act of 1965 (42 U.S.C. 2751 et seq.);

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

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

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

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

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

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

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

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

5 “(A) *as teachers, nurses and other health*
6 *care providers, police officers, early childhood de-*
7 *velopment staff, engineers, or other professionals*
8 *providing service to meet educational, human,*
9 *environmental, or public safety needs in commu-*
10 *nities with an inadequate number of such profes-*
11 *sionals;*

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

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

21 “(9) *A program in which economically disadvan-*
22 *tagged individuals who are between the ages of 16 and*
23 *24 years of age, inclusive, are provided with opportu-*
24 *nities to perform service that, while enabling such in-*
25 *dividuals to obtain the education and employment*

1 *skills necessary to achieve economic self-sufficiency,*
2 *will help their communities meet—*

3 *“(A) the housing needs of low-income fami-*
4 *lies and the homeless; and*

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

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

11 *“(11) An intergenerational program that com-*
12 *bines students, out-of-school youths, and older adults*
13 *as participants to provide needed community services,*
14 *including an intergenerational component of a na-*
15 *tional service program described in any of para-*
16 *graphs (1) through (10), or in paragraph (12) or*
17 *(13).*

18 *“(12) A program, to be known as a ‘Communi-*
19 *ties in Action program’, carried out by not-for-prof-*
20 *it organizations, including community action agen-*
21 *cies or combinations of such agencies, to provide op-*
22 *portunities for individuals or teams of individuals to*
23 *engage in local community projects that meet impor-*
24 *tant unaddressed community and individual needs in*
25 *low-income areas served by such a not-for-profit orga-*

1 *nization, including service projects to meet the*
2 *unaddressed needs of economically disadvantaged*
3 *youth age 18 and younger (including providing safe*
4 *locations for after-school programs that provide op-*
5 *portunities for learning and recreation).*

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

10 *“(b) QUALIFICATION CRITERIA TO DETERMINE ELIGI-*
11 *BILITY.—*

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

19 *“(2) CONSULTATION.—In establishing qualifica-*
20 *tion criteria under paragraph (1), the Corporation*
21 *shall consult with organizations and individuals that*
22 *have extensive experience in developing and admin-*
23 *istering effective national service programs.*

24 *“(3) APPLICATION TO SUBGRANTS.—The quali-*
25 *fication criteria established by the Corporation under*

1 *paragraph (1) shall also be used by each recipient of*
2 *assistance under section 121(a) that uses any portion*
3 *of the assistance to conduct a grant program to sup-*
4 *port other national service programs.*

5 *“(4) ENCOURAGEMENT OF INTERGENERATIONAL*
6 *COMPONENTS OF PROGRAMS.—The Corporation shall*
7 *encourage national service programs eligible to receive*
8 *assistance or approved national service positions*
9 *under this subtitle to establish, if consistent with the*
10 *purposes of the program, an intergenerational compo-*
11 *nent of the program that combines students, out-of-*
12 *school youths, and older adults as participants to pro-*
13 *vide services to address unmet human, education, en-*
14 *vironmental, or public safety needs.*

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

16 *“(1) ESTABLISHMENT.—*

17 *“(A) BY CORPORATION.—In order to con-*
18 *centrate national efforts on meeting certain*
19 *unmet human, educational, environmental, or*
20 *public safety needs and to achieve the other pur-*
21 *poses of this Act, the Corporation shall establish,*
22 *and after reviewing the strategic plan approved*
23 *under section 192A(g)(1), periodically alter pri-*
24 *orities as appropriate regarding the types of na-*
25 *tional service programs to be assisted under sub-*

1 *section (b) or (d) of section 129 and the purposes*
2 *for which such assistance may be used.*

3 “(B) *BY STATES.*—*States shall establish,*
4 *and through the national service plan process de-*
5 *scribed in section 178(e)(1), periodically alter*
6 *priorities as appropriate regarding the national*
7 *service programs to be assisted under section*
8 *129(a)(1).*

9 “(2) *NOTICE TO APPLICANTS.*—

10 “(A) *IN GENERAL.*—*The Corporation shall*
11 *provide to potential applicants advance notice of*
12 *any national service priorities to be in effect*
13 *under this subsection for a fiscal year.*

14 “(B) *CONTENTS.*—*The notice shall specifi-*
15 *cally include—*

16 “(i) *a description of any alteration*
17 *made in the priorities since the previous no-*
18 *tice; and*

19 “(ii) *a description of the national serv-*
20 *ice programs that are designated by the*
21 *Corporation under section 133(d)(2) as eli-*
22 *gible for priority consideration in the next*
23 *competitive distribution of assistance under*
24 *section 121(a).*

1 “(C) *REGULATIONS.*—*The Corporation shall*
2 *by regulation establish procedures to ensure the*
3 *equitable treatment of national service programs*
4 *that—*

5 “(i) *receive funding under this subtitle*
6 *for multiple years; and*

7 “(ii) *would be adversely affected by an-*
8 *ual revisions in such national service pri-*
9 *orities.*

10 “(3) *APPLICATION TO SUBGRANTS.*—*Any recipi-*
11 *ent of funds under section 121(a) that uses any por-*
12 *tion of the assistance to conduct a grant program to*
13 *support other national service programs shall, in con-*
14 *ducting such a grant program, make reasonable ef-*
15 *forts to use any national service priorities established*
16 *by the Corporation under this subsection.*

17 “(d) *EXISTING PROGRAMS.*—*Notwithstanding any*
18 *other provision of this section, any program that received*
19 *financial assistance under subtitle C or D of the National*
20 *and Community Service Act of 1990, as in effect on the*
21 *day before the date of enactment of this subsection, shall*
22 *be eligible to receive financial assistance under this subtitle*
23 *for a period of 30 months from the date of enactment of*
24 *this subsection.*

1 **“SEC. 123. TYPES OF NATIONAL SERVICE POSITIONS ELIGI-**
2 **BLE FOR APPROVAL FOR NATIONAL SERVICE**
3 **EDUCATIONAL AWARDS.**

4 *“The Corporation may approve of any of the following*
5 *service positions as an approved national service position*
6 *that includes the national service educational award de-*
7 *scribed in subtitle D as one of the benefits to be provided*
8 *for successful service in the position:*

9 *“(1) A position for a participant in a national*
10 *service program described in section 122(a) that re-*
11 *ceives assistance under subsection (a) or (b) of section*
12 *121.*

13 *“(2) A position for a participant in a program*
14 *that—*

15 *“(A) is carried out by a State, a subdivi-*
16 *sion of a State, an Indian tribe, a public or pri-*
17 *vate not-for-profit organization (including a*
18 *community action agency), an institution of*
19 *higher education, or a Federal agency; and*

20 *“(B) would be eligible to receive assistance*
21 *under section 121(a), based on criteria estab-*
22 *lished by the Corporation, but has not applied*
23 *for such assistance.*

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

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

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

6 “(6) A position involving service as a crew lead-
7 er in a youth corps program or a similar position
8 supporting a national service program that receives
9 an approved national service position.

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

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

13 “(a) *PLANNING ASSISTANCE.*—The Corporation may
14 provide assistance under section 121 to a qualified appli-
15 cant that submits an application under section 130 for the
16 planning of a national service program. Assistance pro-
17 vided in accordance with this subsection may cover a period
18 of not more than 1 year.

19 “(b) *OPERATIONAL ASSISTANCE.*—The Corporation
20 may provide assistance under section 121 to a qualified ap-
21 plicant that submits an application under section 130 for
22 the establishment, operation, or expansion of a national
23 service program. Assistance provided in accordance with
24 this subsection may cover a period of not more than 3 years,

1 *but may be renewed by the Corporation upon consideration*
2 *of a new application under section 130.*

3 “(c) *REPLICATION 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 expansion of a proven national service program to an-*
7 *other geographical location. Assistance provided in accord-*
8 *ance with this subsection may cover a period of not more*
9 *than 3 years, but may be renewed by the Corporation upon*
10 *consideration of a new application under section 130.*

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

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

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

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

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

1 “(B) where programs do not exist, or are
2 too limited to meet community needs, as of the
3 date on which the Corporation makes the grant
4 or enters into the contract;

5 “(2) promote leadership development in such
6 programs;

7 “(3) improve the instructional and pro-
8 grammatic quality of such programs to build an ethic
9 of civic responsibility;

10 “(4) develop the management and budgetary
11 skills of program operators; and

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

14 “(b) **TECHNICAL ASSISTANCE.**—The Corporation shall,
15 where necessary, make appropriate technical assistance
16 available to States, Indian tribes, labor organizations, orga-
17 nizations operated by young adults, organizations serving
18 economically disadvantaged individuals, and other entities
19 described in section 121 that desire—

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

21 “(2) to apply for assistance under such section
22 or under a grant program conducted using assistance
23 provided under such section.

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

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

1 “(1) *ASSISTANCE AUTHORIZED.*—The Corpora-
2 tion may make assistance available to assist a State
3 to establish or operate the State Commission on Na-
4 tional and Community Service required to be estab-
5 lished by the State under section 178.

6 “(2) *AMOUNT OF ASSISTANCE.*—The amount of
7 assistance that may be provided to a State Commis-
8 sion under this subsection, together with other Federal
9 funds available to establish or operate the State Com-
10 mission, may not exceed—

11 “(A) 85 percent of the total cost to establish
12 or operate the State Commission for the first
13 year for which the State Commission receives as-
14 sistance under this subsection; and

15 “(B) such smaller percentage of such cost as
16 the Corporation may establish for the second,
17 third, and fourth years of such assistance in
18 order to ensure that the Federal share does not
19 exceed 50 percent of such costs for the fifth year,
20 and any subsequent year, for which the State
21 Commission receives assistance under this sub-
22 section.

23 “(b) *DISASTER SERVICE.*—The Corporation may un-
24 dertake activities, including activities carried out through
25 part A of title I of the Domestic Volunteer Service Act of

1 1973, to involve in disaster relief efforts youth corps pro-
2 grams described in section 122(a)(2) and other programs
3 that receive assistance under the national service laws.

4 “(c) CHALLENGE GRANTS FOR NATIONAL SERVICE
5 PROGRAMS.—

6 “(1) ASSISTANCE AUTHORIZED.—

7 “(A) IN GENERAL.—The Corporation may
8 make challenge grants under this subsection to
9 national service programs that receive assistance
10 under section 121.

11 “(B) CRITERIA.—The Corporation shall de-
12 velop criteria for the selection of recipients of
13 such challenge grants, so as to make the grants
14 widely available to a variety of programs that—

15 “(i) are high-quality national service
16 programs; and

17 “(ii) are carried out by entities with
18 demonstrated experience in establishing and
19 implementing projects that provide benefits
20 to participants and communities.

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

1 *be provided by the program to satisfy matching funds*
2 *requirements under section 121(e). The Corporation*
3 *shall establish a ceiling on the amount of assistance*
4 *that may be provided to a national service program*
5 *under this subsection.*

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

7 **PROCESS**

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

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

13 “(1) ALLOTMENT OF ASSISTANCE TO CERTAIN
14 STATES.—

15 “(A) IN GENERAL.—*Of the funds allocated*
16 *by the Corporation for provision of assistance*
17 *under subsections (a) and (b) of section 121 for*
18 *a fiscal year, the Corporation shall make a grant*
19 *under section 121(a) (and a corresponding allot-*
20 *ment of approved national service positions) to*
21 *each of the several States (through the State*
22 *Commission of the State), the District of Colum-*
23 *bia, and the Commonwealth of Puerto Rico that*
24 *has an application approved by the Corporation*
25 *under section 133.*

1 “(B) ALLOTMENT AMOUNTS.—Except as
2 provided in subparagraph (C), the amount allot-
3 ted as a grant to each such State under this
4 paragraph for a fiscal year shall be equal to—

5 “(i) in the first fiscal year for which
6 funds are appropriated under section
7 501(a)(2), an amount that bears the same
8 ratio to 40 percent of the allocated funds for
9 such fiscal year;

10 “(ii) in the second such fiscal year, an
11 amount that bears the same ratio to 45 per-
12 cent of the allocated funds for such fiscal
13 year; and

14 “(iii) in the third such fiscal year, an
15 amount that bears the same ratio to 50 per-
16 cent of the allocated funds for such fiscal
17 year,

18 as the population of the State bears to the total
19 population of the several States, the District of
20 Columbia, and the Commonwealth of Puerto
21 Rico

22 “(C) LIMITATION.—In no case shall any
23 State receive a grant under this paragraph for
24 a fiscal year in an amount that is less than $\frac{1}{2}$

1 *of 1 percent of the allocated funds for the fiscal*
2 *year.*

3 “(2) *ALLOTMENT OF ASSISTANCE TO OTHER JU-*
4 *RISDICTIONS AND INDIAN TRIBES.—Of the funds allo-*
5 *cated by the Corporation for provision of assistance*
6 *under subsections (a) and (b) of section 121 for a fis-*
7 *cal year, the Corporation shall reserve up to 1 percent*
8 *of the allocated funds for grants under section 121(a)*
9 *to Indian tribes, the Virgin Islands, Guam, American*
10 *Samoa, and the Commonwealth of the Northern Mari-*
11 *ana Islands, to be allotted by the Corporation on a*
12 *competitive basis in accordance with their respective*
13 *needs. Palau shall also be eligible for a grant under*
14 *this paragraph from the reserved funds until such*
15 *time as the Compact of Free Association with Palau*
16 *is ratified.*

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

23 “(A) *to make grants (and provide approved*
24 *national service positions in connection with*
25 *such grants) to other eligible entities under sec-*

1 *tion 121 that propose to carry out national serv-*
2 *ice programs in the State or on behalf of the In-*
3 *Indian tribe; and*

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

8 *“(b) RESERVATION OF APPROVED POSITIONS.—*

9 *“(1) NUMBER RESERVED.—Except as provided*
10 *in paragraph (2), the Corporation shall ensure that*
11 *each individual selected during a fiscal year for as-*
12 *signment as a VISTA volunteer under title I of the*
13 *Domestic Volunteer Service Act of 1973 (42 U.S.C.*
14 *4951 et seq.) or as a participant in the Civilian Com-*
15 *munity Corps Demonstration Program under subtitle*
16 *E shall receive the national service educational award*
17 *described in subtitle D if the individual satisfies the*
18 *eligibility requirements for the award. Funds for ap-*
19 *proved national service positions required by this*
20 *paragraph for a fiscal year shall be deducted from the*
21 *total funding for approved national service positions*
22 *for that fiscal year.*

23 *“(2) TRANSITION.—The Corporation shall deter-*
24 *mine an equitable procedure for providing post-serv-*
25 *ice educational awards to individuals who are selected*

1 for assignment as described in paragraph (1) after the
2 date of enactment of this subtitle and before the effec-
3 tive date of section 203(c)(2) of the National and
4 Community Service Trust Act of 1993.

5 “(c) *RESERVATION FOR SPECIAL ASSISTANCE.*—Sub-
6 ject to section 501(a)(2), of the funds allocated by the Cor-
7 poration for provision of assistance under subsections (a)
8 and (b) of section 121 for a fiscal year, the Corporation
9 may reserve such amount as the Corporation considers to
10 be appropriate for the purpose of making assistance avail-
11 able under sections 125 and 126. The Corporation may not
12 reserve more than \$10,000,000 for a fiscal year for challenge
13 grants under section 126(c).

14 “(d) *COMPETITIVE DISTRIBUTION OF REMAINING*
15 *FUNDS.*—

16 “(1) *STATE COMPETITION.*—Of the funds allo-
17 cated by the Corporation for provision of assistance
18 under subsections (a) and (b) of section 121 for a fis-
19 cal year, the Corporation shall use not less than 30
20 percent of the allocated funds in the first fiscal year
21 for which funds are appropriated under section
22 501(a)(2), not less than 27½ percent of the allocated
23 funds in the second such fiscal year, and not less than
24 25 percent of the allocated funds in the third such fis-
25 cal year, to make grants to States (through the State

1 *Commissions) on a competitive basis under section*
2 *121(a).*

3 “(2) *FEDERAL AGENCIES AND OTHER APPLI-*
4 *CANTS.—*

5 “(A) *IN GENERAL.—The Corporation shall*
6 *distribute on a competitive basis to subdivisions*
7 *of States (through the State Commissions), In-*
8 *Indian tribes, public and private not-for-profit or-*
9 *ganizations (including labor organizations and*
10 *community action agencies), institutions of high-*
11 *er education, and Federal agencies the remainder*
12 *of the funds allocated by the Corporation for pro-*
13 *vision of assistance under section 121 for a fiscal*
14 *year, after operation of paragraph (1) and sub-*
15 *sections (a) and (c).*

16 “(B) *FEDERAL SHARE.—Notwithstanding*
17 *section 121(e), if a Federal agency proposes to*
18 *carry out a national service program using*
19 *funds made available under subparagraph (A),*
20 *and the Federal agency is authorized to use*
21 *funds made available under Federal law (other*
22 *than the national service laws) to carry out such*
23 *a program, the Federal share attributable to this*
24 *paragraph of the cost of carrying out the na-*
25 *tional service program shall be 50 percent of*

1 *such cost. The President may by regulation*
2 *specify the sources that may be used by the Fed-*
3 *eral agency to provide for the remaining share of*
4 *such cost.*

5 “(C) *FEDERAL AGENCIES.*—*The Corpora-*
6 *tion may not distribute more than 30 percent of*
7 *such remainder to Federal agencies for a fiscal*
8 *year under subparagraph (A).*

9 “(D) *LIMITATIONS.*—*The Corporation shall*
10 *limit the categories of eligible applicants for as-*
11 *sistance under this paragraph consistent with*
12 *the priorities established by the Corporation*
13 *under section 133(d)(2).*

14 “(3) *PRIORITY.*—*In distributing the funds allo-*
15 *cated by the Corporation for provision of assistance*
16 *under section 121 for a fiscal year, after operation of*
17 *subsections (a) and (c) and after using the appro-*
18 *priate percentage of such funds, as described in para-*
19 *graph (1), to make grants under paragraph (1), in*
20 *determining whether to—*

21 “(A) *use an additional portion of the funds*
22 *to make a grant under paragraph (1) to a State*
23 *applicant; or*

1 “(B) distribute the portion of the funds to
2 an applicant that is a private not-for-profit or-
3 ganization under paragraph (2),

4 the Corporation shall give preference to the private
5 not-for-profit organization in any case in which the
6 Corporation determines that the applicants have sub-
7 mitted applications of equal quality under section
8 130.

9 “(4) RESERVATION.—

10 “(A) SUPPLEMENTAL AND OTHER
11 GRANTS.—In distributing the funds allocated by
12 the Corporation for provision of assistance under
13 section 121 for a fiscal year, after operation of
14 subsections (a) and (c), the President shall re-
15 serve, from the funds available to make grants
16 under paragraphs (1) and (2), an amount that
17 is not less than 2 percent and not more than 5
18 percent of such funds (except that such amount
19 may not exceed \$10,000,000), in order to make
20 supplemental grants as provided in subpara-
21 graph (B) and grants as provided in subpara-
22 graph (C).

23 “(B) GRANTS TO ASSIST ENTITIES IN PLAC-
24 ING APPLICANTS WHO ARE INDIVIDUALS WITH A
25 DISABILITY.—

1 “(i) *IN GENERAL.*—*The President shall*
2 *make grants from a portion of the funds re-*
3 *served under subparagraph (A) to entities*
4 *that—*

5 “(I) *receive a grant to carry out*
6 *a national service program under*
7 *paragraph (1) or (2);*

8 “(II) *demonstrate that the entity*
9 *has received a substantial number of*
10 *applications for placement in the na-*
11 *tional service program of persons who*
12 *are individuals with a disability, as*
13 *defined in section 3(2) of the Ameri-*
14 *cans with Disabilities Act of 1990, and*
15 *who require a reasonable accommoda-*
16 *tion, as defined in section 101(9) of*
17 *such Act or auxiliary aids and serv-*
18 *ices, as defined in section 3(1) of such*
19 *Act, in order to perform national serv-*
20 *ice; and*

21 “(III) *demonstrate that additional*
22 *funding would assist the national serv-*
23 *ice program in placing a substantial*
24 *number of such individuals with a dis-*

1 *ability as participants in projects car-*
2 *ried out through the program.*

3 “(ii) *REQUIREMENTS.—Funds made*
4 *available through such a supplemental*
5 *grant under clause (i) shall be made avail-*
6 *able for the same purposes, and subject to*
7 *the same requirements, as funds made*
8 *available through a grant made under para-*
9 *graph (1) or (2).*

10 “(C) *GRANTS FOR OUTREACH TO INDIVID-*
11 *UALS WITH A DISABILITY.—*

12 “(i) *IN GENERAL.—From the portion*
13 *of the funds reserved under subparagraph*
14 *(A) that is not used to make grants under*
15 *subparagraph (B), the President shall make*
16 *grants to public and private not-for-profit*
17 *organizations to pay for the Federal share*
18 *described in section 121(e) of—*

19 “(I) *providing information about*
20 *the programs specified in section*
21 *193A(d)(10) to such individuals with a*
22 *disability who desire to perform na-*
23 *tional service; and*

24 “(II) *enabling the individuals to*
25 *participate in activities carried out*

1 *through such programs, which may in-*
2 *clude assisting the placement of the in-*
3 *dividuals in approved national service*
4 *positions.*

5 “(i) *APPLICATION.—To be eligible to*
6 *receive a grant under this subparagraph, an*
7 *organization described in clause (i) shall*
8 *submit an application to the President at*
9 *such time, in such manner, and containing*
10 *such information as the President may re-*
11 *quire.*

12 “(e) *APPLICATION REQUIRED.—The allotment of as-*
13 *stance and approved national service positions to a State*
14 *or Indian tribe under subsection (a), and the competitive*
15 *distribution of assistance under subsection (d), shall be*
16 *made by the Corporation only pursuant to an application*
17 *submitted by a State or other applicant under section 130*
18 *and approved by the Corporation under section 133.*

19 “(f) *APPROVAL OF POSITIONS SUBJECT TO AVAILABLE*
20 *FUNDS.—The Corporation may not approve positions as*
21 *approved national service positions under this subtitle for*
22 *a fiscal year in excess of the number of such positions for*
23 *which the Corporation has sufficient available funds in the*
24 *National Service Trust for that fiscal year, taking into con-*
25 *sideration funding needs for national service educational*

1 awards under subtitle D based on completed service. If ap-
2 propriations are insufficient to provide the maximum al-
3 lowable national service educational awards under subtitle
4 D for all eligible participants, the Corporation is authorized
5 to make necessary and reasonable adjustments to program
6 rules.

7 “(g) SPONSORSHIP OF APPROVED NATIONAL SERVICE
8 POSITIONS.—

9 “(1) SPONSORSHIP AUTHORIZED.—The Corpora-
10 tion may enter into agreements with persons or enti-
11 ties who offer to sponsor national service positions for
12 which the person or entity will be responsible for sup-
13 plying the funds necessary to provide a national serv-
14 ice educational award. The distribution of these ap-
15 proved national service positions shall be made pur-
16 suant to the agreement, and the creation of these posi-
17 tions shall not be taken into consideration in deter-
18 mining the number of approved national service posi-
19 tions to be available for distribution under this sec-
20 tion.

21 “(2) DEPOSIT OF CONTRIBUTION.—Funds pro-
22 vided pursuant to an agreement under paragraph (1)
23 and any other funds contributed to the Corporation
24 to support the activities of the Corporation under the
25 national service laws shall be deposited in the Na-

1 “(B) a description of the national service
2 programs that are selected by the applicant to
3 receive a grant from assistance requested under
4 section 121 and a description of the process and
5 criteria by which the programs were selected;

6 “(C) a description of other funding sources
7 to be used, or sought to be used, for the national
8 service programs referred to in subparagraphs
9 (A) and (B), and, if the application is submitted
10 for the purpose of seeking a renewal of assist-
11 ance, a description of the success of the programs
12 in reducing their reliance on Federal funds;

13 “(D) a description of the extent to which the
14 projects to be conducted using the assistance will
15 address unmet human, educational, environ-
16 mental, or public safety needs and produce a di-
17 rect benefit for the community in which the
18 projects are performed;

19 “(E) a description of the plan to be used to
20 recruit participants, including economically dis-
21 advantaged youth, for the national service pro-
22 grams referred to in subparagraphs (A) and (B);

23 “(F) a description of the manner in which
24 the national service programs referred to in sub-

1 *paragraphs (A) and (B) build on existing pro-*
2 *grams, including Federal programs;*

3 *“(G) a description of the manner in which*
4 *the national service programs referred to in sub-*
5 *paragraphs (A) and (B) will involve partici-*
6 *pants—*

7 *“(i) in projects that build an ethic of*
8 *civic responsibility and produce a positive*
9 *change in the lives of participants through*
10 *training and participation in meaningful*
11 *service experiences and opportunities for re-*
12 *flexion on such experiences; and*

13 *“(ii) in leadership positions in imple-*
14 *menting and evaluating the program;*

15 *“(H) measurable goals for the national serv-*
16 *ice programs referred to in subparagraphs (A)*
17 *and (B), and a strategy to achieve such goals, in*
18 *terms of—*

19 *“(i) the impact to be made in meeting*
20 *unmet human, educational, environmental,*
21 *or public safety needs; and*

22 *“(ii) the service experience to be pro-*
23 *vided to participants in the programs;*

24 *“(I) a description of the manner and extent*
25 *to which the national service programs referred*

1 to in subparagraphs (A) and (B) conform to the
2 national service priorities established by the Cor-
3 poration under section 122(c);

4 “(J) a description of the past experience of
5 the applicant in operating a comparable pro-
6 gram or in conducting a grant program in sup-
7 port of other comparable programs;

8 “(K) a description of the type and number
9 of proposed service positions in which partici-
10 pants will receive the national service edu-
11 cational award described in subtitle D and a de-
12 scription of the manner in which approved na-
13 tional service positions will be apportioned by
14 the applicant;

15 “(L) a description of the manner and extent
16 to which participants, representatives of the com-
17 munity served, community-based agencies with a
18 demonstrated record of experience in providing
19 services, and labor organizations contributed to
20 the development of the national service programs
21 referred to in subparagraphs (A) and (B), in-
22 cluding the identity of the individual represent-
23 ing the labor organization who was consulted
24 and the nature of the consultation;

1 “(M) a description of a plan to be used to
2 encourage women to participate in programs re-
3 ferred to in subparagraphs (A) and (B); and

4 “(N) such other information as the Corpora-
5 tion may reasonably require; and

6 “(2) shall require that the applicant submit an
7 application under subsection (a) containing—

8 “(A) a description of the jobs or positions
9 into which participants will be placed using the
10 assistance provided under section 121, including
11 descriptions of specific tasks to be performed by
12 such participants; and

13 “(B) a description of the minimum quali-
14 fications that individuals shall meet to become
15 participants in such programs.

16 “(c) APPLICATION TO RECEIVE ONLY APPROVED NA-
17 TIONAL SERVICE POSITIONS.—

18 “(1) APPLICABILITY OF SUBSECTION.—This sub-
19 section shall apply in the case of an application in
20 which—

21 “(A) the applicant is not seeking assistance
22 under subsection (a) or (b) of section 121, but re-
23 quests national service educational awards for
24 individuals serving in service positions described
25 in section 123; or

1 “(B) the applicant requests national service
2 educational awards for service positions de-
3 scribed in section 123, but the positions are not
4 positions in a national service program de-
5 scribed in section 122(a) for which assistance
6 may be provided under subsection (a) or (b) of
7 section 121.

8 “(2) SPECIAL APPLICATION REQUIREMENTS.—
9 For the applications described in paragraph (1), the
10 Corporation shall establish special application re-
11 quirements in order to determine—

12 “(A) whether the service positions meet
13 unmet human, educational, environmental, or
14 public safety needs and meet the criteria for as-
15 sistance under this subtitle; and

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

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

23 “(1) SUBMISSION BY STATE COMMISSION.—The
24 application of a State for approved national service

1 *positions or for a grant under section 121(a) shall be*
2 *submitted by the State Commission.*

3 *“(2) COMPETITIVE SELECTION.—The application*
4 *of a State shall contain an assurance that all assist-*
5 *ance provided under section 121(a) to the State will*
6 *be used to support national service programs that*
7 *were selected by the State on a competitive basis.*

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

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

1 out by the applicant using assistance provided under sec-
2 tion 121 and any national service program supported by
3 a grant made by the applicant using such assistance will—

4 “(1) provide participants in the national service
5 program with the training, skills, and knowledge nec-
6 essary for the projects that participants are called
7 upon to perform;

8 “(2) provide support services to participants,
9 such as the provision of appropriate information and
10 support—

11 “(A) to those participants who are complet-
12 ing a term of service and making the transition
13 to other educational and career opportunities;
14 and

15 “(B) to those participants who are school
16 dropouts in order to assist those participants in
17 earning the equivalent of a high school diploma;
18 and

19 “(3) provide structured opportunities for partici-
20 pants to reflect on their service experiences.

21 “(c) CONSULTATION.—An application submitted
22 under section 130 shall also include an assurance by the
23 applicant that any national service program carried out
24 by the applicant using assistance provided under section

1 121 and any national service program supported by a grant
2 made by the applicant using such assistance will—

3 “(1) provide in the design, recruitment, and op-
4 eration of the program for broad-based input from the
5 community served, individuals eligible to serve as
6 participants in the program, community-based agen-
7 cies (including community action agencies) with a
8 demonstrated record of experience in providing serv-
9 ices, and local labor organizations representing em-
10 ployees of service sponsors;

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

18 “(3) in the case of a program that is not funded
19 through a State, consult with and coordinate activi-
20 ties with the State Commission for the State in which
21 the program operates.

22 “(d) EVALUATION AND PERFORMANCE GOALS.—

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

1 “(A)(i) arrange for an independent evalua-
2 tion of any national service program carried out
3 using assistance provided to the applicant under
4 section 121; or

5 “(ii) with the approval of the Corporation,
6 conduct an internal evaluation of the program;

7 “(B) develop measurable performance goals
8 and evaluation methods (such as the use of sur-
9 veys of participants and persons served), which
10 are to be used as part of such evaluation to de-
11 termine the impact of the program—

12 “(i) on communities and persons
13 served by the projects performed by the pro-
14 gram;

15 “(ii) on participants who take part in
16 the projects; and

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

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

21 “(2) ALTERNATIVE EVALUATION REQUIRE-
22 MENTS.—The Corporation may establish alternative
23 evaluation requirements for national service programs
24 based upon the amount of assistance received under
25 section 121 or received by a grant made by a recipi-

1 *ent of assistance under such section. The determina-*
2 *tion of whether a national service program is covered*
3 *by this paragraph shall be made in such manner as*
4 *the Corporation may prescribe.*

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

9 *“(1) provide a living allowance and other bene-*
10 *fits specified in section 140 to participants in any*
11 *national service program carried out by the applicant*
12 *using assistance provided under section 121; and*

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

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

1 *prospective participants recruited by the Corporation or*
2 *State Commissions under section 138(d). The Corporation*
3 *may specify a minimum percentage of participants to be*
4 *selected from the national leadership pool established under*
5 *section 138(e) and may vary the percentage for different*
6 *types of national service programs.*

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

8 *“(a) IN GENERAL.—Except as provided in subsections*
9 *(b) and (c), an application submitted to the Corporation*
10 *under section 130 shall include an assurance by the appli-*
11 *cant that any national service program carried out using*
12 *assistance provided under section 121 and any approved*
13 *national service position provided to an applicant will not*
14 *be used to perform service that provides a direct benefit to*
15 *any—*

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

17 *“(2) labor union;*

18 *“(3) partisan political organization;*

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,*
23 *provide instruction as part of a program that in-*
24 *cludes mandatory religious education or worship, con-*
25 *struct, operate, or maintain facilities devoted to reli-*

1 *gious instruction or worship, or engage in any form*
2 *of proselytization; or*

3 *“(5) organization that expends more than 20*
4 *percent of the annual budget of the organization, or*
5 *whose primary purpose is, to influence public policy*
6 *or engage in legislative advocacy activities.*

7 *“(b) ADVOCACY ACTIVITIES.—Nothing in this section*
8 *shall be construed to prevent participants from engaging*
9 *in advocacy activities undertaken at their own initiative.*

10 *“(c) REGIONAL CORPORATION.—The requirement of*
11 *subsection (a) relating to an assurance regarding direct*
12 *benefits to businesses organized for profit shall not apply*
13 *with respect to a Regional Corporation, as defined in sec-*
14 *tion 3(g) of the Alaska Native Claims Settlement Act (43*
15 *U.S.C. 1602(g)), that is established in accordance with such*
16 *Act as a for-profit corporation but that is engaging in not-*
17 *for-profit activities.*

18 *“(d) PROHIBITION ON CERTAIN POLITICAL ACTIVI-*
19 *TIES.—*

20 *“(1) IN GENERAL.—Except as provided in sub-*
21 *section (b) and paragraph (2), an application sub-*
22 *mitted to the Corporation under section 130 shall in-*
23 *clude an assurance by the applicant that any na-*
24 *tional service program carried out using assistance*
25 *provided under section 121 and any approved na-*

1 *tional service position provided to an applicant will*
2 *not be used to—*

3 *“(A) provide political seminars, training,*
4 *instruction, lectures, classes, or speeches; or*

5 *“(B) assist political organizations, partisan*
6 *organizations, or political appointees.*

7 *“(2) POLITICAL APPOINTEES.—The requirement*
8 *of paragraph (1) relating to an assurance regarding*
9 *speeches shall not apply to political appointees who*
10 *are responsible for the administration of a national*
11 *service program.*

12 *“(3) ENFORCEMENT.—If the Corporation deter-*
13 *mines that a national service program has failed to*
14 *comply with the assurances provided under para-*
15 *graph (1), the Corporation shall—*

16 *“(A) prohibit the program from recruiting*
17 *or selecting individuals to participate in the pro-*
18 *gram during the 2-year period beginning on the*
19 *date the Corporation determines the noncompli-*
20 *ance commenced; and*

21 *“(B) direct the program to terminate the*
22 *employment of the supervisors determined to be*
23 *involved in the noncompliance.*

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.—

14 “(1) IN GENERAL.—A State or other entity that
15 uses assistance provided under section 121(a) to sup-
16 port national service programs selected on a competi-
17 tive basis to receive a share of the assistance shall use
18 the criteria described in subsections (c) and (d) when
19 considering an application submitted by a national
20 service program to receive a portion of such assistance
21 or an approved national service position.

22 “(2) CONTENTS.—The application of the State or
23 other entity under section 130 shall contain—

24 “(A) a certification that the State or other
25 entity complied with these criteria in the selec-

1 *tion of national service programs to receive as-*
2 *sistance;*

3 *“(B) a description of the jobs or positions*
4 *into which participants will be placed using*
5 *such assistance, including descriptions of specific*
6 *tasks to be performed by such participants; and*

7 *“(C) a description of the minimum quali-*
8 *fications that individuals shall meet to become*
9 *participants in such programs.*

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

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

16 *“(2) The innovative aspects of the national*
17 *service program, and the feasibility of replicating the*
18 *program.*

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

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

23 *“(B) of multiple funding sources or private*
24 *funding for the program.*

1 “(4) The quality of the leadership of the national
2 service program, the past performance of the program,
3 and the extent to which the program builds on exist-
4 ing programs.

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

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

14 “(A) communities designated as enterprise
15 zones or redevelopment areas, targeted for special
16 economic incentives, or otherwise identifiable as
17 having high percentages or concentrations of
18 low-income individuals;

19 “(B) areas that are environmentally dis-
20 tressed;

21 “(C) areas adversely affected by reductions
22 in defense spending or the closure or realignment
23 of military installations; and

24 “(D) areas—

1 “(i) that have experienced a substan-
2 tial reduction in population, as determined
3 by the Corporation; and

4 “(ii) with high numbers or percentages
5 of economically disadvantaged older adults.

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

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

12 “(d) OTHER CONSIDERATIONS.—

13 “(1) GEOGRAPHIC DIVERSITY.—The Corporation
14 shall ensure that recipients of assistance provided
15 under section 121 are geographically diverse and in-
16 clude projects to be conducted in those urban and
17 rural areas in a State with the highest rates of
18 poverty.

19 “(2) PRIORITIES.—

20 “(A) IN GENERAL.—The Corporation may
21 designate, under such criteria as may be estab-
22 lished by the Corporation, certain national serv-
23 ice programs or types of national service pro-
24 grams described in section 122(a) for priority

1 *consideration in the competitive distribution of*
2 *funds under section 129(d)(2).*

3 “(B) *PROGRAMS DESIGNATED TO RECEIVE*
4 *PRIORITY.—In designating national service pro-*
5 *grams to receive priority, the Corporation may*
6 *include—*

7 “(i) *national service programs carried*
8 *out by another Federal agency;*

9 “(ii) *national service programs that*
10 *conform to the national service priorities in*
11 *effect under section 122(c);*

12 “(iii) *innovative national service pro-*
13 *grams;*

14 “(iv) *national service programs that*
15 *are well established in one or more States at*
16 *the time of the application and are pro-*
17 *posed to be expanded to additional States*
18 *using assistance provided under section 121;*

19 “(v) *grant programs in support of*
20 *other national service programs if the grant*
21 *programs are to be conducted by not-for-*
22 *profit organizations (including community*
23 *action agencies) with a demonstrated and*
24 *extensive expertise in the provision of serv-*

1 *ices to meet human, educational, environ-*
2 *mental, or public safety needs;*

3 *“(vi) professional corps programs de-*
4 *scribed in section 122(a)(8); and*

5 *“(vii) programs that—*

6 *“(I) received funding under sub-*
7 *title D of this Act, as in effect on the*
8 *day before the date of enactment of this*
9 *subtitle;*

10 *“(II) the Corporation determines*
11 *to meet the requirements of sections*
12 *142 (other than subsection (g)), 143,*
13 *and 148 through 150 of this Act, as in*
14 *effect on such day, in addition to the*
15 *requirements of this subtitle; and*

16 *“(III) include an evaluation com-*
17 *ponent.*

18 *“(C) EXCEPTION.—In making a competitive*
19 *distribution of funds under section 129(d)(2), the*
20 *President may give priority consideration to a*
21 *national service program that is—*

22 *“(i) proposed in an application sub-*
23 *mitted by a State Commission; and*

1 “(ii) not one of the types of programs
2 described in clauses (i) through (vi) of sub-
3 paragraph (B),

4 if the State Commission provides an adequate
5 explanation of the reasons why it should not be
6 a priority of such State to carry out any of such
7 types of programs in the State.

8 “(3) REVIEW PANEL.—The President shall—

9 “(A) establish panels of experts for the pur-
10 pose of securing recommendations on applica-
11 tions submitted under section 130 for more than
12 \$100,000 in assistance, or for national service
13 positions that would require more than \$100,000
14 in national service educational awards; and

15 “(B) consider the opinions of such panels
16 prior to making such determinations.

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

1 “(1) are conducted in areas described in any of
2 subparagraphs (A) through (D) of subsection (c)(6) or
3 on Federal or other public lands, to address unmet
4 human, educational, environmental, or public safety
5 needs in such areas or on such lands; and

6 “(2) place a priority on the recruitment of par-
7 ticipants who are residents of areas described in any
8 of subparagraphs (A) through (D) of subsection (c)(6)
9 or Federal or other public lands.

10 “(f) REJECTION OF STATE APPLICATIONS.—

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

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

1 “(3) *REALLOTMENT.*—*The amount of any State’s*
2 *allotment under section 129(a) for a fiscal year that*
3 *the Corporation determines will not be provided for*
4 *that fiscal year shall be available for distribution by*
5 *the Corporation as provided in paragraph (3) of such*
6 *subsection.*

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

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

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

13 “(1) *meets such eligibility requirements, directly*
14 *related to the tasks to be accomplished, as may be es-*
15 *tablished by the program;*

16 “(2) *is selected by the program to serve in a po-*
17 *sition with the program;*

18 “(3) *will serve in the program for a term of serv-*
19 *ice specified in section 139 to be performed before,*
20 *during, or after attendance at an institution of higher*
21 *education;*

22 “(4) *is 17 years of age or older at the time the*
23 *individual begins the term of service;*

24 “(5)(A)(i) *has received a high school diploma or*
25 *its equivalent; or*

1 “(ii) agrees to obtain a high school diploma or
2 its equivalent and the individual did not drop out of
3 an elementary or secondary school to enroll in the
4 program; or

5 “(B)(i) is enrolled at an institution of higher
6 education on the basis of meeting the standard de-
7 scribed in paragraph (1) or (2) of section 484(d) of
8 the Higher Education Act of 1965 (20 U.S.C.
9 1091(d)); and

10 “(ii) meets the requirements of section 484(a) of
11 such Act; and

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

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

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

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

1 139 shall only be available to individuals who perform sat-
2 isfactorily in their first term of service.

3 “(d) *RECRUITMENT AND PLACEMENT.*—The Corpora-
4 tion and each State Commission shall establish a system
5 to recruit individuals who desire to perform national serv-
6 ice and to assist the placement of these individuals in ap-
7 proved national service positions, including positions avail-
8 able under title I of the Domestic Volunteer Service Act of
9 1973 (42 U.S.C. 4951). The Corporation and State Com-
10 missions shall disseminate information regarding available
11 approved national service positions through cooperation
12 with secondary schools, institutions of higher education, em-
13 ployment service offices, State vocational rehabilitation
14 agencies within the meaning of the Rehabilitation Act of
15 1973 and other State agencies that primarily serve individ-
16 uals with disabilities, and other appropriate entities, par-
17 ticularly those organizations that provide outreach to eco-
18 nomically disadvantaged youths or youths who are individ-
19 uals 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—*

8 “(A) *in the Peace Corps;*

9 “(B) *as VISTA volunteers;*

10 “(C) *as participants in national service*
11 *programs receiving assistance under section 121;*
12 *or*

13 “(D) *as participants in programs receiving*
14 *assistance under subtitle D of the National and*
15 *Community Service Act of 1990, as in effect on*
16 *the day before the date of enactment of this sub-*
17 *title.*

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

1 *program shall be considered to be a participant of the*
2 *program.*

3 **“SEC. 139. TERMS OF SERVICE.**

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

9 “(b) *TERM OF SERVICE.*—

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

16 “(2) *PART-TIME SERVICE.*—*Except as provided*
17 *in paragraph (3), an individual performing part-*
18 *time national service in an approved national service*
19 *position shall agree to participate in the program*
20 *sponsoring the position for not less than 900 hours*
21 *during a period of—*

22 “(A) *not more than 2 years; or*

23 “(B) *not more than 3 years if the individ-*
24 *ual is enrolled in an institution of higher edu-*

1 *cation while performing all or a majority of the*
2 *hours of such service.*

3 *“(3) REDUCTION IN HOURS OF PART-TIME SERV-*
4 *ICE.—The Corporation may reduce the number of*
5 *hours required to be served to successfully complete*
6 *part-time national service to a level determined by*
7 *the Corporation, except that any reduction in the re-*
8 *quired term of service shall include a corresponding*
9 *reduction in the amount of any national service edu-*
10 *cational award that may be available under subtitle*
11 *D with regard to that service.*

12 *“(c) RELEASE FROM COMPLETING TERM OF SERV-*
13 *ICE.—*

14 *“(1) RELEASE AUTHORIZED.—A recipient of as-*
15 *sistance under section 121 or a program sponsoring*
16 *an approved national service position may release a*
17 *participant from completing a term of service in the*
18 *position—*

19 *“(A) for compelling personal circumstances*
20 *as demonstrated by the participant; or*

21 *“(B) for cause.*

22 *“(2) EFFECT OF RELEASE.—If the released par-*
23 *ticipant was serving in an approved national service*
24 *position, the participant may receive a portion of the*
25 *national service educational award corresponding to*

1 *that service in the manner provided in section 147(b),*
2 *except that a participant released for cause may not*
3 *receive any portion of the national service educational*
4 *award.*

5 **“SEC. 140. LIVING ALLOWANCES FOR NATIONAL SERVICE**
6 **PARTICIPANTS.**

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

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

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

19 “(A) *85 percent of the total average annual*
20 *subsistence allowance provided to VISTA volun-*
21 *teers under section 105 of the Domestic Volunteer*
22 *Service Act of 1973 (42 U.S.C. 4955); and*

23 “(B) *85 percent of the annual living allow-*
24 *ance established by the national service program*
25 *involved.*

1 “(3) *MAXIMUM LIVING ALLOWANCE.*—*Except as*
2 *provided in subsection (c), the total amount of an an-*
3 *nuual living allowance that may be provided to a par-*
4 *ticipant in a national service program shall not ex-*
5 *ceed 200 percent of the average annual subsistence al-*
6 *lowance provided to VISTA volunteers under section*
7 *105 of the Domestic Volunteer Service Act of 1973 (42*
8 *U.S.C. 4955).*

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

14 “(b) *COVERAGE OF CERTAIN EMPLOYMENT-RELATED*
15 *TAXES.*—*To the extent a national service program that re-*
16 *ceives assistance under section 121 is subject, with respect*
17 *to the participants in the program, to the taxes imposed*
18 *on an employer under sections 3111 and 3301 of the Inter-*
19 *nal Revenue Code of 1986 (26 U.S.C. 3111, 3301) and taxes*
20 *imposed on an employer under a workmen’s compensation*
21 *act, the assistance provided to the program under section*
22 *121 shall include an amount sufficient to cover 85 percent*
23 *of such taxes based upon the lesser of—*

24 “(1) *the total average annual subsistence allow-*
25 *ance provided to VISTA volunteers under section 105*

1 *of the Domestic Volunteer Service Act of 1973 (42*
2 *U.S.C. 4955); and*

3 *“(2) the annual living allowance established by*
4 *the program.*

5 *“(c) EXCEPTION FROM MAXIMUM LIVING ALLOWANCE*
6 *FOR CERTAIN ASSISTANCE.—A professional corps program*
7 *described in section 122(a)(8) that desires to provide a liv-*
8 *ing allowance in excess of the maximum allowance author-*
9 *ized in subsection (a)(3) may still apply for such assistance,*
10 *except that—*

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

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

17 *“(3) the national service program shall be oper-*
18 *ated directly by the applicant and shall meet urgent,*
19 *unmet human, educational, environmental, or public*
20 *safety needs, as determined by the Corporation.*

21 *“(d) HEALTH INSURANCE.—*

22 *“(1) IN GENERAL.—A State or other recipient of*
23 *assistance under section 121 shall provide a basic*
24 *health care policy for each full-time participant in a*
25 *national service program carried out or supported*

1 *using the assistance if the participant is not other-*
2 *wise covered by a health care policy. Not more than*
3 *85 percent of the cost of a premium shall be provided*
4 *by the Corporation, with the remaining cost paid by*
5 *the entity receiving assistance under section 121. The*
6 *Corporation shall establish minimum standards that*
7 *all plans shall meet in order to qualify for payment*
8 *under this part, any circumstances in which an alter-*
9 *native health care policy may be substituted for the*
10 *basic health care policy, and mechanisms to prohibit*
11 *participants from dropping existing coverage.*

12 “(2) *OPTION.*—*A State or other recipient of as-*
13 *sistance under section 121 may elect to provide from*
14 *the funds of the State or recipient a health care policy*
15 *for participants that does not meet all of the stand-*
16 *ards established by the Corporation if the fair market*
17 *value of such policy is equal to or greater than the*
18 *fair market value of a plan that meets the minimum*
19 *standards established by the Corporation, and is con-*
20 *sistent with other applicable laws.*

21 “(e) *CHILD CARE.*—

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

24 “(A) *make child care available for children*
25 *of each full-time participant who needs child*

1 *care in order to participate in a national service*
2 *program carried out or supported by the recipi-*
3 *ent using the assistance; or*

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

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

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

20 “(g) *LIMITATION ON NUMBER OF TERMS OF SERVICE*
21 *FOR FEDERALLY SUBSIDIZED LIVING ALLOWANCE.—No*
22 *national service program may use assistance provided*
23 *under section 121, or any other Federal funds, to provide*
24 *a living allowance under subsection (a), a health care policy*
25 *under subsection (d), or child care or a child care allowance*

1 *under subsection (e), to an individual for a third, or subse-*
2 *quent, term of service described in section 139(b) by the in-*
3 *dividual in a national service program carried out under*
4 *this subtitle.*

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

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

11 “(1) *serves in an approved national service posi-*
12 *tion; and*

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

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

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 items*

- 1 *relating to subtitle C of title I of such Act and inserting*
 2 *the following new items:*

“Subtitle C—National Service Trust Program

“PART I—INVESTMENT IN NATIONAL SERVICE

“Sec. 121. Authority to provide assistance and approved national service positions.

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

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

“Sec. 124. Types of program assistance.

“Sec. 125. Training and technical assistance.

“Sec. 126. Other special assistance.

“PART II—APPLICATION AND APPROVAL PROCESS

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

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

“Sec. 131. National service program assistance requirements.

“Sec. 132. Ineligible service categories.

“Sec. 133. Consideration of applications.

“PART III—NATIONAL SERVICE PARTICIPANTS

“Sec. 137. Description of participants.

“Sec. 138. Selection of national service participants.

“Sec. 139. Terms of service.

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

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

3 **SEC. 102. NATIONAL SERVICE TRUST AND PROVISION OF**
 4 **NATIONAL SERVICE EDUCATIONAL AWARDS.**

- 5 (a) *ESTABLISHMENT OF TRUST; PROVISION OF*
 6 *AWARDS.—Subtitle D of title I of the National and Commu-*
 7 *nity Service Act of 1990 (42 U.S.C. 12571 et seq.) is amend-*
 8 *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 sub-
17 section 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, to the extent provided for in ad-*
13 *vance by appropriation, for payments of national service*
14 *educational awards in accordance with section 148.*

15 “(d) *REPORTS TO CONGRESS ON RECEIPTS AND EX-*
16 *PENDITURES.*—The Corporation shall submit an annual re-
17 *port to the Congress on the financial status of the Trust.*
18 *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 expectation to receive national service educational
6 awards 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 be
23 eligible to receive a national service educational award from
24 the National 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) at the time the individual uses the national
11 service educational award—

12 “(A) has received a high school diploma, or
13 the equivalent of such diploma;

14 “(B)(i) is enrolled at an institution of high-
15 er education on the basis of meeting the standard
16 described in paragraph (1) or (2) of section
17 484(d) of the Higher Education Act of 1965 (20
18 U.S.C. 1091(d)); and

19 “(ii) meets the requirements of section
20 484(a) of such Act; or

21 “(C) has received a waiver described in sec-
22 tion 137(c); and

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

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

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

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

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

20 “(2) *EXCEPTION.*—The Corporation may extend
21 the period within which an individual may use a na-
22 tional service educational award if the Corporation
23 determines that the individual—

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

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

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

9 “(a) AMOUNTS GENERALLY.—Except as provided in
10 subsection (b), an individual described in section 146(a)
11 who successfully completes a required term of service in an
12 approved national service position shall receive a national
13 service education award having a value, for each of not
14 more than 2 of such term of service, equal to 90 percent
15 of—

16 “(1) one-half of the aggregate minimum basic
17 educational assistance allowance calculated under sec-
18 tions 3013(d)(1) and 3015(b)(1) of title 38, United
19 States Code (as in effect on July 28, 1993), for a
20 member of the Armed Forces who is entitled to such
21 an allowance under section 3011 of such title and
22 whose initial obligation period of active duty is two
23 years; less

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

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

5 “(1) APPLICATION BY ELIGIBLE INDIVIDUALS.—
6 An eligible individual under section 146 who desires
7 to apply the national service educational award of the
8 individual to the repayment of qualified student loans
9 shall submit, in a manner prescribed by the Corpora-
10 tion, an application to the Corporation that—

11 “(A) identifies, or permits the Corporation
12 to identify readily, the holder or holders of such
13 loans;

14 “(B) indicates, or permits the Corporation
15 to determine readily, the amounts of principal
16 and interest outstanding on the loans;

17 “(C) specifies the qualified student loan to
18 which the individual desires to apply the na-
19 tional service educational award, in any case in
20 which the total of the amounts described in sub-
21 paragraph (B) is greater than the amount of the
22 national service educational award to which the
23 individual is entitled; and

1 “(D) contains or is accompanied by such
2 other information as the Corporation may re-
3 quire.

4 “(2) *DISBURSEMENT OF REPAYMENTS.*—Upon
5 receipt of an application from an eligible individual
6 of an application that complies with paragraph (1),
7 the Corporation shall, as promptly as practicable con-
8 sistent with paragraph (5), disburse the amount of
9 the national service educational award that the par-
10 ticipant has earned. Such disbursement shall be made
11 by check or other means that is payable to the holder
12 of the loan and requires the endorsement or other cer-
13 tification by the eligible individual.

14 “(3) *APPLICATION OF DISBURSED AMOUNTS.*—If
15 the amount disbursed under paragraph (2) is less
16 than the principal and accrued interest on any quali-
17 fied student loan, such amount shall first be applied
18 to the repayment of principal. In a case described in
19 paragraph (1)(C), such amount shall be applied to
20 the loan described in paragraph (1)(C).

21 “(4) *REPORTS BY HOLDERS.*—Any holder receiv-
22 ing a loan payment pursuant to this subsection shall
23 submit to the Corporation such information as the
24 Corporation may require to verify that such payment
25 was applied in accordance with this subsection and

1 *any regulations prescribed to carry out this sub-*
2 *section.*

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

7 “(6) *NOTIFICATION.*—*On disbursing a national*
8 *service educational award to which an individual is*
9 *entitled under paragraph (2) and applying the award*
10 *to a loan, the Corporation shall notify the individual*
11 *of the amount disbursed for each such loan and the*
12 *date of the disbursement.*

13 “(7) *DEFINITIONS.*—*As used in this subsection:*

14 “(A) *QUALIFIED STUDENT LOAN.*—*The term*
15 *‘qualified student loan’ means—*

16 “(i) *any loan made, insured, or guar-*
17 *anteed pursuant to title IV of the Higher*
18 *Education Act of 1965 (20 U.S.C. 1070 et*
19 *seq.), other than a loan to a parent of a stu-*
20 *dent pursuant to section 428B of such Act*
21 *(20 U.S.C. 1078–2); and*

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

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

8 “(c) *USE OF EDUCATIONAL AWARDS TO PAY CURRENT*
9 *EDUCATIONAL EXPENSES.*—

10 “(1) *APPLICATION BY ELIGIBLE INDIVIDUAL.*—
11 An eligible individual under section 146 who desires
12 to apply the national service educational award of the
13 individual to the payment of full-time or part-time
14 educational expenses, that have been incurred by the
15 individual prior to the service of the individual under
16 subtitle C, shall, on a form prescribed by the Corpora-
17 tion, submit an application to the institution of high-
18 er education in which the student will be enrolled that
19 contains such information as the Corporation may re-
20 quire to verify the individual’s eligibility.

21 “(2) *SUBMISSION OF REQUESTS FOR PAYMENT*
22 *BY INSTITUTIONS.*—An institution of higher education
23 that receives one or more applications that comply
24 with paragraph (1) shall submit to the Corporation

1 *a statement, in a manner prescribed by the Corpora-*
2 *tion, that—*

3 “(A) identifies each eligible individual fil-

4 *ing an application under paragraph (1) for a*

5 *disbursement of the individual’s national service*

6 *educational award under this subsection;*

7 “(B) specifies the amounts for which such

8 *eligible individuals are, consistent with para-*

9 *graph (6), qualified for disbursement under this*

10 *subsection;*

11 “(C) certifies that—

12 “(i) the institution of higher education

13 *has in effect a program participation agree-*

14 *ment under section 487 of the Higher Edu-*

15 *cation Act of 1965 (20 U.S.C. 1094);*

16 “(ii) the institution’s eligibility to par-

17 *ticipate in any of the programs under title*

18 *IV of such Act (20 U.S.C. 1070 et seq.) has*

19 *not been limited, suspended, or terminated;*

20 *and*

21 “(iii) individuals using national serv-

22 *ice educational awards received under this*

23 *subtitle to pay for educational costs do not*

24 *comprise more than 15 percent of the total*

25 *student population of the institution; and*

1 “(D) contains such provisions concerning
2 financial compliance as the Corporation may
3 require.

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

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

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

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

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

24 “(B) *the sum of—*

1 “(i) the student’s estimated financial
2 assistance for such period under part A of
3 title IV of such Act (20 U.S.C. 1070 et seq.);
4 and

5 “(ii) the student’s veterans’ education
6 benefits, determined in accordance with sec-
7 tion 480(c) of such Act (20 U.S.C.
8 1087vv(c)).

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

15 “(e) *INTEREST PAYMENTS DURING FORBEARANCE ON*
16 *LOAN REPAYMENT.*—The Corporation may provide by reg-
17 *ulation for the payment on behalf of an eligible individual*
18 *of interest that accrues during a period for which such indi-*
19 *vidual has obtained forbearance in the repayment of a*
20 *qualified student loan (as defined in subsection (b)(7)), if*
21 *the eligible individual successfully completes the required*
22 *term of service (as determined under section 146(b)) of the*
23 *individual. Such regulations shall be prescribed after con-*
24 *sultation with the Secretary of Education.*

25 “(f) *EXCEPTION.*—

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

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

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

1 (c) *CONFORMING AMENDMENTS.*—

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

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

13 (A) *in subsection (b)(1)—*

14 (i) *by redesignating subparagraphs*
 15 *(W), (X), and (Y) as subparagraphs (X),*
 16 *(Y), and (Z), respectively; and*

17 (ii) *by inserting after subparagraph*
 18 *(V) the following new subparagraph:*

19 *“(W)(i) provides that, upon written request,*
 20 *a lender shall grant a borrower forbearance on*
 21 *such terms as are otherwise consistent with the*
 22 *regulations of the Secretary, during periods in*
 23 *which the borrower is serving in a national serv-*

1 *ice position, for which the borrower receives a*
2 *national service educational award under the*
3 *National and Community Service Trust Act of*
4 *1993;*

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

8 *“(iii) provides that interest shall continue*
9 *to accrue on a loan for which a borrower receives*
10 *forbearance under this subparagraph and shall*
11 *be capitalized or paid by the borrower;”;* and

12 *(B) in subsection (c)(3)(A), by striking*
13 *“subsection (b)(1)(V)” and inserting “subpara-*
14 *graphs (V) and (W) of subsection (b)(1)”.*

15 *(3) ELIGIBILITY FOR STAFFORD LOAN FORGIVE-*
16 *NESS.—Section 428J of the Higher Education Act of*
17 *1965 (20 U.S.C. 1078–10) is amended—*

18 *(A) in subsection (b)(1), is amended by*
19 *striking “October 1, 1992” and inserting “Octo-*
20 *ber 1, 1989”;* and

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

23 *“(5) INELIGIBILITY OF NATIONAL SERVICE EDU-*
24 *CATIONAL AWARD RECIPIENTS.—No student borrower*
25 *may, for the same volunteer service, receive a benefit*

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

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

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

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

16 *“(3) Notwithstanding paragraph (1), any national*
17 *service educational award such student will receive under*
18 *subtitle D of title I of the National and Community Service*
19 *Act of 1990 (42 U.S.C. 12751 et seq.) shall not be taken*
20 *into account in determining estimated financial assistance*
21 *not received under this title.”.*

22 **SEC. 103. SCHOOL-BASED AND COMMUNITY-BASED SERV-**
23 **ICE-LEARNING PROGRAMS.**

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

1 (1) *PURPOSE.*—*The purpose of this subsection is*
2 *to improve the Serve-America programs established*
3 *under part I of subtitle B of the National and Com-*
4 *munity Service Act of 1990, and to enable the Cor-*
5 *poration for National and Community Service, and*
6 *the entities receiving financial assistance under such*
7 *part, to—*

8 (A) *work with teachers in elementary*
9 *schools and secondary schools within a commu-*
10 *nity, and with community-based agencies, to cre-*
11 *ate and offer service-learning opportunities for*
12 *all school-age youth;*

13 (B) *educate teachers, and faculty providing*
14 *teacher training and retraining, about service-*
15 *learning, and incorporate service-learning oppor-*
16 *tunities into classroom teaching to strengthen*
17 *academic learning;*

18 (C) *coordinate the work of adult volunteers*
19 *who work with elementary and secondary schools*
20 *as part of their community service activities;*
21 *and*

22 (D) *work with employers in the commu-*
23 *nities to ensure that projects introduce the stu-*
24 *dents to various careers and expose the students*
25 *to needed further education and training.*

1 *(particularly with regard to the utilization of*
2 *participants), and trainers, to be conducted by*
3 *qualified individuals or organizations that have*
4 *experience with service-learning;*

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

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

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

17 *“(E) establishing effective outreach and dis-*
18 *semination of information to ensure the broadest*
19 *possible involvement of community-based agen-*
20 *cies with demonstrated effectiveness in working*
21 *with school-age youth in their communities;*

22 *“(2) implementing, operating, or expanding*
23 *school-based service-learning programs, which may*
24 *include paying for the cost of the recruitment, train-*
25 *ing, supervision, placement, salaries, and benefits of*

1 *service-learning coordinators, through State distribu-*
2 *tion of Federal funds made available under this sub-*
3 *part to projects operated by local partnerships*
4 *among—*

5 *“(A) local educational agencies; and*

6 *“(B) one or more community partners*
7 *that—*

8 *“(i) shall include a public or private*
9 *not-for-profit organization that—*

10 *“(I) has demonstrated expertise in*
11 *the provision of services to meet*
12 *human, educational, environmental, or*
13 *public safety needs;*

14 *“(II) was in existence 1 year be-*
15 *fore the date on which the organization*
16 *submitted an application under section*
17 *114; and*

18 *“(III) will make projects available*
19 *for participants, who shall be students;*
20 *and*

21 *“(ii) may include a private for-profit*
22 *business or private elementary or secondary*
23 *school;*

24 *“(3) planning of school-based service-learning*
25 *programs through State distribution of Federal funds*

1 *made available under this subpart to local edu-*
2 *cational agencies, which planning may include pay-*
3 *ing for the cost of—*

4 *“(A) the salaries and benefits of service-*
5 *learning coordinators; or*

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

11 *who will identify the community partners described*
12 *in paragraph (2)(B) and assist in the design and im-*
13 *plementation of a program described in paragraph*
14 *(2); and*

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

21 *“(A) local educational agencies; and*

22 *“(B) one or more—*

23 *“(i) public or private not-for-profit or-*
24 *ganizations;*

25 *“(ii) other educational agencies; or*

1 “(iii) private for-profit businesses,
2 that coordinate and operate projects for participants,
3 who shall be students.

4 “(b) *RELATED EXPENSES*.—A partnership, local edu-
5 cational agency, or other qualified organization that re-
6 ceives financial assistance under this subpart may, in car-
7 rying out the activities described in subsection (a), use such
8 assistance to pay for the Federal share of reasonable costs
9 related to the supervision of participants, program admin-
10 istration, transportation, insurance, evaluations, and for
11 other reasonable expenses related to the activities.

12 “**SEC. 111A. AUTHORITY TO ASSIST LOCAL APPLICANTS IN**
13 **NONPARTICIPATING STATES.**

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

21 “(1) *carrying out the activities described in*
22 *paragraph (2) or (4) of section 111(a), to a local*
23 *partnership described in such paragraph; or*

1 *more than 3 percent for payments to Indian tribes, the Vir-*
2 *gin Islands, Guam, American Samoa, and the Common-*
3 *wealth of the Northern Mariana Islands, to be allotted in*
4 *accordance with their respective needs. The Corporation*
5 *may also make payments from such amount to Palau, in*
6 *accordance with its needs, until such time as the Compact*
7 *of Free Association with Palau is ratified.*

8 “(b) *GRANTS AND ALLOTMENTS THROUGH STATES.*—
9 *The Corporation shall use the remainder of the funds appro-*
10 *priated to carry out this subpart for any fiscal year as*
11 *follows:*

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

15 “(A) *States and Indian tribes; or*

16 “(B) *as described in section 111B, to*
17 *grantmaking entities.*

18 “(2) *ALLOTMENTS.*—

19 “(A) *SCHOOL-AGE YOUTH.*—*Except as pro-*
20 *vided in paragraph (3), from 37.5 percent of*
21 *such funds, the Corporation shall allot to each*
22 *State an amount that bears the same ratio to*
23 *37.5 percent of such funds as the number of*
24 *school-age youth in the State bears to the total*
25 *number of school-age youth of all States.*

1 “(B) *ALLOCATION UNDER ELEMENTARY AND*
2 *SECONDARY EDUCATION ACT OF 1965.—Except as*
3 *provided in paragraph (3), from 37.5 percent of*
4 *such funds, the Corporation shall allot to each*
5 *State an amount that bears the same ratio to*
6 *37.5 percent of such funds as the allocation to*
7 *the State for the previous fiscal year under chap-*
8 *ter 1 of title I of the Elementary and Secondary*
9 *Education Act of 1965 (20 U.S.C. 2711 et seq.)*
10 *bears to such allocations to all States.*

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

21 “(4) *DEFINITION.—Notwithstanding section*
22 *101(27), for purposes of this subsection, the term*
23 *‘State’ means each of the several States, the District*
24 *of Columbia, the Commonwealth of Puerto Rico, and*
25 *an Indian tribe.*

1 “(c) *REALLOTMENT.*—If the Corporation determines
2 that the allotment of a State or Indian tribe under this
3 section will not be required for a fiscal year because the
4 State or Indian tribe does not submit an application for
5 the allotment under section 113 that meets the requirements
6 of such section and such other requirements as the President
7 may determine to be appropriate, the Corporation shall,
8 after making any grants under section 111A to a partner-
9 ship or agency described in such section, make any remain-
10 der of such allotment available for reallocation to such other
11 States, and Indian tribes, with approved applications sub-
12 mitted under section 113, as the Corporation may deter-
13 mine to be appropriate.

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

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

21 “(a) *SUBMISSION.*—To be eligible to receive a grant
22 under section 112(b)(1), an allotment under subsection (a)
23 or (b)(2) of section 112, a reallocation under section 112(c),
24 or a grant under section 112(d), a State, acting through
25 the State educational agency, or an Indian tribe, shall pre-

1 *pare, submit to the Corporation, and obtain approval of,*
2 *an application at such time and in such manner as the*
3 *President may reasonably require.*

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

7 “(1) *a 3-year strategic plan, or a revision of a*
8 *previously approved 3-year strategic plan, for pro-*
9 *moting service-learning through the programs, which*
10 *plan shall contain such information as the President*
11 *may reasonably require, including information dem-*
12 *onstrating that the programs will be carried out in a*
13 *manner consistent with the approved strategic plan;*

14 “(2) *assurances that—*

15 “(A) *the applicant will keep such records*
16 *and provide such information to the Corporation*
17 *with respect to the programs as may be required*
18 *for fiscal audits and program evaluation; and*

19 “(B) *the applicant will comply with the*
20 *nonduplication and nondisplacement require-*
21 *ments of section 177 and the grievance procedure*
22 *requirements of section 176(f); and*

23 “(3) *such additional information as the Presi-*
24 *dent may reasonably require.*

1 **“SEC. 114. LOCAL APPLICATIONS.**

2 “(a) *APPLICATION TO CORPORATION TO MAKE GRANTS*
3 *FOR SCHOOL-BASED SERVICE-LEARNING PROGRAMS.—*

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

10 “(2) *SUBMISSION.—Such application shall be*
11 *submitted at such time and in such manner, and*
12 *shall contain such information, as the President may*
13 *reasonably require.*

14 “(b) *DIRECT APPLICATION TO CORPORATION TO*
15 *CARRY OUT SCHOOL-BASED SERVICE-LEARNING PRO-*
16 *GRAMS IN NONPARTICIPATING STATES.—To be eligible to*
17 *receive a grant from the Corporation in the circumstances*
18 *described in section 111A to carry out an activity described*
19 *in such section, a partnership or agency described in such*
20 *section shall prepare, submit to the Corporation, and obtain*
21 *approval of, an application. Such application shall be sub-*
22 *mitted at such time and in such manner, and shall contain*
23 *such information, as the President may reasonably require.*

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

1 “(1) *IN GENERAL.*—Any—

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

6 “(B) *partnership described in section*
7 *111(a)(2) that desires to receive such assistance*
8 *from a State, Indian tribe, or grantmaking en-*
9 *tity for an activity described in section*
10 *111(a)(2);*

11 “(C) *agency described in section 111(a)(3)*
12 *that desires to receive such assistance from a*
13 *State or Indian tribe for an activity described in*
14 *such section; or*

15 “(D) *partnership described in section*
16 *111(a)(4) that desires to receive such assistance*
17 *from a State or Indian tribe for an activity de-*
18 *scribed in such section,*

19 *to be carried out through a service-learning program*
20 *described in section 111, shall prepare, submit to the*
21 *State educational agency, Indian tribe, or*
22 *grantmaking entity, and obtain approval of, an ap-*
23 *plication for the program.*

24 “(2) *SUBMISSION.*—*Such application shall be*
25 *submitted at such time and in such manner, and*

1 *shall contain such information, as the agency, tribe,*
2 *or entity may reasonably require.*

3 “(d) *REGULATIONS.—The Corporation shall by regula-*
4 *tion establish standards for the information and assurances*
5 *required to be contained in an application submitted under*
6 *subsection (a) or (b) with respect to a service-learning pro-*
7 *gram described in section 111, including, at a minimum—*

8 “(1) *assurances that—*

9 “(A) *prior to the placement of a partici-*
10 *pant, the entity carrying out the program will*
11 *consult with any local labor organization rep-*
12 *resenting employees in the area who are engaged*
13 *in the same or similar work as that proposed to*
14 *be carried out by such program, to prevent the*
15 *displacement and protect the rights of such em-*
16 *ployees;*

17 “(B) *the entity carrying out the program*
18 *will develop an age-appropriate learning compo-*
19 *nent for participants in the program that shall*
20 *include a chance for participants to analyze and*
21 *apply their service experiences; and*

22 “(C) *the entity carrying out the program*
23 *will comply with the nonduplication and*
24 *nondisplacement requirements of section 177 and*

1 *the grievance procedure requirements of section*
2 *176(f); and*

3 “(2) *in the case of an application submitted by*
4 *a grantmaking entity, information demonstrating*
5 *that the entity will make grants for a program to—*

6 “(A) *carry out activities described in sec-*
7 *tion 111B(b) in two or more States, under cir-*
8 *cumstances in which the activities carried out*
9 *under such program can be carried out more effi-*
10 *ciently through one program than through two or*
11 *more programs; and*

12 “(B) *carry out the same activities, such as*
13 *training activities or activities related to ex-*
14 *changing information on service experiences,*
15 *through each of the projects assisted through the*
16 *program.*

17 “(e) *LIMITATION ON SAME PROJECT IN MULTIPLE AP-*
18 *PLICATIONS.—No applicant shall submit an application*
19 *under section 113 or this section, and the Corporation shall*
20 *reject an application that is submitted under section 113*
21 *or this section, if the application describes a project pro-*
22 *posed to be conducted using assistance requested by the ap-*
23 *plicant and the project is already described in another ap-*
24 *plication pending before the Corporation.*

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

2 “(a) *CRITERIA FOR APPLICATIONS.*—In approving ap-
3 plications for financial assistance under subsection (a), (b),
4 (c), or (d) of section 112, the Corporation shall consider
5 such criteria with respect to sustainability, replicability,
6 innovation, and quality of programs under this subpart as
7 the President may by regulation specify. In providing as-
8 sistance under this subpart, a State educational agency,
9 Indian tribe, or grantmaking entity shall consider such
10 criteria.

11 “(b) *PRIORITY FOR LOCAL APPLICATIONS.*—In provid-
12 ing assistance under this subpart, a State educational agen-
13 cy or Indian tribe, or the Corporation if section 111A or
14 111B applies, shall give priority to entities that submit ap-
15 plications under section 114 with respect to service-learning
16 programs described in section 111 that—

17 “(1) involve participants in the design and oper-
18 ation of the program;

19 “(2) are in the greatest need of assistance, such
20 as programs targeting low-income areas;

21 “(3) involve—

22 “(A) students from public elementary or
23 secondary schools, and students from private ele-
24 mentary or secondary schools, serving together;

25 or

1 “(1) for the inclusion of services and arrange-
2 ments for the benefit of such students so as to allow
3 for the equitable participation of such students in the
4 programs implemented to carry out the objectives and
5 provide the benefits described in this subpart; and

6 “(2) for the training of the teachers of such stu-
7 dents so as to allow for the equitable participation of
8 such teachers in the programs implemented to carry
9 out the objectives and provide the benefits described in
10 this subpart.

11 “(b) *WAIVER.*—If a State, Indian tribe, or local edu-
12 cational agency is prohibited by law from providing for the
13 participation of students or teachers from private not-for-
14 profit schools as required by subsection (a), or if the Cor-
15 poration determines that a State, Indian tribe, or local edu-
16 cational agency substantially fails or is unwilling to pro-
17 vide for such participation on an equitable basis, the Presi-
18 dent shall waive such requirements and shall arrange for
19 the provision of services to such students and teachers. Such
20 waivers shall be subject to consultation, withholding, notice,
21 and judicial review requirements in accordance with para-
22 graphs (3) and (4) of section 1017(b) of the Elementary
23 and Secondary Education Act of 1965 (20 U.S.C. 2727(b)).

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

25 “(a) *SHARE.*—

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

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

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

11 “(C) *70 percent of the total cost of the pro-*
12 *gram for the third year for which the program*
13 *receives assistance under this subpart; and*

14 “(D) *50 percent of the total cost of the pro-*
15 *gram for the fourth year, and for any subsequent*
16 *year, for which the program receives assistance*
17 *under this subpart.*

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

22 “(A) *shall provide for such share through a*
23 *payment in cash or in kind, fairly evaluated, in-*
24 *cluding facilities, equipment, or services; and*

1 “(B) may provide for such share through
2 State sources, local sources, or Federal sources
3 (other than funds made available under the na-
4 tional service laws).

5 “(b) *WAIVER.*—The President may waive the require-
6 ments of subsection (a) in whole or in part with respect
7 to any such program in any fiscal year if the Corporation
8 determines that such a waiver would be equitable due to
9 a lack of available financial resources at the local level.

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

11 “(a) *ADMINISTRATIVE COSTS.*—

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

19 “(A) the original recipient; or

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

22 “(2) *RULES ON USE.*—The President may by
23 rule prescribe the manner and extent to which—

24 “(A) such assistance may be used to cover
25 administrative costs; and

1 “(B) that portion of the assistance available
2 to cover administrative costs should be distrib-
3 uted between—

4 “(i) the original recipient; and

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

8 “(b) CAPACITY-BUILDING ACTIVITIES.—

9 “(1) IN GENERAL.—Except as provided in para-
10 graph (2), not less than 10 percent and not more than
11 15 percent of the amount of assistance provided to a
12 State educational agency or Indian tribe that is the
13 original recipient of a grant or allotment under sub-
14 section (a), (b), (c), or (d) of section 112 for a fiscal
15 year may be used to build capacity through training,
16 technical assistance, curriculum development, and co-
17 ordination activities, described in section 111(a)(1).

18 “(2) WAIVER.—The President may waive the re-
19 quirements of paragraph (1) in order to permit an
20 agency or a tribe to use not less than 10 percent and
21 not more than 25 percent of such amount to build ca-
22 pacity as provided in paragraph (1). To be eligible to
23 receive such a waiver such an agency or tribe shall
24 submit an application to the President at such time,

1 *in such manner, and containing such information as*
2 *the President may require.*

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

10 **“SEC. 116B. DEFINITIONS.**

11 *“As used in this subpart:*

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

15 “(2) *SCHOOL-BASED.*—The term *‘school-based’*
16 *means based in an elementary school or a secondary*
17 *school.*

18 “(3) *STUDENT.*—Notwithstanding section
19 *101(30), the term ‘student’ means an individual who*
20 *is enrolled in an elementary or secondary school on*
21 *a full- or part-time basis.*

22 **“Subpart B—Community-Based Service Programs for**
23 **School-Age Youth**

24 **“SEC. 117. DEFINITIONS.**

25 *“As used in this subpart:*

1 “(1) *COMMUNITY-BASED SERVICE PROGRAM.*—
2 The term ‘community-based service program’ means a
3 program described in section 117A(b)(1)(A).

4 “(2) *GRANTMAKING ENTITY.*—The term
5 ‘grantmaking entity’ means a qualified organization
6 that—

7 “(A) submits an application under section
8 117C(a) to make grants to qualified organiza-
9 tions;

10 “(B) was in existence 1 year before the date
11 on which the organization submitted the applica-
12 tion;

13 “(C) has experience with service-learning;
14 and

15 “(D) meets such other criteria as the Presi-
16 dent shall establish.

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

1 *and qualified organizations to pay for the Federal share*
2 *of the implementation, operation, expansion, or replication*
3 *of community-based service programs.*

4 *“(b) USE OF FUNDS.—*

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

8 *“(A) to make a grant to a qualified organi-*
9 *zation to implement, operate, expand, or rep-*
10 *licate a community-based service program that*
11 *provides for meaningful human, educational, en-*
12 *vironmental, or public safety service by partici-*
13 *pants, who shall be school-age youth; or*

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

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

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

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

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

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

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

12 “(a) *APPLICATION TO CORPORATION TO MAKE GRANTS*
13 *FOR COMMUNITY-BASED SERVICE PROGRAMS.*—To be eligi-
14 ble to receive a grant from the Corporation under section
15 117A(a) to make grants under section 117A(b)(1), a
16 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 President
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 a model or an innovative community-based service*
7 *program. Such application shall be submitted at such time*
8 *and in such manner, and shall contain such information,*
9 *as the President 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) *REGULATIONS.—The Corporation shall by regula-*
21 *tion establish standards for the information and assurances*
22 *required to be contained in an application submitted under*
23 *subsection (a) or (b) with respect to a service-learning pro-*
24 *gram described in section 117, including, at a minimum—*

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

6 “(2) an assurance that the entity carrying out
7 the program will, prior to placing a participant in
8 the program, consult with any local labor organiza-
9 tion representing employees in the area in which the
10 program will be carried out that are engaged in the
11 same or similar work as the work proposed to be car-
12 ried out by the program, to prevent the displacement
13 of such employees; and

14 “(3) in the case of an application submitted by
15 a grantmaking entity, information demonstrating
16 that the entity will make grants for a program to—

17 “(A) carry out activities described in sec-
18 tion 117A(b)(1) in two or more States, under
19 circumstances in which the activities carried out
20 under such program can be carried out more effi-
21 ciently through one program than through two or
22 more programs; and

23 “(B) carry out the same activities, such as
24 training activities or activities related to ex-
25 changing information on service experiences,

1 *through each of the projects assisted through the*
2 *program.*

3 “(e) *LIMITATION ON SAME PROJECT IN MULTIPLE AP-*
4 *PLICATIONS.—No applicant shall submit an application*
5 *under section 117B or this section, and the Corporation*
6 *shall reject an application that is submitted under section*
7 *117B or this section, if the application describes a project*
8 *proposed to be conducted using assistance requested by the*
9 *applicant and the project is already described in another*
10 *application pending before the Corporation.*

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

12 “(a) *APPLICATION OF CRITERIA.—The Corporation*
13 *shall apply the criteria described in subsection (b) in deter-*
14 *mining whether to approve an application submitted under*
15 *section 117B or under subsection (a) or (b) of section 117C*
16 *and to provide assistance under section 117A to the appli-*
17 *cant on the basis of the application.*

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

22 “(c) *APPLICATION TO SUBGRANTS.—A State Commis-*
23 *sion or grantmaking entity shall apply the criteria de-*
24 *scribed in subsection (b) in determining whether to approve*
25 *an application under section 117C(c) and to make a grant*

1 *under section 117A(b)(1) to the applicant on the basis of*
2 *the application.*

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

4 *“(a) FEDERAL SHARE.—*

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

11 *“(2) CALCULATION.—Each recipient of assist-*
12 *ance under this subpart shall comply with section*
13 *116(a)(2).*

14 *“(b) WAIVER.—The President may waive the require-*
15 *ments of subsection (a), in whole or in part, as provided*
16 *in section 116(b).*

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

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

24 *“(1) the original recipient; or*

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

3 “(b) *RULES ON USE.*—The President may by rule pre-
4 scribe the manner and extent to which—

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

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

10 “(A) the original recipient; and

11 “(B) the entity carrying out the commu-
12 nity-based service programs supported with the
13 assistance.

14 **“Subpart C—Clearinghouse**

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

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

22 “(b) *PUBLIC AND PRIVATE NOT-FOR-PROFIT AGEN-*
23 *CIES.*—Public and private not-for-profit agencies that have
24 extensive experience with service-learning, including use of

1 *adult volunteers to foster service-learning, shall be eligible*
2 *to receive assistance under subsection (a).*

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

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

8 “(2) *conduct research and evaluations concern-*
9 *ing service-learning;*

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

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

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

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

1 “(6)(A) gather and disseminate information on
2 successful service-learning programs, components of
3 such successful programs, innovative youth skills cur-
4 ricula related to service-learning, and service-learning
5 projects; and

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

9 “(7) make recommendations to State and local
10 entities on quality controls to improve the quality of
11 service-learning programs;

12 “(8) assist organizations in recruiting, screening,
13 and placing service-learning coordinators; and

14 “(9) carry out such other activities as the Presi-
15 dent determines to be appropriate.”.

16 (b) *HIGHER EDUCATION INNOVATIVE PROJECTS.*—
17 Subtitle B of title I of the National and Community Service
18 Act of 1990 (42 U.S.C. 12531 et seq.) is amended by strik-
19 ing part II and inserting the following:

20 **“PART II—HIGHER EDUCATION INNOVATIVE**
21 **PROGRAMS FOR COMMUNITY SERVICE**

22 **“SEC. 119. HIGHER EDUCATION INNOVATIVE PROGRAMS**
23 **FOR COMMUNITY SERVICE.**

24 “(a) *PURPOSE.*—It is the purpose of this part to ex-
25 pand participation in community service by supporting in-

1 *novative community service programs carried out through*
2 *institutions of higher education, acting as civic institutions*
3 *to meet the human, educational, environmental, or public*
4 *safety needs of neighboring communities.*

5 “(b) *GENERAL AUTHORITY.*—*The Corporation, in con-*
6 *sultation with the Secretary of Education, is authorized to*
7 *make grants to, and enter into contracts with, institutions*
8 *of higher education (including a combination of such insti-*
9 *tutions), and partnerships comprised of such institutions*
10 *and of other public agencies or not-for-profit private orga-*
11 *nizations, to pay for the Federal share of the cost of—*

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

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

18 “(B) *provides projects for participants, who*
19 *shall be students, faculty, administration, or*
20 *staff of the institution, or residents of the com-*
21 *munity;*

22 “(2) *supporting student-initiated and student-de-*
23 *signed community service projects through the pro-*
24 *gram;*

1 “(3) strengthening the leadership and instruc-
2 tional capacity of teachers at the elementary, second-
3 ary, and post secondary levels, with respect to service-
4 learning, by—

5 “(A) including service-learning as a key
6 component of the preservice teacher education of
7 the institution; and

8 “(B) encouraging the faculty of the institu-
9 tion to use service-learning methods throughout
10 their curriculum;

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

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

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

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

5 “(c) *FEDERAL SHARE.—*

6 “(1) *SHARE.—*

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

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

14 “(2) *WAIVER.—The President may waive the re-*
15 *quirements of paragraph (1), in whole or in part, as*
16 *provided in section 116(b).*

17 “(d) *APPLICATION FOR GRANT.—*

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

1 *sistance under this part, the Corporation shall specify*
2 *such required information.*

3 “(2) *CONTENTS.*—*An application submitted*
4 *under paragraph (1) shall, at a minimum, contain—*

5 “(A) *assurances that—*

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

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

19 “(B) *such other assurances as the President*
20 *may reasonably require.*

21 “(e) *PRIORITY.*—

22 “(1) *IN GENERAL.*—*In making grants and enter-*
23 *ing into contracts under subsection (b), the Corpora-*
24 *tion shall give priority to applicants that submit ap-*
25 *plications containing proposals that—*

1 “(A) demonstrate the commitment of the in-
2 stitution of higher education, other than by dem-
3 onstrating the commitment of the students, to
4 supporting the community service projects car-
5 ried out under the program;

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

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

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

18 “(i) the institution;

19 “(ii)(I) a community-based agency;

20 “(II) a local government agency; or

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

24 “(iii) a student organization;

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

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

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

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

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

20 “(g) DEFINITION.—Notwithstanding section 101(30),
21 as used in this part, the term ‘student’ means an individual
22 who is enrolled in an institution of higher education on
23 a full- or part-time basis.”.

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

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

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

“PART I—SERVE-AMERICA PROGRAMS

“SUBPART A—SCHOOL-BASED PROGRAMS FOR STUDENTS

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

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

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

“Sec. 112. Grants and allotments.

“Sec. 113. State or tribal applications.

“Sec. 114. Local applications.

“Sec. 115. Consideration of applications.

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

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

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

“Sec. 116B. Definitions.

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

“Sec. 117. Definitions.

“Sec. 117A. General authority.

“Sec. 117B. State applications.

“Sec. 117C. Local applications.

“Sec. 117D. Consideration of applications.

“Sec. 117E. Federal, State, and local contributions.

“Sec. 117F. Limitations on uses of funds.

“SUBPART C—CLEARINGHOUSE

“Sec. 118. Service-learning clearinghouse.

“PART II—HIGHER EDUCATION INNOVATIVE PROGRAMS FOR COMMUNITY
 SERVICE

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

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

5 (a) *REPEAL.*—Subtitle E of title I of the National and
 6 Community Service Act of 1990 (42 U.S.C. 12591 et seq.)
 7 is repealed.

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

1 “(B) employer-based retiree programs;

2 “(C) intergenerational programs;

3 “(D) programs involving individuals with
4 disabilities as participants providing service;
5 and

6 “(E) programs sponsored by Governors.

7 “(2) INTERGENERATIONAL PROGRAM.—An
8 intergenerational program referred to in paragraph
9 (1)(C) may include a program in which older adults
10 provide services to children who participate in Head
11 Start programs.

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

16 “(d) COMMUNITY-BASED AGENCIES.—The Corpora-
17 tion may provide training and technical assistance and
18 other assistance to service sponsors and other community-
19 based agencies that provide volunteer placements in order
20 to improve the ability of such agencies to use participants
21 and other volunteers in a manner that results in high-qual-
22 ity service and a positive service experience for the partici-
23 pants and volunteers.

24 “(e) IMPROVE ABILITY TO APPLY FOR ASSISTANCE.—
25 The Corporation shall provide training and technical as-

1 *sistance, where necessary, to individuals, programs, local*
2 *labor organizations, State educational agencies, State Com-*
3 *missions, local educational agencies, local governments,*
4 *community-based agencies, and other entities to enable*
5 *them to apply for funding under one of the national service*
6 *laws, to conduct high-quality programs, to evaluate such*
7 *programs, and for other purposes.*

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

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

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

24 “(i) *PROMOTION AND RECRUITMENT.*—The Corpora-
25 *tion may conduct a campaign to solicit funds for the Na-*

1 *tional Service Trust and other programs and activities au-*
2 *thorized under the national service laws and to promote and*
3 *recruit participants for programs that receive assistance*
4 *under the national service laws.*

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

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

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

16 “(m) *PLANNING COORDINATION.*—*The Corporation*
17 *may coordinate community-wide planning among pro-*
18 *grams and projects.*

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

22 “(o) *NATIONAL PROGRAM IDENTITY.*—*The Corpora-*
23 *tion may support the development and dissemination of*
24 *materials, including training materials, and arrange for*
25 *uniforms and insignia, designed to promote unity and*

1 *shared features among programs that receive assistance*
2 *under the national service laws.*

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

6 “(q) *NATIONAL YOUTH SERVICE DAY.*—

7 “(1) *DESIGNATION.*—*April 19, 1994, and April*
8 *18, 1995 are each designated as ‘National Youth*
9 *Service Day’. The President of the United States is*
10 *authorized and directed to issue a proclamation call-*
11 *ing on the people of the United States to observe the*
12 *day with appropriate ceremonies and activities.*

13 “(2) *FEDERAL ACTIVITIES.*—*In order to observe*
14 *National Youth Service Day at the Federal level, the*
15 *Corporation may organize and carry out appropriate*
16 *ceremonies and activities.*

17 “(3) *ACTIVITIES.*—*The Corporation may make*
18 *grants to not-for-profit organizations with dem-*
19 *onstrated ability to carry out appropriate activities,*
20 *in order to support such activities on National Youth*
21 *Service Day.*

22 **“SEC. 198A. CLEARINGHOUSES.**

23 “(a) *ASSISTANCE.*—*The Corporation shall provide as-*
24 *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 Presi-*
15 *dent determines to be appropriate.*

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

17 *“(a) PRESIDENTIAL AWARDS.—*

18 *“(1) IN GENERAL.—The President of the United*
19 *States, acting through the Corporation, may make*
20 *Presidential awards for service to individuals provid-*
21 *ing significant service, and to outstanding service*
22 *programs.*

23 *“(2) INDIVIDUALS AND PROGRAMS.—Notwith-*
24 *standing section 101(20)—*

1 “(2) fully utilize military installations affected
2 by closures or realignments;

3 “(3) encourage communities affected by such clo-
4 sures or realignments to convert the installations to
5 community use; and

6 “(4) foster a sense of community pride in the
7 youth in the community.

8 “(b) DEFINITIONS.—As used in this section:

9 “(1) AFFECTED MILITARY INSTALLATION.—The
10 term ‘affected military installation’ means a military
11 installation described in section 325(e)(1) of the Job
12 Training Partnership Act (29 U.S.C. 1662d(e)(1)).

13 “(2) COMMUNITY.—The term ‘community’ in-
14 cludes a county.

15 “(3) CONVERT TO COMMUNITY USE.—The term
16 ‘convert to community use’, used with respect to an
17 affected military installation, includes—

18 “(A) conversion of the installation or a part
19 of the installation to—

20 “(i) a park;

21 “(ii) a community center;

22 “(iii) a recreational facility; or

23 “(iv) a facility for a Head Start pro-
24 gram under the Head Start Act (42 U.S.C.
25 9831 et seq.); and

1 “(B) carrying out, at the installation, a
2 construction or economic development project
3 that is of substantial benefit, as determined by
4 the President, to—

5 “(i) the community in which the in-
6 stallation is located; or

7 “(ii) a community located within such
8 distance of the installation as the President
9 may determine by regulation to be appro-
10 priate.

11 “(4) DEMONSTRATION PROGRAM.—The term
12 ‘demonstration program’ means a program described
13 in subsection (c).

14 “(c) DEMONSTRATION PROGRAMS.—

15 “(1) GRANTS.—The Corporation may make
16 grants to communities and community-based agencies
17 to pay for the Federal share of establishing and car-
18 rying out military installation conversion demonstra-
19 tion programs, to assist in converting to community
20 use affected military installations located—

21 “(A) within the community; or

22 “(B) within such distance from the commu-
23 nity as the President may by regulation deter-
24 mine to be appropriate.

1 “(2) *DURATION.*—*In carrying out such a dem-*
2 *onstration program, the community or community-*
3 *based agency may carry out—*

4 “(A) *a program of not less than 6 months*
5 *in duration; or*

6 “(B) *a full-time summer program.*

7 “(d) *USE OF FUNDS.*—

8 “(1) *SALARY.*—*A community or community-*
9 *based agency that receives a grant under subsection*
10 *(c) to establish and carry out a project through a*
11 *demonstration program may use the funds made*
12 *available through such grant to pay for a portion of*
13 *the salary of the participants in the project.*

14 “(2) *LIMITATION ON AMOUNT OF SALARY.*—*The*
15 *amount of the salary provided to a participant under*
16 *paragraph (1) that may be paid using assistance pro-*
17 *vided under this section and using any other Federal*
18 *funds shall not exceed the lesser of—*

19 “(A) *85 percent of the total average annual*
20 *subsistence allowance provided to VISTA volun-*
21 *teers under section 105 of the Domestic Volunteer*
22 *Service Act of 1973 (42 U.S.C. 4955); and*

23 “(B) *85 percent of the salary established by*
24 *the demonstration program involved.*

25 “(e) *PARTICIPANTS.*—

1 “(1) *ELIGIBILITY.*—A person shall be eligible to
2 be selected as a participant in a project carried out
3 through a demonstration program if the person is—

4 “(A) an economically disadvantaged indi-
5 vidual; and

6 “(B)(i) a person described in section 153(b);

7 “(ii) a youth described in section 154(a); or

8 “(iii) an eligible youth described in section
9 423 of the Job Training Partnership Act (29
10 U.S.C. 1693).

11 “(2) *PARTICIPATION.*—Persons desiring to par-
12 ticipate in such a project shall enter into an agree-
13 ment with the service sponsor of the project to partici-
14 pate—

15 “(A) on a full-time or a part-time basis;

16 and

17 “(B) for the duration referred to in sub-
18 section (f)(2)(C).

19 “(f) *APPLICATION.*—

20 “(1) *IN GENERAL.*—To be eligible to receive a
21 grant under subsection (c), a community or commu-
22 nity-based agency shall submit an application to the
23 President at such time, in such manner, and contain-
24 ing such information as the President may require.

1 “(2) *CONTENTS.*—At a minimum, such applica-
2 tion shall contain—

3 “(A) a description of the demonstration
4 program proposed to be conducted by the appli-
5 cant;

6 “(B) a proposal for carrying out the pro-
7 gram that describes the manner in which the ap-
8 plicant will—

9 “(i) provide preservice and inservice
10 training, for supervisors and participants,
11 that will be conducted by qualified individ-
12 uals or qualified organizations;

13 “(ii) conduct an appropriate evalua-
14 tion of the program; and

15 “(iii) provide for appropriate commu-
16 nity involvement in the program;

17 “(C) information indicating the duration of
18 the program; and

19 “(D) an assurance that the applicant will
20 comply with the nonduplication and
21 nondisplacement provisions of section 177 and
22 the grievance procedure requirements of section
23 176(f).

24 “(g) *LIMITATION ON GRANT.*—In making a grant
25 under subsection (c) with respect to a demonstration pro-

1 gram to assist in converting an affected military installa-
 2 tion, the Corporation shall not make a grant for more than
 3 25 percent of the total cost of the conversion.”.

4 (d) TABLE OF CONTENTS.—

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

“Subtitle E—Civilian Community Corps

“Sec. 151. Purpose.

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

“Sec. 153. National service program.

“Sec. 154. Summer national service program.

“Sec. 155. Civilian Community Corps.

“Sec. 156. Training.

“Sec. 157. Service projects.

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

“Sec. 159. Administrative provisions.

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

“Sec. 161. Contract and grant authority.

“Sec. 162. Responsibilities of other departments.

“Sec. 163. Advisory board.

“Sec. 164. Annual evaluation.

“Sec. 165. Funding limitation.

“Sec. 166. Definitions.”.

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

“Subtitle H—Investment for Quality and Innovation

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

“Sec. 198A. Clearinghouses.

“Sec. 198B. Presidential awards for service.

“Sec. 198C. Military installation conversion demonstration programs.”.

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.*—

23 (A) *Section 153(a) of the National and*
24 *Community Service Act of 1990 (as redesignated*
25 *in subsection (b)(3) of this section) (42 U.S.C.*

1 12653b(a)) is amended by striking “195A(a)”
2 and inserting “152(a)”.

3 (B) Section 154(a) of such Act (as redesignig-
4 nated in subsection (b)(3) of this section) (42
5 U.S.C. 12653c(a)) is amended by striking
6 “195A(a)” and inserting “152(a)”.

7 (C) Section 155 of such Act (as redesignated
8 in subsection (b)(3) of this section) (42 U.S.C.
9 12653d) is amended—

10 (i) in subsection (a), by striking
11 “195H(c)(1)” and inserting “159(c)(1)”;

12 (ii) in subsection (c)(2), by striking
13 “195H(c)(2)” and inserting “159(c)(2)”;
14 and

15 (iii) in subsection (d)(3), by striking
16 “195K(a)(3)” and inserting “162(a)(3)”.

17 (D) Section 156 of such Act (as redesignig-
18 nated in subsection (b)(3) of this section) (42
19 U.S.C. 12653e) is amended—

20 (i) in subsection (c)(1), by striking
21 “195H(c)(2)” and inserting “159(c)(2)”;
22 and

23 (ii) in subsection (d), by striking
24 “195K(a)(3)” and inserting “162(a)(3)”.

1 (E) Section 159 of such Act (as redesignated
2 in subsection (b)(3) of this section) (42 U.S.C.
3 12653h) is amended—

4 (i) in subsection (a)—

5 (I) by striking “195A” and insert-
6 ing “152”; and

7 (II) in paragraph (2), by striking
8 “195” and inserting “151”; and

9 (ii) in subsection (c)(2)(C)(i), by strik-
10 ing “195K(a)(2)” and inserting “section
11 162(a)(2)”.

12 (F) Section 161(b)(1)(B) of such Act (as re-
13 designated in subsection (b)(3) of this section)
14 (42 U.S.C. 12653j(b)(1)(B)) is amended by strik-
15 ing “195K(a)(3)” and inserting “162(a)(3)”.

16 (G) Section 162(a)(2)(A) of such Act (as re-
17 designated in subsection (b)(3) of this section)
18 (42 U.S.C. 12653k(a)(2)(A)) is amended by
19 striking “195(3)” and inserting “151(3)”.

20 (H) Section 166 of such Act (as redesign-
21 ated in subsection (b)(3) of this section) (42
22 U.S.C. 12653o) is amended—

23 (i) in paragraph (2), by striking
24 “195D” and inserting “155”;

1 (ii) in paragraph (8), by striking
2 “195A” and inserting “152”;

3 (iii) in paragraph (10), by striking
4 “195D(d)” and inserting “155(d)”; and

5 (iv) in paragraph (11), by striking
6 “195D(c)” and inserting “155(c)”.

7 (f) *EXTENSION OF AUTHORITY TO CONDUCT CIVILIAN*
8 *COMMUNITY CORPS.*—Section 1092(c) of the National De-
9 *fense Authorization Act for Fiscal Year 1993 (Public Law*
10 *102–484; 106 Stat. 2534), as amended by subsection (e)(1)*
11 *of this section, is further amended by adding at the end*
12 *the following new sentence: “The amount made available*
13 *for the Civilian Community Corps Demonstration Program*
14 *pursuant to this subsection shall remain available for ex-*
15 *penditure during fiscal years 1993 and 1994.”.*

16 (g) *PARTICIPANTS.*—

17 (1) *NATIONAL SERVICE PROGRAM.*—Section 153
18 *of the National and Community Service Act of 1990*
19 *(as redesignated in subsection (b)(3) of this section)*
20 *(42 U.S.C. 12653b) is amended—*

21 (A) *by striking subsection (d); and*

22 (B) *by redesignating subsection (e) as sub-*
23 *section (d).*

24 (2) *SUMMER NATIONAL SERVICE PROGRAM.*—
25 *Section 154 of the National and Community Service*

1 *Act of 1990 (as redesignated in subsection (b)(3) of*
2 *this section) (42 U.S.C. 12653c) is amended—*

3 *(A) by striking subsection (b); and*

4 *(B) by redesignating subsection (c) as sub-*
5 *section (b).*

6 *(h) ADDITIONAL AMENDMENT REGARDING CIVILIAN*
7 *COMMUNITY CORPS.—Section 158 of the National and*
8 *Community Service Act of 1990 (as redesignated in sub-*
9 *section (b)(3) of this section) (42 U.S.C. 12653g) is amend-*
10 *ed by striking subsections (f), (g), and (h) and inserting*
11 *the following new subsections:*

12 *“(f) NATIONAL SERVICE EDUCATIONAL AWARDS.—A*
13 *Corps member who successfully completes a period of agreed*
14 *service in the Corps may receive the national service edu-*
15 *cational award described in subtitle D if the Corps mem-*
16 *ber—*

17 *“(1) serves in an approved national service posi-*
18 *tion; and*

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

22 *“(g) ALTERNATIVE BENEFIT.—If a Corps member who*
23 *successfully completes a period of agreed service in the*
24 *Corps is ineligible for the national service educational*
25 *award described in subtitle D, the Director may provide*

1 *for the provision of a suitable alternative benefit for the*
2 *Corps member.”.*

3 ***Subtitle B—Related Provisions***

4 ***SEC. 111. DEFINITIONS.***

5 *(a) IN GENERAL.—Section 101 of the National and*
6 *Community Service Act of 1990 (42 U.S.C. 12511) is*
7 *amended to read as follows:*

8 ***“SEC. 101. DEFINITIONS.***

9 *“For purposes of this title:*

10 *“(1) ADULT VOLUNTEER.—The term ‘adult*
11 *volunteer’ means an individual, such as an older*
12 *adult, an individual with a disability, a parent, or*
13 *an employee of a business or public or private not-*
14 *for-profit agency, who—*

15 *“(A) works without financial remuneration*
16 *in an educational institution to assist students*
17 *or out-of-school youth; and*

18 *“(B) is beyond the age of compulsory school*
19 *attendance in the State in which the educational*
20 *institution is located.*

21 *“(2) APPROVED NATIONAL SERVICE POSITION.—*
22 *The term ‘approved national service position’ means*
23 *a national service position for which the Corporation*
24 *has approved the provision of a national service edu-*
25 *cational award described in section 147 as one of the*

1 *benefits to be provided for successful service in the po-*
2 *sition.*

3 “(3) *CARRY OUT*.—The term ‘carry out’, when
4 *used in connection with a national service program*
5 *described in section 122, means the planning, estab-*
6 *lishment, operation, expansion, or replication of the*
7 *program.*

8 “(4) *COMMUNITY ACTION AGENCY*.—The term
9 *‘community action agency’ means an entity or orga-*
10 *nization referred to in section 675(c)(2)(A) of the*
11 *Community Services Block Grant Act (42 U.S.C.*
12 *9904(c)(2)(A)).*

13 “(5) *COMMUNITY-BASED AGENCY*.—The term
14 *‘community-based agency’ means a private not-for-*
15 *profit organization, including a church or other reli-*
16 *gious entity, that is representative of a community*
17 *and that is engaged in meeting human, educational,*
18 *environmental, or public safety community needs.*

19 “(6) *CORPORATION*.—The term ‘Corporation’
20 *means the Corporation for National and Community*
21 *Service established under section 191.*

22 “(7) *ECONOMICALLY DISADVANTAGED*.—The term
23 *‘economically disadvantaged’ means, with respect to*
24 *an individual, an individual who is determined by*

1 *the President to be low-income according to the latest*
2 *available data from the Department of Commerce.*

3 “(8) *ELEMENTARY SCHOOL.*—*The term ‘elemen-*
4 *tary school’ has the same meaning given such term in*
5 *section 1471(8) of the Elementary and Secondary*
6 *Education Act of 1965 (20 U.S.C. 2891(8)).*

7 “(9) *INDIAN.*—*The term ‘Indian’ means a person*
8 *who is a member of an Indian tribe, or is a ‘Native’,*
9 *as defined in section 3(b) of the Alaska Native Claims*
10 *Settlement Act (43 U.S.C. 1602(b)).*

11 “(10) *INDIAN LANDS.*—*The term ‘Indian lands’*
12 *means any real property owned by an Indian tribe,*
13 *any real property held in trust by the United States*
14 *for an Indian or Indian tribe, and any real property*
15 *held by an Indian or Indian tribe that is subject to*
16 *restrictions on alienation imposed by the United*
17 *States.*

18 “(11) *INDIAN TRIBE.*—*The term ‘Indian tribe’*
19 *means—*

20 “(A) *an Indian tribe, band, nation, or other*
21 *organized group or community, including—*

22 “(i) *any Native village, as defined in*
23 *section 3(c) of the Alaska Native Claims*
24 *Settlement Act (43 U.S.C. 1602(c)), whether*
25 *organized traditionally or pursuant to the*

1 *Act of June 18, 1934 (commonly known as*
2 *the ‘Indian Reorganization Act’; 48 Stat.*
3 *984, chapter 576; 25 U.S.C 461 et seq.); and*
4 *“(ii) any Regional Corporation or Vil-*
5 *lage Corporation, as defined in subsection*
6 *(g) or (j), respectively, of section 3 of the*
7 *Alaska Native Claims Settlement Act (43*
8 *U.S.C. 1602 (g) or (j)),*

9 *that is recognized as eligible for the special pro-*
10 *grams and services provided by the United*
11 *States under Federal law to Indians because of*
12 *their status as Indians; and*

13 *“(B) any tribal organization controlled,*
14 *sanctioned, or chartered by an entity described*
15 *in subparagraph (A).*

16 *“(12) INDIVIDUAL WITH A DISABILITY.—Except*
17 *as provided in section 175(a), the term ‘individual*
18 *with a disability’ has the meaning given the term in*
19 *section 7(8) of the Rehabilitation Act of 1973 (29*
20 *U.S.C. 706(8)).*

21 *“(13) INSTITUTION OF HIGHER EDUCATION.—*
22 *The term ‘institution of higher education’ has the*
23 *same meaning given such term in section 1201(a) of*
24 *the Higher Education Act of 1965 (20 U.S.C.*
25 *1141(a)).*

1 “(14) *LOCAL EDUCATIONAL AGENCY*.—The term
2 ‘local educational agency’ has the same meaning
3 given such term in section 1471(12) of the *Elemen-*
4 *tary and Secondary Education Act of 1965* (20
5 *U.S.C. 2891(12)*).

6 “(15) *NATIONAL SERVICE LAWS*.—The term ‘na-
7 tional service laws’ means this Act and the *Domestic*
8 *Volunteer Service Act of 1973* (42 *U.S.C. 4950 et*
9 *seq.*).

10 “(16) *OUT-OF-SCHOOL YOUTH*.—The term ‘out-
11 of-school youth’ means an individual who—

12 “(A) has not attained the age of 27;

13 “(B) has not completed college or the equiv-
14 alent thereof; and

15 “(C) is not enrolled in an elementary or
16 secondary school or institution of higher edu-
17 cation.

18 “(17) *PARTICIPANT*.—

19 “(A) *IN GENERAL*.—The term ‘participant’
20 means—

21 “(i) for purposes of subtitle C, an indi-
22 vidual in an approved national service po-
23 sition; and

24 “(ii) for purposes of any other provi-
25 sion of this Act, an individual enrolled in

1 *a program that receives assistance under*
2 *this title.*

3 “(B) *RULE.*—*A participant shall not be*
4 *considered to be an employee of the program in*
5 *which the participant is enrolled.*

6 “(18) *PARTNERSHIP PROGRAM.*—*The term ‘part-*
7 *nership program’ means a program through which an*
8 *adult volunteer, a public or private not-for-profit*
9 *agency, an institution of higher education, or a busi-*
10 *ness assists a local educational agency.*

11 “(19) *PRESIDENT.*—*The term ‘President’, except*
12 *when used as part of the term ‘President of the*
13 *United States’ means the President of the Corporation*
14 *appointed under section 193.*

15 “(20) *PROGRAM.*—*The term ‘program’, except*
16 *when used as part of the term ‘academic program’,*
17 *means a program described in section 111(a) (other*
18 *than a program referred to in paragraph (3)(B) of*
19 *such section), 117A(a), 119(b)(1), or 122(a), in para-*
20 *graph (1) or (2) of section 152(b), or in section 198.*

21 “(21) *PROJECT.*—*The term ‘project’ means an*
22 *activity, carried out through a program that receives*
23 *assistance under this title, that results in a specific*
24 *identifiable service or improvement that otherwise*
25 *would not be done with existing funds, and that does*

1 *not duplicate the routine services or functions of the*
2 *employer to whom participants are assigned.*

3 “(22) *SCHOOL-AGE YOUTH.*—*The term ‘school-*
4 *age youth’ means—*

5 “(A) *individuals between the ages of 5 and*
6 *17, inclusive; and*

7 “(B) *children with disabilities, as defined*
8 *in section 602(a)(1) of the Individuals with Dis-*
9 *abilities Education Act, who receive services*
10 *under part B of such Act.*

11 “(23) *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 “(24) *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 “(25) *SERVICE-LEARNING COORDINATOR*.—The
13 term ‘service-learning coordinator’ means an individ-
14 ual who provides services as described in section
15 111(a)(3).

16 “(26) *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 “(27) *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, Guam,
23 American Samoa, and the Commonwealth of the
24 Northern Mariana Islands. The term also includes

1 *Palau, until such time as the Compact of Free Asso-*
2 *ciation is ratified.*

3 “(28) *STATE COMMISSION.*—*The term ‘State*
4 *Commission’ means a State Commission on National*
5 *and Community Service maintained by a State pur-*
6 *suant to section 178. Except when used in section*
7 *178, the term includes an alternative administrative*
8 *entity for a State approved by the Corporation under*
9 *such section to act in lieu of a State Commission.*

10 “(29) *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 “(30) *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 *fined in section 101 of the National and Community*
9 *Service Act of 1990, and service in the agencies, insti-*
10 *tutions and activities designated in section 124(a) of*
11 *the National and Community Service Act of 1990”*
12 *and inserting “a project, as defined in section*
13 *101(21) of the National and Community Service Act*
14 *of 1990 (42 U.S.C. 12511(18))”.*

15 (4) *Section 1122(a)(2)(C) of the Higher Edu-*
16 *cation Act of 1965 (20 U.S.C. 1137a(a)(2)(C)) is*
17 *amended by striking “youth corps as defined in sec-*
18 *tion 101(30) of the National and Community Service*
19 *Act of 1990” and inserting “youth corps programs, as*
20 *described in section 122(a)(1) of the National and*
21 *Community Service Act of 1990”.*

22 (5) *Section 1201(p) of the Higher Education Act*
23 *of 1965 (20 U.S.C. 1141(p)) is amended by striking*
24 *“section 101(22) of the National and Community*
25 *Service Act of 1990” and inserting “section 101(24)*

1 *of the National and Community Service Act of 1990*
2 *(42 U.S.C. 12511(21))”.*

3 **SEC. 112. AUTHORITY TO MAKE STATE GRANTS.**

4 *Section 102 of the National and Community Service*
5 *Act of 1990 (42 U.S.C. 12512) is repealed.*

6 **SEC. 113. FAMILY AND MEDICAL LEAVE.**

7 *(a) IN GENERAL.—Section 171 of the National and*
8 *Community Service Act of 1990 (42 U.S.C. 12631) is*
9 *amended to read as follows:*

10 **“SEC. 171. FAMILY AND MEDICAL LEAVE.**

11 *“(a) PARTICIPANTS IN PRIVATE, STATE, AND LOCAL*
12 *PROJECTS.—For purposes of title I of the Family and Med-*
13 *ical Leave Act of 1993 (29 U.S.C. 2601 et seq.), if—*

14 *“(1) a participant has provided service for the*
15 *period required by section 101(2)(A)(i) (29 U.S.C.*
16 *2611(2)(A)(i)), and has met the hours of service re-*
17 *quirement of section 101(2)(A)(ii), of such Act with*
18 *respect to a project; and*

19 *“(2) the service sponsor of the project is an em-*
20 *ployer described in section 101(4) of such Act (other*
21 *than an employing agency within the meaning of sub-*
22 *chapter V of chapter 63 of title 5, United States*
23 *Code),*

24 *the participant shall be considered to be an eligible em-*
25 *ployee of the service sponsor.*

1 “(b) *PARTICIPANTS IN FEDERAL PROJECTS.*—For
2 *purposes of subchapter V of chapter 63 of title 5, United*
3 *States Code, if—*

4 “(1) *a participant has provided service for the*
5 *period required by section 6381(1)(B) of such title*
6 *with respect to a project; and*

7 “(2) *the service sponsor of the project is an em-*
8 *ploying agency within the meaning of such sub-*
9 *chapter,*

10 *the participant shall be considered to be an employee of the*
11 *service sponsor.”.*

12 (b) *TABLE OF CONTENTS.*—Section 1(b) of the Na-
13 *tional and Community Service Act of 1990 (Public Law*
14 *101–610; 104 Stat. 3127) is amended by striking the item*
15 *relating to section 171 of such Act and inserting the*
16 *following:*

 “Sec. 171. *Family and medical leave.*”.

17 **SEC. 114. REPORTS.**

18 Section 172 of the National and Community Service
19 *Act of 1990 (42 U.S.C. 12632) is amended—*

20 (1) *in subsection (a)(3)(A), by striking “sections*
21 *177 and 113(9)” and inserting “section 177”;*

22 (2) *in subsection (b)—*

23 (A) *by striking “REPORT TO CONGRESS”;*
24 *and inserting “REPORT TO CONGRESS BY COR-*
25 *PORATION”;* and

1 (B) in paragraph (1), by striking “this
2 title” and inserting “the national service laws”;
3 and

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

5 “(c) *REPORT TO CONGRESS BY SECRETARY OF DE-*
6 *FENSE.*—

7 “(1) *STUDY.*—The Secretary of Defense shall an-
8 nually conduct a study of the effect of the programs
9 carried out under this title on recruitment for the
10 Armed Forces.

11 “(2) *REPORT.*—The Secretary of Defense shall
12 annually submit a report to the appropriate commit-
13 tees of Congress containing the findings of the study
14 described in paragraph (1) and such recommenda-
15 tions for legislative and administrative reform as the
16 Secretary may determine to be appropriate.”.

17 **SEC. 115. NONDISCRIMINATION.**

18 Section 175 of the National and Community Service
19 Act of 1990 (42 U.S.C. 12635) is amended to read as
20 follows:

21 **“SEC. 175. NONDISCRIMINATION.**

22 “(a) *IN GENERAL.*—

23 “(1) *BASIS.*—An individual with responsibility
24 for the operation of a project that receives assistance
25 under this title shall not discriminate against a par-

1 *participant in, or member of the staff of, such project on*
2 *the basis of race, color, national origin, sex, age, or*
3 *political affiliation of such participant or member, or*
4 *on the basis of disability, if the participant or mem-*
5 *ber is a qualified individual with a disability.*

6 “(2) *DEFINITION.*—As used in paragraph (1),
7 *the term ‘qualified individual with a disability’ has*
8 *the meaning given the term in section 101(8) of the*
9 *Americans with Disabilities Act of 1990 (42 U.S.C.*
10 *12111(8)).*

11 “(b) *FEDERAL FINANCIAL ASSISTANCE.*—Any assist-
12 *ance provided under this title shall constitute Federal fi-*
13 *nancial assistance for purposes of title VI of the Civil*
14 *Rights Act of 1964 (42 U.S.C. 2000d et seq.), title IX of*
15 *the Education Amendments of 1972 (20 U.S.C. 1681 et*
16 *seq.), section 504 of the Rehabilitation Act of 1973 (29*
17 *U.S.C. 794), and the Age Discrimination Act of 1975 (42*
18 *U.S.C. 6101 et seq.), and shall constitute Federal financial*
19 *assistance to an education program or activity for purposes*
20 *of the Education Amendments of 1972 (20 U.S.C. 1681 et*
21 *seq.).*

22 “(c) *RELIGIOUS DISCRIMINATION.*—

23 “(1) *IN GENERAL.*—Except as provided in para-
24 *graph (2), an individual with responsibility for the*
25 *operation of a project that receives assistance under*

1 *contract, as approved national service positions,” be-*
2 *fore “whenever the Commission”; and*

3 *(2) in paragraph (2)(B), by inserting “or re-*
4 *voked” after “terminated”.*

5 *(b) CONSTRUCTION.—Section 176(e) of such Act (42*
6 *U.S.C. 12636(e)) is amended by adding before the period*
7 *the following “, other than assistance provided pursuant to*
8 *this Act”.*

9 *(c) GRIEVANCE PROCEDURE.—Section 176(f) of such*
10 *Act is amended to read as follows:*

11 *“(f) GRIEVANCE PROCEDURE.—*

12 *“(1) IN GENERAL.—A State or local applicant*
13 *that receives assistance under this title shall establish*
14 *and maintain a procedure for the filing and adju-*
15 *dications of grievances from participants, labor orga-*
16 *nizations, and other interested individuals concerning*
17 *projects that receive assistance under this title, in-*
18 *cluding grievances regarding proposed placements of*
19 *such participants in such projects.*

20 *“(2) DEADLINE FOR GRIEVANCES.—Except for a*
21 *grievance that alleges fraud or criminal activity, a*
22 *grievance shall be made not later than 1 year after*
23 *the date of the alleged occurrence of the event that is*
24 *the subject of the grievance.*

25 *“(3) DEADLINE FOR HEARING AND DECISION.—*

1 “(A) *HEARING.*—A hearing on any grievance
2 conducted under this subsection shall be
3 conducted not later than 30 days after the filing
4 of such grievance.

5 “(B) *DECISION.*—A decision on any such
6 grievance shall be made not later than 60 days
7 after the filing of such grievance.

8 “(4) *ARBITRATION.*—

9 “(A) *IN GENERAL.*—

10 “(i) *JOINTLY SELECTED ARBITRA-*
11 *TOR.*—In the event of a decision on a grievance
12 that is adverse to the party who filed
13 such grievance, or 60 days after the filing
14 of such grievance if no decision has been
15 reached, such party shall be permitted to
16 submit such grievance to binding arbitra-
17 tion before a qualified arbitrator who is
18 jointly selected and independent of the in-
19 terested parties.

20 “(ii) *APPOINTED ARBITRATOR.*—If the
21 parties cannot agree on an arbitrator, the
22 President shall appoint an arbitrator from
23 a list of qualified arbitrators within 15
24 days after receiving a request for such ap-

1 *pointment from one of the parties to the*
2 *grievance.*

3 “(B) *DEADLINE FOR PROCEEDING.*—An ar-
4 *bitration proceeding shall be held not later than*
5 *45 days after the request for such arbitration*
6 *proceeding, or, if the arbitrator is appointed by*
7 *the President in accordance with subparagraph*
8 *(A)(ii), not later than 30 days after the appoint-*
9 *ment of such arbitrator.*

10 “(C) *DEADLINE FOR DECISION.*—A decision
11 *concerning a grievance shall be made not later*
12 *than 30 days after the date such arbitration pro-*
13 *ceeding begins.*

14 “(D) *COST.*—

15 “(i) *IN GENERAL.*—Except as provided
16 *in clause (ii), the cost of an arbitration pro-*
17 *ceeding shall be divided evenly between the*
18 *parties to the arbitration.*

19 “(ii) *EXCEPTION.*—If a participant,
20 *labor organization, or other interested indi-*
21 *vidual described in paragraph (1) prevails*
22 *under a binding arbitration proceeding, the*
23 *State, local agency, public or private not-*
24 *for-profit organization, or partnership of*
25 *such agencies and organizations, that is a*

1 *party to such grievance shall pay the total*
2 *cost of such proceeding and the attorneys’*
3 *fees of such participant, labor organization,*
4 *or individual, as the case may be.*

5 “(5) *PROPOSED PLACEMENT.*—*If a grievance is*
6 *filed regarding a proposed placement of a participant*
7 *in a project that receives assistance under this title,*
8 *such placement shall not be made unless the place-*
9 *ment is consistent with the resolution of the grievance*
10 *pursuant to this subsection.*

11 “(6) *REMEDIES.*—*Remedies for a grievance filed*
12 *under this subsection include—*

13 “(A) *suspension of payments for assistance*
14 *under this title;*

15 “(B) *termination of such payments;*

16 “(C) *prohibition of the placement described*
17 *in paragraph (5); and*

18 “(D) *in a case in which the grievance in-*
19 *volves a violation of subsection (a) or (b) of sec-*
20 *tion 177 and the employer of the displaced em-*
21 *ployee is the recipient of assistance under this*
22 *title—*

23 “(i) *reinstatement of the displaced em-*
24 *ployee to the position held by such employee*
25 *prior to displacement;*

1 “(ii) payment of lost wages and bene-
2 fits of the displaced employee;

3 “(iii) reestablishment of other relevant
4 terms, conditions, and privileges of employ-
5 ment of the displaced employee; and

6 “(iv) such equitable relief as is nec-
7 essary to correct any violation of subsection
8 (a) or (b) of section 177 or to make the dis-
9 placed employee whole.

10 “(7) ENFORCEMENT.—Suits to enforce arbitra-
11 tion awards under this section may be brought in any
12 district court of the United States having jurisdiction
13 of the parties, without regard to the amount in con-
14 troversy and without regard to the citizenship of the
15 parties.”.

16 **SEC. 117. NONDISPLACEMENT.**

17 Section 177(b)(3) of the National and Community
18 Service Act of 1990 (42 U.S.C. 12637(b)(3)) is amended—

19 (1) in subparagraph (B), to read as follows:

20 “(B) SUPPLANTATION OF HIRING.—A par-
21 ticipant in any program receiving assistance
22 under this title shall not perform any services or
23 duties, or engage in activities, that—

24 “(i) will supplant the hiring of em-
25 ployed workers; or

1 “(ii) are services, duties, or activities
2 with respect to which an individual has re-
3 call rights pursuant to a collective bargain-
4 ing agreement or applicable personnel pro-
5 cedures.”; and

6 (2) in subparagraph (C)(iii), to read as follows:

7 “(iii) employee who—

8 “(I) is subject to a reduction in
9 force; or

10 “(II) has recall rights pursuant to
11 a collective bargaining agreement or
12 applicable personnel procedures;”.

13 **SEC. 118. EVALUATION.**

14 Section 179 of the National and Community Service
15 Act of 1990 (42 U.S.C 12639) is amended—

16 (1) in subsection (a)(2)—

17 (A) in the matter preceding subparagraph
18 (A), by striking “for purposes of the reports re-
19 quired by subsection (j),” and inserting “with re-
20 spect to the programs authorized under subtitle
21 C.”; and

22 (B) in subparagraph (A), by striking “older
23 American volunteer programs” and inserting
24 “National Senior Volunteer Corps programs”;

25 (2) in subsection (g)—

1 (A) in the matter preceding paragraph (1),
2 by striking “subtitle D” and inserting “subtitle
3 C”; and

4 (B) in paragraphs (3) and (9), by striking
5 “older American volunteer programs” and in-
6 serting “National Senior Volunteer Corps pro-
7 grams”;

8 (3) by striking subsections (i) and (j); and

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

10 “(i) *INDEPENDENT EVALUATION AND REPORT OF DE-*
11 *MOGRAPHICS OF NATIONAL SERVICE PARTICIPANTS AND*
12 *COMMUNITIES.*—

13 “(1) *INDEPENDENT EVALUATION.*—

14 “(A) *IN GENERAL.*—The Corporation shall,
15 on an annual basis, arrange for an independent
16 evaluation of the programs assisted under sub-
17 title C.

18 “(B) *PARTICIPANTS.*—

19 “(i) *IN GENERAL.*—The entity conduct-
20 ing such evaluation shall determine the de-
21 mographic characteristics of the partici-
22 pants in such programs.

23 “(ii) *CHARACTERISTICS.*—The entity
24 shall determine, for the year covered by the
25 evaluation, the total number of participants

1 *in the programs, and the number of partici-*
2 *pants within the programs in each State,*
3 *by sex, age, economic background, education*
4 *level, ethnic group, disability classification,*
5 *and geographic region.*

6 “(iii) *CATEGORIES.—The Corporation*
7 *shall determine appropriate categories for*
8 *analysis of each of the characteristics re-*
9 *ferred to in clause (ii) for purposes of such*
10 *an evaluation.*

11 “(C) *COMMUNITIES.—In conducting the*
12 *evaluation, the entity shall determine the*
13 *amount of assistance provided under section 121*
14 *during the year that has been expended for*
15 *projects conducted under the programs in areas*
16 *described in section 133(c)(6).*

17 “(2) *REPORT.—The entity conducting the eval-*
18 *uation shall submit a report to the President, Con-*
19 *gress, the Corporation, and each State Commission*
20 *containing the results of the evaluation—*

21 “(A) *with respect to the evaluation covering*
22 *the year beginning on the date of enactment of*
23 *this subsection, not later than 18 months after*
24 *such date; and*

1 “(B) with respect to the evaluation covering
2 each subsequent year, not later than 18 months
3 after the first day of each such year.”.

4 **SEC. 119. ENGAGEMENT OF PARTICIPANTS.**

5 Section 180 of the National and Community Service
6 Act of 1990 (42 U.S.C. 12640) is amended by striking
7 “post-service benefits” and inserting “national service edu-
8 cational awards”.

9 **SEC. 120. CONTINGENT EXTENSION.**

10 (a) *IN GENERAL.*—Section 181 of the National and
11 Community Service Act of 1990 (42 U.S.C. 12641) is
12 amended to read as follows:

13 **“SEC. 181. CONTINGENT EXTENSION.**

14 “Section 414 of the General Education Provisions Act
15 (20 U.S.C. 1226a) shall apply to this Act.”.

16 (b) *TABLE OF CONTENTS.*—Section 1(b) of the Na-
17 tional and Community Service Act of 1990 (Public Law
18 101–610; 104 Stat. 3127) is amended by striking the item
19 relating to sections 181 of such Act and inserting the
20 following:

 “Sec. 181. Contingent extension.”.

21 **SEC. 121. AUDITS.**

22 (a) *IN GENERAL.*—Section 183 of the National and
23 Community Service Act of 1990 (42 U.S.C. 12643) is
24 amended to read as follows:

1 **“SEC. 183. RIGHTS OF ACCESS, EXAMINATION, AND COPY-**
2 **ING.**

3 *“(a) COMPTROLLER GENERAL.—The Comptroller Gen-*
4 *eral, or any of the duly authorized representatives of the*
5 *Comptroller General, shall have access to, and the right to*
6 *examine and copy, any books, documents, papers, records,*
7 *and other recorded information in any form—*

8 *“(1) within the possession or control of the Cor-*
9 *poration or any State or local government, Indian*
10 *tribe, or public or private not-for-profit organization*
11 *receiving assistance directly or indirectly under this*
12 *Act; and*

13 *“(2) that the Comptroller General, or his rep-*
14 *resentative, considers necessary to the performance of*
15 *an evaluation, audit, or review.*

16 *“(b) CHIEF FINANCIAL OFFICER.—The Chief Finan-*
17 *cial Officer of the Corporation shall have access to, and the*
18 *right to examine and copy, any books, documents, papers,*
19 *records, and other recorded information in any form—*

20 *“(1) within the possession or control of the Cor-*
21 *poration or any State or local government, Indian*
22 *tribe, or public or private not-for-profit organization*
23 *receiving assistance directly or indirectly under this*
24 *Act; and*

25 *“(2) that relate to the duties of the Chief Finan-*
26 *cial Officer.”.*

1 (b) *TABLE OF CONTENTS.*—Section 1(b) of the Na-
2 tional and Community Service Act of 1990 (Public Law
3 101–610; 104 Stat. 3127) is amended by striking the item
4 relating to section 183 of such Act and inserting the
5 following:

 “Sec. 183. Rights of access, examination, and copying.”.

6 **SEC. 122. REPEALS.**

7 (a) *IN GENERAL.*—Subtitle F of title I of the National
8 and Community Service Act of 1990 (42 U.S.C. 12631 et
9 seq.) is amended by repealing sections 185 and 186.

10 (b) *TABLE OF CONTENTS.*—Section 1(b) of the Na-
11 tional and Community Service Act of 1990 (Public Law
12 101–610; 104 Stat. 3127) is amended by striking the item
13 relating to section 185 of such Act.

14 **SEC. 123. EFFECTIVE DATE.**

15 This title, and the amendments made by this title,
16 shall take effect on October 1, 1993.

17 **TITLE II—ORGANIZATION**

18 **SEC. 201. STATE COMMISSIONS ON NATIONAL AND COMMU-**
19 **NITY SERVICE.**

20 (a) *COMPOSITION AND DUTIES OF STATE COMMIS-*
21 *SIONS.*—Subtitle F of title I of the National and Commu-
22 nity Service Act of 1990 is amended by striking section 178
23 (42 U.S.C. 12638) and inserting the following new section:

1 **“SEC. 178. STATE COMMISSIONS ON NATIONAL AND COM-**
2 **MUNITY SERVICE.**

3 “(a) *EXISTENCE REQUIRED.*—

4 “(1) *STATE COMMISSION.*—Except as provided
5 in paragraph (2), to be eligible to receive a grant or
6 allotment under subtitle B or C or to receive a dis-
7 tribution of approved national service positions under
8 subtitle C, a State shall maintain a State Commis-
9 sion on National and Community Service that satis-
10 fies the requirements of this section.

11 “(2) *ALTERNATIVE ADMINISTRATIVE ENTITY.*—

12 The chief executive officer of a State may apply to the
13 Corporation for approval to use an alternative ad-
14 ministrative entity to carry out the duties otherwise
15 entrusted to a State Commission under this Act. The
16 chief executive officer shall ensure that any alter-
17 native administrative entity used in lieu of a State
18 Commission still provides for the individuals de-
19 scribed in paragraph (1), and some of the individuals
20 described in paragraph (2), of subsection (c) to play
21 a significant policymaking role in carrying out the
22 duties otherwise entrusted to a State Commission, in-
23 cluding the submission of applications on behalf of the
24 State under sections 117B and 130.

25 “(b) *APPOINTMENT AND SIZE.*—Except as provided in
26 subsection (c)(3), the members of a State Commission for

1 *a State shall be appointed by the chief executive officer of*
2 *the State. A State Commission shall consist of not less than*
3 *7 voting members and not more than 25 voting*
4 *members.*

5 *“(c) COMPOSITION AND MEMBERSHIP.—*

6 *“(1) REQUIRED MEMBERS.—The State Commis-*
7 *sion for a State shall include as voting members at*
8 *least one representative from each of the following cat-*
9 *egories:*

10 *“(A) Individuals between the ages of 16 and*
11 *25 who are participants or supervisors in pro-*
12 *grams.*

13 *“(B) National service programs, such as*
14 *youth corps programs.*

15 *“(C) School-based or community-based pro-*
16 *grams for school-age youth.*

17 *“(D) Programs in which older adults are*
18 *participants.*

19 *“(E) Local and State governmental entities*
20 *in the State, including the State educational*
21 *agency (from which at least one such member*
22 *shall be appointed).*

23 *“(F) Local labor organizations.*

1 “(2) *SOURCES OF OTHER MEMBERS.*—*The State*
2 *Commission for a State may include as voting mem-*
3 *bers the following:*

4 “(A) *Representatives of community-based*
5 *organizations or community-based agencies, in-*
6 *cluding community action agencies.*

7 “(B) *Members selected from among partici-*
8 *pants in service programs who are youths.*

9 “(C) *Members selected from among local*
10 *educators.*

11 “(D) *Members selected from among experts*
12 *in the delivery of human, educational, environ-*
13 *mental, or public safety services to communities*
14 *and persons.*

15 “(E) *Representatives of businesses and busi-*
16 *ness groups.*

17 “(F) *Representatives of Indian tribes.*

18 “(G) *Representatives of groups serving eco-*
19 *nomically disadvantaged individuals.*

20 “(H) *Members selected from among out-of-*
21 *school youth or other at-risk youth.*

22 “(I) *Members selected from among older*
23 *adults who are volunteers or participants in na-*
24 *tional service programs.*

1 “(3) *CORPORATION REPRESENTATIVE.*—The rep-
2 resentative of the Corporation designated under sec-
3 tion 195(b) for a State shall be an ex officio
4 nonvoting member of the State Commission or alter-
5 native administrative entity for that State.

6 “(4) *EX OFFICIO STATE REPRESENTATIVES.*—
7 The chief executive officer of a State shall appoint, as
8 an ex officio nonvoting member of the State Commis-
9 sion for the State, the Corporation employee respon-
10 sible for volunteer service programs in the State, if
11 such employee is not the representative described in
12 paragraph (3). The chief executive officer may ap-
13 point, as ex officio nonvoting members of the State
14 Commission for the State, representatives selected
15 from among officers and employees of State agencies
16 operating community service, youth service, edu-
17 cation, social service, senior service, and job training
18 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, to the maximum
3 extent practicable, that the membership of the State
4 Commission for the State is diverse with respect to
5 race, ethnicity, age, gender, and disability character-
6 istics. Not more than 50 percent of the voting mem-
7 bers of a State Commission, plus one additional mem-
8 ber, may be from the same political party.

9 “(2) *TERMS.*—Each member of the State Com-
10 mission for a State shall serve for a term of 3 years,
11 except that the chief executive officer of a State shall
12 initially appoint a portion of the members to terms
13 of 1 year and 2 years.

14 “(3) *VACANCIES.*—As vacancies occur on a State
15 Commission, new members shall be appointed by the
16 chief executive of the State and serve for the remain-
17 der of the term for which the predecessor of such mem-
18 ber was appointed. The vacancy shall not affect the
19 power of the remaining members to execute the duties
20 of the State Commission.

21 “(4) *COMPENSATION.*—A member of a State
22 Commission or alternative administrative entity shall
23 not receive any additional compensation by reason of
24 service on the State Commission or alternative ad-
25 ministrative entity, except that the State may author-

1 *ize the reimbursement of travel expenses, including a*
2 *per diem in lieu of subsistence, in the same manner*
3 *as other employees serving intermittently in the serv-*
4 *ice of the State.*

5 “(5) *CHAIRPERSON.*—*The voting members of a*
6 *State Commission shall elect one of the voting mem-*
7 *bers to serve as chairperson of the State Commission.*

8 “(e) *DUTIES OF A STATE COMMISSION.*—*The State*
9 *Commission or alternative administrative entity for a State*
10 *shall be responsible for the following duties:*

11 “(1) *Preparation of a national service plan for*
12 *the State that may build on any comprehensive State*
13 *plan submitted pursuant to regulations issued under*
14 *the National and Community Service Act of 1990,*
15 *and that—*

16 “(A) *covers a 3-year period;*

17 “(B) *is updated annually;*

18 “(C) *contains such information as the State*
19 *Commission or alternative administrative entity*
20 *considers to be appropriate or as the Corporation*
21 *may require; and*

22 “(D) *ensures outreach to diverse commu-*
23 *nity-based agencies that serve underrepresented*
24 *populations, by—*

1 “(i) using established networks, and
2 registries, at the State level; or

3 “(ii) establishing such networks and
4 registries.

5 “(2) Preparation of the applications of the State
6 under sections 117B and 130 for financial assistance,
7 in such a manner as to ensure that any decision re-
8 garding whether to include a program in the applica-
9 tion shall be made on the basis of the criteria de-
10 scribed in section 133(c), applied in a fair and equi-
11 table manner by an impartial decisionmaker.

12 “(3) Assistance in the preparation of the appli-
13 cation of the State educational agency for assistance
14 under section 113.

15 “(4) Preparation of the application of the State
16 under section 130 for the approval of service positions
17 that include the national service educational award
18 described in subtitle D.

19 “(5) Assistance in the provision of health care
20 and child care benefits under section 140 to partici-
21 pants in national service programs that receive assist-
22 ance under section 121.

23 “(6) Development of a State system for the re-
24 cruitment and placement of participants in national
25 service programs that receive assistance under section

1 *121 and dissemination of information concerning na-*
2 *tional service programs that receive assistance and*
3 *approved national service positions.*

4 “(7) Administration of the grant program in
5 *support of national service programs that is con-*
6 *ducted by the State using assistance provided to the*
7 *State under section 121, including selection, oversight,*
8 *and evaluation of grant recipients.*

9 “(8) Development of projects, training methods,
10 *curriculum materials, and other materials and activi-*
11 *ties related to national service programs that receive*
12 *assistance directly from the Corporation (to be made*
13 *available in a case in which such a program requests*
14 *such a project, method, material, or activity) or from*
15 *the State using assistance provided under section 121,*
16 *for use by programs that request such projects, meth-*
17 *ods, materials, and activities.*

18 “(f) *ACTIVITY INELIGIBLE FOR ASSISTANCE.*—A State
19 *Commission or alternative administrative entity may not*
20 *directly carry out any national service program that re-*
21 *ceives assistance under section 121.*

22 “(g) *DELEGATION.*—Subject to such requirements as
23 *the Corporation may prescribe, a State Commission may*
24 *delegate nonpolicymaking duties to a State agency or public*
25 *or private not-for-profit organization.*

1 “(h) APPROVAL OF STATE COMMISSION OR ALTER-
2 NATIVE.—

3 “(1) SUBMISSION TO CORPORATION.—The chief
4 executive officer for a State shall notify the Corpora-
5 tion of the establishment or designation of the State
6 Commission or use of an alternative administrative
7 entity for the State. The notification shall include a
8 description of—

9 “(A) the composition and membership of the
10 State Commission or alternative administrative
11 entity; and

12 “(B) the authority of the State Commission
13 or alternative administrative entity regarding
14 national service activities carried out by the
15 State.

16 “(2) APPROVAL OF ALTERNATIVE ADMINISTRA-
17 TIVE ENTITY.—Any designation of a State Commis-
18 sion or use of an alternative administrative entity to
19 carry out the duties of a State Commission shall be
20 subject to the approval of the Corporation, which shall
21 not be unreasonably withheld. The Corporation shall
22 approve an alternative administrative entity if such
23 entity provides for individuals described in subsection
24 (c) to play a significant policymaking role in carry-
25 ing out the duties otherwise entrusted to a State Com-

1 *mission, including the duties described in paragraphs*
2 *(1) through (4) of subsection (e).*

3 “(3) *REJECTION.*—*The Corporation may reject a*
4 *State Commission if the Corporation determines that*
5 *the composition, membership, or duties of the State*
6 *Commission do not comply with the requirements of*
7 *this section. The Corporation may reject a request to*
8 *use an alternative administrative entity in lieu of a*
9 *State Commission if the Corporation determines that*
10 *the entity does not provide for individuals described*
11 *in subsection (c) to play a significant policymaking*
12 *role as described in paragraph (2). If the Corporation*
13 *rejects a State Commission or alternative administra-*
14 *tive entity under this paragraph, the Corporation*
15 *shall promptly notify the State of the reasons for the*
16 *rejection.*

17 “(4) *RESUBMISSION AND RECONSIDERATION.*—
18 *The Corporation shall provide a State notified under*
19 *paragraph (3) with a reasonable opportunity to revise*
20 *the rejected State Commission or alternative adminis-*
21 *trative entity. At the request of the State, the Cor-*
22 *poration shall provide technical assistance to the*
23 *State as part of the revision process. The Corporation*
24 *shall promptly reconsider any resubmission of a noti-*
25 *fication under paragraph (1) or application to use an*

1 *alternative administrative entity under paragraph*
2 *(2).*

3 “(5) *SUBSEQUENT CHANGES.*—*This subsection*
4 *shall also apply to any change in the composition or*
5 *duties of a State Commission or an alternative ad-*
6 *ministrative entity made after approval of the State*
7 *Commission or the alternative administrative entity.*

8 “(6) *RIGHTS, BENEFITS, AND SUPPORT.*—*An al-*
9 *ternative administrative entity approved by the Cor-*
10 *poration under this subsection shall have the same*
11 *rights as a State Commission, and shall receive from*
12 *the Corporation the same benefits and support as the*
13 *Corporation provides to a State Commission.*

14 “(i) *COORDINATION.*—

15 “(1) *COORDINATION WITH OTHER STATE AGEN-*
16 *CIES.*—*The State Commission or alternative adminis-*
17 *trative entity for a State shall coordinate the activi-*
18 *ties of the Commission or entity under this Act with*
19 *the activities of other State agencies that administer*
20 *Federal financial assistance programs under the*
21 *Community Services Block Grant Act (42 U.S.C.*
22 *9901 et seq.) or other appropriate Federal financial*
23 *assistance programs.*

24 “(2) *COORDINATION WITH VOLUNTEER SERVICE*
25 *PROGRAMS.*—

1 “(A) *IN GENERAL.*—*The State Commission*
2 *or alternative administrative entity for a State*
3 *shall coordinate functions of the Commission or*
4 *entity (including recruitment, public awareness,*
5 *and training activities) with such functions of*
6 *any division of ACTION, or of the Corporation,*
7 *that carries out volunteer service programs in*
8 *the State.*

9 “(B) *AGREEMENT.*—*In coordinating func-*
10 *tions under this paragraph, such Commission or*
11 *entity, and such division, may enter into an*
12 *agreement to—*

13 “(i) *carry out such a function jointly;*

14 “(ii) *to assign responsibility for such a*
15 *function to the Commission or entity; or*

16 “(iii) *to assign responsibility for such*
17 *a function to the division.*

18 “(C) *INFORMATION.*—*The State Commission*
19 *or alternative entity for a State, and the head of*
20 *any such division, shall exchange information*
21 *about—*

22 “(i) *the programs carried out in the*
23 *State by the Commission, entity, or divi-*
24 *sion, as appropriate; and*

1 “(ii) opportunities to coordinate ac-
2 tivities.

3 “(j) LIABILITY.—

4 “(1) LIABILITY OF STATE.—Except as provided
5 in paragraph (2)(B), a State shall agree to assume li-
6 ability with respect to any claim arising out of or re-
7 sulting from any act or omission by a member of the
8 State Commission or alternative administrative en-
9 tity of the State, within the scope of the service of the
10 member on the State Commission or alternative ad-
11 ministrative entity.

12 “(2) OTHER CLAIMS.—

13 “(A) IN GENERAL.—A member of the State
14 Commission or alternative administrative entity
15 shall have no personal liability with respect to
16 any claim arising out of or resulting from any
17 act or omission by such person, within the scope
18 of the service of the member on the State Com-
19 mission or alternative administrative entity.

20 “(B) LIMITATION.—This paragraph shall
21 not be construed to limit personal liability for
22 criminal acts or omissions, willful or malicious
23 misconduct, acts or omissions for private gain,
24 or any other act or omission outside the scope of

1 *the service of such member on the State Commis-*
2 *sion or alternative administrative entity.*

3 “(3) *EFFECT ON OTHER LAW.*—*This subsection*
4 *shall not be construed—*

5 “(A) *to affect any other immunities and*
6 *protections that may be available to such mem-*
7 *ber under applicable law with respect to such*
8 *service;*

9 “(B) *to affect any other right or remedy*
10 *against the State under applicable law, or*
11 *against any person other than a member of the*
12 *State Commission or alternative administrative*
13 *entity; or*

14 “(C) *to limit or alter in any way the im-*
15 *munities that are available under applicable law*
16 *for State officials and employees not described in*
17 *this subsection.”.*

18 (b) *TABLE OF CONTENTS.*—*Section 1(b) of the Na-*
19 *tional and Community Service Act of 1990 (Public Law*
20 *101-610; 104 Stat. 3127) is amended by striking the item*
21 *relating to section 178 and inserting the following new*
22 *item:*

 “*Sec. 178. State Commissions on National and Community Service.*”.

23 (c) *EFFECTIVE DATE.*—*The amendments made by this*
24 *section shall take effect on October 1, 1993.*

25 (d) *TRANSITIONAL PROVISIONS.*—

1 (1) *USE OF ALTERNATIVES TO STATE COMMIS-*
2 *SION.—If a State does not have a State Commission*
3 *on National and Community Service that satisfies the*
4 *requirements specified in section 178 of the National*
5 *and Community Service Act of 1990, as amended by*
6 *subsection (a), the Corporation for National and*
7 *Community Service may authorize the chief executive*
8 *of the State to use an existing agency of the State to*
9 *perform the duties otherwise reserved to a State Com-*
10 *mission under subsection (e) of such section.*

11 (2) *APPLICATION OF SUBSECTION.—This sub-*
12 *section shall apply only during the 1-year period be-*
13 *ginning on the date of the enactment of this Act.*

14 **SEC. 202. INTERIM AUTHORITIES OF THE CORPORATION**
15 **FOR NATIONAL AND COMMUNITY SERVICE**
16 **AND ACTION AGENCY.**

17 (a) *NATIONAL AND COMMUNITY SERVICE ACT OF*
18 *1990.—Subtitle G of title I of the National and Community*
19 *Service Act of 1990 (42 U.S.C. 12651) is amended to read*
20 *as follows:*

1 **“Subtitle G—Corporation for**
2 **National and Community Service**

3 **“SEC. 191. CORPORATION FOR NATIONAL AND COMMUNITY**
4 **SERVICE.**

5 *“There is established a Corporation for National and*
6 *Community Service that shall administer the programs es-*
7 *tablished under this Act. The Corporation shall be a Gov-*
8 *ernment corporation, as defined in section 103 of title 5,*
9 *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) 15 members, including an individual*
16 *between the ages of 16 and 25 who—*

17 *“(i) has served in a school-based or*
18 *community-based service-learning program;*

19 *or*

20 *“(ii) is a participant or a supervisor*
21 *in a program,*

22 *to be appointed by the President of the United*
23 *States, by and with the advice and consent of the*
24 *Senate;*

1 “(B) *the President of the Corporation, who*
2 *shall serve as an ex officio nonvoting member;*
3 *and*

4 “(C) *the ex officio nonvoting members de-*
5 *scribed in paragraph (3).*

6 “(2) *QUALIFICATIONS.—To the maximum extent*
7 *practicable, the President of the United States shall*
8 *appoint members—*

9 “(A) *who have extensive experience in vol-*
10 *unteer or service activities, such as—*

11 “(i) *activities funded under the na-*
12 *tional service laws; and*

13 “(ii) *Federal financial assistance ac-*
14 *tivities, such as—*

15 “(I) *activities under the Head*
16 *Start Act (42 U.S.C. 9831 et seq.);*

17 “(II) *activities under the Commu-*
18 *nity Services Block Grant Act (42*
19 *U.S.C. 9901 et seq.); or*

20 “(III) *antipoverty activities under*
21 *other Federal law;*

22 *that have a volunteer or service focus;*

23 “(B) *who represent a broad range of view-*
24 *points;*

1 “(C) *who are experts in the delivery of*
2 *human, educational, environmental, or public*
3 *safety services, or are experts in the delivery of*
4 *services by veterans;*

5 “(D) *that include at least one representative*
6 *of local educators and at least one representative*
7 *of community-based agencies;*

8 “(E) *so that the Board shall be diverse with*
9 *respect to race, ethnicity, age, gender, and dis-*
10 *ability characteristics; and*

11 “(F) *so that no more than 8 appointed*
12 *members of the Board are from a single political*
13 *party.*

14 “(3) *EX OFFICIO MEMBERS.—The Secretary of*
15 *Veterans Affairs, the Secretary of Education, the Sec-*
16 *retary of Health and Human Services, the Secretary*
17 *of Labor, the Secretary of the Interior, the Secretary*
18 *of Agriculture, the Secretary of Housing and Urban*
19 *Development, the Secretary of Defense, the Attorney*
20 *General, the Director of the Peace Corps, and the Ad-*
21 *ministrator of the Environmental Protection Agency*
22 *shall serve as ex officio nonvoting members of the*
23 *Board.*

24 “(b) *OFFICERS.—*

1 *at the call of the Chairperson of the Board, or if 6 members*
2 *of the Board request such meetings in writing.*

3 “(b) *QUORUM.*—*A majority of the appointed members*
4 *of the Board shall constitute a quorum.*

5 “(c) *AUTHORITIES OF OFFICERS.*—

6 “(1) *CHAIRPERSON.*—*The Chairperson of the*
7 *Board may call and conduct meetings of the Board.*

8 “(2) *VICE CHAIRPERSON.*—*The Vice Chairperson*
9 *of the Board may conduct meetings of the Board in*
10 *the absence of the Chairperson.*

11 “(d) *EXPENSES.*—*While away from their homes or reg-*
12 *ular places of business on the business of the Board, mem-*
13 *bers of such Board shall be allowed travel expenses, includ-*
14 *ing per diem in lieu of subsistence, at rates authorized for*
15 *employees of agencies under subchapter I of chapter 57 of*
16 *title 5, United States Code, for persons employed intermit-*
17 *tently in the Government service.*

18 “(e) *SPECIAL GOVERNMENT EMPLOYEES.*—*For pur-*
19 *poses of the provisions of chapter 11 of part I of title 18,*
20 *United States Code, and any other provision of Federal law,*
21 *a member of the Board (to whom such provisions would*
22 *not otherwise apply except for this subsection) shall be a*
23 *special Government employee.*

24 “(f) *STATUS OF MEMBERS.*—

1 “(1) *TORT CLAIMS.*—For the purposes of the tort
2 claims provisions of chapter 171 of title 28, United
3 States Code, a member of the Board shall be consid-
4 ered to be a Federal employee.

5 “(2) *OTHER CLAIMS.*—A member of the Board
6 shall have no personal liability under Federal law
7 with respect to any claim arising out of or resulting
8 from any act or omission by such person, within the
9 scope of the service of the member on the Board, in
10 connection with any transaction involving the provi-
11 sion of financial assistance by the Corporation. This
12 paragraph shall not be construed to limit personal li-
13 ability for criminal acts or omissions, willful or mali-
14 cious misconduct, acts or omissions for private gain,
15 or any other act or omission outside the scope of the
16 service of such member on the Board.

17 “(3) *EFFECT ON OTHER LAW.*—This subsection
18 shall not be construed—

19 “(A) to affect any other immunities and
20 protections that may be available to such mem-
21 ber under applicable law with respect to such
22 transactions;

23 “(B) to affect any other right or remedy
24 against the Corporation, against the United
25 States under applicable law, or against any per-

1 *son other than a member of the Board partici-*
2 *pating in such transactions; or*

3 *“(C) to limit or alter in any way the im-*
4 *munities that are available under applicable law*
5 *for Federal officials and employees not described*
6 *in this subsection.*

7 “(g) *DUTIES.—The Board shall—*

8 *“(1) review and approve the strategic plan de-*
9 *scribed in section 193A(b)(1), and annual updates of*
10 *the plan;*

11 *“(2) review and approve the proposal described*
12 *in section 193A(b)(2)(A), with respect to the grants,*
13 *allotments, contracts, financial assistance, payment,*
14 *and positions referred to in such section;*

15 *“(3) review and approve the proposal described*
16 *in section 193A(b)(3)(A), regarding the regulations,*
17 *standards, policies, procedures, programs, and initia-*
18 *tives referred to in such section;*

19 *“(4) review and approve the evaluation plan de-*
20 *scribed in section 193A(b)(4)(A);*

21 *“(5)(A) review, and advise the President regard-*
22 *ing, the actions of the President with respect to the*
23 *personnel of the Corporation, and with respect to such*
24 *standards, policies, procedures, programs, and initia-*

1 *tives as are necessary or appropriate to carry out this*
2 *Act; and*

3 *“(B) inform the President of any aspects of the*
4 *actions of the President that are not in compliance*
5 *with the annual strategic plan referred to in para-*
6 *graph (1), the proposals referred to in paragraphs (2)*
7 *and (3), or the plan referred to in paragraph (4), or*
8 *are not consistent with the objectives of this Act;*

9 *“(6) receive any report as provided under section*
10 *8E (b), (c), or (d) of the Inspector General Act of*
11 *1978;*

12 *“(7) make recommendations relating to a pro-*
13 *gram of research for the Corporation with respect to*
14 *national and community service programs, including*
15 *service-learning programs;*

16 *“(8) advise the President of the United States*
17 *and the Congress concerning developments in national*
18 *and community service that merit the attention of the*
19 *President of the United States and the Congress;*

20 *“(9) ensure effective dissemination of informa-*
21 *tion regarding the programs and initiatives of the*
22 *Corporation; and*

23 *“(10) prepare and make recommendations to the*
24 *Congress and the President of the United States for*
25 *changes in this Act resulting from the studies and*

1 *demonstrations the President of the Corporation is re-*
2 *quired to carry out under section 193A(b)(10), which*
3 *recommendations shall be submitted to the Congress*
4 *and President of the United States not later than*
5 *September 30, 1995.*

6 *“(h) ADMINISTRATION.—The Federal Advisory Com-*
7 *mittee Act (5 U.S.C. App.) shall not apply with respect to*
8 *the Board.*

9 **“SEC. 193. PRESIDENT.**

10 *“(a) APPOINTMENT.—The Corporation shall be headed*
11 *by an individual who shall serve as President of the Cor-*
12 *poration, and who shall be appointed by the President of*
13 *the United States, by and with the advice and consent of*
14 *the Senate.*

15 *“(b) COMPENSATION.—The President shall be com-*
16 *pensated at the rate provided for level III of the Executive*
17 *Schedule under section 5314 of title 5, United States Code.*

18 *“(c) REGULATIONS.—The President shall prescribe*
19 *such rules and regulations as are necessary or appropriate*
20 *to carry out this Act.*

21 **“SEC. 193A. AUTHORITIES AND DUTIES OF THE PRESIDENT.**

22 *“(a) GENERAL POWERS AND DUTIES.—The President*
23 *shall be responsible for the exercise of the powers and the*
24 *discharge of the duties of the Corporation that are not re-*
25 *served to the Board, and shall have authority and control*

1 *over all personnel of the Corporation, except as provided*
2 *in section 194(b)(4).*

3 “(b) *DUTIES.—In addition to the duties conferred on*
4 *the President under any other provision of this Act, the*
5 *President shall—*

6 “(1) *prepare and submit to the Board a strategic*
7 *plan every 3 years, and annual updates of the plan,*
8 *for the Corporation with respect to the major func-*
9 *tions and operations of the Corporation;*

10 “(2)(A) *prepare and submit to the Board a pro-*
11 *posal with respect to such grants and allotments, con-*
12 *tracts, other financial assistance, and designation of*
13 *positions as approved national service positions, as*
14 *are necessary or appropriate to carry out this Act;*
15 *and*

16 “(B) *after receiving and reviewing an approved*
17 *proposal under section 192A(g)(2), make such grants*
18 *and allotments, enter into such contracts, award such*
19 *other financial assistance, make such payments (in*
20 *lump sum or installments, and in advance or by way*
21 *of reimbursement, and in the case of financial assist-*
22 *ance otherwise authorized under this Act, with nec-*
23 *essary adjustments on account of overpayments and*
24 *underpayments), and designate such positions as ap-*

1 *proved national service positions as are necessary or*
2 *appropriate to carry out this Act;*

3 *“(3)(A) prepare and submit to the Board a pro-*
4 *posal regarding, the regulations established under sec-*
5 *tion 195(a)(4)(B)(i), and such other standards,*
6 *policies, procedures, programs, and initiatives as are*
7 *necessary or appropriate to carry out this Act; and*

8 *“(B) after receiving and reviewing an approved*
9 *proposal under section 192A(g)(3)—*

10 *“(i) establish such standards, policies, and*
11 *procedures as are necessary or appropriate to*
12 *carry out this Act; and*

13 *“(ii) establish and administer such pro-*
14 *grams and initiatives as are necessary or appro-*
15 *priate to carry out this Act;*

16 *“(4)(A) prepare and submit to the Board a plan*
17 *for the evaluation of programs established under this*
18 *Act, in accordance with section 179; and*

19 *“(B) after receiving an approved proposal under*
20 *section 192A(g)(4)—*

21 *“(i) establish measurable performance goals*
22 *and objectives for such programs, in accordance*
23 *with section 179; and*

24 *“(ii) provide for periodic evaluation of such*
25 *programs to assess the manner and extent to*

1 *which the programs achieve the goals and objec-*
2 *tives, in accordance with such section;*

3 “(5) *consult with appropriate Federal agencies*
4 *in administering the programs and initiatives;*

5 “(6) *suspend or terminate payments and posi-*
6 *tions described in paragraph (2)(B), in accordance*
7 *with section 176;*

8 “(7) *prepare and submit to the Board an annual*
9 *report, and such interim reports as may be necessary,*
10 *describing the major actions of the President with re-*
11 *spect to the personnel of the Corporation, and with*
12 *respect to such standards, policies, procedures, pro-*
13 *grams, and initiatives;*

14 “(8) *inform the Board of, and provide an expla-*
15 *nation to the Board regarding, any substantial dif-*
16 *ferences regarding the implementation of this Act be-*
17 *tween—*

18 “(A) *the actions of the President; and*

19 “(B)(i) *the strategic plan approved by the*
20 *Board under section 192A(g)(1);*

21 “(ii) *the proposals approved by the Board*
22 *under paragraph (2) or (3) of section 192A(g);*

23 *or*

24 “(iii) *the evaluation plan approved by the*
25 *Board under section 192A(g)(4);*

1 “(9) prepare and submit to the appropriate com-
2 mittees of Congress an annual report, and such in-
3 terim reports as may be necessary, describing—

4 “(A) the services referred to in paragraph
5 (1), and the money and property referred to in
6 paragraph (2), of section 196(a) that have been
7 accepted by the Corporation;

8 “(B) the manner in which the Corporation
9 used or disposed of such services, money, and
10 property; and

11 “(C) information on the results achieved by
12 the programs funded under this Act during the
13 year preceding the year in which the report is
14 prepared; and

15 “(10) provide for studies and demonstrations
16 that evaluate, and prepare and submit to the Board
17 by June 30, 1995 a report containing recommenda-
18 tions regarding, issues related to—

19 “(A) the administration and organization
20 of programs authorized under the national serv-
21 ice laws or under Public Law 91-378 (referred
22 to in this subparagraph as ‘service programs’),
23 including—

24 “(i) whether the State and national
25 priorities designed to meet the unmet

1 *human, education, environmental, or public*
2 *safety needs described in section 122(c)(1)*
3 *are being addressed by this Act;*

4 “(ii) *the manner in which—*

5 “(I) *educational and other out-*
6 *comes of both stipended and*
7 *nonstipended service and service-learn-*
8 *ing are defined and measured in such*
9 *service programs; and*

10 “(II) *such outcomes should be de-*
11 *defined and measured in such service*
12 *programs;*

13 “(iii) *whether stipended service pro-*
14 *grams, and service programs providing edu-*
15 *cational benefits in return for service,*
16 *should focus on economically disadvantaged*
17 *individuals or at-risk youth or whether such*
18 *programs should include a mix of individ-*
19 *uals, including individuals from middle-*
20 *and upper-income families;*

21 “(iv) *the role and importance of sti-*
22 *pends and educational benefits in achieving*
23 *desired outcomes in the service programs;*

24 “(v) *the potential for cost savings and*
25 *coordination of support and oversight serv-*

1 *ices from combining functions performed by*
2 *ACTION State offices and State Commis-*
3 *sions;*

4 *“(vi) the implications of the results*
5 *from such studies and demonstrations for*
6 *authorized funding levels for the service pro-*
7 *grams; and*

8 *“(vii) other issues that the Director de-*
9 *termines to be relevant to the administra-*
10 *tion and organization of the service pro-*
11 *grams; and*

12 *“(B) the number, potential consolidation,*
13 *and future organization of national service or*
14 *domestic volunteer service programs that are au-*
15 *thorized under Federal law, including VISTA,*
16 *service corps assisted under subtitle C and other*
17 *programs authorized by this Act, programs ad-*
18 *ministered by the Public Health Service, the De-*
19 *partment of Defense, or other Federal agencies,*
20 *programs regarding teacher corps, and programs*
21 *regarding work-study and higher education loan*
22 *forgiveness or forbearance programs authorized*
23 *by the Higher Education Act of 1965 related to*
24 *community service.*

1 “(c) *POWERS.*—*In addition to the authority conferred*
2 *on the President under any other provision of this Act, the*
3 *President may—*

4 “(1) *establish, alter, consolidate, or discontinue*
5 *such organizational units or components within the*
6 *Corporation as the President considers necessary or*
7 *appropriate, consistent with Federal law, and shall,*
8 *to the maximum extent practicable, consolidate such*
9 *units or components of the division of the Corporation*
10 *that carries out volunteer service programs and the*
11 *division of the Corporation that carries out financial*
12 *assistance programs as may be appropriate to enable*
13 *the two divisions to coordinate common support func-*
14 *tions, such as recruiting, public awareness, or train-*
15 *ing functions;*

16 “(2) *with the approval of the President of the*
17 *United States, arrange with and reimburse the heads*
18 *of other Federal agencies for the performance of any*
19 *of the provisions of this Act;*

20 “(3) *with their consent, utilize the services and*
21 *facilities of Federal agencies with or without reim-*
22 *bursement, and, with the consent of any State, or po-*
23 *litical subdivision of a State, accept and utilize the*
24 *services and facilities of the agencies of such State or*
25 *subdivisions without reimbursement;*

1 “(4) allocate and expend funds made available
2 under this Act, including expenditure for construc-
3 tion, repairs, and capital improvements;

4 “(5) disseminate, without regard to the provi-
5 sions of section 3204 of title 39, United States Code,
6 data and information, in such form as the President
7 shall determine to be appropriate to public agencies,
8 private organizations, and the general public;

9 “(6) collect or compromise all obligations to or
10 held by the President and all legal or equitable rights
11 accruing to the President in connection with the pay-
12 ment of obligations in accordance with chapter 37 of
13 title 31, United States Code (commonly known as the
14 ‘Federal Claims Collection Act of 1966’);

15 “(7) expend funds made available for purposes of
16 this Act for rent of buildings and space in buildings
17 and for repair, alteration, and improvement of build-
18 ings and space in buildings rented by the President;

19 “(8) file a civil action in any court of record of
20 a State having general jurisdiction or in any district
21 court of the United States, with respect to a claim
22 arising under this Act;

23 “(9) exercise the authorities of the Corporation
24 under section 196;

1 “(10) consolidate the reports to Congress required
2 under this Act, and the report required under section
3 9106 of title 31, United States Code, into a single re-
4 port, and submit the report to Congress on an annual
5 basis; and

6 “(11) generally perform such functions and take
7 such steps consistent with the objectives and provi-
8 sions of this Act, as the President determines to be
9 necessary or appropriate to carry out such provisions.

10 “(d) DELEGATION.—

11 “(1) DEFINITION.—As used in this subsection,
12 the term ‘function’ means any duty, obligation,
13 power, authority, responsibility, right, privilege, ac-
14 tivity, or program.

15 “(2) IN GENERAL.—Except as otherwise prohib-
16 ited by law or provided in this Act, the President
17 may delegate any function under this Act, and au-
18 thorize such successive redelegations of such function
19 as may be necessary or appropriate. No delegation of
20 a function by the President under this subsection or
21 under any other provision of this Act shall relieve
22 such President of responsibility for the administra-
23 tion of such function.

1 “(3) *FUNCTION OF BOARD.*—*The President may*
2 *not delegate a function of the Board without the per-*
3 *mission of the Board.*

4 “(e) *ACTIONS.*—*In an action described in subsection*
5 *(c)(8)—*

6 “(1) *a district court referred to in such sub-*
7 *section shall have jurisdiction of such a civil action*
8 *without regard to the amount in controversy;*

9 “(2) *such an action brought by the President*
10 *shall survive notwithstanding any change in the per-*
11 *son occupying the office of President or any vacancy*
12 *in that office;*

13 “(3) *no attachment, injunction, garnishment, or*
14 *other similar process, mesne or final, shall be issued*
15 *against the President or the Board or property under*
16 *the control of the President or the Board; and*

17 “(4) *nothing in this section shall be construed to*
18 *except litigation arising out of activities under this*
19 *Act from the application of sections 509, 517, 547,*
20 *and 2679 of title 28, United States Code.*

21 **“SEC. 194. OFFICERS.**

22 “(a) *MANAGING DIRECTORS.*—

23 “(1) *IN GENERAL.*—*There shall be in the Cor-*
24 *poration 2 Managing Directors, who shall be ap-*
25 *pointed by the President of the United States, by and*

1 *with the advice and consent of the Senate, and who*
2 *shall report to the President.*

3 “(2) *COMPENSATION.*—*The Managing Directors*
4 *shall be compensated at the rate provided for level IV*
5 *of the Executive Schedule under section 5315 of title*
6 *5, United States Code.*

7 “(3) *DUTIES.*—

8 “(A) *VOLUNTEER SERVICE PROGRAMS.*—
9 *One of the Managing Directors shall be pri-*
10 *marily responsible for the volunteer service pro-*
11 *grams carried out by the Corporation.*

12 “(B) *INVESTMENT PROGRAMS.*—*The other*
13 *Managing Director shall be primarily respon-*
14 *sible for the financial assistance programs car-*
15 *ried out by the Corporation.*

16 “(b) *INSPECTOR GENERAL.*—

17 “(1) *OFFICE.*—*There shall be in the Corporation*
18 *an Office of the Inspector General.*

19 “(2) *APPOINTMENT.*—*The Office shall be headed*
20 *by an Inspector General, appointed in accordance*
21 *with the Inspector General Act of 1978.*

22 “(3) *COMPENSATION.*—*The Inspector General*
23 *shall be compensated at the rate provided for level IV*
24 *of the Executive Schedule under section 5315 of title*
25 *5, United States Code.*

1 “(c) *CHIEF FINANCIAL OFFICER.*—

2 “(1) *OFFICE.*—*There shall be in the Corporation*
3 *a Chief Financial Officer, who shall be appointed by*
4 *the President of the United States, by and with the*
5 *advice and consent of the Senate.*

6 “(2) *COMPENSATION.*—*The Chief Financial Offi-*
7 *cer shall be compensated at the rate provided for level*
8 *IV of the Executive Schedule under section 5315 of*
9 *title 5, United States Code.*

10 “(3) *DUTIES.*—*The Chief Financial Officer*
11 *shall—*

12 “(A) *report directly to the President regard-*
13 *ing financial management matters;*

14 “(B) *oversee all financial management ac-*
15 *tivities relating to the programs and operations*
16 *of the Corporation;*

17 “(C) *develop and maintain an integrated*
18 *accounting and financial management system*
19 *for the Corporation, including financial report-*
20 *ing and internal controls;*

21 “(D) *develop and maintain any joint finan-*
22 *cial management systems with the Department*
23 *of Education necessary to carry out the pro-*
24 *grams of the Corporation; and*

1 “(E) direct, manage, and provide policy
2 guidance and oversight of the financial manage-
3 ment personnel, activities, and operations of the
4 Corporation.

5 **“SEC. 195. EMPLOYEES, CONSULTANTS, AND OTHER PER-**
6 **SONNEL.**

7 “(a) EMPLOYEES.—

8 “(1) IN GENERAL.—Except as provided in sec-
9 tion 194(b)(4), it is within the exclusive discretion of
10 the President to appoint and determine the compensa-
11 tion of such employees as the President determines to
12 be necessary to carry out the duties of the Corpora-
13 tion.

14 “(2) CIVIL SERVICE PROTECTIONS.—

15 “(A) IN GENERAL.—Except as provided in
16 subparagraph (B), the provisions of title 5, Unit-
17 ed States Code, shall apply with respect to the
18 Corporation and the employees of the Corpora-
19 tion.

20 “(B) APPOINTMENT AND COMPENSATION.—
21 Except as provided in section 194(b)(4), it is
22 within the exclusive discretion of the President to
23 appoint and determine the compensation of em-
24 ployees under this subsection without regard to
25 the provisions of title 5, United States Code, gov-

1 *erning appointments in the competitive service,*
2 *and without regard to the provisions of chapter*
3 *51 and subchapter III of chapter 53 of such title*
4 *relating to classification and General Schedule*
5 *pay rates (other than the provisions described in*
6 *clauses (iii) and (iv) of paragraph (4)(B)).*

7 *“(3) APPOINTMENT IN THE COMPETITIVE SERV-*
8 *ICE AFTER EMPLOYMENT IN THE CORPORATION.—*

9 *“(A) EMPLOYEES WITH NOT LESS THAN 3*
10 *YEARS OF EMPLOYMENT.—If an employee, other*
11 *than a representative described in subsection (b),*
12 *is separated from the Corporation (other than by*
13 *removal for cause), and has been continuously*
14 *employed by the Corporation for a period of not*
15 *less than 3 years, such period shall be treated as*
16 *a period of service in the competitive service for*
17 *purposes of chapter 33 of title 5, United States*
18 *Code.*

19 *“(B) EMPLOYEES WITH NOT LESS THAN 1*
20 *BUT LESS THAN 3 YEARS OF EMPLOYMENT.—If*
21 *an employee, other than a representative de-*
22 *scribed in subsection (b), is separated from the*
23 *Corporation (other than by removal for cause),*
24 *and has been continuously employed by the Cor-*
25 *poration for a period of not less than 1 year, but*

1 *less than 3 years, such period shall be treated as*
2 *a period of service in the competitive service for*
3 *purposes of chapter 33 of title 5, United States*
4 *Code, until the date that is 3 years after the date*
5 *of separation.*

6 “(C) *DEFINITION.*—*As used in this para-*
7 *graph, the term ‘competitive service’ has the*
8 *meaning given the term in section 2102 of title*
9 *5, United States Code.*

10 “(4) *APPOINTMENT AND COMPENSATION.*—

11 “(A) *IN GENERAL.*—*The Chairperson shall*
12 *appoint and determine the compensation of em-*
13 *ployees referred to in paragraph (1), in accord-*
14 *ance with the appointment and compensation*
15 *systems referred to in subparagraph (B).*

16 “(B) *CORPORATION APPOINTMENT AND COM-*
17 *PENSATION SYSTEMS.*—

18 “(i) *ESTABLISHMENT OF SYSTEM.*—
19 *The President, after reviewing the approved*
20 *proposal of the Board under section*
21 *192A(g)(3) and after obtaining the approval*
22 *of the Director of the Office of Personnel*
23 *Management, shall issue regulations estab-*
24 *lishing appointment and compensation sys-*
25 *tems for the Corporation.*

1 “(ii) *CONTENT AND CONSIDER-*
2 *ATIONS.—In issuing such regulations, the*
3 *President shall—*

4 “(I) *establish appropriate ap-*
5 *pointment and compensation mecha-*
6 *nisms for the representatives described*
7 *in subsection (b); and*

8 “(II) *take into consideration the*
9 *need for flexibility in such a system.*

10 “(iii) *APPOINTMENT SYSTEM.—The ap-*
11 *pointment system shall require that the ap-*
12 *pointment of such an employee be—*

13 “(I) *on the basis of the qualifica-*
14 *tions of applicants and the require-*
15 *ments of the position, in accordance*
16 *with the merit system principles set*
17 *forth in section 2301(b) of title 5,*
18 *United States Code; and*

19 “(II) *through a competitive proc-*
20 *ess.*

21 “(iv) *COMPENSATION SYSTEM.—*

22 “(I) *IN GENERAL.—The com-*
23 *ensation system shall include a*
24 *scheme for the classification of posi-*
25 *tions in the Corporation. The system*

1 *shall require that the compensation of*
2 *such an employee be determined based*
3 *in part on the job performance of the*
4 *employee, and in a manner consistent*
5 *with the principles described in section*
6 *5301 of title 5, United States Code.*

7 “(II) *LIMITATION ON EMPLOYEE*
8 *COMPENSATION.—The rate of com-*
9 *pen-sation for each employee com-*
10 *pen-sated through the system shall not*
11 *exceed the annual rate of basic pay*
12 *payable for level IV of the Executive*
13 *Schedule under section 5315 of title 5,*
14 *United States Code.*

15 “(III) *LIMITATION ON COMPENSA-*
16 *TION OF REPRESENTATIVE.—The rate*
17 *of pay for a representative described in*
18 *subsection (b) shall not exceed the max-*
19 *imum rate of basic pay payable for*
20 *grade GS-13 of the General Schedule*
21 *under section 5332 of title 5, United*
22 *States Code.*

23 “(5) *RETENTION OF CIVIL SERVICE RIGHTS.—*

24 “(A) *RETENTION OF COMPETITIVE SERVICE*
25 *RIGHTS.—An individual who—*

1 “(i) was an employee of ACTION or
2 the Commission on National and Commu-
3 nity Service who served under a permanent
4 appointment on the day before the date of
5 enactment of this subtitle in—

6 “(I) a position in the competitive
7 service; or

8 “(II) a career appointee position
9 in the Senior Executive Service;

10 “(ii) is transferred to the Corporation
11 under section 202(c) or 203(c) of the Na-
12 tional and Community Service Trust Act of
13 1993; and

14 “(iii) accepts a position established
15 under paragraph (4) in the Corporation,
16 shall be appointed to a position in the competi-
17 tive service of the Corporation.

18 “(B) DURATION OF POSITION IN COMPETI-
19 TIVE SERVICE.—During the period of employ-
20 ment of such an employee in a position, the posi-
21 tion shall be a position in the competitive serv-
22 ice. After such period of employment, the posi-
23 tion shall be a position in the excepted service
24 unless the President appoints an individual to

1 *such position in accordance with the provisions*
2 *described in subsection (a)(2).*

3 “(C) *ESTABLISHMENT OF POSITIONS.*—*With*
4 *respect to a position vacancy or a position to be*
5 *established in the Corporation, the President—*

6 “(i) *shall select the individual to be*
7 *appointed to such position in accordance*
8 *with the regulations promulgated under*
9 *paragraph (4);*

10 “(ii) *if the individual to be appointed*
11 *to the position is an individual described in*
12 *subparagraph (A), shall establish the posi-*
13 *tion as a position in the competitive service;*
14 *and*

15 “(iii) *if the individual to be so ap-*
16 *pointed is not an individual described in*
17 *subparagraph (A)—*

18 “(I) *may establish the position as*
19 *a position in the excepted service; and*

20 “(II) *in an exceptional case in*
21 *which the individual, immediately*
22 *prior to accepting the position, served*
23 *under a permanent appointment in a*
24 *position described in subclause (I) or*
25 *(II) of subparagraph (A)(i), may es-*

1 *tablish the position as a position in the*
2 *competitive service,*
3 *in any case in which an individual described in*
4 *subparagraph (A) is an employee of the Corpora-*
5 *tion and is eligible to be appointed to such posi-*
6 *tion.*

7 *“(D) DEFINITIONS.—As used in this para-*
8 *graph:*

9 *“(i) COMPETITIVE SERVICE.—The term*
10 *‘competitive service’ has the meaning given*
11 *the term in section 2102 of title 5, United*
12 *States Code.*

13 *“(ii) EXCEPTED SERVICE.—The term*
14 *‘excepted service’ has the meaning given the*
15 *term in section 2103 of title 5, United*
16 *States Code.*

17 *“(iii) SENIOR EXECUTIVE SERVICE.—*
18 *The term ‘Senior Executive Service’ has the*
19 *meaning given the term in section 2101a of*
20 *title 5, United States Code.*

21 *“(b) CORPORATION REPRESENTATIVE IN EACH*
22 *STATE.—*

23 *“(1) DESIGNATION OF REPRESENTATIVE.—The*
24 *Corporation shall designate 1 employee of the Cor-*
25 *poration for each State or group of States to serve as*

1 *the representative of the Corporation in the State or*
2 *States and to assist the Corporation in carrying out*
3 *the activities described in this Act in the State or*
4 *States.*

5 “(2) *DUTIES.*—*The representative designated*
6 *under this subsection for a State or group of States*
7 *shall serve as the liaison between—*

8 “(A) *the Corporation and the State Com-*
9 *mission that is established in the State or States;*

10 “(B) *the Corporation and any subdivision*
11 *of a State, Indian tribe, public or private non-*
12 *profit organization, or institution of higher edu-*
13 *cation, in the State or States, that is awarded a*
14 *grant under section 121 directly from the Cor-*
15 *poration; and*

16 “(C) *the State Commission and the Cor-*
17 *poration employee responsible for volunteer serv-*
18 *ice programs in the State, if the employee is not*
19 *the representative described in paragraph (1) for*
20 *the State.*

21 “(3) *MEMBER OF STATE COMMISSION.*—*The rep-*
22 *resentative designated under this subsection for a*
23 *State or group of States shall also serve as an ex*
24 *officio nonvoting member of the State Commission es-*
25 *tablished in the State or States.*

1 “(c) *CONSULTANTS.*—*The President may procure the*
2 *temporary and intermittent services of experts and consult-*
3 *ants and compensate the experts and consultants in accord-*
4 *ance with section 3109(b) of title 5, United States Code.*

5 “(d) *DETAILS OF PERSONNEL.*—*The head of any Fed-*
6 *eral department or agency may detail on a reimbursable*
7 *basis, or on a nonreimbursable basis for not to exceed 180*
8 *calendar days during any fiscal year, as agreed upon by*
9 *the President and the head of the Federal agency, any of*
10 *the personnel of that department or agency to the Corpora-*
11 *tion to assist the Corporation in carrying out the duties*
12 *of the Corporation under this Act. Any detail shall not in-*
13 *terrupt or otherwise affect the civil service status or privi-*
14 *leges of the Federal employee.*

15 “(e) *ADVISORY COMMITTEES.*—

16 “(1) *ESTABLISHMENT.*—*The President, acting*
17 *upon the recommendation of the Board, may establish*
18 *advisory committees in the Corporation to advise the*
19 *Board with respect to national service issues, such as*
20 *the type of programs to be established or assisted*
21 *under the national service laws, priorities and cri-*
22 *teria for such programs, and methods of conducting*
23 *outreach for, and evaluation of, such programs.*

24 “(2) *COMPOSITION.*—*Such an advisory commit-*
25 *tee shall be composed of members appointed by the*

1 *President, with such qualifications as the President*
2 *may specify.*

3 “(3) *EXPENSES.*—*Members of such an advisory*
4 *committee may be allowed travel expenses as described*
5 *in section 192A(d).*

6 “(4) *STAFF.*—*The President is authorized to ap-*
7 *point and fix the compensation of such staff as the*
8 *President determines to be necessary to carry out the*
9 *functions of the advisory committee, in accordance*
10 *with subsection (a)(2), and without regard to the se-*
11 *lection and compensation systems described in sub-*
12 *section (a)(4)(B). Such compensation shall not exceed*
13 *the rate described in subsection (a)(4)(B)(iv)(III).*

14 **“SEC. 196. ADMINISTRATION.**

15 “(a) *DONATIONS.*—

16 “(1) *SERVICES.*—

17 “(A) *VOLUNTEERS.*—*Notwithstanding sec-*
18 *tion 1342 of title 31, United States Code, the*
19 *Corporation may solicit and accept the vol-*
20 *untary services of individuals to assist the Cor-*
21 *poration in carrying out the duties of the Cor-*
22 *poration under this Act, and may provide to*
23 *such individuals the travel expenses described in*
24 *section 192A(d).*

1 “(B) *LIMITATION.*—*Such a volunteer shall*
2 *not be considered to be a Federal employee and*
3 *shall not be subject to the provisions of law relat-*
4 *ing to Federal employment, including those re-*
5 *lating to hours of work, rates of compensation,*
6 *leave, unemployment compensation, and Federal*
7 *employee benefits, except that—*

8 “(i) *for the purposes of the tort claims*
9 *provisions of chapter 171 of title 28, United*
10 *States Code, a volunteer under this subtitle*
11 *shall be considered to be a Federal em-*
12 *ployee;*

13 “(ii) *for the purposes of subchapter I of*
14 *chapter 81 of title 5, United States Code,*
15 *relating to compensation to Federal employ-*
16 *ees for work injuries, volunteers under this*
17 *subtitle shall be considered to be employees,*
18 *as defined in section 8101(1)(B) of title 5,*
19 *United States Code, and the provisions of*
20 *such subchapter shall apply; and*

21 “(iii) *for purposes of the provisions of*
22 *chapter 11 of part I of title 18, United*
23 *States Code, such a volunteer (to whom such*
24 *provisions would not otherwise apply except*

1 for this subsection) shall be a special Gov-
2 ernment employee.

3 “(C) *INHERENTLY GOVERNMENTAL FUNC-*
4 *TION.—*

5 “(i) *IN GENERAL.—Such a volunteer*
6 *shall not carry out an inherently govern-*
7 *mental function.*

8 “(ii) *REGULATIONS.—The President*
9 *shall promulgate regulations to carry out*
10 *this subparagraph.*

11 “(iii) *INHERENTLY GOVERNMENTAL*
12 *FUNCTION.—As used in this subparagraph,*
13 *the term ‘inherently governmental function’*
14 *means any activity that is so intimately re-*
15 *lated to the public interest as to mandate*
16 *performance by an officer or employee of the*
17 *Federal Government, including an activity*
18 *that requires either the exercise of discretion*
19 *in applying the authority of the Govern-*
20 *ment or the use of value judgment in mak-*
21 *ing a decision for the Government.*

22 “(2) *PROPERTY.—*

23 “(A) *IN GENERAL.—The Corporation may*
24 *solicit, accept, hold, administer, use, and dispose*
25 *of, in furtherance of the purposes of this Act, do-*

1 *nations of any money or property, real, per-*
2 *sonal, or mixed, tangible or intangible, received*
3 *by gift, devise, bequest, or otherwise. Donations*
4 *accepted under this subparagraph shall be used*
5 *as nearly as possible in accordance with the*
6 *terms, if any, of such donation.*

7 “(B) *TAX.*—*For purposes of Federal in-*
8 *come, estate, and gift taxes, money or property*
9 *accepted under subparagraph (A) shall be con-*
10 *sidered to be a gift, devise, or bequest to, or for*
11 *the use of, the United States.*

12 “(C) *RULES.*—*The President shall establish*
13 *written rules to ensure that the solicitation, ac-*
14 *ceptance, holding, administration, and use of*
15 *property described in subparagraph (A)—*

16 “(i) *will not reflect unfavorably upon*
17 *the ability of the Corporation, or of any of-*
18 *ficer or employee of the Corporation, to*
19 *carry out the responsibilities or official du-*
20 *ties of the Corporation in a fair and objec-*
21 *tive manner; and*

22 “(ii) *will not compromise the integrity*
23 *of the programs of the Corporation or any*
24 *official or employee of the Corporation in-*
25 *volved in such programs.*

1 “(D) *DISPOSITION.*—Upon completion of
2 the use by the Corporation of any property ac-
3 cepted pursuant to subparagraph (A) (other than
4 money or monetary proceeds from sales of prop-
5 erty so accepted), such completion shall be re-
6 ported to the General Services Administration
7 and such property shall be disposed of in accord-
8 ance with title II of the Federal Property and
9 Administrative Services Act of 1949 (40 U.S.C.
10 481 *et seq.*).

11 “(3) *VOLUNTEER.*—As used in this subsection,
12 the term ‘volunteer’ does not include a participant.

13 “(b) *CONTRACTS.*—Subject to the Federal Property
14 and Administrative Services Act of 1949, the Corporation
15 may enter into contracts, and cooperative and interagency
16 agreements, with Federal and State agencies, private firms,
17 institutions, and individuals to conduct activities necessary
18 to assist the Corporation in carrying out the duties of the
19 Corporation under this Act.

20 “(c) *OFFICE OF MANAGEMENT AND BUDGET.*—Appro-
21 priate circulars of the Office of Management and Budget
22 shall apply to the Corporation.”.

23 (b) *DOMESTIC VOLUNTEER SERVICE ACT OF 1973.*—
24 Section 401 of the Domestic Volunteer Service Act of 1973
25 (42 U.S.C. 5041) is amended by inserting after the second

1 *sentence the following: “The Director shall report directly*
2 *to the President of the Corporation for National and Com-*
3 *munity Service.”.*

4 (c) *TRANSFER OF FUNCTIONS OF COMMISSION ON*
5 *NATIONAL AND COMMUNITY SERVICE.—*

6 (1) *DEFINITIONS.—For purposes of this sub-*
7 *section, unless otherwise provided or indicated by the*
8 *context, each term specified in section 203(c)(1) shall*
9 *have the meaning given the term in such section.*

10 (2) *TRANSFER OF FUNCTIONS.—There are trans-*
11 *ferred to the Corporation the functions that the Board*
12 *of Directors or Executive Director of the Commission*
13 *on National and Community Service exercised before*
14 *the effective date of this subsection (including all re-*
15 *lated functions of any officer or employee of the Com-*
16 *mission).*

17 (3) *APPLICATION.—The provisions of paragraphs*
18 *(3) through (10) of section 203(c) shall apply with re-*
19 *spect to the transfer described in paragraph (2), ex-*
20 *cept that—*

21 (A) *for purposes of such application, ref-*
22 *erences to the term “ACTION Agency” shall be*
23 *deemed to be references to the Commission on*
24 *National and Community Service; and*

1 (B) paragraph (10) of such section shall not
2 preclude the transfer of the members of the Board
3 of Directors of the Commission to the Corpora-
4 tion if, on the effective date of this subsection, the
5 Board of Directors of the Corporation has not
6 been confirmed.

7 (d) CONTINUING PERFORMANCE OF CERTAIN FUNC-
8 TIONS.—The individuals who, on the day before the date
9 of enactment of this Act, are performing any of the func-
10 tions required by section 190 of the National and Commu-
11 nity Service Act of 1990 (42 U.S.C. 12651), as in effect
12 on such date, to be performed by the members of the Board
13 of Directors of the Commission on National and Commu-
14 nity Service may, subject to section 193A of the National
15 and Community Service Act of 1990, as added by subsection
16 (a) of this section, continue to perform such functions until
17 the date on the Board of Directors of the Corporation for
18 National and Community Service conducts the first meeting
19 of the Board. The service of such individuals as members
20 of the Board of Directors of such Commission, and the
21 employment of such individuals as special government
22 employees, shall terminate on such date.

23 (e) JOB SEARCH ASSISTANCE.—The President of the
24 Corporation shall establish a program to provide, or shall
25 seek to enter into a memorandum of understanding with

1 *the Director of the Office of Personnel Management to pro-*
2 *vide, job search and related assistance to employees of the*
3 *ACTION agency who are not transferred to the Corporation*
4 *for National and Community Service under section 203(c).*
5 *The President of the Corporation shall make available funds*
6 *appropriated under section 501(a)(4) of the National and*
7 *Community Service Act of 1990 in order to provide such*
8 *assistance.*

9 *(f) GOVERNMENT CORPORATION CONTROL.—*

10 *(1) WHOLLY OWNED GOVERNMENT CORPORA-*
11 *TION.—Section 9101(3) of title 31, United States*
12 *Code, is amended by inserting after subparagraph*
13 *(D) the following:*

14 *“(E) the Corporation for National and*
15 *Community Service.”.*

16 *(2) AUDITS.—Section 9105(a)(1) of title 31,*
17 *United States Code, is amended by inserting “, or*
18 *under other Federal law,” before “or by an independ-*
19 *ent”.*

20 *(g) DISPOSAL OF PROPERTY.—Section 203(k) of the*
21 *Federal Property and Administrative Services Act of 1949*
22 *(40 U.S.C. 484(k)) is amended by adding at the end the*
23 *following:*

24 *“(5)(A) Under such regulations as the Administrator*
25 *may prescribe, the Administrator is authorized, in the dis-*

1 *cretion of the Administrator, to assign to the President of*
2 *the Corporation for National and Community Service for*
3 *disposal such surplus property as is recommended by the*
4 *President as being needed for national service activities.*

5 “(B) Subject to the disapproval of the Administrator,
6 within 30 days after notice to the Administrator by the
7 President of the Corporation for National and Community
8 Service of a proposed transfer of property for such activi-
9 ties, the President, through such officers or employees of the
10 Corporation as the President may designate, may sell, lease,
11 or donate such property to any entity that receives finan-
12 cial assistance under the National and Community Service
13 Act of 1990 for such activities.

14 “(C) In fixing the sale or lease value of such property,
15 the President of the Corporation for National and Commu-
16 nity Service shall comply with the requirements of para-
17 graph (1)(C).”.

18 (h) *INSPECTOR GENERAL.*—

19 (1) *SPECIAL PROVISIONS IN INSPECTOR GENERAL*
20 *ACT OF 1978.*—*The Inspector General Act of 1978 (5*
21 *U.S.C. App.) is amended by redesignating sections 8E*
22 *and 8F as sections 8F and 8G, respectively, and in-*
23 *serting after section 8D the following new section:*

1 *“SPECIAL PROVISIONS CONCERNING THE CORPORATION FOR*
2 *NATIONAL AND COMMUNITY SERVICE*

3 *“SEC. 8E. (a) Notwithstanding the provisions of sec-*
4 *tions 6(a) (7) and (8), it is within the exclusive jurisdiction*
5 *of the Inspector General of the Corporation for National*
6 *and Community Service to—*

7 *“(1) appoint and determine the compensation of*
8 *such officers and employees in accordance with sec-*
9 *tion 195(a)(4) of the National and Community Serv-*
10 *ice Trust Act of 1993; and*

11 *“(2) procure the temporary and intermittent*
12 *services of and compensate such experts and consult-*
13 *ants, in accordance with section 3109(b) of title 5,*
14 *United States Code,*

15 *as may be necessary to carry out the functions, powers, and*
16 *duties of the Inspector General.*

17 *“(b) No later than the date on which the President of*
18 *the Corporation for National and Community Service*
19 *transmits any report to the Congress under section 5 (a)*
20 *or (b), the President shall transmit such report to the Board*
21 *of Directors of such Corporation.*

22 *“(c) No later than the date on which the President of*
23 *the Corporation for National and Community Service*
24 *transmits a report described under section 5(b) to the Board*
25 *of Directors as provided under subsection (b) of this section,*

1 *the President shall also transmit any audit report which*
2 *is described in the statement required under section 5(b)(4)*
3 *to the Board of Directors. All such audit reports shall be*
4 *placed on the agenda for review at the next scheduled meet-*
5 *ing of the Board of Directors following such transmittal.*
6 *The President of the Corporation shall be present at such*
7 *meeting to provide any information relating to such audit*
8 *reports.*

9 “(d) No later than the date on which the Inspector
10 *General of the Corporation for National and Community*
11 *Service reports a problem, abuse, or deficiency under section*
12 *5(d) to the President of the Corporation, the President shall*
13 *report such problem, abuse, or deficiency to the Board of*
14 *Directors.”.*

15 (2) *TERMINATION OF STATUS AS DESIGNATED*
16 *FEDERAL ENTITY.—*

17 (A) *IN GENERAL.—Section 8F(a)(2) of the*
18 *Inspector General Act of 1978 (5 U.S.C. App.)*
19 *(as redesignated by paragraph (1) of this sub-*
20 *section) is amended by striking out “ACTION,”.*

21 (B) *EFFECTIVE DATE.—This paragraph*
22 *shall take effect on the effective date of section*
23 *203(c)(2).*

24 (3) *TRANSFER.—*

1 (A) *IN GENERAL.*—Section 9(a)(1) of the
2 Inspector General Act of 1978 (5 U.S.C. App.) is
3 amended—

4 (i) in subparagraph (T), by striking
5 out “and” at the end thereof; and

6 (ii) by adding at the end thereof the
7 following new subparagraph:

8 “(V) of the Corporation for National and
9 Community Service, the Office of Inspector Gen-
10 eral of ACTION; and”.

11 (B) *EFFECTIVE DATE.*—This paragraph
12 shall take effect on the effective date of section
13 203(c)(2).

14 (4) *HEAD OF ESTABLISHMENT AND ESTABLISH-*
15 *MENT.*—Section 11 of the Inspector General Act of
16 1978 (5 U.S.C. App.) is amended—

17 (A) in paragraph (1) by inserting “; the
18 President of the Corporation for National and
19 Community Service;” after “Thrift Depositor
20 Protection Oversight Board”; and

21 (B) in paragraph (2) by inserting “, the
22 Corporation for National and Community Serv-
23 ice,” after “United States Information Agency”.

24 (5) *TECHNICAL AND CONFORMING AMENDMENTS*
25 *TO THE INSPECTOR GENERAL ACT OF 1978.*—The In-

1 *spector General Act of 1978 (5 U.S.C. App.) is*
2 *amended—*

3 (A) *in section 4(b)(2)—*

4 (i) *by striking out “section 8E(a)(2),*
5 *and any” and inserting in lieu thereof “sec-*
6 *tion 8F(a)(2), and any”;*

7 (ii) *by striking out “section 8E(a)(1)”*
8 *and inserting in lieu thereof “section*
9 *8F(a)(1)”;* and

10 (iii) *by striking out “section*
11 *8E(a)(2).” and inserting in lieu thereof*
12 *“section 8F(a)(2).”;* and

13 (B) *section 8G (as redesignated by para-*
14 *graph (1) of this subsection)—*

15 (i) *by striking out “or 8D” and insert-*
16 *ing in lieu thereof “8D, or 8E”;* and

17 (ii) *by striking out “section 8E(a)”*
18 *and inserting in lieu thereof “section*
19 *8F(a)”.*

20 (6) *POSTAL SERVICE TECHNICAL AND CONFORM-*
21 *ING AMENDMENTS.—Section 410(b) of title 39, United*
22 *States Code, is amended—*

23 (A) *in paragraph (8) by striking out “and”*
24 *after the semicolon;*

1 (B) in the first paragraph (9) by striking
2 out the period and inserting in lieu thereof a
3 semicolon and “and”; and

4 (C) by striking out the second paragraph
5 (9) and inserting in lieu thereof the following:

6 “(10) the provisions of section 8F of the Inspec-
7 tor General Act of 1978.”.

8 (i) *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 and Community Service

 “Sec. 191. Corporation for National and Community Service.

 “Sec. 192. Board of Directors.

 “Sec. 192A. Authorities and duties of the Board of Directors.

 “Sec. 193. President.

 “Sec. 193A. Authorities and duties of the President.

 “Sec. 194. Officers.

 “Sec. 195. Employees, consultants, and other personnel.

 “Sec. 196. Administration.”.

13 (j) *EFFECTIVE DATES.*—

14 (1) *IN GENERAL.*—Except as provided in para-
15 graph (2) or subsection (h)(2) or (3), the amendments
16 made by this section shall take effect on October 1,
17 1993.

18 (2) *ESTABLISHMENT AND APPOINTMENT AU-*
19 *THORITIES.*—Sections 191, 192, and 193 of the Na-
20 tional and Community Service Act of 1990, as added

1 (A) by striking “and” at the end of para-
2 graph (8);

3 (B) by redesignating paragraph (9) as
4 paragraph (10); and

5 (C) by inserting after paragraph (8) the fol-
6 lowing:

7 “(9) notwithstanding any other provision of law,
8 make grants to or contracts with Federal or other
9 public departments or agencies and private nonprofit
10 organizations for the assignment or referral of volun-
11 teers under the provisions of the Domestic Volunteer
12 Service Act of 1973 (except as provided in section 108
13 of the Domestic Volunteer Service Act of 1973), which
14 may provide that the agency or organization shall
15 pay all or a part of the costs of the program; and”.

16 (3) *RECRUITMENT AND PUBLIC AWARENESS*
17 *FUNCTIONS.*—Section 193A of the National and Com-
18 munity Service Act of 1993 (as added by section 202
19 of this Act) is amended by adding at the end the fol-
20 lowing:

21 “(f) *RECRUITMENT AND PUBLIC AWARENESS FUNC-*
22 *TIONS.*—

23 “(1) *EFFORT.*—The President shall ensure that
24 the Corporation, in carrying out the recruiting and
25 public awareness functions of the Corporation, shall

1 *expend at least the level of effort on recruitment and*
2 *public awareness activities related to the programs re-*
3 *ferred to in section 194(a)(3)(A) as ACTION ex-*
4 *pended on recruitment and public awareness activi-*
5 *ties related to programs under the Domestic Volunteer*
6 *Service Act of 1973 during fiscal year 1993.*

7 *“(2) PERSONNEL.—The President shall assign or*
8 *hire, as necessary, such additional national, regional,*
9 *and State personnel to carry out such recruiting and*
10 *public awareness functions as may be necessary to en-*
11 *sure that such functions are carried out in a timely*
12 *and effective manner. The President shall give prior-*
13 *ity in the hiring of such additional personnel to indi-*
14 *viduals who have formerly served as volunteers in the*
15 *programs referred to in section 194(a)(3)(A), or simi-*
16 *lar programs, and to individual who have specialized*
17 *experience in the recruitment of volunteers.*

18 *“(3) FUNDS.—For the first fiscal year after the*
19 *effective date of this subsection, and for each fiscal*
20 *year thereafter, for the purpose of carrying out such*
21 *recruiting and public awareness functions, the Presi-*
22 *dent shall obligate not less than 1.5 percent of the*
23 *amounts appropriated for the fiscal year under sec-*
24 *tion 501(a) of the Domestic Volunteer Service Act of*
25 *1973.”.*

1 (4) *ASSISTANT DIRECTORS.*—Section 194 of the
2 *National and Community Service Act of 1990 (as*
3 *added by section 202 of this Act) is amended by add-*
4 *ing at the end the following:*

5 “(d) *ASSISTANT DIRECTORS.*—

6 “(1) *IN GENERAL.*—There shall be in the Cor-
7 *poration four Assistant Directors, each of whom shall*
8 *be appointed by the President, and who shall report*
9 *directly to the Managing Director described in sub-*
10 *section (a)(3)(A).*

11 “(2) *DUTIES.*—

12 “(A) *VISTA AND OTHER ANTIPOVERTY PRO-*
13 *GRAMS.*—One of the Assistant Directors shall be
14 *primarily responsible for the VISTA and other*
15 *antipoverty programs under title I of the Domes-*
16 *tic Volunteer Service Act of 1973.*

17 “(B) *RETIRED AND SENIOR VOLUNTEER*
18 *PROGRAMS.*—One of the Assistant Directors shall
19 *be primarily responsible for the Retired and*
20 *Senior Volunteer Program established under part*
21 *A of title II of such Act.*

22 “(C) *FOSTER GRANDPARENT PROGRAM.*—
23 *One of the Assistant Directors shall be primarily*
24 *responsible for the Foster Grandparent Program*
25 *established under part B of title II of such Act.*

1 “(D) *SENIOR COMPANION PROGRAM*.—One
2 of the Assistant Directors shall be primarily re-
3 sponsible for the Senior Companion Program es-
4 tablished under part C of title II of such Act.”.

5 (b) *AUTHORITIES OF ACTION AGENCY*.—Sections 401
6 and 402 of the Domestic Volunteer Service Act of 1973 (42
7 U.S.C. 5041 and 5042) are repealed.

8 (c) *TRANSFER OF FUNCTIONS FROM ACTION*
9 *AGENCY*.—

10 (1) *DEFINITIONS*.—For purposes of this sub-
11 section, unless otherwise provided or indicated by the
12 context—

13 (A) the term “Corporation” means the Cor-
14 poration for National and Community Service,
15 established under section 191 of the National and
16 Community Service Act of 1990;

17 (B) the term “Federal agency” has the
18 meaning given to the term “agency” by section
19 551(1) of title 5, United States Code;

20 (C) the term “function” means any duty,
21 obligation, power, authority, responsibility,
22 right, privilege, activity, or program;

23 (D) the term “office” includes any office,
24 administration, agency, institute, unit, organi-
25 zational entity, or component thereof; and

1 (E) the term “President”, except as used as
2 part of the term “President of the United
3 States”, means the President of the Corporation.

4 (2) *TRANSFER OF FUNCTIONS.*—There are trans-
5 ferred to the Corporation such functions as the Presi-
6 dent of the United States determines to be appro-
7 priate that the Director of the ACTION Agency exer-
8 cised before the effective date of this subsection (in-
9 cluding all related functions of any officer or em-
10 ployee of the ACTION Agency).

11 (3) *DETERMINATIONS OF CERTAIN FUNCTIONS BY*
12 *THE OFFICE OF MANAGEMENT AND BUDGET.*—The
13 President of the United States may delegate to the Di-
14 rector of the Office of Management and Budget the
15 authority to make any determination of the functions
16 that are transferred under paragraph (2), if the
17 President determines that such a delegation would be
18 appropriate.

19 (4) *REORGANIZATION.*—The President is author-
20 ized to allocate or reallocate any function transferred
21 under paragraph (2) among the officers of the Cor-
22 poration, after providing notice of the allocation or
23 reallocation to Congress.

24 (5) *TRANSFER AND ALLOCATIONS OF APPROPRIA-*
25 *TIONS AND PERSONNEL.*—Except as otherwise pro-

1 *vided in this subsection, the personnel employed in*
2 *connection with, and the assets, liabilities, contracts,*
3 *property, records, and unexpended balances of appro-*
4 *priations, authorizations, allocations, and other funds*
5 *employed, used, held, arising from, available to, or to*
6 *be made available in connection with the functions*
7 *transferred by this subsection, subject to section 1531*
8 *of title 31, United States Code, shall be transferred to*
9 *the Corporation. Unexpended funds transferred pur-*
10 *suant to this paragraph shall be used only for the*
11 *purposes for which the funds were originally author-*
12 *ized and appropriated.*

13 (6) *INCIDENTAL TRANSFER.*—*The Director of the*
14 *Office of Management and Budget is authorized to*
15 *make such additional incidental dispositions of per-*
16 *sonnel, assets, liabilities, grants, contracts, property,*
17 *records, and unexpended balances of appropriations,*
18 *authorizations, allocations, and other funds held,*
19 *used, arising from, available to, or to be made avail-*
20 *able in connection with such functions, as may be*
21 *necessary to carry out the provisions of this sub-*
22 *section. The Director of the Office of Management and*
23 *Budget shall provide for the termination of the affairs*
24 *of all entities terminated by this subsection and for*

1 *such further measures and dispositions as may be*
2 *necessary to effectuate the purposes of this subsection.*

3 (7) *EFFECT ON PERSONNEL.—*

4 (A) *IN GENERAL.—Except as otherwise pro-*
5 *vided by this subsection, the transfer pursuant to*
6 *this subsection of full-time personnel (except spe-*
7 *cial Government employees) and part-time per-*
8 *sonnel holding permanent positions shall not*
9 *cause any such employee to be separated or re-*
10 *duced in grade or compensation, or to have the*
11 *benefits of the employee reduced, for 1 year after*
12 *the date of transfer of such employee under this*
13 *subsection.*

14 (B) *EXECUTIVE SCHEDULE POSITIONS.—*
15 *Except as otherwise provided in this subsection,*
16 *any person who, on the day preceding the effec-*
17 *tive date of this subsection, held a position com-*
18 *pensated in accordance with the Executive*
19 *Schedule prescribed in chapter 53 of title 5,*
20 *United States Code, and who, without a break in*
21 *service, is appointed in the Corporation to a po-*
22 *sition having duties comparable to the duties*
23 *performed immediately preceding such appoint-*
24 *ment shall continue to be compensated in such*
25 *new position at not less than the rate provided*

1 for such previous position, for the duration of the
2 service of such person in such new position.

3 (C) *TERMINATION OF CERTAIN POSI-*
4 *TIONS.—Positions whose incumbents are ap-*
5 *pointed by the President of the United States, by*
6 *and with the advice and consent of the Senate,*
7 *the functions of which are transferred by this*
8 *subsection, shall terminate on the effective date of*
9 *this subsection.*

10 (8) *SAVINGS PROVISIONS.—*

11 (A) *CONTINUING EFFECT OF LEGAL DOCU-*
12 *MENTS.—All orders, determinations, rules, regu-*
13 *lations, permits, agreements, grants, contracts,*
14 *certificates, licenses, registrations, privileges, and*
15 *other administrative actions—*

16 (i) *that have been issued, made, grant-*
17 *ed, or allowed to become effective by the*
18 *President of the United States, any Federal*
19 *agency or official thereof, or by a court of*
20 *competent jurisdiction, in the performance*
21 *of functions that are transferred under this*
22 *subsection; and*

23 (ii) *that are in effect at the time this*
24 *subsection takes effect, or were final before*
25 *the effective date of this subsection and are*

1 to become effective on or after the effective
2 date of this subsection,
3 shall continue in effect according to their terms
4 until modified, terminated, superseded, set aside,
5 or revoked in accordance with law by the Presi-
6 dent of the United States, the President of the
7 Corporation, or other authorized official, a court
8 of competent jurisdiction, or by operation of law.

9 (B) *PROCEEDINGS NOT AFFECTED.*—The
10 provisions of this subsection shall not affect any
11 proceedings, including notices of proposed rule-
12 making, or any application for any license, per-
13 mit, certificate, or financial assistance pending
14 before the ACTION Agency at the time this sub-
15 section takes effect, with respect to functions
16 transferred by this subsection. Such proceedings
17 and applications shall be continued. Orders shall
18 be issued in such proceedings, appeals shall be
19 taken therefrom, and payments shall be made
20 pursuant to such orders, as if this subsection had
21 not been enacted, and orders issued in any such
22 proceedings shall continue in effect until modi-
23 fied, terminated, superseded, or revoked by a
24 duly authorized official, by a court of competent
25 jurisdiction, or by operation of law. Nothing in

1 *this subparagraph shall be deemed to prohibit*
2 *the discontinuance or modification of any such*
3 *proceeding under the same terms and conditions*
4 *and to the same extent that such proceeding*
5 *could have been discontinued or modified if this*
6 *subsection had not been enacted.*

7 *(C) SUITS NOT AFFECTED.—The provisions*
8 *of this subsection shall not affect suits com-*
9 *menced before the effective date of this subsection,*
10 *and in all such suits, proceedings shall be had,*
11 *appeals taken, and judgments rendered in the*
12 *same manner and with the same effect as if this*
13 *subsection had not been enacted.*

14 *(D) NONABATEMENT OF ACTIONS.—No suit,*
15 *action, or other proceeding commenced by or*
16 *against the ACTION Agency, or by or against*
17 *any individual in the official capacity of such*
18 *individual as an officer of the ACTION Agency,*
19 *shall abate by reason of the enactment of this*
20 *subsection.*

21 *(E) ADMINISTRATIVE ACTIONS RELATING TO*
22 *PROMULGATION OF REGULATIONS.—Any admin-*
23 *istrative action relating to the preparation or*
24 *promulgation of a regulation by the ACTION*
25 *Agency relating to a function transferred under*

1 *this subsection may be continued by the Corpora-*
2 *tion with the same effect as if this subsection had*
3 *not been enacted.*

4 (9) *SEVERABILITY.*—*If a provision of this sub-*
5 *section or its application to any person or cir-*
6 *cumstance is held invalid, neither the remainder of*
7 *this subsection nor the application of the provision to*
8 *other persons or circumstances shall be affected.*

9 (10) *TRANSITION.*—*Prior to, or after, any trans-*
10 *fer of a function under this subsection, the President*
11 *is authorized to utilize—*

12 (A) *the services of such officers, employees,*
13 *and other personnel of the ACTION Agency with*
14 *respect to functions that will be or have been*
15 *transferred to the Corporation by this subsection;*
16 *and*

17 (B) *funds appropriated to such functions*
18 *for such period of time as may reasonably be*
19 *needed to facilitate the orderly implementation of*
20 *this subsection.*

21 (d) *DEVELOPMENT OF TRANSFER SCHEDULE.*—*The*
22 *President of the Corporation for National and Community*
23 *Service, in consultation with the Director of ACTION, shall,*
24 *not later than 9 months after the date of enactment of this*

1 Act, prepare a schedule that specifies the date on which the
2 employees of ACTION will be notified about—

3 (1) whether their functions will be transferred to
4 the Corporation; and

5 (2) if such functions will be transferred, the date
6 on which the transfer will occur.

7 (e) APPOINTMENT OF ACTION EMPLOYEES.—During
8 the period beginning on October 1, 1993 and ending on the
9 effective date of subsection (c)(2), in making appointments
10 to the Corporation under the appointment system described
11 in section 195(a)(4)(B)(iii) of the National and Commu-
12 nity Service Act of 1990, the President of the Corporation
13 for National and Community Service shall ensure that in-
14 dividuals who are employees of ACTION shall receive fair
15 and equitable treatment.

16 (f) EFFECTIVE DATE.—

17 (1) IN GENERAL.—Except as provided in para-
18 graph (2), this section, and the amendments made by
19 this section, shall take effect—

20 (A) 18 months after the date of enactment
21 of this Act; or

22 (B) on such earlier date (which shall be not
23 earlier than 12 months after the date of the en-
24 actment of this Act) as the President of the
25 United States shall determine to be appropriate

1 *and announce by proclamation published in the*
2 *Federal Register.*

3 (2) *TRANSITION.—Subsections (c)(10), (d), and*
4 *(e) shall take effect on the date of enactment of this*
5 *Act.*

6 **SEC. 204. BUSINESS PLAN.**

7 (a) *BUSINESS PLAN REQUIRED.—*

8 (1) *IN GENERAL.—The Corporation for National*
9 *and Community Service (referred to in this section as*
10 *the “Corporation”)* shall prepare and submit to Con-
11 *gress a business plan. The Corporation may not pro-*
12 *vide assistance under section 121 of the National and*
13 *Community Service Act of 1990 before the twentieth*
14 *day of continuous session of Congress after the date*
15 *on which the Corporation submits the business plan*
16 *to Congress.*

17 (2) *COMPUTATION.—For purposes of the com-*
18 *putation of the 20-day period referred to in para-*
19 *graph (1), continuity of a session of the Congress*
20 *shall be considered to be broken only by—*

21 (A) *an adjournment of the Congress sine*
22 *die; and*

23 (B) *the days on which either House is not*
24 *in session because of an adjournment of more*
25 *than 3 days to a date certain.*

1 (b) *REQUIRED ELEMENTS OF BUSINESS PLAN.*—

2 (1) *ALLOCATION OF FUNDS.*—*The business plan*
3 *shall contain—*

4 (A) *a description of the manner in which*
5 *the Corporation will allocate funds for programs*
6 *carried out by the Corporation after October 1,*
7 *1993;*

8 (B) *information on the principal offices and*
9 *officers of the Corporation that will allocate such*
10 *funds; and*

11 (C) *information that indicates how account-*
12 *ability for such funds can be determined, in*
13 *terms of the office or officer responsible for such*
14 *funds.*

15 (2) *INVESTIGATIVE AND AUDIT FUNCTIONS.*—*The*
16 *business plan shall include a description of the plans*
17 *of the Corporation—*

18 (A) *to ensure continuity, during the transi-*
19 *tion period, and after the transition period, in*
20 *the investigative and audit functions carried out*
21 *by the Inspector General of ACTION prior to*
22 *such period, consistent with the Inspector Gen-*
23 *eral Act of 1978 (5 U.S.C. App.); and*

24 (B) *to carry out investigative and audit*
25 *functions and implement financial management*

1 *controls regarding programs carried out by the*
2 *Corporation after October 1, 1993, consistent*
3 *with the Inspector General Act of 1978, includ-*
4 *ing a specific description of—*

5 *(i) the manner in which the Office of*
6 *Inspector General shall be established in the*
7 *Corporation, in accordance with section*
8 *194(b) of the National Community Service*
9 *Act of 1990, as added by section 202 of this*
10 *Act; and*

11 *(ii) the manner in which grants made*
12 *by the Corporation shall be audited by such*
13 *Office and the financial management con-*
14 *trols that shall apply with regard to such*
15 *grants and programs.*

16 (3) *ACCOUNTABILITY MEASURES.—The business*
17 *plan shall include a detailed description of the ac-*
18 *countability measures to be established by the Cor-*
19 *poration to ensure effective control of all funds for*
20 *programs carried out by the Corporation after Octo-*
21 *ber 1, 1993.*

22 (4) *INFORMATION RESOURCES.—The business*
23 *plan shall include a description of an information re-*
24 *source management program that will support the*

1 *program and financial management needs of the Cor-*
2 *poration.*

3 (5) *CORPORATION STAFFING AND INTEGRATION*
4 *OF ACTION.—*

5 (A) *TRANSFERS.—The business plan shall*
6 *include a report on the progress and plans of the*
7 *President for transferring the functions, pro-*
8 *grams, and related personnel of ACTION to the*
9 *Corporation, and shall include a timetable for*
10 *the transfer. Not later than 9 months after the*
11 *date of enactment of this section, the President*
12 *shall identify all functions of ACTION to be*
13 *transferred to the Corporation.*

14 (B) *DETAILS AND ASSIGNMENTS.—The re-*
15 *port shall specify the number of ACTION em-*
16 *ployees detailed or assigned to the Corporation,*
17 *and describe the hiring activity of the Corpora-*
18 *tion, during the transition period.*

19 (C) *STRUCTURE.—The business plan shall*
20 *include a description of the organizational struc-*
21 *ture of the Corporation during the transition pe-*
22 *riod.*

23 (D) *STAFFING.—The business plan shall in-*
24 *clude a description of—*

1 (i) measures to ensure adequate staff-
2 ing during the transition period with re-
3 spect to programs carried out by the Cor-
4 poration after October 1, 1993; and

5 (ii) the responsibilities and authorities
6 of the Managing Directors and other key
7 personnel of the Corporation.

8 (E) SENIOR EXECUTIVE SERVICE.—The
9 business plan shall include—

10 (i) an explanation of the number of the
11 employees of the Corporation who will be
12 paid at or above the rate of pay for level 1
13 of the Senior Executive Service Schedule
14 under section 5382 of title 5, United States
15 Code; and

16 (ii) information justifying such pay
17 for such employees.

18 (6) DUPLICATION OF FUNCTIONS.—The business
19 plan shall include a description of the measures that
20 the Corporation is taking or will take to minimize
21 duplication of functions in the Corporation caused by
22 the transfer of the functions of the Commission on Na-
23 tional and Community Service, and the transfer of
24 the functions of ACTION, to the Corporation. This de-

1 *scription shall address functions at both the national*
2 *and State levels.*

3 (c) *DEFINITION.*—*The term “transition period” means*
4 *the period beginning on October 1, 1993 and ending on the*
5 *day before the effective date of section 203(c)(2).*

6 ***TITLE III—REAUTHORIZATION***
7 ***Subtitle A—National and***
8 ***Community Service Act of 1990***

9 ***SEC. 301. AUTHORIZATION OF APPROPRIATIONS.***

10 (a) *IN GENERAL.*—*Section 501 of the National and*
11 *Community Service Act of 1990 (42 U.S.C. 12681) is*
12 *amended to read as follows:*

13 ***“SEC. 501. AUTHORIZATION OF APPROPRIATIONS.***

14 *“(a) TITLE I.—*

15 *“(1) SUBTITLE B.—*

16 *“(A) IN GENERAL.—There are authorized to*
17 *be appropriated to provide financial assistance*
18 *under subtitle B of title I, \$45,000,000 for fiscal*
19 *year 1994 and such sums as may be necessary*
20 *for each of the fiscal years 1995 through 1996.*

21 *“(B) PROGRAMS.—Of the amount appro-*
22 *priated under subparagraph (A) for a fiscal*
23 *year—*

24 *“(i) not more than 63.75 percent shall*
25 *be available to provide financial assistance*

1 *under subpart A of part I of subtitle B of*
2 *title I;*

3 “(ii) *not more than 11.25 percent shall*
4 *be available to provide financial assistance*
5 *under subpart B of part I of such subtitle;*
6 *and*

7 “(iii) *not more than 25 percent shall*
8 *be available to provide financial assistance*
9 *under part II of such subtitle.*

10 “(2) *SUBTITLES C, D, AND H.—*

11 “(A) *IN GENERAL.—There are authorized to*
12 *be appropriated to provide financial assistance*
13 *under subtitles C and H of title I, to provide na-*
14 *tional service educational awards under subtitle*
15 *D of title I, and to carry out such audits and*
16 *evaluations as the President or the Inspector*
17 *General of the Corporation may determine to be*
18 *necessary, \$300,000,000 for fiscal year 1994,*
19 *\$500,000,000 for fiscal year 1995, and*
20 *\$700,000,000 for fiscal year 1996.*

21 “(B) *PROGRAMS.—Of the amount appro-*
22 *propriated under subparagraph (A) for a fiscal*
23 *year, up to 15 percent shall be made available*
24 *to provide financial assistance under sections*
25 *125 and 126 and under subtitle H of title I.*

1 “(3) *SUBTITLE E.*—There are authorized to be
2 appropriated to provide financial assistance under
3 *subtitle E of title I, such sums as may be necessary*
4 *for each of the fiscal years 1995 through 1996.*

5 “(4) *ADMINISTRATION.*—

6 “(A) *IN GENERAL.*—There are authorized to
7 be appropriated for the administration of this
8 Act such sums as may be necessary for each of
9 the fiscal years 1994 through 1996.

10 “(B) *LIMITATION.*—For fiscal year 1994,
11 the sums appropriated under subparagraph (A)
12 shall not exceed 15 percent of the amounts ap-
13 propriated to carry out subtitles B, C, D, and H
14 of title I of this Act for such fiscal year. For each
15 subsequent fiscal year, the sums appropriated
16 under subparagraph (A) shall not exceed 10 per-
17 cent of the amounts appropriated to carry out
18 such subtitles for such subsequent fiscal year.

19 “(C) *STATE COMMISSIONS AND CORPORA-*
20 *TION.*—Of the amounts appropriated under sub-
21 paragraph (A) for a fiscal year, up to 50 percent
22 shall be made available to the State Commis-
23 sions, and up to 50 percent shall be made avail-
24 able to the Corporation, for the administration of
25 this Act.

1 “(b) *TITLE III.*—There are authorized to be appro-
2 priated to carry out title III \$5,000,000 for each of the fis-
3 cal years 1994 through 1996.

4 “(c) *AVAILABILITY OF APPROPRIATIONS.*—Funds ap-
5 propriated under this section shall remain available until
6 expended.”.

7 “(b) *EFFECTIVE DATE.*—The amendment made by sub-
8 section (a) shall take effect on October 1, 1993.

9 ***Subtitle B—Domestic Volunteer***
10 ***Service Act of 1973***

11 ***SEC. 311. SHORT TITLE; REFERENCES.***

12 “(a) *SHORT TITLE.*—This subtitle may be cited as the
13 “*Domestic Volunteer Service Act Amendments of 1993*”.

14 “(b) *REFERENCES.*—Except as otherwise specifically
15 provided, whenever in this subtitle an amendment or repeal
16 is expressed in terms of an amendment to, or repeal of, a
17 section or other provision, the reference shall be considered
18 to be made to a section or other provision of the *Domestic*
19 *Volunteer Service Act of 1973 (42 U.S.C. 4950 et seq.)*.

20 ***CHAPTER 1—VISTA AND OTHER ANTI-***
21 ***POVERTY PROGRAMS***

22 ***SEC. 321. PURPOSE OF THE VISTA PROGRAM.***

23 The last sentence of section 101 (42 U.S.C. 4951) is
24 amended to read as follows: “In addition, the objectives of
25 this part are to generate the commitment of private sector

1 *resources, to encourage volunteer service at the local level,*
2 *and to strengthen local agencies and organizations to carry*
3 *out the purpose of this part.”.*

4 **SEC. 322. SELECTION AND ASSIGNMENT OF VISTA VOLUN-**
5 **TEERS.**

6 (a) *VOLUNTEER ASSIGNMENTS.*—Section 103(a) (42
7 *U.S.C. 4953(a)*) is amended—

8 (1) *in the matter preceding paragraph (1), by*
9 *striking “a public” and inserting “public”;*

10 (2) *in paragraph (2), by striking “and” at the*
11 *end;*

12 (3) *in paragraph (3), by striking “illiterate or*
13 *functionally illiterate youth and other individuals,”;*

14 (4) *in paragraph (5), by striking “and” at the*
15 *end;*

16 (5) *in paragraph (6)—*

17 (A) *by striking “the Headstart act, or the*
18 *Community Economic” and inserting “the Head*
19 *Start Act, the Community Economic”;*

20 (B) *by inserting “or other similar Acts,”*
21 *after “1981,”; and*

22 (C) *by striking the period and inserting “;*
23 *and”;* and

24 (6) *by adding at the end the following new para-*
25 *graph:*

1 “(7) in strengthening, supplementing, and ex-
2 panding efforts to address the problem of illiteracy
3 throughout the United States.”.

4 (b) *RECRUITMENT PROCEDURES*.—Section 103(b) (42
5 *U.S.C. 4953(b)*) is amended—

6 (1) by striking paragraphs (2), (4), (5) and (6);

7 (2) by redesignating paragraphs (3) and (7) as
8 paragraphs (2) and (3), respectively;

9 (3) in paragraph (2) (as redesignated in para-
10 graph (2) of this subsection), by striking “paragraph
11 (7)” and inserting “paragraph (3)”; and

12 (4) in paragraph (3) (as redesignated in para-
13 graph (2) of this subsection)—

14 (A) in subparagraph (A), by striking
15 “paragraph (4)” and inserting “paragraph (2)”;

16 (B) by striking subparagraphs (B), (C), and
17 (E);

18 (C) by redesignating subparagraphs (D)
19 and (F) as subparagraphs (C) and (D), respec-
20 tively; and

21 (D) by inserting after subparagraph (A) the
22 following new subparagraph:

23 “(B) A sponsoring organization may recruit volunteers
24 for service under this part, subject to final approval by the
25 Director.”.

1 (c) *PUBLIC AWARENESS AND RECRUITMENT.*—Sub-
2 section (c) of section 103 (42 U.S.C. 4953(c)) is amended—

3 (1) in paragraph (1), to read as follows:

4 “(1)(A) *The Director shall conduct national and local*
5 *public awareness and recruitment activities in order to*
6 *meet the volunteer goals of the program. In conducting such*
7 *activities, the Director shall place special emphasis on re-*
8 *cruiting volunteers for local, community-based programs*
9 *that serve underrepresented populations, in situations in*
10 *which volunteers might not otherwise learn about the pro-*
11 *grams. Such activities shall be coordinated with recruit-*
12 *ment authorized under subtitle C or E of the National and*
13 *Community Service Act of 1990 and may include public*
14 *service announcements, advertisements, publicity on loan*
15 *deferments, repayments, and cancellations available to*
16 *VISTA volunteers, maintenance of a toll-free telephone sys-*
17 *tem, and provision of technical assistance for the recruit-*
18 *ment of volunteers to programs and projects receiving as-*
19 *sistance under this part.*

20 “(B) *The Director shall take steps to recruit individ-*
21 *uals 18 through 27 years of age, 55 years of age and older,*
22 *recent graduates of institutions of higher education, and*
23 *special skilled volunteers and to promote diverse participa-*
24 *tion in the program.”;*

1 (2) in paragraph (3), by adding at the end the
2 following new sentence: “In addition, the Director
3 shall take steps to provide opportunities for returned
4 Peace Corps volunteers to serve in the VISTA pro-
5 gram.”;

6 (3) by striking paragraphs (4), (5), and (6); and

7 (4) by adding at the end the following new para-
8 graph:

9 “(4) From the amounts appropriated under section
10 501(a) for fiscal year 1994 and each subsequent fiscal year,
11 the Director shall obligate such sums as may be necessary
12 for the purpose of carrying out this subsection in such fiscal
13 year.”.

14 (d) *COORDINATION WITH OTHER FEDERAL AGEN-*
15 *CIES.*—Section 103 (42 U.S.C. 4953) is amended by adding
16 at the end the following new subsection:

17 “(h) The Director is encouraged to enter into agree-
18 ments with other Federal agencies to use VISTA volunteers
19 in furtherance of program objectives that are consistent with
20 the purposes described in section 101.”.

21 **SEC. 323. TERMS AND PERIODS OF SERVICE.**

22 (a) *CLARIFICATION AND PERIODS OF SERVICE.*—Sub-
23 section (b) of section 104 (42 U.S.C. 4954(b)) is amended
24 to read as follows:

1 “(b)(1) Volunteers serving under this part may be en-
2 rolled initially for periods of service of not less than 1 year,
3 nor more than 2 years, except as provided in paragraph
4 (2) or subsection (e).

5 “(2) Volunteers serving under this part may be en-
6 rolled for periods of service of less than 1 year if the Direc-
7 tor determines, on an individual basis, that a period of
8 service of less than 1 year is necessary to meet a critical
9 scarce skill need.

10 “(3) Volunteers serving under this part may be
11 reenrolled for periods of service in a manner to be deter-
12 mined by the Director. No volunteer shall serve for more
13 than a total of 5 years under this part.”.

14 (b) *SUMMER PROGRAM.*—Section 104 (42 U.S.C.
15 4954) is amended by adding at the end the following new
16 subsection:

17 “(e)(1) Notwithstanding any other provision of this
18 part, the Director may enroll full-time VISTA summer as-
19 sociates in a program for the summer months only, under
20 such terms and conditions as the Director shall determine
21 to be appropriate. Such individuals shall be assigned to
22 projects that meet the criteria set forth in section 103(a).

23 “(2) In preparing reports relating to programs under
24 this Act, the Director shall report on participants, costs,

1 *and accomplishments under the summer program sepa-*
2 *rately.*

3 *“(3) The limitation on funds appropriated for grants*
4 *and contracts, as contained in section 108, shall not apply*
5 *to the summer program.”.*

6 **SEC. 324. SUPPORT FOR VISTA VOLUNTEERS.**

7 *(a) POSTSERVICE STIPEND.—Section 105(a)(1) (42*
8 *U.S.C. 4955(a)(1)) is amended—*

9 *(1) by inserting “(A)” after “(a)(1)”; and*

10 *(2) by striking the second sentence and inserting*
11 *the following:*

12 *“(B) Such stipend shall not exceed \$95 per month in*
13 *fiscal year 1994, but shall be set at a minimum of \$125*
14 *per month during the service of the volunteer after October*
15 *1, 1994, assuming the availability of funds to accomplish*
16 *this increase.*

17 *“(C) The Director shall not provide a stipend under*
18 *this subsection to an individual who elects to receive a na-*
19 *tional service education award under subtitle D of title I*
20 *of the National and Community Service Act of 1990.”.*

21 *(b) SUBSISTENCE ALLOWANCE.—Section 105(b) (42*
22 *U.S.C. 4955(b)) is amended—*

23 *(1) in paragraph (3)—*

24 *(A) by striking subparagraph (A);*

1 (B) in subparagraph (B), by striking the
2 subparagraph designation; and

3 (C) by adding at the end the following new
4 sentence: “The Director shall review such adjust-
5 ments on an annual basis to ensure that the ad-
6 justments are current.”; and

7 (2) by striking paragraph (4).

8 (c) CHILD CARE.—Section 105 (42 U.S.C. 4955) is
9 amended by adding at the end the following:

10 “(c)(1) The Director shall—

11 “(A) make child care available for children of
12 each volunteer enrolled under this part who need such
13 child care in order to participate as volunteers; or

14 “(B) provide a child care allowance to each such
15 volunteer who needs such assistance in order to par-
16 ticipate as volunteers.

17 “(2) The Corporation shall establish guidelines regard-
18 ing the circumstances under which child care shall be made
19 available under this subsection and the value of any child
20 care allowance to be provided.”.

21 **SEC. 325. PARTICIPATION OF YOUNGER AND OLDER PER-**
22 **SONS.**

23 Section 107 (42 U.S.C. 4957) is amended to read as
24 follows:

1 **“SEC. 107. PARTICIPATION OF YOUNGER AND OLDER PER-**
2 **SONS.**

3 *“In carrying out this part and part C, the Director*
4 *shall take necessary steps, including the development of spe-*
5 *cial projects, where appropriate, to encourage the fullest*
6 *participation of individuals 18 through 27 years of age,*
7 *and individuals 55 years of age and older, in the various*
8 *programs and activities authorized under such parts.”.*

9 **SEC. 326. LITERACY ACTIVITIES.**

10 *Section 109 (42 U.S.C. 4959) is amended—*

11 *(1) in subsection (g)—*

12 *(A) by striking paragraph (1); and*

13 *(B) by striking the paragraph designation*
14 *of paragraph (2); and*

15 *(2) in subsection (h), by striking paragraph (3).*

16 **SEC. 327. APPLICATIONS FOR ASSISTANCE.**

17 *Section 110 (42 U.S.C. 4960) is amended to read as*
18 *follows:*

19 **“SEC. 110. APPLICATIONS FOR ASSISTANCE.**

20 *“In reviewing an application for assistance under this*
21 *part, the Director shall not deny such assistance to any*
22 *project or program, or any public or private nonprofit orga-*
23 *nization, solely on the basis of the duration of the assistance*
24 *such project, program, or organization has received under*
25 *this part prior to the date of submission of the application.*
26 *The Director shall grant assistance under this part on the*

1 *basis of merit and to accomplish the goals of the VISTA*
2 *program, and shall consider the needs and requirements of*
3 *projects in existence on such date as well as potential new*
4 *projects.”.*

5 **SEC. 328. REPEAL OF AUTHORITY FOR STUDENT COMMU-**
6 **NITY SERVICE PROGRAMS.**

7 *Section 114 (42 U.S.C. 4974) is repealed.*

8 **SEC. 329. UNIVERSITY YEAR FOR VISTA.**

9 *(a) PROGRAM TITLE.—Part B of title I (42 U.S.C.*
10 *4971 et seq.) is amended—*

11 *(1) in the part heading, to read as follows:*

12 *“PART B—UNIVERSITY YEAR FOR VISTA”;*

13 *(2) by striking “University Year for ACTION”*
14 *each place that such term appears in such part and*
15 *inserting “University Year for VISTA”;*

16 *(3) by striking “UYA” each place that such term*
17 *appears in such part and inserting “UYV”; and*

18 *(4) in section 112 (42 U.S.C. 4972) by striking*
19 *the section heading and inserting the following new*
20 *section heading:*

21 *“AUTHORITY TO OPERATE UNIVERSITY YEAR FOR VISTA*
22 *PROGRAM”.*

23 *(b) SPECIAL CONDITIONS.—Section 113(a) (42 U.S.C.*
24 *4973(a)) is amended—*

25 *(1) by striking “of not less than the duration of*
26 *an academic year” and inserting “of not less than the*

1 *duration of an academic semester or its equivalent”;*
2 *and*

3 *(2) by adding at the end the following new sen-*
4 *tence: “Volunteers may receive a living allowance and*
5 *such other support or allowances as the Director de-*
6 *termines to be appropriate.”.*

7 ***SEC. 330. AUTHORITY TO ESTABLISH AND OPERATE SPE-***
8 ***CIAL VOLUNTEER AND DEMONSTRATION***
9 ***PROGRAMS.***

10 *Section 122 (42 U.S.C. 4992) is amended to read as*
11 *follows:*

12 ***“SEC. 122. AUTHORITY TO ESTABLISH AND OPERATE SPE-***
13 ***CIAL VOLUNTEER AND DEMONSTRATION***
14 ***PROGRAMS.***

15 *“(a) IN GENERAL.—The Director is authorized to con-*
16 *duct special volunteer programs for demonstration pro-*
17 *grams, or award grants to or enter into contracts with pub-*
18 *lic or nonprofit organizations to carry out such programs.*
19 *Such programs shall encourage wider volunteer participa-*
20 *tion on a full-time, part-time, or short-term basis to further*
21 *the purpose of this part, and identify particular segments*
22 *of the poverty community that could benefit from volunteer*
23 *and other antipoverty efforts.*

24 *“(b) ASSIGNMENT AND SUPPORT OF VOLUNTEERS.—*
25 *The assignment of volunteers under this section, and the*

1 *provision of support for such volunteers, including any sub-*
2 *sistence allowances and stipends, shall be on such terms and*
3 *conditions as the Director shall determine to be appro-*
4 *priate, but shall not exceed the level of support provided*
5 *under section 105. Projects using volunteers who do not re-*
6 *ceive stipends may also be supported under this section.*

7 “(c) *CRITERIA AND PRIORITIES.*—In carrying out this
8 *section and section 123, the Director shall establish criteria*
9 *and priorities for awarding grants and entering into con-*
10 *tracts under this part in each fiscal year. No grant or con-*
11 *tract exceeding \$100,000 shall be made under this part un-*
12 *less the recipient of the grant or contractor has been selected*
13 *by a competitive process that includes public announcement*
14 *of the availability of funds for such grant or contract, gen-*
15 *eral criteria for the selection of recipients or contractors,*
16 *and a description of the application process and applica-*
17 *tion review process.”.*

18 **SEC. 331. TECHNICAL AND FINANCIAL ASSISTANCE.**

19 *Section 123 (42 U.S.C. 4993) is amended to read as*
20 *follows:*

21 **“SEC. 123. TECHNICAL AND FINANCIAL ASSISTANCE.**

22 *“The Director may provide technical and financial as-*
23 *sistance to Federal agencies, State and local governments*
24 *and agencies, private nonprofit organizations, employers,*

1 *and other private organizations that utilize or desire to uti-*
2 *lize volunteers in carrying out the purpose of this part.”.*

3 **SEC. 332. ELIMINATION OF SEPARATE AUTHORITY FOR**
4 **DRUG ABUSE PROGRAMS.**

5 *Title I (42 U.S.C. 4951 et seq.) is amended—*

6 *(1) by repealing section 124; and*

7 *(2) by redesignating section 125 as section 124.*

8 **CHAPTER 2—NATIONAL SENIOR**
9 **VOLUNTEER CORPS**

10 **SEC. 341. NATIONAL SENIOR VOLUNTEER CORPS.**

11 *(a) TITLE HEADING.—The heading for title II is*
12 *amended to read as follows:*

13 **“TITLE II—NATIONAL SENIOR**
14 **VOLUNTEER CORPS”.**

15 *(b) REFERENCES.—*

16 *(1) Section 200(1) (42 U.S.C. 5000(1)) is*
17 *amended by striking “Older American Volunteer Pro-*
18 *grams” and inserting “National Senior Volunteer*
19 *Corps”.*

20 *(2) The heading for section 221 (42 U.S.C. 5021)*
21 *is amended by striking “OLDER AMERICAN VOLUN-*
22 *TEER PROGRAMS” and inserting “NATIONAL SENIOR*
23 *VOLUNTEER CORPS”.*

24 *(3) Section 224 (42 U.S.C. 5024) is amended—*

1 (A) *in the section heading by striking*
2 “*OLDER AMERICAN VOLUNTEER PROGRAMS*” and
3 inserting “*NATIONAL SENIOR VOLUNTEER*
4 *CORPS*”; and

5 (B) *by striking “volunteer projects for older*
6 *Americans” and inserting “National Senior Vol-*
7 *unteer Corps projects”.*

8 (4) *Section 205(c) of the Older Americans*
9 *Amendments of 1975 (Public Law 94–135; 89 Stat.*
10 *727; 42 U.S.C. 5001 note) is amended by striking*
11 *“national older American volunteer programs” each*
12 *place the term appears and inserting “National Sen-*
13 *ior Volunteer Corps programs”.*

14 **SEC. 342. THE RETIRED AND SENIOR VOLUNTEER PRO-**
15 **GRAM.**

16 (a) *PART HEADING.*—*The heading for part A of title*
17 *II is amended by striking “RETIRED SENIOR VOLUNTEER*
18 *PROGRAM” and inserting “RETIRED AND SENIOR VOLUN-*
19 *TEER PROGRAM”.*

20 (b) *REFERENCES.*—*Section 200 (42 U.S.C. 5000) is*
21 *amended by striking “retired senior volunteer program”*
22 *each place that such term appears in such section and in-*
23 *serting “Retired and Senior Volunteer Program”.*

1 **SEC. 343. OPERATION OF THE RETIRED AND SENIOR VOL-**
2 **UNTEER PROGRAM.**

3 (a) *ELIGIBILITY FOR PARTICIPANTS IN THE PRO-*
4 *GRAM.*—Section 201(a) (42 U.S.C. 5001(a)) is amended—

5 (1) in the matter preceding paragraph (1), by
6 inserting “and older working persons” after “retired
7 persons”; and

8 (2) in paragraph (2), by striking “aged sixty”
9 and inserting “age 55”.

10 (b) *DELETION OF REQUIREMENT FOR STATE AGENCY*
11 *REVIEW.*—Section 201 (42 U.S.C. 5001) is amended—

12 (1) by striking subsection (c); and

13 (2) by redesignating subsection (d) as subsection
14 (c).

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 who are individ-
22 uals with disabilities, who have chronic health conditions,
23 who are receiving care in hospitals, who are residing in
24 homes for dependent and neglected children, or who are re-
25 ceiving services provided by day care centers, schools, early
26 intervention programs under part H of the Individuals

1 *with Disabilities Education Act (20 U.S.C. 1471 et seq.),*
2 *Head Start agencies under the Head Start Act, or any of*
3 *a variety of other programs, establishments, and institu-*
4 *tions providing services for children with special or excep-*
5 *tional needs. Individual foster grandparents may provide*
6 *person-to-person services to one or more children, depending*
7 *on the needs of the project and local site.”.*

8 **SEC. 345. STIPENDS FOR LOW-INCOME VOLUNTEERS.**

9 *The second sentence of section 211(d) (42 U.S.C.*
10 *5011(d)) is amended by striking “Any stipend or allowance*
11 *provided under this subsection shall not be less than \$2.20*
12 *per hour until October 1, 1990, \$2.35 per hour during fiscal*
13 *year 1991, and \$2.50 per hour on and after October 1,*
14 *1992,” and inserting “Any stipend or allowance provided*
15 *under this section shall not be less than \$2.45 per hour on*
16 *and after October 1, 1993, and shall be adjusted once prior*
17 *to December 31, 1997, to account for inflation, as deter-*
18 *mined by the Director and rounded to the nearest five*
19 *cents.”.*

20 **SEC. 346. PARTICIPATION OF NON-LOW-INCOME PERSONS**
21 **UNDER PARTS B AND C.**

22 *Subsection (f) of section 211(f) (42 U.S.C. 5011(f)) is*
23 *amended to read as follows:*

24 *“(f) Individuals who are not low-income persons may*
25 *serve as volunteers under parts B and C, in accordance with*

1 *such regulations as the Director shall issue, at the discretion*
2 *of the local project. Such individuals shall not receive any*
3 *allowance, stipend, or other financial support for such serv-*
4 *ice except reimbursement for transportation, meals, and*
5 *out-of-pocket expenses related to such service.”.*

6 **SEC. 347. CONDITIONS OF GRANTS AND CONTRACTS.**

7 *Section 212 (42 U.S.C. 5012) is repealed.*

8 **SEC. 348. EVALUATION OF THE SENIOR COMPANION PRO-**
9 **GRAM.**

10 *Section 213(c) (42 U.S.C. 5013(c)) is amended by*
11 *striking paragraph (3).*

12 **SEC. 349. AGREEMENTS WITH OTHER FEDERAL AGENCIES.**

13 *Section 221(a) (42 U.S.C. 5021(a)) is amended—*

14 *(1) by striking “(a)” and inserting “(a)(1)”; and*

15 *(2) by adding at the end the following:*

16 *“(2) The Director is encouraged to enter into agree-*
17 *ments with—*

18 *“(A) the Department of Health and Human*
19 *Services to—*

20 *“(i) involve retired or senior volunteers and*
21 *foster grandparents in Head Start projects; and*

22 *“(ii) promote in-home care in cooperation*
23 *with the Administration on Aging;*

1 “(B) the Department of Education to promote
2 intergenerational tutoring and mentoring for at-risk
3 children; and

4 “(C) the Environmental Protection Agency to
5 support conservation efforts.”.

6 **SEC. 350. PROGRAMS OF NATIONAL SIGNIFICANCE.**

7 Section 225 (42 U.S.C. 5025) is amended—

8 (1) in subsection (a)—

9 (A) by striking paragraph (1) and inserting
10 the following new paragraph:

11 “(1) The Director is authorized to make grants under
12 parts A, B, and C to support programs that address na-
13 tional problems that are also of local concern. The Director
14 may, in any fiscal year, determine which programs of na-
15 tional significance will receive priority in that year. In de-
16 termining the priority of programs to address problems of
17 local concern in a particular area, the Director shall solicit
18 and consider the views of representatives of local groups
19 serving the area.”;

20 (B) in paragraph (2)(B), by striking
21 “paragraph (10)” and inserting “paragraphs
22 (10) and (12)”; and

23 (C) in paragraph (2)(C), by striking “and
24 (10)” and inserting “(10), (12), (15), and (16)”;

1 (2) in subsection (b), by adding at the end the
2 following new paragraphs:

3 “(12) Programs that address environmental
4 needs.

5 “(13) Programs that reach out to organizations
6 not previously involved in addressing local needs,
7 such as labor unions and profitmaking organizations.

8 “(14) Programs that provide for ethnic outreach.

9 “(15) Programs that support criminal justice
10 activities.

11 “(16) Programs that involve older volunteers
12 working with young people in apprenticeship pro-
13 grams.

14 “(17) Programs that support the integration of
15 individuals with disabilities into the community.”;
16 and

17 (3) in subsection (d), by striking paragraph (1)
18 and inserting the following new paragraph:

19 “(1) Except as provided in paragraph (2), from the
20 amounts appropriated under subsection (a), (b), (c), or (d)
21 of section 502, for each fiscal year there shall be available
22 to the Director such sums as may be necessary to make
23 grants under subsection (a).”.

1 **SEC. 351. ADJUSTMENTS TO FEDERAL FINANCIAL ASSIST-**
2 **ANCE.**

3 *Section 226 (42 U.S.C. 5026) is amended—*

4 *(1) in subsection (a)(1)—*

5 *(A) in subparagraph (A), by striking “(A)”;*

6 *and*

7 *(B) by striking subparagraph (B); and*

8 *(2) in subsection (b)—*

9 *(A) in paragraph (1)—*

10 *(i) by striking “(1)”;* and

11 *(ii) by striking “annually” and insert-*

12 *ing “, once every 2 years”;* and

13 *(B) by striking paragraph (2).*

14 **SEC. 352. DEMONSTRATION PROGRAMS.**

15 *Title II (42 U.S.C. 5000 et seq.) is amended by adding*
16 *at the end the following new part:*

17 *“PART E—DEMONSTRATION PROGRAMS*

18 **“SEC. 231. AUTHORITY OF DIRECTOR.**

19 *“(a) IN GENERAL.—The Director is authorized to*
20 *make grants to or enter into contracts with public or non-*
21 *profit organizations, including organizations funded under*
22 *part A, B, or C, for the purposes of demonstrating innova-*
23 *tive activities involving older Americans as volunteers. The*
24 *Director may support under this part both volunteers re-*
25 *ceiving stipends and volunteers not receiving stipends.*

1 “(b) *ACTIVITIES.*—An organization that receives a
2 grant or enters into a contract under subsection (a) may
3 use funds made available through the grant or contract for
4 activities such as—

5 “(1) linking youth groups and older American
6 organizations in volunteer activities;

7 “(2) involving older volunteers in programs and
8 activities different from programs and activities sup-
9 ported in the community; and

10 “(3) testing whether older American volunteer
11 programs may contribute to new objectives or certain
12 national priorities.

13 **“SEC. 232. PROHIBITION.**

14 *“The Director may not reduce the activities, projects,
15 or volunteers funded under the other parts of this title in
16 order to support projects under this part.”.*

17 **CHAPTER 3—ADMINISTRATION**

18 **SEC. 361. PURPOSE OF AGENCY.**

19 *Section 401 (42 U.S.C. 5041) is amended—*

20 (1) by inserting after the first sentence the fol-
21 lowing: *“Such Agency shall also promote the coordi-
22 nation of volunteer efforts among Federal, State, and
23 local agencies and organizations, exchange technical
24 assistance information among such agencies and or-
25 ganizations.”; and*

1 (2) by striking “Older American Volunteer Pro-
2 grams” each place the term appears and inserting
3 “National Senior Volunteer Corps”.

4 **SEC. 362. AUTHORITY OF THE DIRECTOR.**

5 Section 402 (42 U.S.C. 5042) is amended in para-
6 graphs (5) and (6) by inserting “solicit and” before “ac-
7 cept” each place the term appears.

8 **SEC. 363. COMPENSATION FOR VOLUNTEERS.**

9 Section 404 (42 U.S.C. 5044) is amended—

10 (1) in subsection (c), by inserting “from such
11 volunteers or from beneficiaries” after “compensa-
12 tion”;

13 (2) by striking subsection (f); and

14 (3) by redesignating subsection (g) as subsection
15 (f).

16 **SEC. 364. REPEAL OF REPORT.**

17 Section 407 (42 U.S.C. 5047) is repealed.

18 **SEC. 365. APPLICATION OF FEDERAL LAW.**

19 Section 415(b)(4)(A) (42 U.S.C. 5055(b)(4)(A)) is
20 amended by striking “a grade GS-7 employee” and insert-
21 ing “an employee at grade GS-5 of the General Schedule
22 under section 5332 of title 5, United States Code”.

23 **SEC. 366. EVALUATION OF PROGRAMS.**

24 Section 416 (42 U.S.C. 5056) is amended—

25 (1) in subsection (a)—

1 (A) in the first sentence, by striking “(in-
2 cluding the VISTA Literacy Corps which shall be
3 evaluated as a separate program at least once
4 every 3 years)”; and

5 (B) in the second sentence, by striking “at
6 least once every 3 years” and inserting “periodi-
7 cally”;

8 (2) in subsection (b) to read as follows:

9 “(b) In carrying out evaluations of programs under
10 this Act, the Director shall create appropriate management
11 information systems that will summarize information on
12 volunteer activities and accomplishments across the pro-
13 grams supported under this Act. The Director shall periodi-
14 cally prepare and submit to the appropriate committees of
15 Congress a report containing such information.”; and

16 (3) by striking subsections (d), (e), (f), and (g).

17 **SEC. 367. NONDISCRIMINATION PROVISIONS.**

18 Section 417 (42 U.S.C. 5057) is amended to read as
19 follows:

20 **“SEC. 417. NONDISCRIMINATION PROVISIONS.**

21 “(a) *IN GENERAL.*—

22 “(1) *BASIS.*—An individual with responsibility
23 for the operation of a program that receives assistance
24 under this Act shall not discriminate against a par-
25 ticipant in, or member of the staff of, such program

1 *on the basis of race, color, national origin, sex, age,*
2 *or political affiliation of such participant or member,*
3 *or on the basis of disability, if the participant or*
4 *member is a qualified individual with a disability.*

5 “(2) *DEFINITION.*—*As used in paragraph (1),*
6 *the term ‘qualified individual with a disability’ has*
7 *the meaning given the term in section 101(8) of the*
8 *Americans with Disabilities Act of 1990 (42 U.S.C.*
9 *12111(8)).*

10 “(b) *FEDERAL FINANCIAL ASSISTANCE.*—*Any assist-*
11 *ance provided under this Act shall constitute Federal finan-*
12 *cial assistance for purposes of title VI of the Civil Rights*
13 *Act of 1964 (42 U.S.C. 2000d et seq.), title IX of the Edu-*
14 *cation Amendments of 1972 (20 U.S.C. 1681 et seq.), section*
15 *504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), and*
16 *the Age Discrimination Act of 1975 (42 U.S.C. 6101 et*
17 *seq.).*

18 “(c) *RELIGIOUS DISCRIMINATION.*—

19 “(1) *IN GENERAL.*—*Except as provided in para-*
20 *graph (2), an individual with responsibility for the*
21 *operation of a program that receives assistance under*
22 *this Act shall not discriminate on the basis of religion*
23 *against a participant in such program or a member*
24 *of the staff of such program who is paid with funds*
25 *received under this Act.*

1 “(2) *EXCEPTION.*—Paragraph (1) shall not
2 apply to the employment, with assistance provided
3 under this Act, of any member of the staff, of a pro-
4 gram that receives assistance under this Act, who was
5 employed with the organization operating the pro-
6 gram on the date the grant under this Act was
7 awarded.

8 “(d) *RULES AND REGULATIONS.*—The Director shall
9 promulgate rules and regulations to provide for the enforce-
10 ment of this section that shall include provisions for sum-
11 mary suspension of assistance for not more than 30 days,
12 on an emergency basis, until notice and an opportunity to
13 be heard can be provided.”.

14 **SEC. 368. ELIMINATION OF SEPARATE REQUIREMENTS FOR**
15 **SETTING REGULATIONS.**

16 Section 420 (42 U.S.C. 5060) is repealed.

17 **SEC. 369. CLARIFICATION OF ROLE OF INSPECTOR GEN-**
18 **ERAL.**

19 Section 422 (42 U.S.C. 5062) is amended—

20 (1) in subsection (a), by inserting “or the Inspec-
21 tor General” after “Director”; and

22 (2) in subsection (b), by inserting “, the Inspec-
23 tor General,” after “Director” each place that such
24 term appears.

1 **SEC. 370. COPYRIGHT PROTECTION.**

2 Title IV (42 U.S.C. 5041 et seq.) is amended by adding
3 at the end the following new section:

4 **“SEC. 425. PROTECTION AGAINST IMPROPER USE.**

5 “Whoever falsely—

6 “(1) advertises or represents; or

7 “(2) publishes or displays any sign, symbol, or
8 advertisement, reasonably calculated to convey the
9 impression,

10 that an entity is affiliated with, funded by, or operating
11 under the authority of ACTION, VISTA, or any of the pro-
12 grams of the National Senior Volunteer Corps may be en-
13 joined under an action filed by the Attorney General, on
14 a complaint by the Director.”.

15 **SEC. 371. CENTER FOR RESEARCH AND TRAINING.**

16 Title IV (42 U.S.C. 5041 et seq.) (as amended by sec-
17 tion 370 of this Act) is further amended by adding at the
18 end the following new section:

19 **“SEC. 426. CENTER FOR RESEARCH AND TRAINING.**

20 “The Director may establish, directly or by grant or
21 contract, a Center for Research and Training on Volunteer-
22 ism to carry out research concerning the impact of vol-
23 unteerism on individuals, organizations, and communities,
24 provide training at a State, regional, or local level to help
25 improve programs across the United States, and carry out

1 *such other functions as the Director determines to be appro-*
2 *priate.”.*

3 **SEC. 372. DEPOSIT REQUIREMENT CREDIT FOR SERVICE AS**
4 **A VOLUNTEER.**

5 (a) *CIVIL SERVICE RETIREMENT SYSTEM.*—

6 (1) *CREDITABLE SERVICE.*—Section 8332(j) of
7 *title 5, United States Code, is amended—*

8 (A) *in paragraph (1)—*

9 (i) *in the first sentence, by inserting*
10 *“the period of an individual’s services as a*
11 *full-time volunteer enrolled in a program of*
12 *at least 1 year in duration under part A,*
13 *B, or C of title I of the Domestic Volunteer*
14 *Service Act of 1973,” after “Economic Op-*
15 *portunity Act of 1964,”;*

16 (ii) *in the second sentence, by inserting*
17 *“, as a full-time volunteer enrolled in a pro-*
18 *gram of at least 1 year in duration under*
19 *part A, B, or C of title I of the Domestic*
20 *Volunteer Service Act of 1973,” after “Eco-*
21 *nomical Opportunity Act of 1964,”; and*

22 (iii) *in the last sentence—*

23 (I) *by inserting “or under the Do-*
24 *mestic Volunteer Service Act of 1973”*

1 *after “Economic Opportunity Act of*
2 *1964”;* and

3 *(II) by inserting “or the Director*
4 *of ACTION, as appropriate,” after*
5 *“Director of the Office of Economic*
6 *Opportunity”;* and

7 *(B) by adding at the end the following new*
8 *paragraph:*

9 *“(3) The provisions of paragraph (1) relating to*
10 *credit for service as a volunteer or volunteer leader*
11 *under the Economic Opportunity Act of 1964 or the*
12 *Domestic Volunteer Service Act of 1973 shall not*
13 *apply to any period of service as a volunteer or vol-*
14 *unteer leader of an employee or Member with respect*
15 *to which the employee or Member has made the de-*
16 *posit with interest, if any, required by section*
17 *8334(l).”.*

18 *(2) DEDUCTIONS, CONTRIBUTIONS, AND DEPOS-*
19 *ITS.—*

20 *(A) IN GENERAL.—Section 8334 of title 5,*
21 *United States Code, is amended by adding at the*
22 *end the following new subsection:*

23 *“(l)(1) Each employee or Member who has performed*
24 *service as a volunteer or volunteer leader under part A of*
25 *title VIII of the Economic Opportunity Act of 1964, or as*

1 *a full-time volunteer enrolled in a program of at least 1*
2 *year in duration under part A, B, or C of title I of the*
3 *Domestic Volunteer Service Act of 1973, before the date of*
4 *the separation from service on which the entitlement to any*
5 *annuity under this subchapter is based may pay, in accord-*
6 *ance with such regulations as the Office of Personnel Man-*
7 *agement shall issue, to the agency by which the employee*
8 *is employed or, in the case of a Member or a congressional*
9 *employee, to the Secretary of the Senate or the Clerk of the*
10 *House of Representatives, as appropriate, an amount equal*
11 *to 7 percent of the readjustment allowance paid to the em-*
12 *ployee or Member under title VIII of the Economic Oppor-*
13 *tunity Act of 1964 or title I of the Domestic Volunteer Serv-*
14 *ice Act of 1973 for each period of service as such a volunteer*
15 *or volunteer leader.*

16 “(2) Any deposit made under paragraph (1) more than
17 2 years after the later of—

18 “(A) the date of enactment of this subsection; or

19 “(B) the date on which the employee or Member
20 making the deposit first becomes an employee or
21 Member,

22 shall include interest on such amount, computed and
23 compounded annually beginning on the date of the expira-
24 tion of the 2-year period. The interest rate that is applicable
25 in computing interest in any year under this paragraph

1 *shall be equal to the interest rate that is applicable for such*
2 *year under subsection (e).*

3 “(3) Any payment received by an agency, the Sec-
4 *retary of the Senate, or the Clerk of the House of Represent-*
5 *atives under this subsection shall be immediately remitted*
6 *to the Office of Personnel Management for deposit in the*
7 *Treasury of the United States to the credit of the Fund.*

8 “(4) The Director shall furnish such information to the
9 *Office of Personnel Management as the Office may deter-*
10 *mine to be necessary for the administration of this sub-*
11 *section.”.*

12 (B) *CONFORMING AMENDMENT.*—Section
13 *8334(e) of title 5, United States Code, is amend-*
14 *ed in paragraphs (1) and (2) by striking “or*
15 *(k)” each place that such term appears and in-*
16 *serting “(k), or (l)”.*

17 (b) *FEDERAL EMPLOYEES RETIREMENT SYSTEM.*—

18 (1) *CREDITABLE SERVICE.*—Section 8411 of title
19 *5, United States Code, is amended—*

20 (A) *in subsection (b)(3), by striking “sub-*
21 *section (f)” and inserting “subsection (f) or (h)”;*
22 *and*

23 (B) *by adding at the end the following new*
24 *subsection:*

1 “(h) An employee or Member shall be allowed credit
2 for service as a volunteer or volunteer leader under part
3 A of title VIII of the Economic Opportunity Act of 1964,
4 or as a full-time volunteer enrolled in a program of at least
5 1 year in duration under part A, B, or C of title I of the
6 Domestic Volunteer Service Act of 1973, performed at any
7 time prior to the separation from service on which the enti-
8 tlement to any annuity under this subchapter is based if
9 the employee or Member has made a deposit with interest,
10 if any, with respect to such service under section 8422(f).”.

11 (2) DEDUCTIONS, CONTRIBUTIONS.—Section
12 8422 of title 5, United States Code, is amended by
13 adding at the end the following new subsection:

14 “(f)(1) Each employee or Member who has performed
15 service as a volunteer or volunteer leader under part A of
16 title VIII of the Economic Opportunity Act of 1964, or as
17 a full-time volunteer enrolled in a program of at least 1
18 year in duration under part A, B, or C of title I of the
19 Domestic Volunteer Service Act of 1973, before the date of
20 the separation from service on which the entitlement to any
21 annuity under this subchapter, or subchapter V of this
22 chapter, is based may pay, in accordance with such regula-
23 tions as the Office of Personnel Management shall issue, to
24 the agency by which the employee is employed or, in the
25 case of a Member or a congressional employee, to the Sec-

1 *retary of the Senate or the Clerk of the House of Representa-*
2 *tives, as appropriate, an amount equal to 3 percent of the*
3 *readjustment allowance paid to the employee or Member*
4 *under title VIII of the Economic Opportunity Service Act*
5 *of 1964 or title I of the Domestic Volunteer Service Act of*
6 *1973 for each period of service as such a volunteer or volun-*
7 *teer leader.*

8 “(2) Any deposit made under paragraph (1) more than
9 2 years after the later of—

10 “(A) the date of enactment of this subsection, or

11 “(B) the date on which the employee or Member
12 making the deposit first becomes an employee or
13 Member,

14 shall include interest on such amount computed and
15 compounded annually beginning on the date of the expira-
16 tion of the 2-year period. The interest rate that is applicable
17 in computing interest in any year under this paragraph
18 shall be equal to the interest rate that is applicable for such
19 year under section 8334(e).

20 “(3) Any payment received by an agency, the Sec-
21 retary of the Senate, or the Clerk of the House of Represent-
22 atives under this subsection shall be immediately remitted
23 to the Office of Personnel Management for deposit in the
24 Treasury of the United States to the credit of the Fund.

1 “(4) *The Director shall furnish such information to the*
2 *Office of Personnel Management as the Office may deter-*
3 *mine to be necessary for the administration of this sub-*
4 *section.*”.

5 (c) *APPLICABILITY AND OTHER PROVISIONS.*—

6 (1) *APPLICABILITY.*—

7 (A) *TIMING.*—*The amendments made by*
8 *subsections (a) and (b) shall apply with respect*
9 *to credit for service as a volunteer or volunteer*
10 *leader under the Economic Opportunity Act of*
11 *1964 or the Domestic Volunteer Service Act of*
12 *1973 to individuals who are entitled to an annu-*
13 *ity on the basis of a separation from service oc-*
14 *curring before, on, or after the effective date of*
15 *this subtitle.*

16 (B) *SEPARATION.*—*In the case of any indi-*
17 *vidual whose entitlement to an annuity is based*
18 *on a separation from service occurring before the*
19 *date of enactment of this Act, any increase in*
20 *such individual’s annuity on the basis of a de-*
21 *posit made pursuant to section 8334(l) or section*
22 *8442(f) of title 5, United States Code, as amend-*
23 *ed by this Act, shall be effective only with respect*
24 *to annuity payments payable for calendar*

1 *months beginning after the date of enactment of*
2 *this Act.*

3 (2) *ACTION TO INFORM INDIVIDUALS.—The Di-*
4 *rector of the Office of Personnel Management shall*
5 *take such action as may be necessary and appropriate*
6 *to inform individuals entitled to credit under this sec-*
7 *tion for service as a volunteer or volunteer leader, or*
8 *to have any annuity recomputed, or to make a de-*
9 *posit under this section, of such entitlement.*

10 **CHAPTER 4—AUTHORIZATION OF APPRO-**
11 **PRIATIONS AND OTHER AMENDMENTS**

12 **SEC. 381. AUTHORIZATION OF APPROPRIATIONS FOR**

13 **TITLE I.**

14 *Section 501 (42 U.S.C. 5081) is amended to read as*
15 *follows:*

16 **“SEC. 501. NATIONAL VOLUNTEER ANTIPOVERTY PRO-**
17 **GRAMS.**

18 “(a) *AUTHORIZATIONS.—*

19 “(1) *VOLUNTEERS IN SERVICE TO AMERICA.—*
20 *There are authorized to be appropriated to carry out*
21 *part A of title I, excluding sections 104(e) and 109,*
22 *\$45,800,000 for fiscal year 1994, and such sums as*
23 *may be necessary for each of the fiscal years 1995 and*
24 *1996.*

1 “(2) *SUMMER PROGRAM.*—There are authorized
2 to be appropriated to carry out section 104(e), such
3 sums as may be necessary for each of the fiscal years
4 1994 through 1996.

5 “(3) *LITERACY ACTIVITIES.*—There are author-
6 ized to be appropriated to carry out section 109,
7 \$5,600,000 for fiscal year 1994, and such sums as
8 may be necessary for each of the fiscal years 1995 and
9 1996.

10 “(4) *UNIVERSITY YEAR FOR VISTA.*—There are
11 authorized to be appropriated to carry out part B of
12 title I, such sums as may be necessary for each of the
13 fiscal years 1994 through 1996.

14 “(5) *SPECIAL VOLUNTEER PROGRAMS.*—There
15 are authorized to be appropriated to carry out part
16 C of title I, excluding section 124, such sums as may
17 be necessary for each of the fiscal years 1994 through
18 1996.

19 “(6) *LITERACY CHALLENGE GRANTS.*—There are
20 authorized to be appropriated to carry out section
21 124, such sums as may be necessary for each of the
22 fiscal years 1994 through 1996.

23 “(b) *SUBSISTENCE.*—The minimum level of an
24 allowance for subsistence required under section 105(b)(2),
25 to be provided to each volunteer under title I, may not be

1 *reduced or limited in order to provide for an increase in*
2 *the number of volunteer service years under part A of title*
3 *I.*

4 “(c) *LIMITATION.*—*No part of the funds appropriated*
5 *to carry out part A of title I may be used to provide volun-*
6 *teers or assistance to any program or project authorized*
7 *under part B or C of title I, or under title II, unless the*
8 *program or project meets the antipoverty criteria of part*
9 *A of title I.*

10 “(d) *AVAILABILITY.*—*Amounts appropriated for part*
11 *A of title I shall remain available for obligation until the*
12 *end of the fiscal year following the fiscal year for which*
13 *the amounts were appropriated.*

14 “(e) *VOLUNTEER SERVICE REQUIREMENT.*—

15 “(1) *VOLUNTEER SERVICE YEARS.*—*Of the*
16 *amounts appropriated under this section for parts A,*
17 *B, and C of title I, including section 124, there shall*
18 *first be available for part A of title I, including sec-*
19 *tions 104(e) and 109, an amount not less than the*
20 *amount necessary to provide 3,700 volunteer service*
21 *years in fiscal year 1994, 4,000 volunteer service*
22 *years in fiscal year 1995, and 4,500 volunteer service*
23 *years in fiscal year 1996.*

24 “(2) *PLAN.*—*If the Director determines that*
25 *funds appropriated to carry out part A, B, or C of*

1 “(d) *DEMONSTRATION PROGRAMS.*—There are author-
2 ized to be appropriated to carry out part E of title II, such
3 sums as may be necessary for each of the fiscal years 1994
4 through 1996.”.

5 **SEC. 383. AUTHORIZATION OF APPROPRIATIONS FOR**
6 **TITLE IV.**

7 Title V (42 U.S.C. 5081 et seq.) is amended—

8 (1) by striking section 504;

9 (2) by inserting the following after section 502:

10 **“SEC. 503. ADMINISTRATION AND COORDINATION.**

11 “(a) *IN GENERAL.*—For each of the fiscal years 1994
12 through 1998, there are authorized to be appropriated for
13 the administration of this Act as provided for in title IV,
14 15 percent of the total amount appropriated under sections
15 501 and 502 with respect to such year.

16 “(b) *EVALUATION AND CENTER FOR RESEARCH AND*
17 *TRAINING.*—For each of the fiscal years 1994 through 1998,
18 the Director is authorized to expend not less than one-half
19 of 1 percent, and not more than 1 percent, from the amounts
20 appropriated under sections 501 and 502, for the purposes
21 prescribed in sections 416 and 426.”; and

22 (3) by redesignating section 505 as section 504.

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.
“Sec. 124. Literacy challenge grants.

“TITLE II—NATIONAL SENIOR VOLUNTEER CORPS

- “Sec. 200. Statement of purposes.*

“PART A—RETIRED AND SENIOR VOLUNTEER PROGRAM

- “Sec. 201. Grants and contracts for volunteer service projects.*

“PART B—FOSTER GRANDPARENT PROGRAM

- “Sec. 211. Grants and contracts for volunteer service projects.*

“PART C—SENIOR COMPANION PROGRAM

- “Sec. 213. Grants and contracts for volunteer service projects.*

“PART D—GENERAL PROVISIONS

- “Sec. 221. Promotion of National Senior Volunteer Corps.*
“Sec. 222. Payments.
“Sec. 223. Minority group participation.
“Sec. 224. Use of locally generated contributions in National Senior Volunteer Corps.
“Sec. 225. Programs of national significance.
“Sec. 226. Adjustments to Federal financial assistance.
“Sec. 227. Multiyear grants or contracts.

“PART E—DEMONSTRATION PROGRAMS

- “Sec. 231. Authority of Director.*
“Sec. 232. Prohibition.

“TITLE IV—ADMINISTRATION AND COORDINATION

- “Sec. 403. Political activities.*
“Sec. 404. Special limitations.
“Sec. 406. Labor standards.
“Sec. 408. Joint funding.
“Sec. 409. Prohibition of Federal control.
“Sec. 410. Coordination with other programs.
“Sec. 411. Prohibition.

“Sec. 412. Notice and hearing procedures for suspension and termination of financial assistance.

“Sec. 414. Distribution of benefits between rural and urban areas.

“Sec. 415. Application of Federal law.

“Sec. 416. Evaluation.

“Sec. 417. Nondiscrimination provisions.

“Sec. 418. Eligibility for other benefits.

“Sec. 419. Legal expenses.

“Sec. 421. Definitions.

“Sec. 422. Audit.

“Sec. 423. Reduction of paperwork.

“Sec. 424. Review of project renewals.

“Sec. 425. Protection against improper use.

“Sec. 426. Center for Research and Training.

“TITLE V—AUTHORIZATION OF APPROPRIATIONS

“Sec. 501. National volunteer antipoverty programs.

“Sec. 502. National Senior Volunteer Corps.

“Sec. 503. Administration and coordination.

“Sec. 504. 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, and the amendments made by this sub-*
 3 *title shall take effect on October 1, 1993.*

4 **Subtitle C—Youth Conservation**
 5 **Corps Act of 1970**

6 **SEC. 399. PUBLIC LANDS CORPS.**

7 (a) *IN GENERAL.*—Public Law 91–378 (16 U.S.C.
 8 1701–1706; commonly known as the “Youth Conservation
 9 Corps Act of 1970”) is amended—

10 (1) *by inserting before section 1 the following:*

1 **“TITLE I—YOUTH**
2 **CONSERVATION CORPS”;**

3 (2) by striking “Act” each place such term ap-
4 pears and inserting “title”;

5 (3) by redesignating sections 1 through 6 as sec-
6 tions 101 through 106, respectively;

7 (4) in subsection (a) of section 102 (as redesi-
8 gnated by paragraph (3)), by inserting “in this title”
9 after “hereinafter”;

10 (5) in subsection (d) of section 104 (as redesi-
11 gnated by paragraph (3)), by striking “section 6” and
12 inserting “section 106”; and

13 (6) by adding at the end the following new title:

14 **“TITLE II—PUBLIC LANDS CORPS**

15 **“SEC. 201. SHORT TITLE.**

16 *“This title may be cited as the ‘Public Lands Corps*
17 *Act of 1993’.*

18 **“SEC. 202. CONGRESSIONAL FINDINGS AND PURPOSE.**

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

20 “(1) *Conserving or developing natural and cul-*
21 *tural resources and enhancing and maintaining envi-*
22 *ronmentally important lands and waters through the*
23 *use of the Nation’s young men and women in a Pub-*
24 *lic Lands Corps can benefit those men and women by*
25 *providing such men and women with education and*

1 *work opportunities, furthering their understanding*
2 *and appreciation of the natural and cultural re-*
3 *sources, and providing a means to pay for higher*
4 *education or to repay indebtedness such men and*
5 *women have incurred to obtain higher education*
6 *while at the same time benefiting the Nation's econ-*
7 *omy and environment.*

8 *“(2) Many facilities and natural resources lo-*
9 *cated on public lands and on Indian lands are in dis-*
10 *repair or degraded and in need of labor intensive re-*
11 *habilitation, restoration, and enhancement work that*
12 *cannot be carried out by Federal agencies at existing*
13 *personnel levels.*

14 *“(3) Youth conservation corps have established a*
15 *good record of restoring and maintaining these kinds*
16 *of facilities and resources in a cost-effective and effi-*
17 *cient manner, especially when the corps have worked*
18 *in partnership arrangements with government land*
19 *management agencies.*

20 *“(b) PURPOSE.—It is the purpose of this title to—*

21 *“(1) perform, in a cost-effective manner, appro-*
22 *priate conservation projects on public lands and In-*
23 *Indian lands where such projects will not be performed*
24 *by existing employees;*

1 “(2) assist governments and Indian tribes in
2 performing research and public education tasks asso-
3 ciated with natural and cultural resources on public
4 lands and Indian lands;

5 “(3) expose young men and women to public
6 service while furthering their understanding and ap-
7 preciation of the Nation’s natural and cultural re-
8 sources;

9 “(4) expand educational opportunities by re-
10 warding individuals who participate in national
11 service with an increased ability to pursue higher
12 education or job training; and

13 “(5) stimulate interest among the Nation’s young
14 men and women in conservation careers by exposing
15 such men and women to conservation professionals in
16 land managing agencies.

17 **“SEC. 203. DEFINITIONS.**

18 *“For purposes of this title:*

19 “(1) *APPROPRIATE CONSERVATION PROJECT.—*
20 *The term ‘appropriate conservation project’ means*
21 *any project for the conservation, restoration, construc-*
22 *tion, or rehabilitation of natural, cultural, historic,*
23 *archaeological, recreational, or scenic resources.*

1 “(2) *CORPS AND PUBLIC LANDS CORPS.*—The
2 terms ‘Corps’ and ‘Public Lands Corps’ mean the
3 Public Lands Corps established under section 204.

4 “(3) *INDIAN.*—The term ‘Indian’ means a person
5 who is a member of an Indian tribe, or is a ‘Native’,
6 as defined in section 3(b) of the Alaska Native Claims
7 Settlement Act (43 U.S.C. 1602(b)).

8 “(4) *INDIAN LANDS.*—The term ‘Indian lands’
9 means—

10 “(A) any Indian reservation;

11 “(B) any public domain Indian allotments;

12 “(C) any former Indian reservation in the
13 State of Oklahoma;

14 “(D) any land held by incorporated Native
15 groups, regional corporations, and village cor-
16 porations under the Alaska Native Claims Settle-
17 ment Act (43 U.S.C. 1601 et seq.); and

18 “(E) any land held by dependent Indian
19 communities within the borders of the United
20 States whether within the original or subse-
21 quently acquired territory thereof, and whether
22 within or without the limits of a State.

23 “(5) *INDIAN TRIBE.*—The term ‘Indian tribe’
24 means—

1 “(A) *an Indian tribe, band, nation, or other*
2 *organized group or community, including—*

3 “(i) *any Native village, as defined in*
4 *section 3(c) of the Alaska Native Claims*
5 *Settlement Act (43 U.S.C. 1602(c)), whether*
6 *organized traditionally or pursuant to the*
7 *Act of June 18, 1934 (commonly known as*
8 *the ‘Indian Reorganization Act’; 48 Stat.*
9 *984, chapter 576; 25 U.S.C 461 et seq.); and*

10 “(ii) *any Regional Corporation or Vil-*
11 *lage Corporation, as defined in subsection*
12 *(g) or (j), respectively, of section 3 of the*
13 *Alaska Native Claims Settlement Act (43*
14 *U.S.C. 1602 (g) or (j)),*

15 *that is recognized as eligible for the special pro-*
16 *grams and services provided by the United*
17 *States under Federal law to Indians because of*
18 *their status as Indians; and*

19 “(B) *any tribal organization controlled,*
20 *sanctioned, or chartered by an entity described*
21 *in subparagraph (A).*

22 “(6) *PUBLIC LANDS.—The term ‘public lands’*
23 *means any lands or waters (or interest therein)*
24 *owned or administered by the United States, except*
25 *that such term does not include any Indian lands.*

1 “(7) *QUALIFIED YOUTH OR CONSERVATION*
2 *CORPS.*—The term ‘qualified youth or conservation
3 *corps*’ means any program established by a State or
4 local government, by the governing body of any In-
5 dian tribe, or by a nonprofit organization, that—

6 “(A) is capable of offering meaningful, full-
7 time, productive work for individuals between
8 the ages of 16 and 25, inclusive, in a natural or
9 cultural resource setting;

10 “(B) gives participants a mix of work expe-
11 rience, basic and life skills, education, training,
12 and support services; and

13 “(C) provides participants with the oppor-
14 tunity to develop citizenship values and skills
15 through service to their community and the
16 United States.

17 “(8) *RESOURCE ASSISTANT.*—The term ‘resource
18 assistant’ means a resource assistant selected under
19 section 206.

20 “(9) *STATE.*—The term ‘State’ means any State
21 of the United States, the District of Columbia, the
22 Commonwealth of Puerto Rico, Guam, the Virgin Is-
23 lands, American Samoa, and the Commonwealth of
24 the Northern Mariana Islands.

1 **“SEC. 204. PUBLIC LANDS CORPS PROGRAM.**

2 “(a) *ESTABLISHMENT OF PUBLIC LANDS CORPS.—*
3 *There is hereby established in the Department of the Inte-*
4 *rior and the Department of Agriculture a Public Lands*
5 *Corps.*

6 “(b) *PARTICIPANTS.—The Corps shall consist of indi-*
7 *viduals between the ages of 16 and 25, inclusive, who are*
8 *enrolled as participants in the Corps by the Secretary of*
9 *the Interior or the Secretary of Agriculture. To be eligible*
10 *for enrollment in the Corps, an individual shall satisfy the*
11 *criteria specified in section 137(b) of the National and*
12 *Community Service Act of 1990. The Secretaries may enroll*
13 *such individuals in the Corps without regard to the provi-*
14 *sions of title 5, United States Code, governing appointments*
15 *in the competitive service, and without regard to the provi-*
16 *sions of chapter 51 and subchapter III of chapter 53 of such*
17 *title relating to classification and General Schedule pay*
18 *rates. The Secretaries may establish a preference for the en-*
19 *rollment in the Corps of individuals who are economically,*
20 *physically, or educationally disadvantaged.*

21 “(c) *QUALIFIED YOUTH OR CONSERVATION CORPS.—*
22 *The Secretary of the Interior and the Secretary of Agri-*
23 *culture are authorized to enter into contracts and coopera-*
24 *tive agreements with any qualified youth or conservation*
25 *corps to perform appropriate conservation projects referred*
26 *to in subsection (d).*

1 “(d) *PROJECTS TO BE CARRIED OUT.*—The Secretary
2 of the Interior and the Secretary of Agriculture may each
3 utilize the Corps or any qualified youth or conservation
4 corps to carry out appropriate conservation projects that
5 such Secretary is authorized to carry out under other au-
6 thority of law on public lands. Appropriate conservation
7 projects may also be carried out under this title on Indian
8 lands with the approval of the Indian tribe involved.

9 “(e) *PREFERENCE FOR CERTAIN PROJECTS.*—In se-
10 lecting appropriate conservation projects to be carried out
11 under this title, the Secretary of the Interior and the Sec-
12 retary of Agriculture shall give preference to those projects
13 that—

14 “(1) will provide long-term benefits to the public;

15 “(2) will instill in the enrollee involved a work
16 ethic and a sense of public service;

17 “(3) will be labor intensive;

18 “(4) can be planned and initiated promptly; and

19 “(5) will provide academic, experiential, or envi-
20 ronmental education opportunities.

21 “(f) *CONSISTENCY.*—Each appropriate conservation
22 project carried out under this title on any public lands or
23 Indian lands shall be consistent with the provisions of law
24 and policies relating to the management and administra-
25 tion of such lands, with all other applicable provisions of

1 *law, and with all management, operational, and other*
2 *plans and documents that govern the administration of the*
3 *area.*

4 ***“SEC. 205. CONSERVATION CENTERS.***

5 “(a) *ESTABLISHMENT AND USE.*—*The Secretary of the*
6 *Interior and the Secretary of Agriculture are each author-*
7 *ized to provide such quarters, board, medical care, transpor-*
8 *tation, and other services, facilities, supplies, and equip-*
9 *ment as such Secretary determines to be necessary in con-*
10 *nection with the Public Lands Corps and appropriate con-*
11 *servaion projects carried out under this title and to estab-*
12 *lish and use conservation centers owned and operated by*
13 *such Secretary for purposes of the Corps and such projects.*
14 *The Secretaries shall establish basic standards of health, nu-*
15 *trition, sanitation, and safety for all conservation centers*
16 *established under this section and shall assure that such*
17 *standards are enforced. Where necessary or appropriate, the*
18 *Secretaries may enter into contracts and other appropriate*
19 *arrangements with State and local government agencies*
20 *and private organizations for the management of such con-*
21 *servaion centers.*

22 “(b) *LOGISTICAL SUPPORT.*—*The Secretary of the In-*
23 *terior and the Secretary of Agriculture may make arrange-*
24 *ments with the Secretary of Defense to have logistical sup-*
25 *port provided by the Armed Forces to the Corps and any*

1 *conservation center established under this section, where*
2 *feasible. Logistical support may include the provision of*
3 *temporary tent shelters where needed, transportation, and*
4 *residential supervision.*

5 “(c) *USE OF MILITARY INSTALLATIONS.*—*The Sec-*
6 *retary of the Interior and the Secretary of Agriculture may*
7 *make arrangements with the Secretary of Defense to iden-*
8 *tify military installations and other facilities of the Depart-*
9 *ment of Defense and, in consultation with the adjutant gen-*
10 *erals of the State National Guards, National Guard facili-*
11 *ties that may be used, in whole or in part, by the Corps*
12 *for training or housing Corps participants.*

13 **“SEC. 206. RESOURCE ASSISTANTS.**

14 “(a) *AUTHORIZATION.*—*The Secretary of the Interior*
15 *and the Secretary of Agriculture are each authorized to pro-*
16 *vide individual placements of resource assistants with any*
17 *Federal land managing agency under the jurisdiction of*
18 *such Secretary to carry out research or resource protection*
19 *activities on behalf of the agency. To be eligible for selection*
20 *as a resource assistant, an individual shall be at least 17*
21 *years of age. The Secretaries may select resource assistants*
22 *without regard to the provisions of title 5, United States*
23 *Code, governing appointments in the competitive service,*
24 *and without regard to the provisions of chapter 51 and sub-*
25 *chapter III of chapter 53 of such title relating to classifica-*

1 *tion and General Schedule pay rates. The Secretaries shall*
2 *give a preference to the selection of individuals who are en-*
3 *rolled in an institution of higher education or are recent*
4 *graduates from an institution of higher education, as de-*
5 *fin ed in section 1201(a) of the Higher Education Act of*
6 *1965 (20 U.S.C. 1141(a)) with particular attention given*
7 *to ensure the full representation of women and participants*
8 *from historically black, Hispanic, and Native American*
9 *schools.*

10 “(b) *USE OF EXISTING NONPROFIT ORGANIZATIONS.—*
11 *Whenever one or more existing nonprofit organizations can*
12 *provide, in the judgment of the Secretary of the Interior*
13 *or the Secretary of Agriculture, appropriate recruitment*
14 *and placement services to fulfill the requirements of this sec-*
15 *tion, the Secretary may implement this section through*
16 *such existing organizations. Participating nonprofit orga-*
17 *nizations shall contribute to the expenses of providing and*
18 *supporting the resource assistants, through private sources*
19 *of funding, at a level equal to 25 percent of the total costs*
20 *of each participant in the resource assistant program who*
21 *has been recruited and placed through that organization.*
22 *Any such participating nonprofit conservation service orga-*
23 *nization shall be required, by the respective land managing*
24 *agency, to submit an annual report evaluating the scope,*
25 *size, and quality of the program, including the value of*

1 *work contributed by the resource assistants, to the mission*
2 *of the agency.*

3 **“SEC. 207. LIVING ALLOWANCES AND TERMS OF SERVICE.**

4 “(a) *LIVING ALLOWANCES.*—*The Secretary of the Inte-*
5 *rior and the Secretary of Agriculture shall provide each*
6 *participant in the Public Lands Corps and each resource*
7 *assistant with a living allowance in an amount not to ex-*
8 *ceed the maximum living allowance authorized by section*
9 *140(a)(3) of the National and Community Service Act of*
10 *1990 for participants in a national service program as-*
11 *sisted under subtitle C of title I of such Act.*

12 “(b) *TERMS OF SERVICE.*—*Each participant in the*
13 *Corps and each resource assistant shall agree to participate*
14 *in the Corps or serve as a resource assistant, as the case*
15 *may be, for such term of service as may be established by*
16 *the Secretary enrolling or selecting the individual.*

17 **“SEC. 208. NATIONAL SERVICE EDUCATIONAL AWARDS.**

18 “(a) *EDUCATIONAL BENEFITS AND AWARDS.*—*If a*
19 *participant in the Public Lands Corps or a resource assist-*
20 *ant also serves in an approved national service position des-*
21 *ignated under subtitle C of title I of the National and Com-*
22 *munity Service Act of 1990, the participant or resource as-*
23 *stant shall be eligible for a national service educational*
24 *award in the manner prescribed in subtitle D of such title*
25 *upon successfully complying with the requirements for the*

1 *award. The period during which the national service edu-*
2 *cational award may be used, the purposes for which the*
3 *award may be used, and the amount of the award shall*
4 *be determined as provided under such subtitle.*

5 “(b) *FORBEARANCE IN THE COLLECTION OF STAFFORD*
6 *LOANS.—For purposes of section 428 of the Higher Edu-*
7 *cation Act of 1965, in the case of borrowers who are either*
8 *participants in the Corps or resource assistants, upon writ-*
9 *ten request, a lender shall grant a borrower forbearance on*
10 *such terms as are otherwise consistent with the regulations*
11 *of the Secretary of Education, during periods in which the*
12 *borrower is serving as such a participant or a resource as-*
13 *stant.*

14 **“SEC. 209. NONDISPLACEMENT.**

15 “*The nondisplacement requirements of section 177 of*
16 *the National and Community Service Act of 1990 shall be*
17 *applicable to all activities carried out by the Public Lands*
18 *Corps, to all activities carried out under this title by a*
19 *qualified youth or conservation corps, and to the selection*
20 *and service of resource assistants.*

21 **“SEC. 210. FUNDING.**

22 “(a) *COST SHARING.—*

23 “(1) *PROJECTS BY QUALIFIED YOUTH OR CON-*
24 *SERVATION CORPS.—The Secretary of the Interior and*
25 *the Secretary of Agriculture are each authorized to*

1 *pay not more than 75 percent, and shall collectively*
2 *pay 75 percent, of the costs of any appropriate con-*
3 *servations project carried out pursuant to this title on*
4 *public lands by a qualified youth or conservation*
5 *corps. The remaining 25 percent of the costs of such*
6 *a project may be provided from non-Federal sources*
7 *in the form of funds, services, facilities, materials,*
8 *equipment, or any combination of the foregoing. No*
9 *cost sharing shall be required in the case of any ap-*
10 *propriate conservation project carried out on Indian*
11 *lands under this title.*

12 “(2) *PUBLIC LANDS CORPS PROJECTS.*—*The Sec-*
13 *retary of the Interior and the Secretary of Agriculture*
14 *are each authorized to accept donations of funds, serv-*
15 *ices, facilities, materials, or equipment for the pur-*
16 *poses of operating the Public Lands Corps and carry-*
17 *ing out appropriate conservation projects by the*
18 *Corps. The Department of the Interior and the De-*
19 *partment of Agriculture shall comply with the Fed-*
20 *eral share requirements of section 129(d)(2)(B) of the*
21 *National and Community Service Act of 1990.*

22 “(b) *FUNDS AVAILABLE UNDER NATIONAL AND COM-*
23 *MUNITY SERVICE ACT.*—*In order to carry out the Public*
24 *Lands Corps or to support resource assistants and qualified*
25 *youth or conservation corps under this title, the Secretary*

1 *of the Interior and the Secretary of Agriculture shall be eli-*
2 *gible to apply for and receive assistance described in section*
3 *121(b) of the National and Community Service Act of 1990,*
4 *from funds available under section 129(d)(2).”.*

5 (b) *EFFECTIVE DATE.*—*The amendments made by sub-*
6 *section (a) shall take effect on October 1, 1993.*

7 ***TITLE IV—TECHNICAL AND***
8 ***CONFORMING AMENDMENTS***

9 ***SEC. 401. DEFINITIONS.***

10 *Section 421 of the Domestic Volunteer Service Act of*
11 *1973 (42 U.S.C. 5061) is amended—*

12 (1) *by striking “and” at the end of paragraph*
13 *(6);*

14 (2) *by striking the period at the end of para-*
15 *graph (7) and inserting a semicolon; and*

16 (3) *by adding at the end the following new para-*
17 *graphs:*

18 “(8) *the term ‘Corporation’ means the Corpora-*
19 *tion for National and Community Service established*
20 *under section 191 of the National and Community*
21 *Service Act of 1990;*

22 “(9) *the term ‘foster grandparent’ means a vol-*
23 *unteer in the Foster Grandparent Program;*

1 “(10) the term ‘Foster Grandparent Program’
2 means the program established under part B of title
3 II;

4 “(11) except as provided in section 417, the term
5 ‘individual with a disability’ has the meaning given
6 the term in section 7(8) of the Rehabilitation Act of
7 1973 (29 U.S.C. 706(8));

8 “(12) the term ‘Inspector General’ means the In-
9 spector General of ACTION;

10 “(13) the term ‘national senior volunteer’ means
11 a volunteer in the National Senior Volunteer Corps;

12 “(14) the term ‘National Senior Volunteer Corps’
13 means the programs established under parts A, B, C,
14 and E of title II;

15 “(15) the term ‘Retired and Senior Volunteer
16 Program’ means the program established under part
17 A of title II;

18 “(16) the term ‘retired or senior volunteer’
19 means a volunteer in the Retired and Senior Volun-
20 teer Program;

21 “(17) the term ‘senior companion’ means a vol-
22 unteer in the Senior Companion Program;

23 “(18) the term ‘Senior Companion Program’
24 means the program established under part C of title
25 II;

1 “(19) the terms ‘VISTA’ and ‘Volunteers in Serv-
2 ice to America’ mean the program established under
3 part A of title I; and

4 “(20) the term ‘VISTA volunteer’ means a volun-
5 teer in VISTA.”.

6 **SEC. 402. REFERENCES TO THE COMMISSION ON NATIONAL**
7 **AND COMMUNITY SERVICE.**

8 (a) NATIONAL DEFENSE AUTHORIZATION ACT FOR
9 FISCAL YEAR 1993.—

10 (1) Section 1092(b) of the National Defense Au-
11 thorization Act for Fiscal Year 1993 (42 U.S.C.
12 12653a note) is amended—

13 (A) in paragraph (1)—

14 (i) by striking “Commission on Na-
15 tional Community Service” and inserting
16 “Corporation for National and Community
17 Service”; and

18 (ii) by striking “Commission shall pre-
19 pare” and inserting “Board of Directors of
20 the Corporation shall prepare”; and

21 (B) in paragraph (2), by striking “Board of
22 Directors of the Commission on National and
23 Community Service” and inserting “Board of
24 Directors of the Corporation for National and
25 Community Service”.

1 (2) *Section 1093(a) of such Act (42 U.S.C.*
2 *12653a note) is amended by striking “the Board of*
3 *Directors and Executive Director of the Commission*
4 *on National and Community Service” and inserting*
5 *“the Board of Directors and President of the Corpora-*
6 *tion for National and Community Service”.*

7 (3) *Section 1094 of such Act (Public Law 102-*
8 *484; 106 Stat. 2535) is amended—*

9 (A) *in the title, by striking “***COMMISSION**
10 **ON NATIONAL AND COMMUNITY SERVICE***”*
11 *and inserting “***CORPORATION FOR NA-**
12 **TIONAL AND COMMUNITY SERVICE***”;*

13 (B) *in subsection (a)—*

14 (i) *in the heading, by striking “COM-*
15 *MISSION” and inserting “CORPORATION”;*

16 (ii) *in the first sentence, by striking*
17 *“Commission on National and Community*
18 *Service” and inserting “Corporation for*
19 *National and Community Service”; and*

20 (iii) *in the second sentence, by striking*
21 *“The Commission” and inserting “The*
22 *President of the Corporation”; and*

23 (C) *in subsection (b)—*

24 (i) *in paragraph (1), by striking*
25 *“Board of Directors of the Commission on*

1 *National and Community Service” and in-*
2 *serting “President of the Corporation for*
3 *National and Community Service”;* and

4 *(ii) in paragraph (2), by striking “the*
5 *Commission” and inserting “the President*
6 *of the Corporation for National and Com-*
7 *munity Service”.*

8 *(4) Section 1095 of such Act (Public Law 102–*
9 *484; 106 Stat. 2535) is amended in the heading for*
10 *subsection (b) by striking “COMMISSION ON NATIONAL*
11 *AND COMMUNITY SERVICE” and inserting “CORPORA-*
12 *TION FOR NATIONAL AND COMMUNITY SERVICE”.*

13 *(5) Section 2(b) of such Act (Public Law 102–*
14 *484; 106 Stat. 2315) is amended by striking the item*
15 *relating to section 1094 of such Act and inserting the*
16 *following:*

“Sec. 1094. Other programs of the Corporation for National and Community
 Service.”.

17 *(b) NATIONAL AND COMMUNITY SERVICE ACT OF*
18 *1990.—*

19 *(1) Sections 159(b)(2) (as redesignated in section*
20 *104(b)(3) of this Act) and 165 (as redesignated in sec-*
21 *tion 104(b)(3) of this Act), subsections (a) and (b) of*
22 *section 172, sections 176(a) and 177(c), and sub-*
23 *sections (a), (b), and (d) through (h) of section 179,*
24 *of the National and Community Service Act of 1990*

1 (42 U.S.C. 12653h(b)(2), 12653n, 12632 (a) and (b),
2 12636(a), 12637(c), and 12639 (a), (b), and (d)
3 through (h)) are each amended by striking the term
4 “Commission” each place the term appears and in-
5 serting “Corporation”.

6 (2) Sections 152, 157(b)(2), 162(a)(2)(C), 164,
7 and 166(1) of such Act (in each case, as redesignated
8 in section 104(b)(3) of this Act) (42 U.S.C. 12653a,
9 12653f(b)(2), 12653k(a)(2)(C), 12653m, and
10 12653o(1)) are each amended by striking “Commis-
11 sion on National and Community Service” and in-
12 serting “Corporation”.

13 (3) Section 163(b)(9) of such Act (as redesign-
14 ated in section 104(b)(3) of this Act) (42 U.S.C.
15 12635l(b)(9)) is amended by striking “Chair of the
16 Commission on National and Community Service”
17 and inserting “President”.

18 (4) Section 303(a) of such Act (42 U.S.C.
19 12662(a)) is amended—

20 (A) by striking “The President” and insert-
21 ing “The President of the United States, acting
22 through the Corporation,”;

23 (B) by inserting “in furtherance of activi-
24 ties under section 302” after “section 501(b)”;
25 and

1 (C) by striking “the President” both places
2 it appears and inserting “the Corporation”.

3 **SEC. 403. REFERENCES TO DIRECTORS OF THE COMMIS-**
4 **SION ON NATIONAL AND COMMUNITY SERV-**
5 **ICE.**

6 (a) *PRESIDENT.*—

7 (1) Section 159(a) of such Act (as redesignated
8 in section 104(b)(3) of this Act) (42 U.S.C.
9 12653h(b)) is amended—

10 (A) by striking “BOARD.—The Board” and
11 inserting “SUPERVISION.—The President”;

12 (B) by striking “the Board” in the matter
13 preceding paragraph (1), and in paragraph (1),
14 and inserting “the President”; and

15 (C) by striking “the Director” in paragraph
16 (1) and inserting “the Board”.

17 (2) Section 159(b) of such Act (as redesignated
18 in section 104(b)(3) of this Act) (42 U.S.C.
19 12653h(b)) is amended by striking “(b)” and all that
20 follows through “Commission on National and Com-
21 munity Service” and inserting “(b) MONITORING AND
22 COORDINATION.—The President”.

23 (3) Section 159(c)(1) (as redesignated in section
24 104(b)(3) of this Act) (42 U.S.C. 12653h(c)(1)) is
25 amended—

1 (A) in subparagraph (A), by striking “the
2 Board, in consultation with the Executive Direc-
3 tor,” and inserting “the President”; and

4 (B) in subparagraph (B)(iii), by striking
5 “the Board through the Executive Director” and
6 inserting “the President”.

7 (4) Section 166(6) (as redesignated in section
8 104(b)(3) of this Act) (42 U.S.C. 12653o(6)) is
9 amended—

10 (A) by striking paragraph (6); and

11 (B) by redesignating paragraphs (7)
12 through (11) as paragraphs (6) through (10), re-
13 spectively.

14 (b) *DIRECTOR OF CIVILIAN COMMUNITY CORPS.*—Sec-
15 tions 155(a), 157(b)(1)(A), 158(a), 159(c)(1)(A), and
16 163(a) (in each case, as redesignated in section 104(b)(3)
17 of this Act) of the National and Community Service Act
18 of 1990 (42 U.S.C. 12653d(a), 12653f(b)(1)(A), 12653g(a),
19 12653h(c)(1)(A), and 12653l(a)) are amended by striking
20 “Director of the Civilian Community Corps” each place the
21 term appears and inserting “Director”.

22 **SEC. 404. DEFINITION OF DIRECTOR.**

23 Section 421 of the Domestic Volunteer Service Act of
24 1973 (42 U.S.C. 5061) is amended by striking paragraph
25 (1) and inserting the following new paragraph:

1 “(1) the term ‘Director’ means the President of
2 the Corporation for National and Community Service
3 appointed under section 193 of the National and
4 Community Service Act of 1990;”.

5 **SEC. 405. REFERENCES TO ACTION AND THE ACTION**
6 **AGENCY.**

7 (a) DOMESTIC VOLUNTEER SERVICE ACT OF 1973.—

8 (1) Section 2(b) of the Domestic Volunteer Serv-
9 ice Act of 1973 (42 U.S.C. 4950(b)) is amended—

10 (A) by striking “ACTION, the Federal do-
11 mestic volunteer agency,” and inserting “this
12 Act”; and

13 (B) by striking “ACTION shall” and insert-
14 ing “the Corporation for National and Commu-
15 nity Service shall”.

16 (2) Subtitle (b) of section 124 of such Act (as re-
17 designated by section 322(2) of this Act) is amended
18 by striking “the ACTION Agency” and inserting “the
19 Corporation”.

20 (3) Section 225(e) of such Act (42 U.S.C.
21 5025(e)) is amended by striking “the ACTION Agen-
22 cy” and inserting “the Corporation”.

23 (4) Section 403(a) of such Act (42 U.S.C.
24 5043(a)) is amended—

1 (A) by striking “the ACTION Agency” the
2 first place such term appears and inserting “the
3 Corporation under this Act”; and

4 (B) by striking “the ACTION Agency” the
5 second place such term appears and inserting
6 “the Corporation”.

7 (5) Section 408 of such Act (42 U.S.C. 5048) is
8 amended by striking “the ACTION Agency” and in-
9 serting “the Corporation”.

10 (6) Section 421(12) of such Act (as added by sec-
11 tion 401 of this Act) is further amended by striking
12 “ACTION” and inserting “the Corporation”.

13 (7) Section 425 of such Act (as added by section
14 370 of this Act) is further amended by striking “AC-
15 TION” and inserting “the Corporation”.

16 (b) CIVIL SERVICE RETIREMENT SYSTEM.—Section
17 8332(j)(1) of title 5, United States Code (as amended by
18 section 372(a)(1)(A)(iii)(II) of this Act) is amended by
19 striking “the Director of ACTION” and inserting “the
20 President of the Corporation for National and Community
21 Service”.

22 (c) PUBLIC HOUSING SECURITY.—Section 207(c) of
23 the Public Housing Security Demonstration Act of 1978
24 (Public Law 95–557; 92 Stat. 2093; 12 U.S.C. 1701z–6
25 note) is amended—

1 (1) in paragraph (3)(ii), by striking “ACTION”
2 and inserting “the Corporation for National and
3 Community Service”; and

4 (2) in paragraph (4), by striking “ACTION”
5 and inserting “the Corporation for National and
6 Community Service”.

7 (d) NATIONAL FOREST VOLUNTEERS.—Section 1 of the
8 Volunteers in the National Forests Act of 1972 (16 U.S.C.
9 558a) is amended by striking “ACTION” and inserting
10 “the Corporation for National and Community Service”.

11 (e) PEACE CORPS.—Section 2A of the Peace Corps Act
12 (22 U.S.C. 2501–1) is amended by inserting after “the AC-
13 TION Agency” the following: “; the successor to the AC-
14 TION Agency,”.

15 (f) INDIAN ECONOMIC DEVELOPMENT.—Section 502 of
16 the Indian Financing Act of 1974 (25 U.S.C. 1542) is
17 amended by striking “ACTION Agency” and inserting “the
18 Corporation for National and Community Service”.

19 (g) OLDER AMERICANS.—The Older Americans Act of
20 1965 is amended—

21 (1) in section 202(c)(1) (42 U.S.C. 3012(c)(1)),
22 by striking “the Director of the ACTION Agency”
23 and inserting “the Corporation for National and
24 Community Service”;

1 (2) in section 203(a)(1) (42 U.S.C. 3013(a)(1)),
2 by striking “the ACTION Agency” and inserting “the
3 Corporation for National and Community Service”;
4 and

5 (3) in section 422(b)(12)(C) (42 U.S.C.
6 3035a(b)(12)(C)), by striking “the ACTION Agency”
7 and inserting “the Corporation for National and
8 Community Service”.

9 (h) VISTA SERVICE EXTENSION.—Section 101(c)(1)
10 of the Domestic Volunteer Service Act Amendments of 1989
11 (Public Law 101–204; 103 Stat. 1810; 42 U.S.C. 4954 note)
12 is amended by striking “Director of the ACTION Agency”
13 and inserting “President of the Corporation for National
14 and Community Service”.

15 (i) AGING RESOURCE SPECIALISTS.—Section 205(c) of
16 the Older Americans Amendments of 1975 (Public Law 94–
17 135; 89 Stat. 727; 42 U.S.C. 5001 note) is amended—

18 (1) in paragraph (1)—

19 (A) by striking “the ACTION Agency,” and
20 inserting “the Corporation for National and
21 Community Service,”; and

22 (B) by striking “the Director of the AC-
23 TION Agency” and inserting “the President of
24 the Corporation”;

1 (2) in paragraph (2)(A), by striking “ACTION
2 Agency” and inserting “Corporation”; and

3 (3) in paragraph (3), by striking subparagraph
4 (A) and inserting the following new subparagraph:

5 “(A) the term ‘Corporation’ means the Corpora-
6 tion for National and Community Service established
7 by section 191 of the National and Community Serv-
8 ice Act of 1990.”.

9 (j) PROMOTION OF PHOTOVOLTAIC ENERGY.—Section
10 11(a) of the Solar Photovoltaic Energy Research, Develop-
11 ment, and Demonstration Act of 1978 (42 U.S.C. 5590) is
12 amended by striking “the Director of ACTION,”.

13 (k) COORDINATING COUNCIL ON JUVENILE JUSTICE.—
14 Section 206(a)(1) of the Juvenile Justice and Delinquency
15 Prevention Act of 1974 (42 U.S.C. 5616(a)(1)) is amended
16 by striking “the Director of the ACTION Agency” and in-
17 serting “the President of the Corporation for National and
18 Community Service”.

19 (l) ENERGY CONSERVATION.—Section 413(b)(1) of the
20 Energy Conservation and Production Act (42 U.S.C.
21 6863(b)(1)) is amended by striking “the Director of the AC-
22 TION Agency,”.

23 (m) INTERAGENCY COUNCIL ON THE HOMELESS.—
24 Section 202(a) of the Stewart B. McKinney Homeless As-

1 *sistance Act (42 U.S.C. 11312(a)) is amended by striking*
2 *paragraph (12) and inserting the following new paragraph:*

3 “(12) *The President of the Corporation for Na-*
4 *tional and Community Service, or the designee of the*
5 *President.*”.

6 (n) *ANTI-DRUG ABUSE.—Section 3601 of the Anti-*
7 *Drug Abuse Act of 1988 (42 U.S.C. 11851) is amended by*
8 *striking paragraph (5) and inserting the following new*
9 *paragraph:*

10 “(5) *the term ‘Director’ means the President of*
11 *the Corporation for National and Community Serv-*
12 *ice.*”.

13 (o) *ADMINISTRATION ON CHILDREN, YOUTH, AND FAM-*
14 *ILIES.—Section 916(b) of the Claude Pepper Young Ameri-*
15 *cans Act of 1990 (42 U.S.C. 12312(b)) is amended by strik-*
16 *ing “the Director of the ACTION Agency” and inserting*
17 *“the President of the Corporation for National and Commu-*
18 *nity Service*”.

19 **SEC. 406. EFFECTIVE DATE.**

20 (a) *COMMISSION.—The amendments made by sections*
21 *401 through 402 will take effect on October 1, 1993.*

22 (b) *ACTION.—The amendments made by sections 404*
23 *and 405 shall take effect on the effective date of section*
24 *203(c)(2).*

1 **TITLE V—RURAL COMMUNITY**
2 **SERVICE**

3 **SEC. 501. RURAL COMMUNITY SERVICE.**

4 *Title XI of the of the Higher Education Act of 1965*
5 *(20 U.S.C. 1136 et seq.) is amended by adding at the end*
6 *the following new part:*

7 **“PART C—RURAL COMMUNITY SERVICE**

8 **“SEC. 1171. FINDINGS; PURPOSE.**

9 “(a) *FINDINGS.*—*The Congress finds that—*

10 “(1) *the Nation’s rural centers are facing in-*
11 *creasingly pressing problems and needs in the areas*
12 *of economic development, community infrastructure*
13 *and service, social policy, public health, housing,*
14 *crime, education, environmental concerns, planning*
15 *and work force preparation;*

16 “(2) *there are, in the Nation’s rural institutions,*
17 *people with underutilized skills, knowledge, and expe-*
18 *rience who are capable of providing a vast range of*
19 *services towards the amelioration of the problems de-*
20 *scribed in paragraph (1);*

21 “(3) *the skills, knowledge, and experience in these*
22 *rural institutions, if applied in a systematic and sus-*
23 *tained manner, can make a significant contribution*
24 *to the solution of such problems; and*

1 “(4) *the application of such skills, knowledge,*
2 *and experience is hindered by the limited funds avail-*
3 *able to redirect attention to solutions to such rural*
4 *problems.*

5 “(b) *PURPOSE.—It is the purpose of this part to pro-*
6 *vide incentives to rural academic institutions to enable such*
7 *institutions to work with private and civic organizations*
8 *to devise and implement solutions to pressing and severe*
9 *problems in their communities.*

10 **“SEC. 1172. PROGRAM.**

11 *“The Secretary is authorized to carry out a program*
12 *of providing assistance to eligible institutions to enable such*
13 *institutions to carry out the authorized activities described*
14 *in section 1174 in accordance with the provisions of this*
15 *part.*

16 **“SEC. 1173. APPLICATIONS FOR RURAL COMMUNITY SERV-**
17 **ICE GRANTS.**

18 “(a) *APPLICATION.—*

19 “(1) *IN GENERAL.—Each eligible institution de-*
20 *siring a grant under this part shall submit to the*
21 *Secretary an application at such time, in such form,*
22 *and containing or accompanied by such information*
23 *and assurances, as the Secretary may require by reg-*
24 *ulation.*

1 “(2) *CONTENTS.*—*Each application submitted*
2 *pursuant to paragraph (1) shall—*

3 “(A) *describe the activities and services for*
4 *which assistance is sought; and*

5 “(B) *contain assurances that the eligible in-*
6 *stitution will enter into a consortium to carry*
7 *out the provisions of this part that includes, in*
8 *addition to the eligible institution, one or more*
9 *of the following entities:*

10 “(i) *A community college.*

11 “(ii) *A rural local educational agency.*

12 “(iii) *A local government.*

13 “(iv) *A business or other employer.*

14 “(v) *A nonprofit institution.*

15 “(3) *WAIVER.*—*The Secretary may waive the*
16 *consortium requirements described in paragraph (2)*
17 *for any applicant who can demonstrate to the satis-*
18 *faction of the Secretary that the applicant has devised*
19 *an integrated and coordinated plan which meets the*
20 *purpose of this part.*

21 “(b) *PRIORITY IN SELECTION OF APPLICATIONS.*—*The*
22 *Secretary shall give priority to applications that propose*
23 *to conduct joint projects supported by other local, State, and*
24 *Federal programs.*

1 “(c) *SELECTION PROCEDURES.*—The Secretary, by
2 *regulation, shall develop a formal procedure for the submis-*
3 *sion of applications under this part and shall publish in*
4 *the Federal Register an announcement of that procedure*
5 *and the availability of funds under this part.*

6 “**SEC. 1174. AUTHORIZED ACTIVITIES.**

7 “Grant funds made available under this part shall be
8 used to support planning, applied research, training, re-
9 source exchanges or technology transfers, the delivery of
10 services, or other activities the purpose of which is to design
11 and implement programs to assist rural communities to
12 meet and address their pressing and severe problems, such
13 as any of the following:

14 “(1) *Work force preparation.*

15 “(2) *Rural poverty and the alleviation of such*
16 *poverty.*

17 “(3) *Health care, including health care delivery*
18 *and access as well as health education, prevention*
19 *and wellness.*

20 “(4) *Underperforming school systems and stu-*
21 *dents.*

22 “(5) *Problems faced by the elderly and individ-*
23 *uals with disabilities in rural settings.*

24 “(6) *Problems faced by families and children.*

1 “(7) *Campus and community crime prevention,*
2 *including enhanced security and safety awareness*
3 *measures as well as coordinated programs addressing*
4 *the root causes of crime.*

5 “(8) *Rural housing.*

6 “(9) *Rural infrastructure.*

7 “(10) *Economic development.*

8 “(11) *Rural farming and environmental con-*
9 *cerns.*

10 “(12) *Other problem areas which participants in*
11 *the consortium described in section 1173(a)(2)(B)*
12 *concur are of high priority in rural areas.*

13 “(13)(A) *Problems faced by individuals with dis-*
14 *abilities and economically disadvantaged individuals*
15 *regarding accessibility to institutions of higher edu-*
16 *cation and other public and private community fa-*
17 *cilities.*

18 “(B) *Amelioration of existing attitudinal bar-*
19 *riers that prevent full inclusion of individuals with*
20 *disabilities in their community.*

21 **“SEC. 1175. PEER REVIEW.**

22 *“The Secretary shall designate a peer review panel to*
23 *review applications submitted under this part and make*
24 *recommendations for funding to the Secretary. In selecting*
25 *the peer review panel, the Secretary may consult with other*

1 *appropriate Cabinet-level Federal officials and with non-*
2 *Federal organizations, to ensure that the panel will be geo-*
3 *graphically balanced and be composed of representatives*
4 *from public and private institutions of higher education,*
5 *labor, business, and State and local government, who have*
6 *expertise in rural community service or in education.*

7 **“SEC. 1176. DISBURSEMENT OF FUNDS.**

8 “(a) *MULTIYEAR AVAILABILITY.*—*Subject to the avail-*
9 *ability of appropriations, grants under this part may be*
10 *made on a multiyear basis, except that no institution, indi-*
11 *vidually or as a participant in a consortium, may receive*
12 *a grant for more than 5 years.*

13 “(b) *EQUITABLE GEOGRAPHIC DISTRIBUTION.*—*The*
14 *Secretary shall award grants under this part in a manner*
15 *that achieves equitable geographic distribution of such*
16 *grants.*

17 “(c) *MATCHING REQUIREMENT.*—*An applicant under*
18 *this part and the local governments associated with its ap-*
19 *plication shall contribute to the conduct of the program sup-*
20 *ported by the grant an amount from non-Federal funds*
21 *equal to at least one-fourth of the amount grant, which con-*
22 *tribution may be in cash or in kind, fairly evaluated.*

23 **“SEC. 1177. DESIGNATION OF RURAL GRANT INSTITUTIONS.**

24 “*The Secretary shall publish a list of eligible institu-*
25 *tions under this part and shall designate such institutions*

1 *of higher education as ‘Rural Grant Institutions’. The Sec-*
2 *retary shall establish a national network of Rural Grant*
3 *Institutions so that the results of individual projects*
4 *achieved in 1 rural area can be generalized, disseminated,*
5 *replicated and applied throughout the Nation.*

6 **“SEC. 1178. DEFINITIONS.**

7 *“As used in this part:*

8 *“(1) RURAL AREA.—The term ‘rural area’ means*
9 *any area that is—*

10 *“(A) outside an urbanized area, as such*
11 *term is defined by the Bureau of the Census; and*

12 *“(B) outside any place that—*

13 *“(i) is incorporated or Bureau of the*
14 *Census designated; and*

15 *“(ii) has a population of 75,000 or*
16 *more.*

17 *“(2) ELIGIBLE INSTITUTION.—The term ‘eligible*
18 *institution’ means an institution of higher education,*
19 *or a consortium of such institutions any one of which*
20 *meets all the requirements of this paragraph, which—*

21 *“(A) is located in a rural area;*

22 *“(B) draws a substantial portion of its un-*
23 *dergraduate students from the rural area in*
24 *which such institution is located, or from contig-*
25 *uous areas;*

1 “(C) carries out programs to make post-
2 secondary educational opportunities more acces-
3 sible to residents of such rural areas, or contig-
4 uous areas;

5 “(D) has the present capacity to provide re-
6 sources responsive to the needs and priorities of
7 such rural areas and contiguous areas;

8 “(E) offers a range of professional, tech-
9 nical, or graduate programs sufficient to sustain
10 the capacity of such institution to provide such
11 resources; and

12 “(F) has demonstrated and sustained a
13 sense of responsibility to such rural area and
14 contiguous areas and the people of such areas.

15 **“SEC. 1179. AUTHORIZATION OF APPROPRIATIONS; FUND-**
16 **ING RULE.**

17 “(a) *IN GENERAL.*—There are authorized to be appro-
18 priated such sums as may be necessary in each fiscal year
19 to carry out the provisions of this part.

20 “(b) *FUNDING RULE.*—If in any fiscal year the
21 amount appropriated pursuant to the authority of sub-
22 section (a) is less than 50 percent of the funds appropriated
23 to carry out part A in such year, then the Secretary shall
24 make available in such year from funds appropriated to
25 carry out part A an amount equal to the difference between

1 50 percent of the funds appropriated to carry out part A
2 and the amount appropriated pursuant to the authority of
3 subsection (a).”.

4 **SEC. 502. DEMONSTRATION PROJECT.**

5 (a) *IN GENERAL.*—Subtitle H of title I of the National
6 and Community Service Act of 1990 (as added by section
7 104(c) of this Act) is amended by adding at the end the
8 following:

9 **“SEC. 198D. SPECIAL DEMONSTRATION PROJECT.**

10 “(a) *SPECIAL DEMONSTRATION PROJECT FOR THE*
11 *YUKON-KUSKOKWIM DELTA OF ALASKA.*—The President
12 may award grants to, and enter into contracts with, organi-
13 zations to carry out programs that address significant
14 human needs in the Yukon-Kuskokwim delta region of Alas-
15 ka.

16 “(b) *APPLICATION.*—

17 “(1) *GENERAL REQUIREMENTS.*—To be eligible
18 to receive a grant or enter into a contract under sub-
19 section (a) with respect to a program, an organiza-
20 tion shall submit an application to the President at
21 such time, in such manner, and containing such in-
22 formation as the President may require.

23 “(2) *CONTENTS.*—The application submitted by
24 the organization shall, at a minimum—

1 “(A) include information describing the
2 manner in which the program will utilize
3 VISTA volunteers, individuals who have served
4 in the Peace Corps, and other qualified persons,
5 in partnership with the local not-for-profit orga-
6 nizations known as the Yukon-Kuskokwim
7 Health Corporation and the Alaska Village
8 Council Presidents;

9 “(B) take into consideration—

10 “(i) the primarily noncash economy of
11 the region; and

12 “(ii) the needs and desires of residents
13 of the local communities in the region; and

14 “(C) include specific strategies, developed in
15 cooperation with the Yupi’k speaking population
16 that resides in such communities, for comprehen-
17 sive and intensive community development for
18 communities in the Yukon-Kuskokwim delta re-
19 gion.”.

20 (b) *TABLE OF CONTENTS.*—Section 1(b) of the Na-
21 tional and Community Service Act of 1990 (Public Law
22 101–610; 104 Stat. 3127) is amended by inserting after the
23 item relating to section 198C of such Act the following:

 “Sec. 198D. Special demonstration project.”.

1 **TITLE VI—FEDERAL TORT**
2 **CLAIMS ACT**

3 **SEC. 601. FEDERAL TORT CLAIMS ACT.**

4 *Individuals participating in programs receiving fund-*
5 *ing under this Act shall be covered by the provisions of the*
6 *Federal Tort Claims Act to the same extent as participants*
7 *in other federally funded service programs.*

Attest:

Secretary.

HR 2010 EAS—2
HR 2010 EAS—3
HR 2010 EAS—4
HR 2010 EAS—5
HR 2010 EAS—6
HR 2010 EAS—7
HR 2010 EAS—8
HR 2010 EAS—9
HR 2010 EAS—10
HR 2010 EAS—11
HR 2010 EAS—12
HR 2010 EAS—13
HR 2010 EAS—14
HR 2010 EAS—15
HR 2010 EAS—16
HR 2010 EAS—17
HR 2010 EAS—18
HR 2010 EAS—19
HR 2010 EAS—20
HR 2010 EAS—21
HR 2010 EAS—22
HR 2010 EAS—23
HR 2010 EAS—24
HR 2010 EAS—25