

103^D CONGRESS
1ST SESSION

H. R. 2010

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.

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

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

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

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

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

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings and purpose.

TITLE I—PROGRAMS AND RELATED PROVISIONS

Subtitle A—Programs

- Sec. 101. Federal investment in support of national service.
- Sec. 102. National Service Trust and provision of national service educational awards.
- Sec. 103. School-based and community-based service-learning programs.
- Sec. 104. Quality and innovation activities.
- Sec. 105. Public Lands Corps.
- Sec. 106. Urban Youth Corps.

Subtitle B—Related Provisions

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

TITLE II—ORGANIZATION

- Sec. 201. State Commissions on National Service.
- Sec. 202. Interim authorities of the Corporation for National Service and ACTION Agency.
- Sec. 203. Final authorities of the Corporation for National Service.
- Sec. 204. Actions under the national service laws to be subject to the availability of appropriations.

TITLE III—REAUTHORIZATION

Subtitle A—National and Community Service Act of 1990

- Sec. 301. Authorization of appropriations.

Subtitle B—Domestic Volunteer Service Act of 1973

- Sec. 311. Short title; references.

CHAPTER 1—VISTA AND OTHER ANTI-POVERTY PROGRAMS

- Sec. 321. Purpose of the VISTA program.
- Sec. 321A. Assistant Director for VISTA Program.
- Sec. 322. Selection and assignment of VISTA volunteers.
- Sec. 323. Terms and periods of service.

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

CHAPTER 2—NATIONAL SENIOR VOLUNTEER CORPS

- Sec. 341. National Senior Volunteer Corps.
- Sec. 342. The Retired and Senior Volunteer Program.
- Sec. 343. Operation of the Retired and Senior Volunteer Program.
- Sec. 344. Services under the Foster Grandparent Program.
- Sec. 345. Stipends for low-income volunteers.
- Sec. 346. Conditions of grants and contracts.
- Sec. 347. Agreements with other Federal agencies.
- Sec. 348. Minority group participation.
- Sec. 349. Programs of national significance.
- Sec. 350. Demonstration programs.

CHAPTER 3—ADMINISTRATION

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

CHAPTER 4—AUTHORIZATION OF APPROPRIATIONS AND OTHER AMENDMENTS

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

CHAPTER 5—GENERAL PROVISIONS

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

TITLE IV—TECHNICAL AND CONFORMING AMENDMENTS

- Sec. 401. Definition of Director.
- Sec. 402. References to ACTION and the ACTION Agency.
- Sec. 403. Definitions.

- Sec. 404. References to the Commission on National and Community Service.
 Sec. 405. References to Directors of the Commission on National and Community Service.
 Sec. 406. Effective date.

TITLE V—GENERAL PROVISIONS

- Sec. 501. Compliance with Buy American Act.
 Sec. 502. Sense of Congress; requirement regarding notice.
 Sec. 503. Prohibition of contracts with persons falsely labeling products as Made in America.

TITLE VI—LIMITATION ON LIABILITY OF VOLUNTEERS

- Sec. 601. Findings and purpose.
 Sec. 602. No preemption of State tort law.
 Sec. 603. Limitation on liability for volunteers.
 Sec. 604. Definitions.

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

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

5 **“SEC. 2. FINDINGS AND PURPOSE.**

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

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

10 “(2) Americans desire to affirm common re-
 11 sponsibilities and shared values that transcend race,
 12 religion, disability, or region.

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

1 “(4) Americans of all ages can improve their
2 communities and become better citizens through
3 service to the United States.

4 “(5) Nonprofit organizations, local govern-
5 ments, States, and the Federal Government are al-
6 ready supporting a wide variety of national service
7 programs that deliver needed services in a cost-effec-
8 tive manner.

9 “(6) Residents of low-income communities, es-
10 pecially youths and young adults in these commu-
11 nities, can be empowered through their service to
12 help provide future community leadership.

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

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

17 “(2) renew the ethic of civic responsibility and
18 the spirit of community throughout the United
19 States;

20 “(3) expand educational opportunity by reward-
21 ing individuals who participate in national service
22 with an increased ability to pursue higher education
23 or job training;

1 “(4) encourage citizens of the United States,
2 regardless of age, income, or disability, to engage in
3 full-time or part-time national service;

4 “(5) reinvent government to eliminate duplica-
5 tion, support locally established initiatives, require
6 measurable goals for performance, and offer flexibil-
7 ity in meeting those goals;

8 “(6) expand and strengthen existing service
9 programs with demonstrated experience in providing
10 structured service opportunities with visible benefits
11 to the participants and community;

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

16 “(8) provide tangible benefits to the commu-
17 nities in which national service is performed.”.

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 2 and inserting the following new item:

“Sec. 2. Findings and purpose.”.

1 **TITLE I—PROGRAMS AND**
2 **RELATED PROVISIONS**
3 **Subtitle A—Programs**

4 **SEC. 101. FEDERAL INVESTMENT IN SUPPORT OF NA-**
5 **TIONAL SERVICE.**

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

9 (1) by redesignating subtitle C (42 U.S.C.
10 12653 et seq.) as subtitle I;

11 (2) by inserting subtitle I (as redesignated by
12 paragraph (1) of this subsection) after subtitle H;
13 and

14 (3) by redesignating sections 120 through 136
15 as sections 199 through 199O, respectively.

16 (b) ASSISTANCE PROGRAM AUTHORIZED.—Title I of
17 the National and Community Service Act of 1990 (42
18 U.S.C. 12501 et seq.) is amended by inserting after sub-
19 title B the following new subtitle:

1 **“Subtitle C—National Service Trust**
2 **Program**

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

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

6 “(a) PROVISION OF ASSISTANCE.—The Corporation
7 for National Service may make grants to States, subdivi-
8 sions of States, Indian tribes, public and private nonprofit
9 organizations, and institutions of higher education for the
10 purpose of assisting the recipients of the grants—

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

14 “(2) to make grants in support of other na-
15 tional service programs described in section 122(a)
16 that are carried out by other entities.

17 “(b) AGREEMENTS WITH FEDERAL AGENCIES.—The
18 Corporation may enter into a contract or cooperative
19 agreement with another Federal agency to support a na-
20 tional service program carried out by the agency. The sup-
21 port provided by the Corporation pursuant to the contract
22 or cooperative agreement may include the transfer to the
23 Federal agency of funds available to the Corporation
24 under this subtitle. A Federal agency receiving assistance
25 under this subsection shall not be required to satisfy the

1 matching funds requirements specified in subsection (e).
2 However, the supplementation requirements specified in
3 section 173 shall apply with respect to the Federal na-
4 tional service programs supported with such assistance. A
5 Federal agency receiving assistance under this subsection
6 shall consult with the State Commissions for those States
7 in which projects will be conducted in order to ensure that
8 the projects do not duplicate existing State or local pro-
9 grams.

10 “(c) PROVISION OF APPROVED NATIONAL SERVICE
11 POSITIONS.—As part of the provision of assistance under
12 subsections (a) and (b), the Corporation shall—

13 “(1) approve the provision of national service
14 educational awards described in subtitle D for the
15 participants who serve in national service programs
16 carried out using such assistance; and

17 “(2) deposit in the National Service Trust es-
18 tablished in section 145(a) an amount equal to the
19 product of—

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

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

24 “(d) FIVE PERCENT LIMITATION ON ADMINISTRA-
25 TIVE COSTS.—

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

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

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

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

11 “(A) assistance provided under subsection
12 (a) or (b) may be used to cover administrative
13 costs; and

14 “(B) that portion of the assistance avail-
15 able to cover administrative costs should be dis-
16 tributed between—

17 “(i) the original recipient of the grant
18 or transfer of assistance under such sub-
19 section; and

20 “(ii) national service programs carried
21 out or supported with the assistance.

22 “(e) MATCHING FUNDS REQUIREMENTS.—

23 “(1) REQUIREMENTS.—Except as provided in
24 section 140, the Federal share of the cost of carry-
25 ing out a national service program that receives the

1 assistance under subsection (a), whether the assist-
2 ance is provided directly or as a subgrant from the
3 original recipient of the assistance, may not exceed
4 75 percent of such cost.

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

8 “(A) shall provide for such share through
9 a payment in cash (including not more than 85
10 percent of the cost of providing a health care
11 policy described in section 140(d)(2)) or in
12 kind, fairly evaluated, including facilities, equip-
13 ment, or services; and

14 “(B) may provide for such share through
15 State sources, local sources, or other Federal
16 sources (other than the use of funds made
17 available under the national service laws).

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

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

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

13 “(1) A community corps program that meets
14 unmet human, educational, environmental, or public
15 safety needs and promotes greater community unity
16 through the use of organized teams of participants
17 of varied social and economic backgrounds, skill lev-
18 els, physical and developmental capabilities, ages,
19 ethnic backgrounds, or genders.

20 “(2) A full-time, year-round youth corps pro-
21 gram or full-time summer youth corps program,
22 such as a conservation corps or youth service corps
23 (including the Public Lands Corps established under
24 the Public Lands Corps Act of 1993, the Urban
25 Youth Corps established under section 106 of the
26 National Service Trust Act of 1993, and other con-

1 servation corps or youth service corps that performs
2 service on Federal or other public lands or on Indian
3 lands or Hawaiian home lands), that—

4 “(A) undertakes meaningful service
5 projects with visible public benefits, including
6 natural resource, urban renovation, or human
7 services projects;

8 “(B) includes as participants youths and
9 young adults between the ages of 16 and 25, in-
10 clusive, including out-of-school youths and other
11 disadvantaged youths (such as youths with lim-
12 ited basic skills, youths in foster care who are
13 becoming too old for foster care, youths of lim-
14 ited English proficiency, and homeless youths,
15 and youths with disabilities) who are between
16 those ages; and

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

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

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

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

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

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

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

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

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

8 “(A) students who are attending an insti-
9 tution of higher education, including students
10 supported by work-study funds under part C of
11 title IV of the Higher Education Act of 1965
12 (42 U.S.C. 2751 et seq.);

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

14 “(C) teams composed of a combination of
15 such students and community residents.

16 “(7) A preprofessional training program in
17 which students enrolled in an institution of higher
18 education—

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

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

1 “(C) agree to provide service upon gradua-
2 tion to meet unmet human, educational, envi-
3 ronmental, or public safety needs related to
4 such training.

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

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

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

18 “(C) that are sponsored by public or pri-
19 vate nonprofit employers who agree to pay 100
20 percent of the salaries and benefits (other than
21 any national service educational award under
22 subtitle D) of the participants.

23 “(9) A program in which economically dis-
24 advantaged individuals (including individuals with
25 disabilities) who are between the ages of 16 and 25

1 years of age, inclusive, are provided with opportuni-
2 ties to perform service that, while enabling such in-
3 dividuals to obtain the education and employment
4 skills necessary to achieve economic self-sufficiency,
5 will help their communities meet—

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

8 “(B) the need for community facilities in
9 low-income areas.

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

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

20 “(12) A program that is administered by a
21 combination of nonprofit organizations located in a
22 low-income area, provides a broad range of services
23 to residents of such area, is governed by a board
24 composed in significant part of low-income individ-
25 uals, and is intended to provide opportunities for in-

1 individuals or teams of individuals to engage in com-
2 munity projects in such area that meet unaddressed
3 community and individual needs, including projects
4 that would—

5 “(A) meet the needs of low-income children
6 and youth aged 18 and younger, such as pro-
7 viding after-school ‘safe-places’ with opportuni-
8 ties for learning and recreation; or

9 “(B) be directed to other important
10 unaddressed needs in such area.

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

17 “(14) A program that seeks to eliminate hunger
18 in communities and rural areas through service in
19 projects—

20 “(A) involving food banks, food pantries,
21 and nonprofit organizations that provide food
22 during emergencies;

23 “(B) involving the gleaning of prepared
24 and unprepared food that would otherwise be
25 discarded as unusable so that the usable por-

1 tion of such food may be donated to food banks,
2 food pantries, and other nonprofit organiza-
3 tions;

4 “(C) seeking to address the long-term
5 causes of hunger through education and the de-
6 livery of appropriate services; or

7 “(D) providing training in basic health,
8 nutrition, and life skills necessary to alleviate
9 hunger in communities and rural areas.

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

14 “(b) QUALIFICATION CRITERIA TO DETERMINE ELI-
15 GIBILITY.—

16 “(1) ESTABLISHMENT BY CORPORATION.—The
17 Corporation shall establish qualification criteria for
18 different types of national service programs for the
19 purpose of determining whether a particular national
20 service program should be considered to be a na-
21 tional service program eligible to receive assistance
22 or approved national service positions under this
23 subtitle.

24 “(2) CONSULTATION.—In establishing qualifica-
25 tion criteria under paragraph (1), the Corporation

1 shall consult with organizations and individuals with
2 extensive experience in developing and administering
3 effective national service programs or regarding the
4 delivery of human, educational, environmental, or
5 public safety services to communities or persons.

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

12 “(4) ENCOURAGEMENT OF INTERGEN-
13 ERATIONAL COMPONENTS OF PROGRAMS.—The Cor-
14 poration shall encourage national service programs
15 eligible to receive assistance or approved national
16 service positions under this subtitle to establish, if
17 consistent with the purposes of the program, an
18 intergenerational component of the program that
19 combines students, out-of-school youths, and older
20 adults as participants to provide services to address
21 unmet human, educational, environmental, or public
22 safety needs.

23 “(c) NATIONAL SERVICE PRIORITIES.—

24 “(1) ESTABLISHMENT BY CORPORATION.—In
25 order to concentrate national efforts on meeting cer-

1 tain unmet human, educational, environmental, or
2 public safety needs and to achieve the other pur-
3 poses of this Act, the Corporation may establish,
4 and periodically alter, priorities regarding the types
5 of national service programs to be assisted under
6 section 121 and the purposes for which such assist-
7 ance may be used.

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

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

15 “(B) a description of the national service
16 programs that are designated by the Corpora-
17 tion under section 133(d)(2) as eligible for pri-
18 ority consideration in the next competitive dis-
19 tribution of assistance under section 121(a).

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

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 follow-
5 ing service positions as an approved national service posi-
6 tion that includes the national service educational award
7 described in subtitle D as one of the benefits to be pro-
8 vided 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 sec-
12 tion 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 nonprofit organization, an institution of
18 higher education, or a Federal agency; and

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

23 “(3) A position involving service as a VISTA
24 volunteer under title I of the Domestic Volunteer
25 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 eligi-
3 ble 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
11 the 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 pe-
18 riod of not more than 1 year.

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

1 3 years, but may be renewed by the Corporation upon con-
2 sideration of a new application under section 130.

3 “(c) REPLICATION ASSISTANCE.—The Corporation
4 may provide assistance under section 121 to a qualified
5 applicant that submits an application under section 130
6 for the expansion of a proven national service program to
7 another geographical location. Assistance provided in ac-
8 cordance with this subsection may cover a period of not
9 more than 3 years, but may be renewed by the Corpora-
10 tion upon consideration of a new application under section
11 130.

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

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

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

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

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

1 “(B) where programs do not currently
2 exist or are currently too limited to meet com-
3 munity needs;

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

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

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

11 “(5) provide for or improve the training pro-
12 vided to the participants in such programs; and

13 “(6) encourage national service programs to ad-
14 here to risk management procedures, including the
15 training of participants in appropriate risk manage-
16 ment practices.

17 “(b) TECHNICAL ASSISTANCE.—The Corporation
18 shall make appropriate technical assistance available to
19 States, subdivisions of States, Federal agencies, Indian
20 tribes, public and private nonprofit organizations, and in-
21 stitutions of higher education that desire—

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

23 “(2) to apply for assistance under such section
24 or under a grant program conducted using assist-
25 ance provided under such section.

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

2 “(a) SUPPORT FOR STATE COMMISSIONS.—

3 “(1) ASSISTANCE AUTHORIZED.—Of the funds
4 appropriated to carry out this subtitle in each fiscal
5 year, not to exceed \$17,500,000 shall be available to
6 the Corporation to make assistance available to as-
7 sist a State to establish or operate the State Com-
8 mission on National Service required to be estab-
9 lished by the State under section 178.

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

16 “(A) 85 percent of the total cost to estab-
17 lish or operate the State Commission for the
18 first year for which the State Commission re-
19 ceives assistance under this subsection; and

20 “(B) such smaller percentage of such cost
21 as the Corporation may establish for the sec-
22 ond, third, and fourth years of such assistance
23 in order to ensure that the Federal share does
24 not exceed 50 percent of such costs for the fifth
25 year, and any subsequent year, for which the

1 State Commission receives assistance under this
2 subsection.

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

7 “(b) DISASTER SERVICE.—The Corporation may un-
8 dertake activities to involve youth corps programs de-
9 scribed in section 122(a)(2) and other programs that re-
10 ceive assistance under the national service laws in relief
11 efforts in response to an emergency or major disaster de-
12 clared by the President under the Robert T. Stafford Dis-
13 aster Relief and Emergency Assistance Act (42 U.S.C.
14 5121 et seq.).

15 “(c) CHALLENGE GRANTS FOR NATIONAL SERVICE
16 PROGRAMS.—

17 “(1) ASSISTANCE AUTHORIZED.—The Corpora-
18 tion may make challenge grants under this sub-
19 section to a national service program that receives
20 assistance under section 121. The Corporation shall
21 develop criteria for the selection of challenge grant
22 recipients so as to make the grants widely available
23 to a variety of high-quality national service programs
24 with demonstrated experience in providing service

1 opportunities with visible benefits to the participants
2 and to the community served.

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

13 **“PART II—APPLICATION AND APPROVAL**
14 **PROCESS**

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

18 “(a) ALLOTMENTS OF ASSISTANCE AND APPROVED
19 POSITIONS TO STATES AND INDIAN TRIBES.—

20 “(1) 33¹/₃ PERCENT ALLOTMENT OF ASSIST-
21 ANCE TO CERTAIN STATES.—Of the funds allocated
22 by the Corporation for provision of assistance under
23 subsections (a) and (b) of section 121 for a fiscal
24 year, the Corporation shall make a grant under sec-
25 tion 121(a) (and a corresponding allotment of ap-

1 proved national service positions) to each of the sev-
2 eral States, the District of Columbia, and the Com-
3 monwealth of Puerto Rico that has an application
4 approved by the Corporation under section 133. The
5 amount allotted as a grant to each such State under
6 this paragraph for a fiscal year shall be equal to the
7 amount that bears the same ratio to $33\frac{1}{3}$ percent
8 of the allocated funds for that fiscal year as the pop-
9 ulation of the State bears to the total population of
10 the several States, the District of Columbia, and the
11 Commonwealth of Puerto Rico.

12 “(2) ONE PERCENT ALLOTMENT FOR CERTAIN
13 TERRITORIES AND POSSESSIONS.—Of the funds allo-
14 cated by the Corporation for provision of assistance
15 under subsections (a) and (b) of section 121 for a
16 fiscal year, the Corporation shall reserve 1 percent
17 of the allocated funds for grants under section
18 121(a) to the Virgin Islands of the United States,
19 Guam, American Samoa, and the Commonwealth of
20 the Northern Mariana Islands upon approval of an
21 application by the Corporation under section 133.
22 Palau shall also be eligible for a grant under this
23 paragraph from the allotment until such time as the
24 Compact of Free Association with Palau is ratified.
25 The amount allotted as a grant to each such terri-

1 tory or possession under this paragraph for a fiscal
2 year shall be equal to the amount that bears the
3 same ratio to 1 percent of the allocated funds for
4 that fiscal year as the population of the territory or
5 possession bears to the total population of such ter-
6 ritories and possessions.

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

15 “(4) EFFECT OF FAILURE TO APPLY.—If a
16 State or Indian tribe fails to apply for, or fails to
17 give notice to the Corporation of its intent to apply
18 for, an allotment under this subsection, the Corpora-
19 tion shall use the amount that would have been al-
20 lotted under this subsection to the State or Indian
21 tribe—

22 “(A) to make grants (and provide ap-
23 proved national service positions in connection
24 with such grants) to other eligible entities
25 under section 121 that propose to carry out na-

1 tional service programs in the State or on be-
2 half of the Indian tribe; and

3 “(B) after making grants under subpara-
4 graph (A), to make a reallocation to other
5 States and Indian tribes with approved applica-
6 tions under section 130.

7 “(5) EFFECT OF STATE FAILURE TO LIMIT LI-
8 ABILITY.—If, not later than 2 years after the effec-
9 tive date of this subtitle, a State fails to have in ef-
10 fect (and to certify in its application that the State
11 has in effect) a limitation on liability that satisfies
12 the requirements of title V of the National Service
13 Trust Act of 1993, the allotment for such State
14 shall be reduced by 5 percent, and the Corporation
15 shall allot the amount of the reduction among the
16 States that have in effect (and so certify) such limi-
17 tation.

18 “(b) RESERVATION OF APPROVED POSITIONS.—The
19 Corporation shall ensure that each individual selected dur-
20 ing a fiscal year for assignment as a VISTA volunteer
21 under title I of the Domestic Volunteer Service Act of
22 1973 (42 U.S.C. 4951 et seq.) or as a participant in the
23 Civilian Community Corps Demonstration Program under
24 subtitle E shall receive the national service educational
25 award described in subtitle D if the individual satisfies the

1 eligibility requirements for the award. Funds for approved
2 national service positions required by this paragraph for
3 a fiscal year shall be deducted from the total funding for
4 approved national service positions to be available for dis-
5 tribution under subsections (a) and (d) for that fiscal year.

6 “(c) RESERVATION FOR SPECIAL ASSISTANCE.—Of
7 the funds appropriated under section 501(a)(2), and sub-
8 ject to the limitation in that section, the Corporation may
9 reserve such amount as the Corporation considers to be
10 appropriate for the purpose of making assistance available
11 under sections 125 and 126. However, the Corporation
12 may not reserve more than \$10,000,000 for a fiscal year
13 for challenge grants under section 126(c).

14 “(d) COMPETITIVE DISTRIBUTION OF REMAINING
15 FUNDS AND APPROVED POSITIONS.—

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
19 fiscal year, the Corporation shall use not less than
20 $33\frac{1}{3}$ percent of the allocated funds to make grants
21 to States on a competitive basis under section
22 121(a).

23 “(2) FEDERAL AGENCIES AND OTHER APPLI-
24 CANTS.—The Corporation shall distribute on a com-
25 petitive basis to subdivisions of States, Indian tribes,

1 public and private nonprofit organizations (including
2 labor organizations), institutions of higher edu-
3 cation, and Federal agencies the remainder of the
4 funds allocated by the Corporation for provision of
5 assistance under section 121 for a fiscal year, after
6 operation of paragraph (1) and subsections (a) and
7 (c). However, the Corporation may not provide more
8 than $\frac{1}{3}$ of the funds available for competitive dis-
9 tribution under this paragraph for a fiscal year to
10 Federal agencies under section 121(b).

11 “(3) LIMITATIONS.—The Corporation may limit
12 the categories of eligible applicants for assistance
13 under paragraph (2) consistent with the priorities
14 established by the Corporation under section
15 133(d)(2).

16 “(e) APPLICATION REQUIRED.—The allotment of as-
17 sistance and approved national service positions to a State
18 or Indian tribe under subsection (a), and the competitive
19 distribution of assistance and approved national service
20 positions under subsection (d), shall be made by the Cor-
21 poration only pursuant to an application submitted by a
22 State or other applicant under section 130 and approved
23 by the Corporation under section 133.

24 “(f) DISTRIBUTION OF APPROVED POSITIONS SUB-
25 JECT TO AVAILABLE FUNDS.—The Corporation may not

1 distribute approved national service positions under this
2 section for a fiscal year in excess of the number of such
3 positions for which the Corporation has sufficient available
4 funds in the National Service Trust for that fiscal year
5 to satisfy the maximum possible obligations to be incurred
6 by the United States to provide the national service edu-
7 cational award corresponding to service in these positions.

8 “(g) SPONSORSHIP OF APPROVED NATIONAL SERV-
9 ICE POSITIONS.—

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

22 “(2) DEPOSIT OF CONTRIBUTION.—Funds pro-
23 vided pursuant to an agreement under paragraph
24 (1) and any other funds contributed to the Corpora-
25 tion to support the activities of the Corporation

1 under the national service laws shall be deposited in
2 the National Service Trust established in section
3 145 until such time as the funds are needed.

4 **“SEC. 130. APPLICATION FOR ASSISTANCE AND APPROVED**
5 **NATIONAL SERVICE POSITIONS.**

6 “(a) TIME, MANNER, AND CONTENT OF APPLICA-
7 TION.—To be eligible to receive assistance under section
8 121 and approved national service positions for partici-
9 pants who serve in the national service programs to be
10 carried out using the assistance, a State, subdivision of
11 a State, Indian tribe, public or private nonprofit organiza-
12 tion, institution of higher education, or Federal agency
13 shall prepare and submit to the Corporation an application
14 at such time, in such manner, and containing such infor-
15 mation as the Corporation may reasonably require.

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

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

24 “(2) A description of the national service pro-
25 grams that are selected by the applicant to receive

1 a grant from assistance requested under section 121
2 and a description of the process and criteria by
3 which the programs were selected, unless such a
4 process conflicts with State or local law, regulation,
5 or policy.

6 “(3) A description of other funding sources to
7 be used, or sought to be used, for the national serv-
8 ice programs referred to in paragraphs (1) and (2),
9 and, if the application is submitted for the purpose
10 of seeking a renewal of assistance, a description of
11 the success of the programs in not increasing their
12 reliance on funds provided under this Act.

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

18 “(5) A description of the plan to be used to re-
19 cruit participants, including youth with disabilities
20 and economically disadvantaged youth, for the na-
21 tional service programs referred to in paragraphs (1)
22 and (2).

23 “(6) A description of the manner in which the
24 national service programs referred to in paragraphs

1 (1) and (2) build on existing programs, including
2 Federal programs.

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

6 “(A) in projects that build an ethic of civic
7 responsibility and produce a positive change in
8 the lives of participants through training and
9 participation in meaningful service experiences
10 and opportunities for reflection on such experi-
11 ences; and

12 “(B) in leadership positions in implement-
13 ing and evaluating the program.

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

17 “(A) the impact to be made in meeting
18 unmet human, educational, environmental, or
19 public safety needs; and

20 “(B) the service experience to be provided
21 to participants in the programs.

22 “(9) A description of the manner and extent to
23 which the national service programs referred to in
24 paragraphs (1) and (2) conform to the national serv-

1 ice priorities established by the Corporation under
2 section 122(c).

3 “(10) A description of the past experience of
4 the applicant in operating a comparable program or
5 in conducting a grant program in support of other
6 comparable service programs.

7 “(11) A description of the type and number of
8 proposed service positions in which participants will
9 receive the national service educational award de-
10 scribed in subtitle D and a description of the man-
11 ner in which approved national service positions will
12 be apportioned by the applicant.

13 “(12) A description of the manner and extent
14 to which participants, representatives of the commu-
15 nity served, community-based agencies with a dem-
16 onstrated record of experience in providing services,
17 and labor organizations contributed to the develop-
18 ment of the national service programs referred to in
19 paragraphs (1) and (2), including the identity of the
20 individual representing each appropriate labor orga-
21 nization (if any) who was consulted and the nature
22 of the consultation.

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

1 “(c) APPLICATION TO RECEIVE ONLY APPROVED
2 NATIONAL SERVICE POSITIONS.—

3 “(1) APPLICABILITY OF SUBSECTION.—This
4 subsection shall apply in the case of an application
5 in which—

6 “(A) the applicant is not seeking assist-
7 ance under subsection (a) or (b) of section 121,
8 but requests national service educational
9 awards for individuals serving in service posi-
10 tions described in section 123; or

11 “(B) the applicant requests national serv-
12 ice educational awards for service positions de-
13 scribed in section 123, but the positions are not
14 positions in a national service program de-
15 scribed in section 122(a) for which assistance
16 may be provided under subsection (a) or (b) of
17 section 121.

18 “(2) SPECIAL APPLICATION REQUIREMENTS.—
19 For the applications described in paragraph (1), the
20 Corporation shall establish special application re-
21 quirements in order to determine—

22 “(A) whether the service positions meet
23 unmet human, educational, environmental, or
24 public safety needs and meet the criteria for as-
25 sistance under this subtitle; and

1 “(B) whether the Corporation should ap-
2 prove the positions as approved national service
3 positions that include the national service edu-
4 cational award described in subtitle D as one of
5 the benefits to be provided for successful service
6 in the position.

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

8 “(1) SUBMISSION BY STATE COMMISSION.—The
9 application of a State for approved national service
10 positions or for a grant under section 121(a) shall
11 be submitted by the State Commission.

12 “(2) COMPETITIVE SELECTION.—The applica-
13 tion of a State shall contain an assurance that all
14 assistance provided under section 121(a) to the
15 State will be used to support national service pro-
16 grams that were selected by the State on a competi-
17 tive basis. In making such competitive selections, the
18 State shall seek to ensure the equitable allocation
19 within the State of assistance and approved national
20 service positions provided under this subtitle to the
21 State taking into consideration such factors as the
22 location of the programs applying to the State, pop-
23 ulation density, and economic distress.

24 “(3) ASSISTANCE TO NONSTATE ENTITIES.—

25 The application of a State shall also contain an as-

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

9 “(e) SPECIAL RULE FOR CERTAIN APPLICANTS.—

10 “(1) WRITTEN CONCURRENCE.—In the case of
11 a program applicant that proposes to also serve as
12 the service sponsor, the application shall include the
13 written concurrence of any local labor organization
14 representing employees of the service sponsor who
15 are engaged in the same or substantially similar
16 work as that proposed to be carried out.

17 “(2) PROGRAM APPLICANT DEFINED.—For pur-
18 poses of this subsection, the term ‘program appli-
19 cant’ means—

20 “(A) a State, subdivision of a State, Indian
21 tribe, public or private nonprofit organization,
22 institution of higher education, or Federal
23 agency submitting an application under this
24 section; or

1 “(2) comply with the nonduplication and
2 nondisplacement requirements of section 177.

3 “(b) IMPACT ON PARTICIPANTS.—An application
4 submitted under section 130 shall also include an assur-
5 ance by the applicant that any national service program
6 carried out by the applicant using assistance provided
7 under section 121 and any national service program sup-
8 ported by a grant made by the applicant using such assist-
9 ance will—

10 “(1) provide participants in the national service
11 program with the training, skills, and knowledge
12 necessary for the projects that participants are
13 called upon to perform; and

14 “(2) provide support services to participants,
15 such as the provision of appropriate information and
16 support—

17 “(A) to those participants who are com-
18 pleting a term of service and making the transi-
19 tion to other educational and career opportuni-
20 ties; and

21 “(B) to those participants who are school
22 dropouts in order to assist those participants in
23 earning the equivalent of a high school diploma.

24 “(c) CONSULTATION.—An application submitted
25 under section 130 shall also include an assurance by the

1 applicant that any national service program carried out
2 by the applicant using assistance provided under section
3 121 and any national service program supported by a
4 grant made by the applicant using such assistance will—

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

7 “(A) the community served and potential
8 participants in the program; and

9 “(B) community-based agencies with a
10 demonstrated record of experience in providing
11 services and local labor organizations represent-
12 ing employees of service sponsors, if these enti-
13 ties exist in the area to be served by the pro-
14 gram;

15 “(2) prior to the placement of participants, con-
16 sult with any local labor organization representing
17 employees in the area who are engaged in the same
18 or similar work as that proposed to be carried out
19 by such program to ensure compliance with the
20 nondisplacement requirements specified in section
21 177; and

22 “(3) in the case of a program that is not fund-
23 ed through a State, consult with and coordinate ac-
24 tivities with the State Commission for the State in
25 which the program operates.

1 “(d) EVALUATION AND PERFORMANCE GOALS.—

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

5 “(A) arrange for an independent evalua-
6 tion of any national service program carried out
7 using assistance provided to the applicant under
8 section 121 or, with the approval of the Cor-
9 poration, conduct an internal evaluation of the
10 program;

11 “(B) apply measurable performance goals
12 and evaluation methods (such as the use of sur-
13 veys of participants and persons served), which
14 are to be used as part of such evaluation to de-
15 termine the impact of the program—

16 “(i) on communities and persons
17 served by the projects performed by the
18 program;

19 “(ii) on participants who take part in
20 the projects; and

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

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

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

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

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

19 “(1) ensure the provision of a living allowance
20 and other benefits specified in section 140 to partici-
21 pants in any national service program carried out by
22 the applicant using assistance provided under section
23 121; and

24 “(2) require that each national service program
25 that receives a grant from the applicant using such

1 assistance will also provide a living allowance and
2 other benefits specified in section 140 to participants
3 in the program.

4 “(f) SELECTION OF PARTICIPANTS FROM INDIVID-
5 UALS RECRUITED BY CORPORATION OR STATE COMMIS-
6 SIONS.—The Corporation may also require an assurance
7 by the applicant that any national service program carried
8 out by the applicant using assistance provided under sec-
9 tion 121 and any national service program supported by
10 a grant made by the applicant using such assistance will
11 select a portion of the participants for the program from
12 among prospective participants recruited by the Corpora-
13 tion or State Commissions under section 138(d). The Cor-
14 poration may specify a minimum percentage of partici-
15 pants to be selected from the national leadership pool es-
16 tablished under section 138(e) and may vary the percent-
17 age for different types of national service programs. In
18 the case of programs conducted by a State or subdivision
19 of a State, the Corporation shall permit the State or sub-
20 division to select only residents of that State if such a re-
21 strictive selection procedure is necessary to comply with
22 State or local law, regulation, or policy.

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

24 “An application submitted to the Corporation under
25 section 130 shall include an assurance by the applicant

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

6 “(1) business organized for profit;

7 “(2) labor union;

8 “(3) partisan political organization; or

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

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

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

19 “(1) to approve an application submitted under
20 section 130 and provide assistance under section
21 121 to the applicant; and

22 “(2) to approve service positions described in
23 the application as national service positions that in-
24 clude the national service educational award de-

1 scribed in subtitle D and provide such approved na-
2 tional service positions to the applicant.

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

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

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

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

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

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

3 “(B) of multiple funding sources or private
4 funding for the program.

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

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

15 “(6) The extent to which projects would be con-
16 ducted in the following areas where they are needed
17 most—

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

23 “(B) areas that are environmentally
24 distressed;

1 “(C) areas adversely affected by Federal
2 actions related to the management of Federal
3 lands that result in significant regional job
4 losses and economic dislocation;

5 “(D) areas adversely affected by reductions
6 in defense spending or the closure or realign-
7 ment of military installations;

8 “(E) rural areas adversely affected by un-
9 fair trading practices of international competi-
10 tors of the United States; or

11 “(F) areas that have an unemployment
12 rate greater than the national average unem-
13 ployment for the most recent 12 months for
14 which satisfactory data are available.

15 “(7) In the case of applicants other than
16 States, the extent to which the application is consist-
17 ent with the application under section 130 of the
18 State in which the projects would be conducted.

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

21 “(d) OTHER CONSIDERATIONS.—

22 “(1) GEOGRAPHIC DIVERSITY.—The Corpora-
23 tion shall ensure that recipients of assistance pro-
24 vided under section 121 are geographically diverse
25 and include projects to be conducted in those urban

1 and rural areas in a State with the highest rates of
2 poverty.

3 “(2) PRIORITIES.—The Corporation may des-
4 ignate, under such criteria as may be established by
5 the Corporation, certain national service programs
6 or types of national service programs described in
7 section 122(a) for priority consideration in the com-
8 petitive distribution of funds under section
9 129(d)(2). In designating national service programs
10 to receive priority, the Corporation may include—

11 “(A) national service programs carried out
12 by another Federal agency;

13 “(B) national service programs that con-
14 form to the national service priorities in effect
15 under section 122(c);

16 “(C) innovative national service programs;

17 “(D) national service programs that are
18 well established in one or more States at the
19 time of the application and are proposed to be
20 expanded to additional States using assistance
21 provided under section 121;

22 “(E) grant programs in support of other
23 national service programs if the grant programs
24 are to be conducted by nonprofit organizations
25 with a demonstrated and extensive expertise in

1 the provision of services to meet human, edu-
2 cational, environmental, or public safety needs;
3 and

4 “(F) professional corps programs described
5 in section 122(a)(8).

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

14 “(1) are conducted in areas of economic dis-
15 tress described in subsection (c)(6) or on Federal or
16 other public lands to address unmet human, edu-
17 cational, environmental, or public safety needs in
18 such areas; and

19 “(2) place a priority on the recruitment of par-
20 ticipants who are residents of areas of economic dis-
21 tress described in subsection (c)(6) or Federal or
22 other public lands.

23 “(f) REJECTION OF STATE APPLICATIONS.—

24 “(1) NOTIFICATION OF STATE APPLICANTS.—If
25 the Corporation rejects an application submitted by

1 a State Commission under section 130 for funds de-
2 scribed in section 129(a)(1), the Corporation shall
3 promptly notify the State Commission of the reasons
4 for the rejection of the application.

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

14 “(3) REALLOTMENT.—The amount of any
15 State’s allotment under section 129(a) for a fiscal
16 year that the Corporation determines will not be
17 provided for that fiscal year shall be available for
18 distribution by the Corporation as provided in para-
19 graph (4) of such subsection.

20 **“SEC. 134. EVALUATION OF SUCCESS OF INVESTMENT IN**
21 **NATIONAL SERVICE.**

22 “(a) EVALUATION REQUIRED.—Not later than two
23 years after the date of the enactment of this section, the
24 Corporation shall arrange for the independent evaluation
25 of the operation of this subtitle to determine the levels

1 of participation of economically disadvantaged individuals
2 in national service programs carried out or supported
3 using assistance provided under section 121.

4 “(b) PERIOD COVERED BY EVALUATION.—The eval-
5 uation required by this section shall cover the two-year
6 period beginning on the date the Corporation first makes
7 a grant under section 121.

8 “(c) INCOME LEVELS OF PARTICIPANTS.—The evalu-
9 ating entity shall determine the total income of each par-
10 ticipant who serves, during the period covered by the eval-
11 uation, in a national service program carried out or sup-
12 ported using assistance provided under section 121 or in
13 an approved national service position. The total income
14 of a participant shall be determined as of the date the
15 participant was first selected to participate and shall in-
16 clude family total income unless the evaluating entity de-
17 termines that the participant was independent at the time
18 of selection.

19 “(d) ASSISTANCE FOR DISTRESSED AREAS.—The
20 evaluating entity shall also determine the amount of as-
21 sistance provided under section 121 during the period cov-
22 ered by the report that has been expended for projects
23 conducted in areas of economic distress described in sec-
24 tion 133(c)(6).

1 “(e) REPORT.—The evaluating entity shall submit a
2 report containing the results of the evaluation to the
3 President, the Congress, the Corporation, and each State
4 Commission.

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

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

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

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

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

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

17 “(1) meets such eligibility requirements as may
18 be established by the program;

19 “(2) is selected by the program to serve in a po-
20 sition with the program;

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

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

3 “(5) has received a high school diploma or its
4 equivalent, agrees to obtain a high school diploma or
5 its equivalent (unless this requirement is waived
6 based on an individual education assessment con-
7 ducted by the program) and the individual did not
8 drop out of an elementary or secondary school to en-
9 roll in the program, or is enrolled in an institution
10 of higher education on an ability to benefit basis and
11 is considered eligible for funds under section 484 of
12 the Higher Education Act of 1965 (20 U.S.C.
13 1091); and

14 “(6) is a citizen or national of the United
15 States or lawful permanent resident alien of the
16 United States.

17 “(b) SPECIAL RULES FOR CERTAIN YOUTH PRO-
18 GRAMS.—An individual shall be considered to be a partici-
19 pant in a youth corps program described in section
20 122(a)(2) or a program described in section 122(a)(9)
21 that is carried out with assistance provided under section
22 121(a) if the individual—

23 “(1) satisfies the requirements specified in sub-
24 section (a), except paragraph (4) of such subsection;
25 and

1 “(d) RECRUITMENT AND PLACEMENT.—The Cor-
2 poration and each State Commission shall establish a sys-
3 tem to recruit individuals who desire to perform national
4 service and to assist the placement of these individuals in
5 approved national service positions, including positions
6 available under titles I and II of the Domestic Volunteer
7 Service Act of 1973 (42 U.S.C. 4951 et seq.). The Cor-
8 poration and State Commissions shall disseminate infor-
9 mation regarding available approved national service posi-
10 tions through cooperation with secondary schools, institu-
11 tions of higher education, employment service offices, vo-
12 cational rehabilitation agencies and other State offices
13 that serve primarily people with disabilities, and other ap-
14 propriate entities, particularly those organizations that
15 provide outreach to disadvantaged youths and youths with
16 disabilities.

17 “(e) NATIONAL LEADERSHIP POOL.—

18 “(1) SELECTION AND TRAINING.—From among
19 individuals recruited under subsection (d), the Cor-
20 poration may select individuals with significant lead-
21 ership potential, as determined by the Corporation,
22 to receive special training to enhance their leader-
23 ship ability. The leadership training shall be pro-
24 vided by the Corporation directly or through a grant
25 or contract.

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

12 “(3) ASSIGNMENT.—At the request of a pro-
13 gram that receives assistance under the national
14 service laws, the Corporation may assign an individ-
15 ual who receives leadership training under para-
16 graph (1) to work with the program in a leadership
17 position and carry out assignments not otherwise
18 performed by regular participants. An individual as-
19 signed to a program shall be considered to be a par-
20 ticipant of the program.

21 “(f) EVALUATION OF SERVICE.—The Chairperson
22 shall issue regulations regarding the manner and criteria
23 by which the service of a participant shall be evaluated
24 to determine whether the service is satisfactory and suc-

1 cessful for purposes of eligibility for a second term of serv-
2 ice or a national service educational award.

3 **“SEC. 139. TERMS OF SERVICE.**

4 “(a) IN GENERAL.—As a condition of receiving a na-
5 tional service education award under subtitle D, a partici-
6 pant in an approved national service position shall be re-
7 quired to perform full- or part-time national service for
8 at 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
14 than 1,700 hours during a period of not less than
15 9 months and not more than 1 year.

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

22 “(A) not less than 1 year and not more
23 than 2 years; or

24 “(B) not less than 1 year and not more
25 than 3 years if the individual is enrolled in an

1 institute of higher education while performing
2 all or a portion of the service.

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

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

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

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

21 “(B) for cause.

22 “(2) EFFECT OF RELEASE FOR COMPELLING
23 CIRCUMSTANCES.—If a participant eligible for re-
24 lease under paragraph (1)(A) is serving in an ap-
25 proved national service position, the recipient of as-

1 sistance under section 121 or a program sponsoring
2 an approved national service position may elect—

3 “(A) to grant such release and provide to
4 the participant that portion of the national
5 service educational award corresponding to the
6 portion of the term of service actually com-
7 pleted, as provided in section 147(b); or

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

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

21 **“SEC. 140. LIVING ALLOWANCES FOR NATIONAL SERVICE**
22 **PARTICIPANTS.**

23 “(a) PROVISION OF LIVING ALLOWANCE.—

24 “(1) LIVING ALLOWANCE REQUIRED.—Subject
25 to paragraph (3), a national service program carried

1 out using assistance provided under section 121
2 shall provide to each participant who participates on
3 a full-time basis in the program a living allowance
4 in an amount equal or greater than the average an-
5 nual subsistence allowance provided to VISTA volun-
6 teers under section 105 of the Domestic Volunteer
7 Service Act of 1973 (42 U.S.C. 4955).

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

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

24 “(4) PRORATION OF LIVING ALLOWANCE.—The
25 amount provided as a living allowance under this

1 subsection shall be prorated in the case of a partici-
2 pant who is authorized to serve a reduced term of
3 service under section 139(b)(3).

4 “(5) WAIVER OR REDUCTION OF LIVING AL-
5 LOWANCE.—The Corporation may waive or reduce
6 the requirement of paragraph (1) with respect to
7 such national service program if such program dem-
8 onstrates that—

9 “(A) such requirement is inconsistent with
10 the objectives of the program; and

11 “(B) the amount of the living allowance
12 that will be provided to each full-time partici-
13 pant is sufficient to meet the necessary costs of
14 living (including food, housing, and transpor-
15 tation) in the area in which the program is lo-
16 cated.

17 “(6) EXEMPTION.—The requirement of para-
18 graph (1) shall not apply to any program which was
19 in existence on the date of enactment of the Na-
20 tional Service Trust Act of 1993.

21 “(7) EVALUATION OF LIVING ALLOWANCE.—
22 Not later than 2 years after the effective date of this
23 subsection, the Corporation shall arrange for an
24 independent evaluation to determine the levels of liv-
25 ing allowances paid in all programs under this sub-

1 title, individually, by State, and by region. Such
2 evaluation shall determine the effects that such liv-
3 ing allowances have had on the ability of individuals
4 to participate in such programs.

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

16 “(1) the total average annual subsistence allow-
17 ance provided to VISTA volunteers under section
18 105 of the Domestic Volunteer Service Act of 1973
19 (42 U.S.C. 4955); and

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

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

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

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

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

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

13 “(d) HEALTH INSURANCE.—

14 “(1) IN GENERAL.—A State or other recipient
15 of assistance under section 121 shall provide a basic
16 health care policy for each full-time participant in a
17 national service program carried out or supported
18 using the assistance if the participant is not other-
19 wise covered by a health care policy. Not more than
20 85 percent of the cost of a premium shall be pro-
21 vided by the Corporation, with the remaining cost
22 paid by the entity receiving assistance under section
23 121. The Corporation shall establish minimum
24 standards that all plans must meet in order to qual-
25 ify for payment under this part, any circumstances

1 in which an alternative health care policy may be
2 substituted for the basic health care policy, and
3 mechanisms to prohibit participants from dropping
4 existing coverage.

5 “(2) OPTION.—A State or other recipient of as-
6 sistance under section 121 may elect to provide from
7 its own funds a health care policy for participants
8 that does not meet all of the standards established
9 by the Corporation if the fair market value of such
10 policy is equal to or greater than the fair market
11 value of a plan that meets the minimum standards
12 established by the Corporation.

13 “(e) CHILD CARE.—

14 “(1) AVAILABILITY.—A State or other recipient
15 of assistance under section 121 shall—

16 “(A) make child care available for children
17 of each full-time participant who serves in a na-
18 tional service program carried out or supported
19 by the recipient using the assistance, including
20 individuals who need such child care in order to
21 participate in the program; or

22 “(B) provide a child care allowance to each
23 full-time participant in a national service pro-
24 gram who needs such assistance in order to
25 participate in the program.

1 “(2) GUIDELINES.—The Corporation shall es-
2 tablish guidelines regarding the circumstances under
3 which child care must be made available under this
4 subsection and the value of any allowance to be pro-
5 vided.

6 “(f) INDIVIDUALIZED SUPPORT SERVICES.—A State
7 or other recipient of assistance under section 121 shall
8 provide auxiliary aids and services based on the individual-
9 ized need of a participant who is a qualified individual
10 with a disability.

11 “(g) WAIVER OF LIMITATION ON FEDERAL
12 SHARE.—The Corporation may waive in whole or in part
13 the limitation on the Federal share specified in this section
14 with respect to a particular national service program in
15 any fiscal year if the Corporation determines that such
16 a waiver would be equitable due to a lack of available fi-
17 nancial resources at the local level.

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

19 “(a) ELIGIBILITY GENERALLY.—A participant in a
20 national service program carried out using assistance pro-
21 vided to an applicant under section 121 shall be eligible
22 for the national service educational award described in
23 subtitle D if the participant—

24 “(1) serves in an approved national service po-
25 sition; and

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

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

10 (c) 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—

13 (1) by striking the items relating to subtitle C
14 of title I of such Act and inserting the following new
15 items:

 “Subtitle C—National Service Trust Program

 “PART I—INVESTMENT IN NATIONAL SERVICE

“Sec. 121. Authority to provide assistance and approved national service posi-
 tions.

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

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

“Sec. 124. Types of program assistance.

“Sec. 125. Training and technical assistance.

“Sec. 126. Other special assistance.

 “PART II—APPLICATION AND APPROVAL PROCESS

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

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

“Sec. 131. National service program assistance requirements.

“Sec. 132. Ineligible service categories.

“Sec. 133. Consideration of applications.

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

 “PART III—NATIONAL SERVICE PARTICIPANTS

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

1 and

2 (2) by inserting after the item relating to sec-
 3 tion 195O the following new items:

“Subtitle I—American Conservation and Youth Corps

- “Sec. 199. Short title.
- “Sec. 199A. General authority.
- “Sec. 199B. Allocation of funds.
- “Sec. 199C. State application.
- “Sec. 199D. Focus of programs.
- “Sec. 199E. Related programs.
- “Sec. 199F. Public lands or Indian lands.
- “Sec. 199G. Training and education services.
- “Sec. 199H. Amount of award; matching requirement.
- “Sec. 199I. Preference for certain projects.
- “Sec. 199J. Age and citizenship criteria for enrollment.
- “Sec. 199K. Use of volunteers.
- “Sec. 199L. Post-service benefits.
- “Sec. 199M. Living allowance.
- “Sec. 199N. Joint programs.
- “Sec. 199O. Federal and State employee status.”.

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

10 “(1) LIVING ALLOWANCE REQUIRED.—Subject
 11 to paragraph (3), each participant in a full-time
 12 youth corps program that receives assistance under
 13 this subtitle shall receive a living allowance in an
 14 amount equal or greater than the average annual

1 subsistence allowance provided to VISTA volunteers
2 under section 105 of the Domestic Volunteer Service
3 Act of 1973 (42 U.S.C. 4955).

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

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

21 “(4) WAIVER OR REDUCTION OF LIVING AL-
22 LOWANCE.—The Corporation may waive or reduce
23 the requirement of paragraph (1) with respect to
24 such national service program if such program dem-
25 onstrates that—

1 “(A) such requirement is inconsistent with
2 the objectives of the program; and

3 “(B) the amount of the living allowance
4 that will be provided to each full-time partici-
5 pant is sufficient to meet the necessary costs of
6 living (including food, housing, and transpor-
7 tation) in the area in which the program is lo-
8 cated.

9 “(5) EXEMPTION.—The requirement of para-
10 graph (1) shall not apply to any program which was
11 in existence on the date of enactment of the Na-
12 tional Service Trust Act of 1993.

13 “(6) EVALUATION OF LIVING ALLOWANCE.—
14 Not later than 2 years after the effective date of this
15 subsection, the Corporation shall arrange for an
16 independent evaluation to determine the levels of liv-
17 ing allowances paid in all programs under this sub-
18 title, individually, by State, and by region. Such
19 evaluation shall determine the effects that such liv-
20 ing allowances have had on the ability of individuals
21 to participate in such programs.”.

22 (e) TECHNICAL AND CONFORMING AMENDMENTS.—

23 (1) REFERENCES.—Subtitle I of title I of the
24 National and Community Service Act of 1990 (as so
25 redesignated by subsection (a)(1) of this section) is

1 amended by striking “Commission” each place it ap-
2 pears in sections 199A, 199B, 199C, 199D, 199F,
3 199H, 199I, 199M, and 199N (as redesignated in
4 subsection (a)(3) of this section) and inserting “Cor-
5 poration”.

6 (2) GENERAL AUTHORITY.—Section 199A of
7 such Act (as redesignated in subsection (a)(3) of
8 this section) (42 U.S.C. 12541) is amended—

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

10 (B) by striking “, to the Secretary of the
11 Interior, or to the Director of ACTION” and
12 inserting “or to the Secretary of the Interior”.

13 (3) ALLOCATION.—Section 199B of such Act
14 (as redesignated in subsection (a)(3) of this section)
15 (42 U.S.C. 12542) is amended by striking “section
16 123” each place it appears and inserting “section
17 199C”.

18 (4) STATE APPLICATION.—Section 199C(a) of
19 such Act (as redesignated in subsection (a)(3) of
20 this section) (42 U.S.C. 12543(a)) is amended by
21 striking “section 122(b)” and inserting “section
22 199B(b)”.

23 (5) PUBLIC LANDS.—Section 199F(b) of such
24 Act (as redesignated in subsection (a)(3) of this sec-

1 tion) (42 U.S.C. 12546(b)) is amended by striking
2 “section 123” and inserting “section 199C”.

3 (6) PREFERENCE.—Section 199I(a) of such Act
4 (as redesignated in subsection (a)(3) of this section)
5 (42 U.S.C. 12549) is amended by striking “section
6 123” and inserting “section 199C”.

7 **SEC. 102. NATIONAL SERVICE TRUST AND PROVISION OF**
8 **NATIONAL SERVICE EDUCATIONAL AWARDS.**

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

13 **“Subtitle D—National Service**
14 **Trust and Provision of National**
15 **Service Educational Awards**

16 **“SEC. 145. ESTABLISHMENT OF THE NATIONAL SERVICE**
17 **TRUST.**

18 “(a) ESTABLISHMENT.—There is established in the
19 Treasury of the United States an account to be known
20 as the National Service Trust. The Trust shall consist
21 of—

22 “(1) from the amounts appropriated to the Cor-
23 poration and made available to carry out this sub-
24 title pursuant to section 501(a)(2), such amounts as

1 the Corporation may designate to be available for
2 the payment of—

3 “(A) national service educational awards;

4 and

5 “(B) interest expenses pursuant to section
6 148(e);

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

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

12 “(b) INVESTMENT OF TRUST.—It shall be the duty
13 of the Secretary of the Treasury to invest in full the
14 amounts appropriated to the Trust. Except as otherwise
15 expressly provided in instruments concerning a gift, be-
16 quest, devise, or other donation and agreed to by the Cor-
17 poration, such investments may be made only in interest-
18 bearing obligations of the United States or in obligations
19 guaranteed as to both principal and interest by the United
20 States. For such purpose, such obligations may be ac-
21 quired (1) on original issue at the issue price, or (2) by
22 purchase of outstanding obligations at the marketplace.
23 Any obligation acquired by the Trust may be sold by the
24 Secretary at the market price.

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

4 “(d) REPORTS TO CONGRESS ON RECEIPTS AND EX-
5 PENDITURES.—Not later than March 1 of each year, the
6 Corporation shall submit a report to the Congress on the
7 financial status of the Trust during the preceding fiscal
8 year. Such report shall—

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

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

18 “(3) identify the number of individuals whose
19 ability to claim national service educational awards
20 during the period covered by the report—

21 “(A) has been reduced pursuant to section
22 147(b); or

23 “(B) has lapsed pursuant to section
24 146(d); and

1 “(3) has received a high school diploma, or the
2 equivalent of such diploma, at the time the individ-
3 ual uses the national service educational award, un-
4 less this requirement has been waived based on an
5 individual education assessment conducted by the
6 program; and

7 “(4) is a citizen or national of the United
8 States or lawful permanent resident alien of the
9 United States.

10 “(b) TERM OF SERVICE.—The term of service for an
11 approved national service position shall not be less than
12 the full- or part-time term of service specified in section
13 139(b).

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

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

22 “(1) SEVEN-YEAR REQUIREMENT.—An individ-
23 ual eligible to receive a national service educational
24 award under this section may not use such award
25 after the end of the 7-year period beginning on the

1 date the individual completes the term of service in
 2 an approved national service position that is the
 3 basis of the award.

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

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

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

14 “(e) SUSPENSION OF ELIGIBILITY FOR DRUG-RE-
 15 LATED OFFENSES.—

16 “(1) IN GENERAL.—An individual who, after
 17 qualifying under this section as an eligible individ-
 18 ual, has been convicted under any Federal or State
 19 law of the possession or sale of a controlled sub-
 20 stance shall not be eligible to receive a national serv-
 21 ice educational award during the period beginning
 22 on the date of such conviction and ending after the
 23 interval specified in the following table:

“If convicted of:		Ineligibility period is:
The possession of a controlled substance:		
1st conviction		1 year
2nd conviction		2 years

3rd conviction	indefinite
The sale of a controlled substance:	
1st conviction	2 years
2nd conviction	indefinite

1 “(2) REHABILITATION.—An individual whose
2 eligibility has been suspended under paragraph (1)
3 shall resume eligibility before the end of the period
4 determined under such paragraph if the individual
5 satisfactorily completes a drug rehabilitation pro-
6 gram that complies with such criteria as the Cor-
7 poration shall prescribe for purposes of this para-
8 graph.

9 “(3) FIRST CONVICTIONS.—An individual whose
10 eligibility has been suspended under paragraph (1)
11 and is convicted of his or her first offense may re-
12 sume eligibility before the end of the period deter-
13 mined under such paragraph if the student dem-
14 onstrates that he or she has enrolled or been accept-
15 ed for enrollment in a drug rehabilitation program
16 that complies with such criteria as the Corporation
17 shall prescribe for purposes of this subsection.

18 “(4) DEFINITIONS.—As used in this subsection,
19 the term ‘controlled substance’ has the meaning
20 given in section 102(6) of the Controlled Substances
21 Act (21 U.S.C. 802(6)).

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 INDIVID-
6 UALS.—An eligible individual under section 146 who
7 desires to apply his or her national service edu-
8 cational award to the repayment of qualified student
9 loans shall submit, in a manner prescribed by the
10 Corporation, an application to the Corporation
11 that—

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

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

18 “(C) specifies, if the outstanding balance is
19 greater than the amount disbursed under para-
20 graph (2), which of the loans the individual pre-
21 fers to be paid by the Corporation; and

22 “(D) contains or is accompanied by such
23 other information as the Corporation may re-
24 quire.

1 “(2) DISBURSEMENT OF REPAYMENTS.—Upon
2 receipt of an application from an eligible individual
3 of an application that complies with paragraph (1),
4 the Corporation shall, as promptly as practicable
5 consistent with paragraph (5), disburse the amount
6 of the national service educational award to which
7 the eligible individual is entitled. Such disbursement
8 shall be made by check or other means that is pay-
9 able to the holder of the loan and requires the en-
10 dorsement or other certification by the eligible indi-
11 vidual.

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

17 “(4) REPORTS BY HOLDERS.—Any holder re-
18 ceiving a loan payment pursuant to this subsection
19 shall submit to the Corporation such information as
20 the Corporation may require to verify that such pay-
21 ment was applied in accordance with this subsection
22 and any regulations prescribed to carry out this sub-
23 section.

24 “(5) NOTIFICATION OF INDIVIDUAL.—The Cor-
25 poration upon disbursing the national service edu-

1 cational award, shall notify the individual of the
2 amount paid for each outstanding loan and the date
3 of payment.

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

8 “(7) DEFINITION OF QUALIFIED STUDENT
9 LOANS.—As used in this subsection, the term ‘quali-
10 fied student loans’ means—

11 “(A) any loan made, insured, or guaran-
12 teed pursuant to title IV of the Higher Edu-
13 cation Act of 1965 (20 U.S.C. 1070 et seq.),
14 other than a loan to a parent of a student pur-
15 suant to section 428B of such Act (20 U.S.C.
16 1078–2); and

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

20 “(8) DEFINITION OF HOLDER.—As used in this
21 subsection, the term ‘holder’ with respect to any eli-
22 gible loan means the original lender or, if the loan
23 is subsequently sold, transferred, or assigned to
24 some other person, and such other person acquires

1 a legally enforceable right to receive payments from
2 the borrower, such other person.

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

5 “(1) APPLICATION BY ELIGIBLE INDIVIDUAL.—

6 An eligible individual under section 146 who desires
7 to apply his or her national service educational
8 award to the payment of current full-time or part-
9 time educational expenses shall, on a form pre-
10 scribed by the Corporation, submit an application to
11 the institution of higher education in which the stu-
12 dent will be enrolled that contains such information
13 as the Corporation may require to verify the individ-
14 ual’s eligibility.

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

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

1 “(B) specifies the amounts for which such
2 eligible individuals are, consistent with para-
3 graph (6), qualified for disbursement under this
4 subsection;

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

13 “(D) contains such provisions concerning
14 financial compliance as the Corporation may re-
15 quire.

16 “(3) DISBURSEMENT OF PAYMENTS.—Upon re-
17 ceipt of a statement from an institution of higher
18 education that complies with paragraph (2), the Cor-
19 poration shall, subject to paragraph (4), disburse the
20 total amount of the national service educational
21 awards for which eligible individuals who have sub-
22 mitted applications to that institution under para-
23 graph (1) are qualified. Such disbursement shall be
24 made by check or other means that is payable to the

1 institution and requires the endorsement or other
2 certification by the eligible individual.

3 “(4) MULTIPLE DISBURSEMENTS REQUIRED.—
4 The total amount required to be disbursed to an in-
5 stitution of higher education under paragraph (3)
6 for any period of enrollment shall be disbursed by
7 the Corporation in 2 or more installments, none of
8 which exceeds $\frac{1}{2}$ of such total amount. The interval
9 between the first and second such installment shall
10 not be less than $\frac{1}{2}$ of such period of enrollment, ex-
11 cept as necessary to permit the second installment to
12 be paid at the beginning of the second semester,
13 quarter, or similar division of such period of enroll-
14 ment.

15 “(5) REFUND RULES.—The Corporation shall,
16 by regulation, provide for the refund to the Corpora-
17 tion (and the crediting to the national service edu-
18 cational award of an eligible individual) of amounts
19 disbursed to institutions for the benefit of eligible in-
20 dividuals who withdraw or otherwise fail to complete
21 the period of enrollment for which the assistance
22 was provided. Such regulations shall be consistent
23 with the fair and equitable refund policies required
24 of institutions pursuant to section 484B of the
25 Higher Education Act of 1965 (20 U.S.C. 1091b).

1 Amounts refunded to the Trust pursuant to this
2 paragraph may be used by the Corporation to fund
3 additional approved national service positions under
4 subtitle C.

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

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

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

20 “(d) USE OF EDUCATIONAL AWARD TO PARTICIPATE
21 IN APPROVED SCHOOL-TO-WORK PROGRAMS.—The Cor-
22 poration shall by regulation provide for the payment of
23 national service educational awards to permit eligible indi-
24 viduals to participate in school-to-work programs approved
25 by the Secretaries of Labor and Education.

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

11 “(f) EXCEPTION.—With the approval of the Director,
12 an approved national service program funded under sec-
13 tion 121, may offer participants the option of waiving
14 their right to receive a National Service Education Award
15 in order to receive an alternative post-service benefit fund-
16 ed by the program entirely with non-Federal funds.

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

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

1 items relating to subtitle D of title I of such Act and in-
 2 serting the following new items:

“Subtitle D—National Service Trust and Provision of National Service
 Educational Awards

“Sec. 145. Establishment of the National Service Trust.

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

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

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

3 (c) CONFORMING AMENDMENTS.—

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

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

15 (A) in subsection (b)(1)—

16 (i) by redesignating subparagraphs
 17 (W), (X), and (Y) as subparagraphs (X),
 18 (Y), and (Z), respectively; and

19 (ii) by inserting immediately after
 20 subparagraph (V) the following new sub-
 21 paragraph:

1 “(W)(i) provides that, upon written re-
2 quest, a lender shall grant a borrower forbear-
3 ance on such terms as are otherwise consistent
4 with the regulations of the Secretary, during
5 periods in which the borrower is serving in a
6 national service position, for which he or she re-
7 ceives a national service educational award
8 under the National Service Trust Act of 1993;

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

12 “(iii) provides that interest shall continue
13 to accrue on a loan for which a borrower re-
14 ceives forbearance under this subparagraph and
15 shall be capitalized or paid by the borrower;”;
16 and

17 (B) in subsection (c)(3)(A), by striking
18 “subsection (b)(1)(V)” and inserting “sub-
19 section (b)(1) (V) and (W)”.

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

23 (A) in subsection (b)(1), is amended by
24 striking “October 1, 1992” and inserting “Oc-
25 tober 1, 1989”; and

1 (B) in subsection (c), by adding at the end
2 the following new paragraph:

3 “(5) INELIGIBILITY OF NATIONAL SERVICE
4 EDUCATIONAL AWARD RECIPIENTS.—No student
5 borrower may, for the same volunteer service, receive
6 a benefit under both this section and subtitle D of
7 title I of the National and Community Service Act
8 of 1990 (42 U.S.C. 12751 et seq.).”.

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

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

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

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

1 ing estimated financial assistance not received under
2 this title.”.

3 **SEC. 103. SCHOOL-BASED AND COMMUNITY-BASED SERV-**
4 **ICE-LEARNING PROGRAMS.**

5 (a) AMENDMENTS TO SERVE-AMERICA PROGRAMS.—

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

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

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

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

1 (D) work with employers in the commu-
 2 nities to ensure that projects introduce the stu-
 3 dents to various careers and expose the stu-
 4 dents to needed further education and training.

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

10 **“Subtitle B—School-Based and**
 11 **Community-Based Service-**
 12 **Learning Programs**

13 **“PART I—SERVE-AMERICA PROGRAMS**

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

15 **“SEC. 111. AUTHORITY TO ASSIST STATES AND INDIAN**
 16 **TRIBES.**

17 “(a) USE OF FUNDS.—The Corporation, in consulta-
 18 tion with the Secretary of Education, may make grants
 19 under section 112(b)(1), and allotments under subsections
 20 (a) and (b)(2) of section 112, to States (acting through
 21 their State educational agency) and Indian tribes to pay
 22 for the Federal share of—

23 “(1) planning and building the capacity of the
 24 States or Indian tribes (which may be accomplished
 25 through grants or contracts with qualified organiza-

1 tions) to implement school-based service-learning
2 programs, including—

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

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

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

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

21 “(E) establishing effective outreach and
22 dissemination of information to ensure the
23 broadest possible involvement of community-
24 based agencies with demonstrated effectiveness

1 in working with school-age youth in their com-
2 munities;

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

11 “(A) local educational agencies; and

12 “(B) one or more community partners
13 that—

14 “(i) shall include a public or private
15 nonprofit organization that—

16 “(I) has a demonstrated and ex-
17 tensive expertise in the provision of
18 services to meet unmet human, edu-
19 cational, environmental, or public
20 safety needs;

21 “(II) was in existence at least 1
22 year before the date on which the or-
23 ganization applies to participate in the
24 partnership; and

1 “(III) will make projects avail-
2 able for participants, who shall be stu-
3 dents; and

4 “(ii) may include a private for-profit
5 business or private elementary or second-
6 ary school;

7 “(3) planning of school-based service-learning
8 programs through State distribution of Federal
9 funds made available under this subpart to local
10 educational agencies, which planning may include
11 paying for the cost of—

12 “(A) the salaries and benefits of service-
13 learning coordinators; or

14 “(B) the recruitment, training, supervision,
15 and placement of service-learning coordinators
16 who are participants in a program under sub-
17 title C or receive a national service educational
18 award under subtitle D,

19 who will identify the community partners described
20 in paragraph (2)(B) and assist in the design and im-
21 plementation of a program described in paragraph
22 (2); and

23 “(4) implementing, operating, or expanding
24 school-based service-learning programs involving
25 adult volunteers to utilize service-learning to improve

1 the education of students through State distribution
2 of Federal funds made available under this part to
3 local partnerships among—

4 “(A) local educational agencies; and

5 “(B) one or more—

6 “(i) public or private nonprofit organi-
7 zations;

8 “(ii) other educational agencies; or

9 “(iii) private for-profit businesses,

10 that coordinate and operate projects for participants,
11 who shall be students.

12 “(b) DUTIES OF SERVICE-LEARNING COORDINA-
13 TOR.—A service-learning coordinator referred to in para-
14 graph (2) or (3) of subsection (a) shall provide services
15 to a local educational agency by—

16 “(1) expanding the awareness of teachers of the
17 potential of service-learning in strengthening the
18 educational achievement, leadership development,
19 and substantive learning, of students;

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

23 “(3) assisting local partnerships described in
24 subsection (a) in the planning, development, and
25 execution of service-learning projects;

1 Corporation may use the allotment of that State to make
2 direct grants to pay for the Federal share of the cost of—

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

6 “(2) carrying out the activities described in
7 paragraph (3) of such section, to an agency de-
8 scribed in such paragraph,

9 that is located in the State.

10 **“SEC. 111B. AUTHORITY TO ASSIST PUBLIC OR PRIVATE**
11 **NONPROFIT ORGANIZATIONS.**

12 “(a) IN GENERAL.—The Corporation may make
13 grants under section 112(b)(1) to public and private non-
14 profit organizations that—

15 “(1) have experience with service-learning;

16 “(2) were in existence 1 year before the date on
17 which the organization submitted an application
18 under section 114(a); and

19 “(3) meet such other criteria as the Chair-
20 person may establish.

21 “(b) USE OF FUNDS.—Such organizations may use
22 grants made under subsection (a) to make grants to part-
23 nerships described in paragraph (2) or (4) of section
24 111(a) to implement, operate, or expand school-based
25 service-learning programs as described in such section and

1 provide technical assistance and training to appropriate
2 persons.

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

4 “(a) INDIAN TRIBES AND TERRITORIES.—Of the
5 amounts appropriated to carry out this subpart for any
6 fiscal year, the Corporation shall reserve an amount of not
7 more than 1 percent for payments to Indian tribes, the
8 Virgin Islands of the United States, Guam, American
9 Samoa, and the Commonwealth of the Northern Mariana
10 Islands, to be allotted in accordance with their respective
11 needs. The Corporation may also make payments from
12 such amount to Palau, in accordance with its needs, until
13 such time as the Compact of Free Association with Palau
14 is ratified.

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

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

23 “(A) State educational agencies and Indian
24 tribes; or

1 “(B) as described in section 111B, to
2 grantmaking entities.

3 “(2) ALLOTMENTS.—

4 “(A) SCHOOL-AGE YOUTH.—Except as pro-
5 vided in paragraph (3), from 37.5 percent of
6 such funds, the Corporation shall allot to each
7 State an amount that bears the same ratio to
8 37.5 percent of such funds as the number of
9 school-age youth in the State bears to the total
10 number of school-age youth of all States.

11 “(B) ALLOCATION UNDER ELEMENTARY
12 AND SECONDARY EDUCATION ACT OF 1965.—
13 Except as provided in paragraph (3), from 37.5
14 percent of such funds, the Corporation shall
15 allot to each State an amount that bears the
16 same ratio to 37.5 percent of such funds as the
17 allocation to the State for the previous fiscal
18 year under chapter 1 of title I of the Elemen-
19 tary and Secondary Education Act of 1965 (20
20 U.S.C. 2711 et seq.) bears to such allocations
21 to all States.

22 “(3) MINIMUM AMOUNT.—No State shall re-
23 ceive, under paragraph (2), an allotment that is less
24 than the allotment such State received for fiscal year
25 1993 under section 112(b) of this Act, as in effect

1 on the day before the date of enactment of this part.
2 If the amount of funds made available in a fiscal
3 year to carry out paragraph (2) is insufficient to
4 make such allotments, the Corporation shall make
5 available sums from the 25 percent described in
6 paragraph (1) for such fiscal year to make such al-
7 lotments.

8 “(4) DEFINITION.—Notwithstanding section
9 101(25), for purposes of this subsection, the term
10 ‘State’ means each of the several States, the District
11 of Columbia, the Commonwealth of Puerto Rico, and
12 an Indian tribe.

13 “(c) REALLOTMENT.—If the Corporation determines
14 that the allotment of a State or Indian tribe under this
15 section will not be required for a fiscal year because the
16 State or Indian tribe does not submit an application for
17 the allotment under section 113 that meets the require-
18 ments of such section and such other requirements as the
19 Chairperson may determine to be appropriate, the Cor-
20 poration shall, after making any grants under section
21 111A to a partnership or agency described in such section,
22 make any remainder of such allotment available for real-
23 lotment to such other States, and Indian tribes, with ap-
24 proved applications submitted under section 113, as the
25 Corporation may determine to be appropriate.

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

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

8 “(a) SUBMISSION.—To be eligible to receive a grant
9 under section 112(b)(1), an allotment under subsection
10 (a) or (b)(2) of section 112, a reallocation under section
11 112(c), or a grant under section 112(d), a State, acting
12 through the State educational agency, or an Indian tribe,
13 shall prepare, submit to the Corporation, and obtain ap-
14 proval of, an application at such time and in such manner
15 as the Chairperson may reasonably require.

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

19 “(1) a 3-year strategic plan, or a revision of a
20 previously approved 3-year strategic plan, for pro-
21 moting service-learning through the programs, which
22 plan shall contain such information as the Chair-
23 person may reasonably require, such as—

1 “(A) a description of the goals to be at-
2 tained in promoting service-learning through
3 such programs;

4 “(B) a description of the resources and or-
5 ganization needed to achieve the goals of such
6 programs within elementary schools and second-
7 ary schools; and

8 “(C) a description of the manner in
9 which—

10 “(i) such programs and the activities
11 to be carried out under such programs re-
12 late to the goals described in subparagraph
13 (A);

14 “(ii) the applicant will evaluate the
15 success of the programs and the extent of
16 community involvement in the programs,
17 and measure the extent to which the pro-
18 grams meet the goals described in subpara-
19 graph (A);

20 “(iii) in reviewing applications submit-
21 ted under section 114(c), the applicant has
22 ranked the applications according to the
23 criteria described in section 115(b), has
24 considered the factors described in section
25 115(a), and has reviewed the applications

1 in a manner that ensured the equitable
2 treatment of all such applications;

3 “(iv) the programs will be coordinated
4 with—

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

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

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

12 “(IV) other education programs,
13 training programs, social service pro-
14 grams, and appropriate programs that
15 serve school-age youth, that are au-
16 thorized under Federal law;

17 “(v) the applicant will disseminate in-
18 formation, conduct outreach, and take
19 other measures, to encourage cooperative
20 efforts among the local educational agen-
21 cies, local government agencies, commu-
22 nity-based agencies, State agencies, and
23 private for-profit businesses that will carry
24 out the service-learning programs proposed
25 by the applicant, to develop and provide

1 projects, including those that involve the
2 participation of urban, suburban, and rural
3 students working together;

4 “(vi) the applicant will promote ap-
5 propriate projects in such programs for
6 economically disadvantaged students, stu-
7 dents with limited basic skills, students in
8 foster care who are becoming too old for
9 foster care, students of limited English
10 proficiency, homeless students, and stu-
11 dents with disabilities;

12 “(vii) service-learning training and
13 technical assistance will be provided
14 through the programs—

15 “(I) to State and local edu-
16 cational agency personnel, federally
17 assisted education specialists in the
18 State or serving the Indian tribe, and
19 local recipients of grants under this
20 subpart, to raise the awareness of
21 service-learning among such person-
22 nel, specialists, and recipients; and

23 “(II) by qualified and experi-
24 enced individuals employed by the
25 State or Indian tribe or through

1 grants or contracts with such individ-
2 uals;

3 “(viii) a service-learning network will
4 be established for the State or Indian
5 tribe, comprised of expert teachers and ad-
6 ministrators who have carried out success-
7 ful service-learning activities within the
8 State or serving the Indian tribe; and

9 “(ix) the applicant will use payments
10 from sources described in section
11 116(a)(2)(B) to expand projects for stu-
12 dents through the programs proposed by
13 the applicant;

14 “(2) assurances that—

15 “(A) the applicant will keep such records
16 and provide such information to the Corpora-
17 tion with respect to the programs as may be re-
18 quired for fiscal audits and program evaluation;
19 and

20 “(B) the applicant will comply with the
21 nonduplication and nondisplacement require-
22 ments of section 177; and

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

1 **“SEC. 114. LOCAL APPLICATIONS.**

2 “(a) APPLICATION TO CORPORATION TO MAKE
3 GRANTS FOR SCHOOL-BASED SERVICE-LEARNING PRO-
4 GRAMS.—

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

11 “(2) SUBMISSION.—Such application shall be
12 submitted at such time and in such manner, and
13 shall contain such information, as the Chairperson
14 may reasonably require. Such application shall in-
15 clude a proposal to assist such programs in more
16 than 1 State.

17 “(b) DIRECT APPLICATION TO CORPORATION TO
18 CARRY OUT SCHOOL-BASED SERVICE-LEARNING PRO-
19 GRAMS IN NONPARTICIPATING STATES.—To be eligible to
20 receive a grant from the Corporation in the circumstances
21 described in section 111A to carry out an activity de-
22 scribed in such section, a partnership or agency described
23 in such section shall prepare, submit to the Corporation,
24 and obtain approval of, an application. Such application
25 shall be submitted at such time and in such manner, and

1 shall contain such information, as the Chairperson may
2 reasonably require.

3 “(c) APPLICATION TO STATE OR INDIAN TRIBE TO
4 RECEIVE ASSISTANCE TO CARRY OUT SCHOOL-BASED
5 SERVICE-LEARNING PROGRAMS.—

6 “(1) IN GENERAL.—Any—

7 “(A) qualified organization that desires to
8 receive financial assistance under this subpart
9 from a State or Indian tribe for an activity de-
10 scribed in section 111(a)(1);

11 “(B) partnership described in section
12 111(a)(2) that desires to receive such assistance
13 from a State, Indian tribe, or grantmaking en-
14 tity for an activity described in section
15 111(a)(2);

16 “(C) agency described in section 111(a)(3)
17 that desires to receive such assistance from a
18 State or Indian tribe for an activity described
19 in such section; or

20 “(D) partnership described in section
21 111(a)(4) that desires to receive such assistance
22 from a State or Indian tribe for an activity de-
23 scribed in such section,

24 to be carried out through a service-learning program
25 described in section 111, shall prepare, submit to

1 the State educational agency, Indian tribe, or
2 grantmaking entity, and obtain approval of, an ap-
3 plication for the program.

4 “(2) SUBMISSION.—Such application shall be
5 submitted at such time and in such manner, and
6 shall contain such information, as the agency, tribe,
7 or entity may reasonably require.

8 “(d) CONTENTS OF APPLICATION.—An application
9 that is submitted under subsection (a), (b), or (c) with
10 respect to a service-learning program described in section
11 111 shall, at a minimum, contain a proposal that in-
12 cludes—

13 “(1) information specifying the membership and
14 role of an established advisory committee, consisting
15 of representatives of community-based agencies in-
16 cluding service recipients, students, parents, teach-
17 ers, administrators, representatives of agencies that
18 serve school-age youth or older adults, school board
19 members, representatives of local labor organiza-
20 tions, and representatives of business, that will pro-
21 vide advice with respect to the program;

22 “(2) a description of—

23 “(A) the goals of the program which shall
24 include goals that are quantifiable and dem-

1 onstrate any benefits from the program to par-
2 ticipants and the community;

3 “(B) service-learning projects to be pro-
4 vided under the program, and evidence that
5 participants will make a sustained commitment
6 to service in the projects;

7 “(C) the manner in which participants in
8 the program were or will be involved in the de-
9 sign and operation of the program;

10 “(D) training for supervisors, teachers,
11 service sponsors, and participants in the pro-
12 gram;

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

15 “(F) any resources that will permit con-
16 tinuation of the program, if needed, after the
17 assistance received under this subpart for the
18 program has ended;

19 “(3) information that shall include—

20 “(A) a disclosure of whether or not the
21 participants will receive academic credit for par-
22 ticipation in the program;

23 “(B) the expected number of participants
24 in the program and the hours of service that

1 such participants will provide individually and
2 as a group;

3 “(C) the proportion of expected partici-
4 pants in the program who are economically dis-
5 advantaged, including participants with disabil-
6 ities; and

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

10 “(4) in the case of an application submitted by
11 a local partnership, a written agreement, between
12 the members of the local partnership, stating that
13 the program was jointly developed by the members
14 and that the program will be jointly executed by the
15 members; and

16 “(5) assurances that—

17 “(A) prior to the placement of a partici-
18 pant, the entity carrying out the program will
19 consult with any local labor organization rep-
20 resenting employees in the area who are en-
21 gaged in the same or similar work as that pro-
22 posed to be carried out by such program, to
23 prevent the displacement and protect the rights
24 of such employees;

1 “(B) the entity carrying out the program
2 will develop an age-appropriate learning compo-
3 nent for participants in the program that shall
4 include a chance for participants to analyze and
5 apply their service experiences; and

6 “(C) the entity carrying out the program
7 will comply with the nonduplication and
8 nondisplacement requirements of section 177
9 and grievance procedure requirements of section
10 176(f).

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

12 “(a) CRITERIA FOR APPLICATIONS.—In approving
13 applications for financial assistance under subsection (a),
14 (b), (c), or (d) of section 112, the Corporation shall con-
15 sider such criteria with respect to sustainability,
16 replicability, innovation, and quality of programs under
17 this subpart as the Chairperson may by regulation specify.
18 In providing assistance under this subpart, a State edu-
19 cational agency, Indian tribe, or grantmaking entity shall
20 consider such criteria.

21 “(b) PRIORITY FOR LOCAL APPLICATIONS.—

22 “(1) IN GENERAL.—In providing assistance
23 under this subpart, a State educational agency or
24 Indian tribe, or the Corporation if section 111A or
25 111B applies, shall give priority to entities that sub-

1 mit applications under section 114 with respect to
2 service-learning programs described in section 111
3 that—

4 “(A) involve participants in the design and
5 operation of the program;

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

8 “(C) involve—

9 “(i) students from public elementary
10 or secondary schools, and students from
11 private elementary or secondary schools,
12 serving together; or

13 “(ii) students of different ages, races,
14 sexes, ethnic groups, disabilities, or eco-
15 nomic backgrounds, serving together; or

16 “(D) are integrated into the academic pro-
17 gram of the participants.

18 “(c) REJECTION OF APPLICATIONS.—If the Corpora-
19 tion rejects an application submitted by a State under sec-
20 tion 113 for an allotment under subsection (b)(2) of sec-
21 tion 112, the Corporation shall promptly notify the State
22 of the reasons for the rejection of the application. The
23 Corporation shall provide the State with a reasonable op-
24 portunity to revise and resubmit the application and shall
25 provide technical assistance, if needed, to the State as part

1 of the resubmission process. The Corporation shall
2 promptly reconsider such resubmitted application.

3 **“SEC. 115A. PARTICIPATION OF STUDENTS AND TEACHERS**
4 **FROM PRIVATE SCHOOLS.**

5 “(a) IN GENERAL.—To the extent consistent with the
6 number of students in the State or Indian tribe or in the
7 school district of the local educational agency involved who
8 are enrolled in private nonprofit elementary and secondary
9 schools, such State, Indian tribe, or agency shall (after
10 consultation with appropriate private school representa-
11 tives) make provision—

12 “(1) for the inclusion of services and arrange-
13 ments for the benefit of such students so as to allow
14 for the equitable participation of such students in
15 the programs implemented to carry out the objec-
16 tives and provide the benefits described in this sub-
17 part; and

18 “(2) for the training of the teachers of such
19 students so as to allow for the equitable participa-
20 tion of such teachers in the programs implemented
21 to carry out the objectives and provide the benefits
22 described in this subpart.

23 “(b) WAIVER.—If a State, Indian tribe, or local edu-
24 cational agency is prohibited by law from providing for
25 the participation of students or teachers from private non-

1 profit schools as required by subsection (a), or if the Cor-
2 poration determines that a State, Indian tribe, or local
3 educational agency substantially fails or is unwilling to
4 provide for such participation on an equitable basis, the
5 Chairperson shall waive such requirements and shall ar-
6 range for the provision of services to such students and
7 teachers. Such waivers shall be subject to consultation,
8 withholding, notice, and judicial review requirements in
9 accordance with paragraphs (3) and (4) of section 1017(b)
10 of the Elementary and Secondary Education Act of 1965
11 (20 U.S.C. 2727(b)).

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

13 “(a) SHARE.—

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

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

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

24 “(C) 70 percent of the total cost of the
25 program for the third year for which the pro-

1 gram receives assistance under this subpart;
2 and

3 “(D) 50 percent of the total cost of the
4 program for the fourth year, and for any subse-
5 quent year, for which the program receives as-
6 sistance under this subpart.

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

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

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

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

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

25 “(a) ADMINISTRATIVE COSTS.—

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

8 “(A) the original recipient; or

9 “(B) the entity carrying out the service-
10 learning programs supported with the assist-
11 ance.

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

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

16 “(B) that portion of the assistance avail-
17 able to cover administrative costs should be dis-
18 tributed between—

19 “(i) the original recipient; and

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

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

1 agency or Indian tribe that is the original recipient of a
2 grant or allotment under subsection (a), (b), (c), or (d)
3 of section 112 for a fiscal year may be used to build capac-
4 ity through training, technical assistance, curriculum de-
5 velopment, and coordination activities, described in section
6 111(a)(1).

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

14 **“SEC. 116B. DEFINITIONS.**

15 “As used in this subpart:

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

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

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

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

3 **“SEC. 117. DEFINITIONS.**

4 “As used in this subpart:

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

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

8 “(2) GRANTMAKING ENTITY.—The term
9 ‘grantmaking entity’ means a qualified organization
10 that—

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

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

17 “(3) QUALIFIED ORGANIZATION.—The term
18 ‘qualified organization’ means a public or private
19 nonprofit organization with experience working with
20 school-age youth that meets such criteria as the
21 Chairperson may establish.

22 **“SEC. 117A. GENERAL AUTHORITY.**

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

1 share of the implementation, operation, expansion, or rep-
2 lication of community-based service programs.

3 “(b) USE OF FUNDS.—

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

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

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

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

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

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

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

1 under section 117A(a) to implement, operate, expand, or
2 replicate a community service program, a qualified organi-
3 zation shall prepare, submit to the Corporation, and ob-
4 tain approval of, an application that proposes a commu-
5 nity-based service program to be carried out at multiple
6 sites, or that proposes an innovative community-based
7 service program. Such application shall be submitted at
8 such time and in such manner, and shall contain such in-
9 formation, as the Chairperson may reasonably require.

10 “(c) APPLICATION TO STATE COMMISSION OR
11 GRANTMAKING ENTITY TO RECEIVE GRANTS TO CARRY
12 OUT COMMUNITY-BASED SERVICE PROGRAMS.—To be el-
13 igible 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 man-
18 ner, and shall contain such information, as the Commis-
19 sion or entity may reasonably require.

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

23 “(1) a description of any community-based
24 service program proposed to be implemented, oper-

1 ated, expanded, or replicated directly by the appli-
2 cant using assistance provided under this subpart;

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

7 “(3) a proposal for carrying out the commu-
8 nity-based service program that describes the man-
9 ner in which the entity carrying out the program
10 will—

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

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

19 “(C) provide an age-appropriate service-
20 learning component described in section
21 114(d)(5)(B);

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

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

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

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

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

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

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

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

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

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

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

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

12 “(a) FEDERAL SHARE.—

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

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

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

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

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

8 “(1) the original recipient; or

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

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

14 “(1) such assistance may be used to cover ad-
15 ministrative costs; and

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

19 “(A) the original recipient; and

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

23 **“Subpart C—Clearinghouse**

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

25 “(a) IN GENERAL.—The Corporation shall provide fi-
26 nancial assistance, from funds appropriated to carry out

1 subtitle H, to agencies described in subsection (b) to es-
2 tablish a clearinghouse, which shall carry out activities,
3 either directly or by arrangement with another such entity,
4 with respect to information about service-learning.

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

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

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

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

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

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

1 “(4) facilitate communication among entities
2 carrying out service-learning programs and partici-
3 pants in such programs;

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

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

12 “(7)(A) gather and disseminate information on
13 successful service-learning programs, components of
14 such successful programs, innovative youth skills
15 curricula related to service-learning, and service-
16 learning projects; and

17 “(B) coordinate the activities of the Clearing-
18 house with appropriate entities to avoid duplication
19 of effort;

20 “(8) make recommendations to State and local
21 entities on quality controls to improve the quality of
22 service-learning programs;

23 “(9) assist organizations in recruiting, screen-
24 ing, and placing service-learning coordinators; and

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

3 (b) HIGHER EDUCATION INNOVATIVE PROJECTS.—
4 Subtitle B of title I of the National and Community Serv-
5 ice Act of 1990 (42 U.S.C. 12531 et seq.) is amended
6 by striking part II and inserting the following:

7 **“PART II—HIGHER EDUCATION INNOVATIVE**
8 **PROGRAMS FOR COMMUNITY SERVICE**

9 **“SEC. 119. HIGHER EDUCATION INNOVATIVE PROGRAMS**
10 **FOR COMMUNITY SERVICE.**

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

17 “(b) GENERAL AUTHORITY.—The Corporation, in
18 consultation with the Secretary of Education, is author-
19 ized to make grants to, and enter into contracts with, in-
20 stitutions of higher education (including a combination of
21 such institutions), and partnerships comprised of such in-
22 stitutions and of other public agencies or nonprofit private
23 organizations, to pay for the Federal share of the cost of—

1 “(1) enabling such an institution or partnership
2 to create or expand an organized community service
3 program that—

4 “(A) engenders a sense of social respon-
5 sibility and commitment to the community in
6 which the institution is located; and

7 “(B) provides projects for participants,
8 who shall be students, faculty, administration,
9 or staff of the institution, or residents of the
10 community;

11 “(2) supporting student-initiated and student-
12 designed community service projects through the
13 program;

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

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

1 “(5) strengthening the service infrastructure
2 within institutions of higher education in the United
3 States through the program; and

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

8 “(c) FEDERAL SHARE.—

9 “(1) SHARE.—

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

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

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

20 “(d) APPLICATION FOR GRANT.—

21 “(1) SUBMISSION.—To receive a grant or enter
22 into a contract under this part, an institution or
23 partnership described in subsection (b) shall pre-
24 pare, submit to the Corporation, and obtain approval

1 of, an application at such time and in such manner
2 as the Chairperson may reasonably require.

3 “(2) CONTENTS.—An application submitted
4 under paragraph (1) shall contain—

5 “(A) such information as the Chairperson
6 may reasonably require, such as a description
7 of—

8 “(i) the proposed program to be es-
9 tablished with assistance provided under
10 the grant or contract;

11 “(ii) the human, educational, environ-
12 mental, or public safety service that par-
13 ticipants will perform and the community
14 need that will be addressed under such
15 program;

16 “(iii) whether or not students will re-
17 ceive academic credit for community serv-
18 ice projects under the program;

19 “(iv) the procedure for training super-
20 visors and participants and for supervising
21 and organizing participants in such pro-
22 gram;

23 “(v) the procedures to ensure that the
24 program includes the age-appropriate

1 learning component described in section
2 114(d)(5)(B);

3 “(vi) the roles played by students and
4 community members, including service re-
5 cipients, in the design and implementation
6 of the program; and

7 “(vii) the budget for the program;

8 “(B) assurances that—

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

17 “(ii) the applicant will comply with
18 the nonduplication and nondisplacement
19 provisions of section 177 and grievance
20 procedure requirements of section 176(f);
21 and

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

24 “(e) PRIORITY.—

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

5 “(A) demonstrate the commitment of the
6 institution of higher education, other than by
7 demonstrating the commitment of the students,
8 to supporting the community service projects
9 carried out under the program;

10 “(B) specify the manner in which the insti-
11 tution will promote faculty, administration, and
12 staff participation in the community service
13 projects;

14 “(C) specify the manner in which the insti-
15 tution will provide service to the community
16 through organized programs, including, where
17 appropriate, clinical programs for students in
18 professional schools;

19 “(D) describe any partnership that will
20 participate in the community service projects,
21 such as a partnership comprised of—

22 “(i) the institution;

23 “(ii) (I) a community-based agency;

24 “(II) a local government agency; or

1 “(III) a nonprofit entity that serves or
2 involves school-age youth or older adults;
3 and

4 “(iii) a student organization;

5 “(E) demonstrate community involvement
6 in the development of the proposal;

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

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

13 “(2) DETERMINATION.—In giving priority to
14 applicants under paragraph (1), the Corporation
15 shall give increased priority to such an applicant for
16 each characteristic described in subparagraphs (A)
17 through (G) of paragraph (1) that is reflected in the
18 application submitted by the applicant.

19 “(f) NATIONAL SERVICE EDUCATIONAL AWARD.—A
20 participant in a program funded under this part shall be
21 eligible for the national service educational award de-
22 scribed in subtitle D, if the participant served in an ap-
23 proved national service position.

24 “(g) DEFINITION.—Notwithstanding section
25 101(28), as used in this part, the term ‘student’ means

1 an individual who is enrolled in an institution of higher
2 education on a full- or part-time basis.

3 **“PART III—GENERAL PROVISIONS**

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

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

7 “(1) a sum equal to 75 percent of such aggre-
8 gate amount shall be available to carry out part I,
9 of which—

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

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

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

16 (c) 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
19 items relating to subtitle B of title I of such Act and in-
20 serting the following:

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

“PART I—SERVE-AMERICA PROGRAMS

“SUBPART A—SCHOOL-BASED PROGRAMS FOR STUDENTS

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

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

“Sec. 111B. Authority to assist public or private nonprofit organizations.

“Sec. 112. Grants and allotments.

“Sec. 113. State or tribal applications.

“Sec. 114. Local applications.

- “Sec. 115. Consideration of applications.
- “Sec. 115A. Participation of students and teachers from private schools.
- “Sec. 116. Federal, State, and local contributions.
- “Sec. 116A. Limitations on uses of funds.
- “Sec. 116B. Definitions.

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

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

“SUBPART C—CLEARINGHOUSE

- “Sec. 118. Service-learning clearinghouse.

“PART II—HIGHER EDUCATION INNOVATIVE PROGRAMS FOR COMMUNITY
SERVICE

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

“PART III—GENERAL PROVISIONS

- “Sec. 120. Availability of appropriations.”.

1 SEC. 104. QUALITY AND INNOVATION ACTIVITIES.

2 (a) REPEAL.—Subtitle E of title I of the National
3 and Community Service Act of 1990 (42 U.S.C. 12591
4 et seq.) is repealed.

5 (b) TRANSFER.—Title I of the National and Commu-
6 nity Service Act of 1990 (42 U.S.C. 12501 et seq.) is
7 amended—

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

10 (2) by inserting subtitle E (as redesignated by
11 paragraph (1) of this subsection) after subtitle D;
12 and

1 (3) by redesignating sections 195 through 195O
2 as sections 151 through 166, respectively.

3 (c) INVESTMENT FOR QUALITY AND INNOVATION.—
4 Title I of the National and Community Service Act of
5 1990 is further amended by adding before subtitle I (as
6 transferred by section 101(a) of this Act) the following
7 new subtitle:

8 **“Subtitle H—Investment for**
9 **Quality and Innovation**

10 **“SEC. 198. ADDITIONAL CORPORATION ACTIVITIES TO SUP-**
11 **PORT NATIONAL SERVICE.**

12 “(a) METHODS OF CONDUCTING ACTIVITIES.—The
13 Corporation may carry out this section directly or through
14 grants, contracts, and cooperative agreements with other
15 entities.

16 “(b) INNOVATION AND QUALITY IMPROVEMENT.—

17 “(1) ACTIVITIES.—The Corporation may under-
18 take activities to improve the quality of national
19 service programs and to support innovative and
20 model programs, including—

21 “(A) programs under subtitle B or C for
22 rural youth;

23 “(B) employer-based retiree programs;

24 “(C) intergenerational programs;

1 “(D) programs involving and integrating
2 individuals with disabilities as participants pro-
3 viding service; and

4 “(E) programs sponsored by Governors.

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

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

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

22 “(e) IMPROVE ABILITY TO APPLY FOR ASSIST-
23 ANCE.—The Corporation shall provide training and tech-
24 nical assistance to individuals, programs, local labor orga-
25 nizations, State educational agencies, State commissions,

1 local educational agencies, local governments, community-
2 based agencies, and other entities to enable them to apply
3 for funding under one of the national service laws, to con-
4 duct high-quality programs, to evaluate such programs,
5 and for other purposes.

6 “(f) NATIONAL SERVICE FELLOWSHIPS.—The Cor-
7 poration may award national service fellowships.

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

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

23 “(i) PROMOTION AND RECRUITMENT.—The Corpora-
24 tion may conduct a campaign to solicit funds for the Na-
25 tional Service Trust and other programs and activities au-

1 thORIZED under the national service laws and to promote
2 and recruit participants for programs that receive assist-
3 ance under the national service laws.

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

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

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

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

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

21 “(o) NATIONAL PROGRAM IDENTITY.—The Corpora-
22 tion may support the development and dissemination of
23 materials, including training materials, and arrange for
24 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
4 support innovative programs and activities that promote
5 service-learning.

6 **“SEC. 198A. CLEARINGHOUSES.**

7 “(a) ASSISTANCE.—The Corporation shall provide as-
8 sistance to appropriate entities to establish one or more
9 clearinghouses, including the clearinghouse described in
10 section 118.

11 “(b) APPLICATION.—To be eligible to receive assist-
12 ance under subsection (a), an entity shall submit an appli-
13 cation to the Corporation at such time, in such manner,
14 and containing such information as the Corporation may
15 require.

16 “(c) FUNCTION OF CLEARINGHOUSES.—An entity
17 that receives assistance under subsection (a) may—

18 “(1) assist entities carrying out State or local
19 community service programs with needs assessments
20 and planning;

21 “(2) conduct research and evaluations concern-
22 ing community service;

23 “(3)(A) provide leadership development and
24 training to State and local community service pro-

1 gram administrators, supervisors, and participants;
2 and

3 “(B) provide training to persons who can pro-
4 vide the leadership development and training de-
5 scribed in subparagraph (A);

6 “(4) facilitate communication among entities
7 carrying out community service programs and par-
8 ticipants;

9 “(5) provide information, curriculum materials,
10 technical assistance relating to planning and oper-
11 ation of community service programs, to States and
12 local entities eligible to receive funds under this title;

13 “(6)(A) gather and disseminate information on
14 successful community service programs, components
15 of such successful programs, innovative youth skills
16 curriculum, and community service projects; and

17 “(B) coordinate the activities of the clearing-
18 house with appropriate entities to avoid duplication
19 of effort;

20 “(7) make recommendations to State and local
21 entities on quality controls to improve the delivery of
22 community service programs and on changes in the
23 programs under this title; and

24 “(8) carry out such other activities as the
25 Chairperson determines to be appropriate.

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

2 “(a) PRESIDENTIAL AWARDS.—

3 “(1) IN GENERAL.—The President, acting
4 through the Corporation, may make Presidential
5 awards for service to individuals providing signifi-
6 cant service, and to outstanding service programs.

7 “(2) INDIVIDUALS AND PROGRAMS.—Notwith-
8 standing section 101(17)—

9 “(A) an individual receiving an award
10 under this subsection need not be a participant
11 in a program authorized under this Act; and

12 “(B) a program receiving an award under
13 this subsection need not be a program author-
14 ized under this Act.

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

18 “(A) is authorized to incur necessary ex-
19 penses for the honorary recognition of the indi-
20 vidual or program; and

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

23 “(b) INFORMATION.—The President, acting through
24 the Corporation, shall ensure that information concerning
25 individuals and programs receiving awards under this sec-
26 tion is widely disseminated.

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

2 “Under section 198, the Corporation may make
 3 grants to, and contracts and cooperative agreements with,
 4 public and nonprofit private agencies and organizations
 5 that receive grants and contracts under the Foster Grand-
 6 parent Program (part B of title II of the Domestic Volun-
 7 teer Service Act of 1973), for projects of the type de-
 8 scribed in section 211(a) of such Act operating under
 9 memoranda of agreement with the ACTION Agency, for
 10 the purpose of increasing the number of low-income indi-
 11 viduals who provide services under such program to chil-
 12 dren who participate in Head Start programs.”.

13 (d) TABLE OF CONTENTS.—

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

“Subtitle E—Civilian Community Corps

“Sec. 151. Purpose.

“Sec. 152. Establishment of Civilian Community Corps Demonstration Pro-
 gram.

“Sec. 153. National service program.

“Sec. 154. Summer national service program.

“Sec. 155. Civilian Community Corps.

“Sec. 156. Training.

“Sec. 157. Service projects.

“Sec. 158. Authorized benefits for Corps members.

“Sec. 159. Administrative provisions.

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

“Sec. 161. Contract and grant authority.

“Sec. 162. Responsibilities of other departments.

“Sec. 163. Advisory board.

“Sec. 164. Annual evaluation.

“Sec. 165. Funding limitation.

“Sec. 166. Definitions.”.

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

 “Subtitle H—Investment for Quality and Innovation

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

“Sec. 198A. Clearinghouses.

“Sec. 198B. Presidential awards for service.

“Sec. 198C. Assistance for Head Start.”.

6 (e) TECHNICAL AND CONFORMING AMENDMENTS.—

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

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

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

17 (C) Sections 1091(f)(2), 1092(b)(1), and
18 1094(a), and subsections (a) and (c) of section
19 1095 of such Act are amended by striking
20 “subtitle H” and inserting “subtitle E”.

1 (D) Section 1094(b)(1) and subsections (b)
2 and (c)(1) of section 1095 of such Act are
3 amended by striking “subtitles B, C, D, E, F,
4 and G” and inserting “subtitles B, C, D, F, G,
5 and H”.

6 (2) NATIONAL AND COMMUNITY SERVICE ACT
7 OF 1990.—

8 (A) Section 153(a) of the National and
9 Community Service Act of 1990 (as redesign-
10 nated in subsection (b)(3) of this section) (42
11 U.S.C. 12653b(a)) is amended by striking
12 “195A(a)” and inserting “152(a)”.

13 (B) Section 154(a) of such Act (as redesign-
14 nated in subsection (b)(3) of this section) (42
15 U.S.C. 12653c(a)) is amended by striking
16 “195A(a)” and inserting “152(a)”.

17 (C) Section 155 of such Act (as redesign-
18 nated in subsection (b)(3) of this section) (42
19 U.S.C. 12653d) is amended—

20 (i) in subsection (a), by striking
21 “195H(c)(1)” and inserting “159(c)(1)”;

22 (ii) in subsection (c)(2), by striking
23 “195H(c)(2)” and inserting “159(c)(2)”;

24 and

1 (iii) in subsection (d)(3), by striking
2 “195K(a)(3)” and inserting “162(a)(3)”.

3 (D) Section 156 of such Act (as redesignig-
4 nated in subsection (b)(3) of this section) (42
5 U.S.C. 12653e) is amended—

6 (i) in subsection (c)(1), by striking
7 “195H(c)(2)” and inserting “159(c)(2)”;
8 and

9 (ii) in subsection (d), by striking
10 “195K(a)(3)” and inserting “162(a)(3)”.

11 (E) Section 159 of such Act (as redesignig-
12 nated in subsection (b)(3) of this section) (42
13 U.S.C. 12653h) is amended—

14 (i) in subsection (a)—

15 (I) by striking “195A” and in-
16 serting “152”; and

17 (II) by striking “195” and in-
18 serting “151”; and

19 (ii) in subsection (c)(2)(C)(i), by
20 striking “195K(a)(2)” and inserting
21 “162(a)(2)”.

22 (F) Section 161(b)(1)(B) of such Act (as
23 redesignated in subsection (b)(3) of this sec-
24 tion) (42 U.S.C. 12653j(b)(1)(B)) is amended

1 by striking “195K(a)(3)” and inserting
2 “162(a)(3)”.

3 (G) Section 162(a)(2)(A) of such Act (as
4 redesignated in subsection (b)(3) of this sec-
5 tion) (42 U.S.C. 12653k(a)(2)(A)) is amended
6 by striking “195(3)” and inserting “151(3)”.

7 (H) Section 166 of such Act (as redesign-
8 dated in subsection (b)(3) of this section) (42
9 U.S.C. 12653o) is amended—

10 (i) in paragraph (2), by striking
11 “195D” and inserting “155”;

12 (ii) in paragraph (8), by striking
13 “195A” and inserting “152”;

14 (iii) in paragraph (10), by striking
15 “195D(d)” and inserting “155(d)”; and

16 (iv) in paragraph (11), by striking
17 “195D(c)” and inserting “155(c)”.

18 (f) EXTENSION OF AUTHORITY TO CONDUCT CIVIL-
19 IAN COMMUNITY CORPS.—Section 1092(c) of the National
20 Defense Authorization Act for Fiscal Year 1993 (Public
21 Law 102–484; 106 Stat. 2534), as amended by subsection
22 (e)(1) of this section, is further amended by adding at the
23 end the following new sentence: “The amount made avail-
24 able for the Civilian Community Corps Demonstration

1 Program pursuant to this subsection shall remain avail-
2 able for expenditure during fiscal years 1993 and 1994.”.

3 (g) ADDITIONAL AMENDMENT REGARDING CIVILIAN
4 COMMUNITY CORPS.—Section 158 of the National and
5 Community Service Act of 1990 (as redesignated in sub-
6 section (b)(3) of this section) (42 U.S.C. 12653g) is
7 amended by striking subsections (f), (g), and (h) and in-
8 serting the following new subsections:

9 “(f) NATIONAL SERVICE EDUCATIONAL AWARDS.—
10 A Corps member who successfully completes a period of
11 agreed service in the Corps may receive the national serv-
12 ice educational award described in subtitle D if the Corps
13 member—

14 “(1) serves in an approved national service po-
15 sition; and

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

19 “(g) ALTERNATIVE BENEFIT.—If a Corps member
20 who successfully completes a period of agreed service in
21 the Corps is ineligible for the national service educational
22 award described in subtitle D, the Director may provide
23 for the provision of a suitable alternative benefit for the
24 Corps member.”.

1 **SEC. 105. PUBLIC LANDS CORPS.**

2 Public Law 91-378 (16 U.S.C. 1701-1706; com-
3 monly known as the Youth Conservation Corps Act of
4 1970) is amended—

5 (1) by inserting before section 1 the following:

6 **“TITLE I—YOUTH**
7 **CONSERVATION CORPS”;**

8 (2) by striking “Act” each place it appears and
9 inserting “title”;

10 (3) by redesignating sections 1 through 6 as
11 sections 101 through 106, respectively;

12 (4) in section 102 (as so redesignated), by in-
13 sserting “in this title” after “hereinafter” in sub-
14 section (a);

15 (5) in section 104 (as so redesignated), by
16 striking “section 6” in subsection (d) and inserting
17 “section 106”; and

18 (6) by adding at the end the following new title:

19 **“TITLE II—PUBLIC LANDS**
20 **CORPS**

21 **“SEC. 201. SHORT TITLE.**

22 “This title may be cited as the ‘Public Lands Corps
23 Act of 1993’.

24 **“SEC. 202. CONGRESSIONAL FINDINGS AND PURPOSE.**

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

1 “(1) Conserving or developing natural and cul-
2 tural resources and enhancing and maintaining envi-
3 ronmentally important lands and waters through the
4 use of the Nation’s young men and women in a Pub-
5 lic Lands Corps can benefit those men and women
6 by providing them with education and work opportu-
7 nities, furthering their understanding and apprecia-
8 tion of the natural and cultural resources, and pro-
9 viding a means to pay for higher education or to
10 repay indebtedness they have incurred to obtain
11 higher education while at the same time benefiting
12 the Nation’s economy and its environment.

13 “(2) Many facilities and natural resources lo-
14 cated on eligible service lands are in disrepair or de-
15 graded and in need of labor intensive rehabilitation,
16 restoration, and enhancement work which cannot be
17 carried out by Federal agencies at existing personnel
18 levels.

19 “(3) Youth conservation corps have established
20 a good record of restoring and maintaining these
21 kinds of facilities and resources in a cost effective
22 and efficient manner, especially when they have
23 worked in partnership arrangements with govern-
24 ment land management agencies.

25 “(b) PURPOSE.—It is the purpose of this title to—

1 “(1) perform, in a cost-effective manner, appro-
2 priate conservation projects on eligible service lands
3 where such projects will not be performed by exist-
4 ing employees;

5 “(2) assist governments and Indian tribes in
6 performing research and public education tasks asso-
7 ciated with natural and cultural resources on eligible
8 service lands;

9 “(3) expose young men and women to public
10 service while furthering their understanding and ap-
11 preciation of the nation’s natural and cultural re-
12 sources;

13 “(4) expand educational opportunities by re-
14 warding individuals who participate in national serv-
15 ice with an increased ability to pursue higher edu-
16 cation or job training; and

17 “(5) stimulate interest among the nation’s
18 young men and women in conservation careers by
19 exposing them to conservation professionals in land
20 managing agencies.

21 **“SEC. 203. DEFINITIONS.**

22 “For purposes of this title:

23 “(1) The term ‘appropriate conservation
24 project’ means any project for the conservation, res-
25 toration, construction or rehabilitation of natural,

1 cultural, historic, archaeological, recreational, or sce-
2 nic resources.

3 “(2) The terms ‘Corps’ and ‘Public Lands
4 Corps’ mean the Public Lands Corps established
5 under section 204.

6 “(3) The term ‘eligible service lands’ means
7 public lands, Indian lands, and Hawaiian home
8 lands.

9 “(4) The term ‘Hawaiian home lands’ means all
10 lands given the status of Hawaiian home lands
11 under section 204 of the Hawaiian Homes Commis-
12 sion Act, 1920 (42 Stat. 110), or under the cor-
13 responding provision of the Constitution of the State
14 of Hawaii adopted under section 4 of the Act enti-
15 tled ‘An Act to provide for the admission of the
16 State of Hawaii into the Union’, approved March
17 18, 1959 (Public Law 86–3; 73 Stat. 5).

18 “(5) The term ‘Indian tribe’ means an Indian
19 tribe, band, nation, or other organized group or com-
20 munity, including any Native village, Regional Cor-
21 poration, or Village Corporation, as defined in sub-
22 section (c), (g), or (j), respectively, of section 3 of
23 the Alaska Native Claims Settlement Act (43 U.S.C.
24 1602 (c), (g), or (j)), that is recognized as eligible
25 for the special programs and services provided by

1 the United States under Federal law to Indians be-
2 cause of their status as Indians.

3 “(6) The term ‘Indian’ means a person who is
4 a member of an Indian tribe.

5 “(7) The term ‘Indian lands’ means—

6 “(A) any Indian reservation;

7 “(B) any public domain Indian allotments;

8 “(C) any former Indian reservation in the
9 State of Oklahoma;

10 “(D) any land held by incorporated Native
11 groups, regional corporations, and village cor-
12 porations under the Alaska Native Claims Set-
13 tlement Act (43 U.S.C. 1701 et seq.); and

14 “(E) any land held by dependent Indian
15 communities within the borders of the United
16 States whether within the original or subse-
17 quently acquired territory thereof, and whether
18 within or without the limits of a State.

19 “(8) The term ‘public lands’ means any lands
20 or waters (or interest therein) owned or adminis-
21 tered by the United States, except that such term
22 does not include any Indian lands.

23 “(9) The term ‘qualified youth or conservation
24 corps’ means any program established by a State or

1 local government, by the governing body of any In-
2 dian tribe, or by a nonprofit organization that—

3 “(A) is capable of offering meaningful,
4 full-time, productive work for individuals be-
5 tween the ages of 16 and 25, inclusive, in a
6 natural or cultural resource setting;

7 “(B) gives participants a mix of work ex-
8 perience, basic and life skills, education, train-
9 ing, and support services; and

10 “(C) provides participants with the oppor-
11 tunity to develop citizenship values and skills
12 through service to their community and the
13 United States.

14 “(10) The term ‘resource assistant’ means a re-
15 source assistant selected under section 206.

16 “(11) The term ‘State’ means any State of the
17 United States, the District of Columbia, the Com-
18 monwealth of Puerto Rico, Guam, the Virgin Islands
19 of the United States, American Samoa, and the
20 Commonwealth of the Northern Mariana Islands.

21 **“SEC. 204. PUBLIC LANDS CORPS PROGRAM.**

22 “(a) ESTABLISHMENT OF PUBLIC LANDS CORPS.—
23 There is hereby established in the Department of the Inte-
24 rior and the Department of Agriculture a Public Lands
25 Corps.

1 “(b) PARTICIPANTS.—The Corps shall consist of indi-
2 viduals between the ages of 16 and 25, inclusive, who are
3 enrolled as participants in the Corps by the Secretary of
4 the Interior or the Secretary of Agriculture. To be eligible
5 for enrollment in the Corps, an individual shall satisfy the
6 criteria specified in section 137(b) of the National and
7 Community Service Act of 1990. The Secretaries may en-
8 roll such individuals in the Corps without regard to the
9 civil service and classification laws, rules, or regulations
10 of the United States. The Secretaries may establish a pref-
11 erence for the enrollment in the Corps of individuals who
12 are economically, physically, or educationally disadvan-
13 taged.

14 “(c) QUALIFIED YOUTH OR CONSERVATION
15 CORPS.—The Secretary of the Interior and the Secretary
16 of Agriculture are authorized to enter into contracts and
17 cooperative agreements with any qualified youth or con-
18 servation corps to perform appropriate conservation
19 projects referred to in subsection (d).

20 “(d) PROJECTS TO BE CARRIED OUT.—The Sec-
21 retary of the Interior and the Secretary of Agriculture
22 may each utilize the Corps or any qualified youth or con-
23 servation corps to carry out appropriate conservation
24 projects which such Secretary is authorized to carry out
25 under other authority of law on public lands. Appropriate

1 conservation projects may also be carried out under this
2 title on Indian lands with the approval of the Indian tribe
3 involved and on Hawaiian home lands with the approval
4 of the Department of Hawaiian Home Lands of the State
5 of Hawaii. The Secretaries may also authorize appropriate
6 conservation projects and other appropriate projects to be
7 carried out on Federal, State, local, or private lands as
8 part of disaster prevention or relief efforts in response to
9 an emergency or major disaster declared by the President
10 under the Robert T. Stafford Disaster Relief and Emer-
11 gency Assistance Act (42 U.S.C. 5121 et seq.).

12 “(e) PREFERENCE FOR CERTAIN PROJECTS.—In se-
13 lecting appropriate conservation projects to be carried out
14 under this title, the Secretary of the Interior and the Sec-
15 retary of Agriculture shall give preference to those
16 projects which—

17 “(1) will provide long-term benefits to the pub-
18 lic;

19 “(2) will instill in the enrollee involved a work
20 ethic and a sense of public service;

21 “(3) will be labor intensive;

22 “(4) can be planned and initiated promptly; and

23 “(5) will provide academic, experiential, or envi-
24 ronmental education opportunities.

1 “(f) CONSISTENCY.—Each appropriate conservation
2 project carried out under this title on eligible service lands
3 shall be consistent with the provisions of law and policies
4 relating to the management and administration of such
5 lands, with all other applicable provisions of law, and with
6 all management, operational, and other plans and docu-
7 ments which govern the administration of the area.

8 **“SEC. 205. CONSERVATION CENTERS.**

9 “(a) ESTABLISHMENT AND USE.—The Secretary of
10 the Interior and the Secretary of Agriculture are each au-
11 thorized to provide such quarters, board, medical care,
12 transportation, and other services, facilities, supplies, and
13 equipment as such Secretary deems necessary in connec-
14 tion with the Public Lands Corps and appropriate con-
15 servation projects carried out under this title and to estab-
16 lish and use conservation centers owned and operated by
17 such Secretary for purposes of the Corps and such
18 projects. The Secretaries shall establish basic standards
19 of health, nutrition, sanitation, and safety for all conserva-
20 tion centers established under this section and shall assure
21 that such standards are enforced. Where necessary or ap-
22 propriate, the Secretaries may enter into contracts and
23 other appropriate arrangements with State and local gov-
24 ernment agencies and private organizations for the man-
25 agement of such conservation centers.

1 “(b) LOGISTICAL SUPPORT.—The Secretary of the
2 Interior and the Secretary of Agriculture may make ar-
3 rangements with the Secretary of Defense to have
4 logistical support provided by the Armed Forces to the
5 Corps and any conservation center established under this
6 section, where feasible. Logistical support may include the
7 provision of temporary tent shelters where needed, trans-
8 portation, and residential supervision.

9 “(c) USE OF MILITARY INSTALLATIONS.—The Sec-
10 retary of the Interior and the Secretary of Agriculture
11 may make arrangements with the Secretary of Defense to
12 identify military installations and other facilities of the
13 Department of Defense and, in consultation with the adju-
14 tant generals of the State National Guards, National
15 Guard facilities that may be used, in whole or in part,
16 by the Corps for training or housing Corps participants.

17 **“SEC. 206. RESOURCE ASSISTANTS.**

18 “(a) AUTHORIZATION.—The Secretary of the Interior
19 and the Secretary of Agriculture are each authorized to
20 provide individual placements of resource assistants with
21 any Federal land managing agency under the jurisdiction
22 of such Secretary to carry out research or resource protec-
23 tion activities on behalf of the agency. To be eligible for
24 selection as a resource assistant, an individual must be
25 at least 17 years of age. The Secretaries may select re-

1 source assistants without regard to the civil service and
2 classification laws, rules, or regulations of the United
3 States. The Secretaries shall give a preference to the selec-
4 tion of individuals who are enrolled in an institution of
5 higher education or are recent graduates from an institu-
6 tion of higher education, with particular attention given
7 to ensure full representation of women and participants
8 from historically black, Hispanic, and Native American
9 schools.

10 “(b) USE OF EXISTING NONPROFIT ORGANIZA-
11 TIONS.—Whenever one or more existing nonprofit organi-
12 zations can provide, in the judgment of the Secretary of
13 the Interior or the Secretary of Agriculture, appropriate
14 recruitment and placement services to fulfill the require-
15 ments of this section, the Secretary may implement this
16 section through such existing organizations. Participating
17 nonprofit organizations shall contribute to the expenses of
18 providing and supporting the resource assistants, through
19 private sources of funding, at a level equal to 25 percent
20 of the total costs of each participant in the Resource As-
21 sistant program who has been recruited and placed
22 through that organization. Any such participating non-
23 profit conservation service organization shall be required,
24 by the respective land managing agency, to submit an an-
25 nual report evaluating the scope, size, and quality of the

1 program, including the value of work contributed by the
2 Resource Assistants, to the mission of the agency.

3 **“SEC. 207. LIVING ALLOWANCES AND TERMS OF SERVICE.**

4 “(a) LIVING ALLOWANCES.—The Secretary of the In-
5 terior 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 partici-
14 pate in the Corps or serve as a resource assistant, as the
15 case may be, for such term of service as may be estab-
16 lished by the Secretary enrolling or selecting the individ-
17 ual.

18 **“SEC. 208. NATIONAL SERVICE EDUCATIONAL AWARDS.**

19 “(a) EDUCATIONAL BENEFITS AND AWARDS.—If a
20 participant in the Public Lands Corps or a resource assist-
21 ant also serves in an approved national service position
22 designated under subtitle C of title I of the National and
23 Community Service Act of 1990, the participant or re-
24 source assistant shall be eligible for a national service edu-
25 cational award in the manner prescribed in subtitle D of

1 such title upon successfully complying with the require-
2 ments for the award. The period during which the national
3 service educational award may be used, the purposes for
4 which the award may be used, and the amount of the
5 award shall be determined as provided under such subtitle.

6 “(b) FORBEARANCE IN THE COLLECTION OF STAF-
7 FORD LOANS.—For purposes of section 428 of the Higher
8 Education Act of 1965, in the case of borrowers who are
9 either participants in the Corps or resource assistants,
10 upon written request, a lender shall grant a borrower for-
11 bearance on such terms as are otherwise consistent with
12 the regulations of the Secretary of Education, during peri-
13 ods in which the borrower is serving as such a participant
14 or a resource assistant.

15 **“SEC. 209. NONDISPLACEMENT.**

16 “The nondisplacement requirements of section 177 of
17 the National and Community Service Act of 1990 shall
18 be applicable to all activities carried out by the Public
19 Lands Corps, to all activities carried out under this title
20 by a qualified youth or conservation corps, and to the se-
21 lection and service of resource assistants.

22 **“SEC. 210. FUNDING.**

23 “(a) COST SHARING.—

24 “(1) PROJECTS BY QUALIFIED YOUTH OR CON-
25 SERVATION CORPS.—The Secretary of the Interior

1 and the Secretary of Agriculture are each authorized
2 to pay not more than 75 percent of the costs of any
3 appropriate conservation project carried out pursu-
4 ant to this title on public lands by a qualified youth
5 or conservation corps. The remaining 25 percent of
6 the costs of such a project may be provided from
7 nonfederal sources in the form of funds, services, fa-
8 cilities, materials, equipment, or any combination of
9 the foregoing. No cost sharing shall be required in
10 the case of any appropriate conservation project car-
11 ried out on Indian lands or Hawaiian home lands
12 under this title.

13 “(2) PUBLIC LANDS CORPS PROJECTS.—The
14 Secretary of the Interior and the Secretary of Agri-
15 culture are each authorized to accept donations of
16 funds, services, facilities, materials, or equipment for
17 the purposes of operating the Public Lands Corps
18 and carrying out appropriate conservation projects
19 by the Corps. However, nothing in this title shall be
20 construed to require any cost sharing for any project
21 carried out directly by the Corps.

22 “(b) FUNDS AVAILABLE UNDER NATIONAL AND
23 COMMUNITY SERVICE ACT.—In order to carry out the
24 Public Lands Corps or to support resource assistants and
25 qualified youth or conservation corps under this title, the

1 Secretary of the Interior and the Secretary of Agriculture
2 shall be eligible to apply for and receive assistance under
3 section 121(b) of the National and Community Service Act
4 of 1990.”.

5 **SEC. 106. URBAN YOUTH CORPS.**

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

7 (1) The rehabilitation, reclamation, and beau-
8 tification of urban public housing, recreational sites,
9 youth and senior centers, and public roads and pub-
10 lic works facilities through the efforts of young peo-
11 ple in the United States in an Urban Youth Corps
12 can benefit these youths, while also benefiting their
13 communities, by—

14 (A) providing them with education and
15 work opportunities;

16 (B) furthering their understanding and ap-
17 preciation of the challenges faced by individuals
18 residing in urban communities; and

19 (C) providing them with a means to pay
20 for higher education or to repay indebtedness
21 they have incurred to obtain higher education.

22 (2) A significant number of housing units for
23 low-income individuals in urban areas has become
24 substandard and unsafe and the deterioration of
25 urban roadways, mass transit systems, and trans-

1 portation facilities in the United States have contrib-
2 uted to the blight encountered in many cities in the
3 United States.

4 (3) As a result, urban housing, public works,
5 and transportation resources are in need of labor in-
6 tensive rehabilitation, reclamation, and beautifi-
7 cation work that has been neglected in the past and
8 cannot be adequately carried out by Federal, State,
9 and local government at existing personnel levels.

10 (4) Urban youth corps have established a good
11 record of rehabilitating, reclaiming, and beautifying
12 these kinds of resources in a cost efficient manner,
13 especially when they have worked in partnership
14 with government housing, public works, and trans-
15 portation authorities and agencies.

16 (b) PURPOSE.—It is the purpose of this section—

17 (1) to perform, in a cost-effective manner, ap-
18 propriate service projects to rehabilitate, reclaim,
19 beautify, and improve public housing and public
20 works and transportation facilities and resources in
21 urban areas suffering from high rates of poverty
22 where work will not be performed by existing em-
23 ployees;

24 (2) to assist government housing, public works,
25 and transportation authorities and agencies;

1 (3) to expose young people in the United States
2 to public service while furthering their understand-
3 ing and appreciation of their community;

4 (4) to expand educational opportunity for indi-
5 viduals who participate in the Urban Youth Corps
6 established by this section by providing them with
7 an increased ability to pursue postsecondary edu-
8 cation or job training; and

9 (5) to stimulate interest among young people in
10 the United States in lifelong service to their commu-
11 nities and the United States.

12 (c) DEFINITIONS.—For purposes of this section:

13 (1) The term “appropriate service project”
14 means any project for the rehabilitation, reclama-
15 tion, or beautification of urban public housing and
16 public works and transportation resources or facili-
17 ties.

18 (2) The term “Corps” and “Urban Youth
19 Corps” mean the Urban Youth Corps established
20 under subsection (d)(1).

21 (3) The term “qualified urban youth corps”
22 means any program established by a State or local
23 government or by a nonprofit organization that—

24 (A) is capable of offering meaningful, full-
25 time, productive work for individuals between

1 the ages of 16 and 25, inclusive, in an urban
2 or public works or transportation setting;

3 (B) gives participants a mix of work expe-
4 rience, basic and life skills, education, training,
5 and support services; and

6 (C) provides participants with the oppor-
7 tunity to develop citizenship values and skills
8 through service to their communities and the
9 United States.

10 (4) The term “State” means any State of the
11 United States, the District of Columbia, the Com-
12 monwealth of Puerto Rico, Guam, the Virgin Islands
13 of the United States, American Samoa, and the
14 Commonwealth of the Northern Mariana Islands.

15 (5) The term “Secretary” means the Secretary
16 of Housing and Urban Development or the Secretary
17 of Transportation.

18 (d) ESTABLISHMENT OF URBAN YOUTH CORPS.—

19 (1) ESTABLISHMENT.—There is hereby estab-
20 lished in the Department of Housing and Urban De-
21 velopment and the Department of Transportation an
22 Urban Youth Corps. The Corps shall consist of indi-
23 viduals between the ages of 16 and 25, inclusive,
24 who are enrolled as participants in the Corps by the
25 Secretary of Housing and Urban Development and

1 the Secretary of Transportation. To be eligible for
2 enrollment in the Corps, an individual shall satisfy
3 the criteria specified in section 139(b) of the Na-
4 tional and Community Service Act of 1990. The Sec-
5 retaries may enroll such individuals in the Corps
6 without regard to the civil service and classification
7 laws, rules, or regulations of the United States. The
8 Secretaries may establish a preference for the enroll-
9 ment in the Corps of individuals who are economi-
10 cally, physically, or educationally disadvantaged.

11 (2) USE OF QUALIFIED URBAN YOUTH
12 CORPS.—The Secretaries are authorized to enter
13 into contracts and cooperative agreements with any
14 qualified urban youth corps to perform appropriate
15 service projects described in paragraph (3). As part
16 of the Urban Youth Corps established in the Depart-
17 ment of Transportation, the Secretary of Transpor-
18 tation may make grants to States (and through
19 States to local governments) for the purpose of es-
20 tablishing, operating, or supporting qualified urban
21 youth corps that will perform appropriate service
22 projects relating to transportation resources or fa-
23 cilities.

24 (3) SERVICE PROJECTS.—The Secretaries may
25 each utilize the Corps or any qualified urban youth

1 corps to carry out appropriate service projects that
2 the Secretary involved is authorized to carry out
3 under other authority of law involving public housing
4 projects or public works resources or facilities.

5 (4) PREFERENCE FOR CERTAIN PROJECTS.—In
6 selecting an appropriate service project to be carried
7 out under this section, the Secretaries shall give a
8 preference to those projects which—

9 (A) will provide long-term benefits to the
10 public;

11 (B) will instill in the participant a work
12 ethic and a sense of public service;

13 (C) will be labor intensive;

14 (D) can be planned and initiated promptly;

15 and

16 (E) will provide academic, experiential, or
17 community education opportunities.

18 (5) CONSISTENCY.—Each appropriate service
19 project carried out under this section in any public
20 housing project or public works resource or facility
21 shall be consistent with the provisions of law and
22 policies relating to the management and administra-
23 tion of such projects, facilities, or resources, with all
24 other applicable provisions of law, and with all man-
25 agement, operational, and other plans and docu-

1 ments which govern the administration of such
2 projects, facilities, or resources.

3 (e) LIVING ALLOWANCES.—The Secretaries shall
4 provide each participant in the Urban Youth Corps with
5 a living allowance in an amount not to exceed the maxi-
6 mum living allowance authorized by section 140(a)(3) of
7 the National and Community Service Act of 1990 for par-
8 ticipants in a national service program assisted under sub-
9 title C of title I of such Act.

10 (f) TERMS OF SERVICE.—Each participant in the
11 Urban Youth Corps shall agree to participate in the Corps
12 for a term of service established by the Secretary involved,
13 consistent with the terms of service required under section
14 139(b) of the National and Community Service Act of
15 1990 for participants in a national service program as-
16 sisted under subtitle C of title I of such Act.

17 (g) EDUCATIONAL AWARDS.—

18 (1) ELIGIBILITY.—Each participant in the
19 Urban Youth Corps shall be eligible for a national
20 service educational award in the manner prescribed
21 in subtitle D of title I of the National and Commu-
22 nity Service Act of 1990 if such participant complies
23 with such requirements as may be established under
24 this subtitle by the Secretary involved respecting eli-
25 gibility for the award. The period during which the

1 award may be used, the purposes for which the
2 award may be used, and the amount of the award
3 shall be determined as provided under such subtitle.

4 (2) FORBEARANCE IN THE COLLECTION OF
5 STAFFORD LOANS.—For purposes of section 428 of
6 the Higher Education Act of 1965, in the case of
7 borrowers who are participants in the Urban Youth
8 Corps, upon written request, a lender shall grant a
9 borrower forbearance on such terms as are otherwise
10 consistent with the regulations of the Secretary of
11 Education, during periods in which the borrower is
12 serving as such a participant and eligible for a na-
13 tional service educational award under paragraph
14 (1).

15 (h) NONDISPLACEMENT.—The nondisplacement re-
16 quirements of section 177 of the National and Community
17 Service Act of 1990 shall be applicable to all activities car-
18 ried out by the Urban Youth Corps and to all activities
19 carried out under this section by a qualified urban youth
20 corps.

21 (i) COST SHARING.—

22 (1) PROJECTS BY QUALIFIED URBAN YOUTH
23 CORPS.—The Secretaries are each authorized to pay
24 not more than 75 percent of the costs of any appro-
25 priate service project carried out pursuant to this

1 section by a qualified urban youth corps. The re-
2 maining 25 percent of the costs of such a project
3 may be provided from nonfederal sources in the form
4 of funds, services, facilities, materials, equipment, or
5 any combination of the foregoing.

6 (2) DONATIONS.—The Secretaries are each au-
7 thorized to accept donations of funds, services, facili-
8 ties, materials, or equipment for the purposes of op-
9 erating the Urban Youth Corps and carrying out ap-
10 appropriate service projects by the Corps. However,
11 nothing in this section shall be construed to require
12 any cost sharing for any project carried out directly
13 by the Corps.

14 (3) FUNDS AVAILABLE UNDER NATIONAL AND
15 COMMUNITY SERVICE ACT.—In order to carry out
16 the Urban Youth Corps or to support qualified
17 urban youth corps under this section, the Secretaries
18 shall be eligible to apply for and receive assistance
19 under section 121(b) of the National and Commu-
20 nity Service Act of 1990.

21 **Subtitle B—Related Provisions**

22 **SEC. 111. DEFINITIONS.**

23 (a) IN GENERAL.—Section 101 of the National and
24 Community Service Act of 1990 (42 U.S.C. 12511) is
25 amended to read as follows:

1 **“SEC. 101. DEFINITIONS.**

2 “For purposes of this title:

3 “(1) ADULT VOLUNTEER.—The term ‘adult vol-
4 unteer’ means an individual, such as an older adult,
5 an individual with a disability, a parent, or an em-
6 ployee of a business or public or private nonprofit
7 agency, who—

8 “(A) works without financial remuneration
9 in an educational institution to assist students
10 or out-of-school youth; and

11 “(B) is beyond the age of compulsory
12 school attendance in the State in which the edu-
13 cational institution is located.

14 “(2) APPROVED NATIONAL SERVICE POSI-
15 TION.—The term ‘approved national service position’
16 means a national service position designated by the
17 Corporation as a position that includes a national
18 service educational award described in section 147
19 as one of the benefits to be provided for successful
20 service in the position.

21 “(3) CARRY OUT.—The term ‘carry out’, when
22 used in connection with a national service program
23 described in section 122, means the planning, estab-
24 lishment, operation, expansion, or replication of the
25 program.

1 “(4) CHAIRPERSON.—The term ‘Chairperson’
2 means the Chairperson and Director of the Corpora-
3 tion appointed under section 193.

4 “(5) COMMUNITY-BASED AGENCY.—The term
5 ‘community-based agency’ means a private nonprofit
6 organization (including a church or other religious
7 entity) that—

8 “(A) is representative of a community or a
9 significant segment of a community; and

10 “(B) is engaged in meeting human, edu-
11 cational, environmental, or public safety com-
12 munity needs.

13 “(6) CORPORATION.—The term ‘Corporation’
14 means the Corporation for National Service estab-
15 lished under section 191.

16 “(7) ECONOMICALLY DISADVANTAGED.—The
17 term ‘economically disadvantaged’ means, with re-
18 spect to an individual, an individual who is deter-
19 mined by the Chairperson to be low-income accord-
20 ing to the latest available data from the Department
21 of Commerce.

22 “(8) ELEMENTARY SCHOOL.—The term ‘ele-
23 mentary school’ has the same meaning given such
24 term in section 1471(8) of the Elementary and Sec-
25 ondary Education Act of 1965 (20 U.S.C. 2891(8)).

1 “(9) INDIAN.—The term ‘Indian’ means a per-
2 son who is a member of an Indian tribe.

3 “(10) INDIAN LANDS.—The term ‘Indian lands’
4 means—

5 “(A) any Indian reservation;

6 “(B) any public domain Indian allotments;

7 “(C) any former Indian reservation in the
8 State of Oklahoma;

9 “(D) any land held by incorporated Native
10 groups, regional corporations, and village cor-
11 porations under the Alaska Native Claims Set-
12 tlement Act (43 U.S.C. 1701 et seq.); and

13 “(E) any land held by dependent Indian
14 communities within the borders of the United
15 States whether within the original or subse-
16 quently acquired territory thereof, and whether
17 within or without the limits of a State.

18 “(11) INDIAN TRIBE.—The term ‘Indian tribe’
19 means an Indian tribe, band, nation, or other orga-
20 nized group or community, including any Native vil-
21 lage, Regional Corporation, or Village Corporation,
22 as defined in subsection (c), (g), or (j), respectively,
23 of section 3 of the Alaska Native Claims Settlement
24 Act (43 U.S.C. 1602 (c), (g), or (j)), that is recog-
25 nized as eligible for the special programs and serv-

1 ices provided by the United States under Federal
2 law to Indians because of their status as Indians.

3 “(12) INSTITUTION OF HIGHER EDUCATION.—
4 The term ‘institution of higher education’ has the
5 same meaning given such term in section 1201(a) of
6 the Higher Education Act of 1965 (20 U.S.C.
7 1141(a)).

8 “(13) LOCAL EDUCATIONAL AGENCY.—The
9 term ‘local educational agency’ has the same mean-
10 ing given such term in section 1471(12) of the Ele-
11 mentary and Secondary Education Act of 1965 (20
12 U.S.C. 2891(12)).

13 “(14) NATIONAL SERVICE LAWS.—The term
14 ‘national service laws’ means this Act and the Do-
15 mestic Volunteer Service Act of 1973 (42 U.S.C.
16 4950 et seq.).

17 “(15) OUT-OF-SCHOOL YOUTH.—The term ‘out-
18 of-school youth’ means an individual who—

19 “(A) has not attained the age of 27;

20 “(B) has not completed college or the
21 equivalent thereof; and

22 “(C) is not enrolled in an elementary or
23 secondary school or institution of higher edu-
24 cation.

25 “(16) PARTICIPANT.—

1 “(A) IN GENERAL.—The term ‘participant’
2 means—

3 “(i) for purposes of subtitle C, an in-
4 dividual in an approved national service
5 position; and

6 “(ii) for purposes of any other provi-
7 sion of this Act, an individual enrolled in
8 a program that receives assistance under
9 this title.

10 “(B) RULE.—A participant shall not be
11 considered to be an employee of the program in
12 which the participant is enrolled.

13 “(17) PARTNERSHIP PROGRAM.—The term
14 ‘partnership program’ means a program through
15 which an adult volunteer, a public or private non-
16 profit agency, an institution of higher education, or
17 a business assists a local educational agency.

18 “(18) PROGRAM.—The term ‘program’, except
19 when used as part of the term ‘academic program’,
20 means a program described in section 111(a) (other
21 than a program referred to in paragraph (3)(B) of
22 such section), 117A(a), 119(b)(1), or 122(a), in
23 paragraph (1) or (2) of section 152(b), or in section
24 198.

1 “(19) PROJECT.—The term ‘project’ means an
2 activity, carried out through a program that receives
3 assistance under this title, that results in a specific
4 identifiable service or improvement that otherwise
5 would not be done with existing funds, and that does
6 not duplicate the routine services or functions of the
7 employer to whom participants are assigned.

8 “(20) SCHOOL-AGE YOUTH.—The term ‘school-
9 age youth’ means an individual who is—

10 “(A) between the ages of 5 and 17, inclu-
11 sive; or

12 “(B) a child with a disability covered by
13 the Individuals with Disabilities Education Act
14 (20 U.S.C. 1400 et seq.).

15 “(21) SECONDARY SCHOOL.—The term ‘second-
16 ary school’ has the same meaning given such term
17 in section 1471(21) of the Elementary and Second-
18 ary Education Act of 1965 (20 U.S.C. 2891(21)).

19 “(22) SERVICE-LEARNING.—The term ‘service-
20 learning’ means a method—

21 “(A) under which students or participants
22 learn and develop through active participation
23 in thoughtfully organized service that—

24 “(i) is conducted in and meets the
25 needs of a community;

1 “(ii) is coordinated with an elemen-
2 tary school, secondary school, institution of
3 higher education, or community service
4 program, and with the community; and

5 “(iii) helps foster civic responsibility;
6 and

7 “(B) that—

8 “(i) is integrated into and enhances
9 the academic curriculum of the students,
10 or the educational components of the com-
11 munity service program in which the par-
12 ticipants are enrolled; and

13 “(ii) provides structured time for the
14 students or participants to reflect on the
15 service experience.

16 “(23) SERVICE-LEARNING COORDINATOR.—The
17 term ‘service-learning coordinator’ means an individ-
18 ual who provides services as described in subsection
19 (a)(3) or (b) of section 111.

20 “(24) SERVICE SPONSOR.—The term ‘service
21 sponsor’ means an organization, or other entity, that
22 has been selected to provide a placement for a par-
23 ticipant.

24 “(25) STATE.—The term ‘State’ means each of
25 the several States, the District of Columbia, the

1 Commonwealth of Puerto Rico, the Virgin Islands of
2 the United States, Guam, American Samoa, and the
3 Commonwealth of the Northern Mariana Islands.
4 The term also includes Palau, until such time as the
5 Compact of Free Association is ratified.

6 “(26) STATE COMMISSION.—The term ‘State
7 Commission’ means a State Commission on National
8 Service maintained by a State pursuant to section
9 178. Except when used in section 178, the term in-
10 cludes an alternative administrative entity for a
11 State approved by the Corporation under such sec-
12 tion to act in lieu of a State Commission.

13 “(27) STATE EDUCATIONAL AGENCY.—The
14 term ‘State educational agency’ has the same mean-
15 ing given such term in section 1471(23) of the Ele-
16 mentary and Secondary Education Act of 1965 (20
17 U.S.C. 2891(23)).

18 “(28) STUDENT.—The term ‘student’ means an
19 individual who is enrolled in an elementary or sec-
20 ondary school or institution of higher education on
21 a full- or part-time basis.”.

22 (b) TECHNICAL AND CONFORMING AMENDMENTS.—

23 (1) Section 182(a)(2) of the National and Com-
24 munity Service Act of 1990 (42 U.S.C 12642(a)(2))
25 is amended by striking “adult volunteer and partner-

1 ship” each place the term appears and inserting
2 “partnership”.

3 (2) Section 182(a)(3) of the National and Com-
4 munity Service Act of 1990 (42 U.S.C 12642(a)(3))
5 is amended by striking “adult volunteer and partner-
6 ship” and inserting “partnership”.

7 (3) Section 441(c)(2) of the Higher Education
8 Act of 1965 (42 U.S.C. 2751(c)(2)) is amended by
9 striking “service opportunities or youth corps as de-
10 fined in section 101 of the National and Community
11 Service Act of 1990, and service in the agencies, in-
12 stitutions and activities designated in section 124(a)
13 of the National and Community Service Act of
14 1990” and inserting “a project, as defined in section
15 101(19) of the National and Community Service Act
16 of 1990 (42 U.S.C. 12511(18))”.

17 (4) Section 1122(a)(2)(C) of the Higher Edu-
18 cation Act of 1965 (20 U.S.C. 1137a(a)(2)(C)) is
19 amended by striking “youth corps as defined in sec-
20 tion 101(30) of the National and Community Service
21 Act of 1990” and inserting “youth corps programs,
22 as described in section 122(a)(1) of the National
23 and Community Service Act of 1990”.

24 (5) Section 1201(p) of the Higher Education
25 Act of 1965 (20 U.S.C. 1141(p)) is amended by

1 striking “section 101(22) of the National and Com-
2 munity Service Act of 1990” and inserting “section
3 101(22) of the National and Community Service Act
4 of 1990 (42 U.S.C. 12511(21))”.

5 **SEC. 112. AUTHORITY TO MAKE STATE GRANTS.**

6 Section 102 of the National and Community Service
7 Act of 1990 (42 U.S.C. 12512) is repealed.

8 **SEC. 113. FAMILY AND MEDICAL LEAVE.**

9 (a) IN GENERAL.—Section 171 of the National and
10 Community Service Act of 1990 (42 U.S.C. 12631) is
11 amended to read as follows:

12 **“SEC. 171. FAMILY AND MEDICAL LEAVE.**

13 “(a) PARTICIPANTS IN PRIVATE, STATE, AND LOCAL
14 PROJECTS.—For purposes of title I of the Family and
15 Medical Leave Act of 1993 (29 U.S.C. 2601 et seq.), if—

16 “(1) a participant has provided service for the
17 period required by section 101(2)(A)(i) (29 U.S.C.
18 2611(2)(A)(i)), and has met the hours of service re-
19 quirement of section 101(2)(A)(ii), of such Act with
20 respect to a project; and

21 “(2) the service sponsor of the project is an em-
22 ployer described in section 101(4) of such Act (other
23 than an employing agency within the meaning of
24 subchapter V of chapter 63 of title 5, United States
25 Code),

1 the participant shall be considered to be an eligible em-
2 ployee of the service sponsor.

3 “(b) PARTICIPANTS IN FEDERAL PROJECTS.—For
4 purposes of subchapter V of chapter 63 of title 5, United
5 States Code, if—

6 “(1) a participant has provided service for the
7 period required by section 6381(1)(B) of such title
8 with respect to a project; and

9 “(2) the service sponsor of the project is an em-
10 ploying agency within the meaning of such sub-
11 chapter,

12 the participant shall be considered to be an employee of
13 the service sponsor.

14 “(c) TREATMENT OF ABSENCE.—The period of any
15 absence of a participant from a service position pursuant
16 to title I of the Family and Medical Leave Act of 1993
17 or subchapter V of chapter 63 of title 5, United States
18 Code, shall not be counted toward the completion of the
19 term of service of the participant under section 139 of this
20 Act.”.

21 (b) TABLE OF CONTENTS.—Section 1(b) of the Na-
22 tional and Community Service Act of 1990 (Public Law
23 101–610; 104 Stat. 3127) is amended by striking the item
24 relating to section 171 of such Act and inserting the fol-
25 lowing:

“Sec. 171. Family and medical leave.”.

1 **SEC. 114. REPORTS.**

2 Section 172 of the National and Community Service
3 Act of 1990 (42 U.S.C. 12632) is amended—

4 (1) in subsection (a)(3)(A), by striking “sec-
5 tions 177 and 113(9)” and inserting “section 177”;
6 and

7 (2) in subsection (b)(1), by striking “this title”
8 and inserting “the national service laws”.

9 **SEC. 115. NONDISCRIMINATION.**

10 Section 175 of the National and Community Service
11 Act of 1990 (42 U.S.C. 12635) is amended to read as
12 follows:

13 **“SEC. 175. NONDISCRIMINATION.**

14 “(a) IN GENERAL.—

15 “(1) BASIS.—An individual with responsibility
16 for the operation of a project that receives assistance
17 under this title shall not discriminate against a par-
18 ticipant in, or member of the staff of, such project
19 on the basis of race, color, national origin, sex, age,
20 or political affiliation of such participant or member,
21 or on the basis of disability, if the participant or
22 member is a qualified individual with a disability.

23 “(2) DEFINITION.—As used in paragraph (1),
24 the term ‘qualified individual with a disability’ has
25 the meaning given the term in section 101(8) of the

1 Americans with Disabilities Act of 1990 (42 U.S.C.
2 12111(8)).

3 “(b) FEDERAL FINANCIAL ASSISTANCE.—Any assist-
4 ance provided under this title shall constitute Federal fi-
5 nancial assistance for purposes of title VI of the Civil
6 Rights Act of 1964 (42 U.S.C. 2000d et seq.), title IX
7 of the Education Amendments of 1972 (20 U.S.C. 1681
8 et seq.), section 504 of the Rehabilitation Act of 1973 (29
9 U.S.C. 794), and the Age Discrimination Act of 1975 (42
10 U.S.C. 6101 et seq.), and shall constitute assistance to
11 an education program or activity for purposes of title IX
12 of the Education Amendments of 1972 (20 U.S.C. 1681
13 et seq.).

14 “(c) RELIGIOUS DISCRIMINATION.—

15 “(1) IN GENERAL.—Except as provided in para-
16 graph (2), an individual with responsibility for the
17 operation of a project that receives assistance under
18 this title shall not discriminate on the basis of reli-
19 gion against a participant in such project or a mem-
20 ber of the staff of such project who is paid with
21 funds received under this title.

22 “(2) EXCEPTION.—Paragraph (1) shall not
23 apply to the employment, with assistance provided
24 under this title, of any member of the staff, of a
25 project that receives assistance under this title, who

1 was employed with the organization operating the
2 project on the date the grant under this title was
3 awarded.

4 “(d) RULES AND REGULATIONS.—The Chairperson
5 shall promulgate rules and regulations to provide for the
6 enforcement of this section that shall include provisions
7 for summary suspension of assistance for not more than
8 30 days, on an emergency basis, until notice and an oppor-
9 tunity to be heard can be provided.”.

10 **SEC. 116. NOTICE, HEARING, AND GRIEVANCE PROCE-**
11 **DURES.**

12 (a) DECERTIFICATION OF POSITIONS.—Section
13 176(a) of the National and Community Service Act of
14 1990 (42 U.S.C. 12636(a)) is amended—

15 (1) in paragraph (1), by inserting “, or revoke
16 the designation of positions, related to the grant or
17 contract, as approved national service positions,” be-
18 fore “whenever the Commission”; and

19 (2) in paragraph (2)(B), by inserting “or re-
20 voked” after “terminated”.

21 (b) CONSTRUCTION.—Section 176(e) of such Act (42
22 U.S.C. 12636(e)) is amended by adding before the period
23 the following “, other than assistance provided pursuant
24 to this Act”.

1 (c) GRIEVANCE PROCEDURE.—Section 176(f) of such
2 Act is amended to read as follows:

3 “(f) GRIEVANCE PROCEDURE.—

4 “(1) IN GENERAL.—A State or local applicant
5 that receives assistance under this title shall estab-
6 lish and maintain a procedure for the filing and ad-
7 judication of grievances from participants, labor or-
8 ganizations, and other interested individuals con-
9 cerning projects that receive assistance under this
10 title, including grievances regarding proposed place-
11 ments of such participants in such projects.

12 “(2) DEADLINE FOR GRIEVANCES.—Except for
13 a grievance that alleges fraud or criminal activity, a
14 grievance shall be made not later than 1 year after
15 the date of the alleged occurrence of the event that
16 is the subject of the grievance.

17 “(3) DEADLINE FOR HEARING AND DECI-
18 SION.—

19 “(A) HEARING.—A hearing on any griev-
20 ance conducted under this subsection shall be
21 conducted not later than 30 days after the fil-
22 ing of such grievance.

23 “(B) DECISION.—A decision on any such
24 grievance shall be made not later than 60 days
25 after the filing of such grievance.

1 “(4) ARBITRATION.—

2 “(A) IN GENERAL.—

3 “(i) JOINTLY SELECTED ARBITRA-
4 TOR.—In the event of a decision on a
5 grievance that is adverse to the party who
6 filed such grievance, or 60 days after the
7 filing of such grievance if no decision has
8 been reached, such party shall be per-
9 mitted to submit such grievance to binding
10 arbitration before a qualified arbitrator
11 who is jointly selected and independent of
12 the interested parties.

13 “(ii) APPOINTED ARBITRATOR.—If
14 the parties cannot agree on an arbitrator,
15 the Chairperson shall appoint an arbitrator
16 from a list of qualified arbitrators within
17 15 days after receiving a request for such
18 appointment from one of the parties to the
19 grievance.

20 “(B) DEADLINE FOR PROCEEDING.—An
21 arbitration proceeding shall be held not later
22 than 45 days after the request for such arbitra-
23 tion proceeding, or, if the arbitrator is ap-
24 pointed by the Chairperson in accordance with

1 subparagraph (A)(ii), not later than 30 days
2 after the appointment of such arbitrator.

3 “(C) DEADLINE FOR DECISION.—A deci-
4 sion concerning a grievance shall be made not
5 later than 30 days after the date such arbitra-
6 tion proceeding begins.

7 “(D) COST.—

8 “(i) IN GENERAL.—Except as pro-
9 vided in clause (ii), the cost of an arbitra-
10 tion proceeding shall be divided evenly be-
11 tween the parties to the arbitration.

12 “(ii) EXCEPTION.—If a participant,
13 labor organization, or other interested indi-
14 vidual described in paragraph (1) prevails
15 under a binding arbitration proceeding, the
16 State, local agency, public or private non-
17 profit organization, or partnership of such
18 agencies and organizations, that is a party
19 to such grievance shall pay the total cost
20 of such proceeding and the attorneys’ fees
21 of such participant, labor organization, or
22 individual, as the case may be.

23 “(5) PROPOSED PLACEMENT.—If a grievance is
24 filed regarding a proposed placement of a partici-
25 pant in a project that receives assistance under this

1 title, such placement shall not be made unless the
2 placement is consistent with the resolution of the
3 grievance pursuant to this subsection.

4 “(6) REMEDIES.—Remedies for a grievance
5 filed under this subsection include—

6 “(A) suspension of payments for assistance
7 under this title;

8 “(B) termination of such payments;

9 “(C) prohibition of the placement described
10 in paragraph (5); and

11 “(D) in a case in which the grievance in-
12 volves a violation of subsection (a) or (b) of sec-
13 tion 177 and the employer of the displaced em-
14 ployee is the recipient of assistance under this
15 title—

16 “(i) reinstatement of the displaced
17 employee to the position held by such em-
18 ployee prior to displacement;

19 “(ii) payment of lost wages and bene-
20 fits of the displaced employee;

21 “(iii) reestablishment of other relevant
22 terms, conditions, and privileges of employ-
23 ment of the displaced employee; and

24 “(iv) such equitable relief as is nec-
25 essary to correct any violation of sub-

1 section (a) or (b) of section 177 or to
2 make the displaced employee whole.

3 “(7) ENFORCEMENT.—Suits to enforce arbitra-
4 tion awards under this section may be brought in
5 any district court of the United States having juris-
6 diction of the parties, without regard to the amount
7 in controversy and without regard to the citizenship
8 of the parties.”.

9 **SEC. 117. NONDISPLACEMENT.**

10 Section 177(b)(3) of the National and Community
11 Service Act of 1990 (42 U.S.C. 12637(b)(3)) is amend-
12 ed—

13 (1) in subparagraph (B), to read as follows:

14 “(B) SUPPLANTATION OF HIRING.—A par-
15 ticipant in any program receiving assistance
16 under this title shall not perform any services
17 or duties, or engage in activities, that—

18 “(i) will supplant the hiring of em-
19 ployed workers; or

20 “(ii) are services, duties, or activities
21 with respect to which an individual has re-
22 call rights pursuant to a collective bargain-
23 ing agreement or applicable personnel pro-
24 cedures.”; and

25 (2) in subparagraph (C)(iii), to read as follows:

1 “(iii) employee who—

2 “(I) is subject to a reduction in
3 force; or

4 “(II) has recall rights pursuant
5 to a collective bargaining agreement
6 or applicable personnel procedures;”.

7 **SEC. 118. EVALUATION.**

8 Section 179 of the National and Community Service
9 Act of 1990 (42 U.S.C 12639) is amended—

10 (1) in subsection (a)—

11 (A) in the matter preceding paragraph (1),
12 by striking “this title” and inserting “the na-
13 tional service laws”; and

14 (B) in paragraph (2)—

15 (i) in the matter preceding
16 subparagraph (A), by striking “for purposes
17 of the reports required by subsection (j),”
18 and inserting “with respect to the pro-
19 grams authorized under subtitle C”; and

20 (ii) in subparagraph (A), by striking
21 “older American volunteer programs” and
22 inserting “National Senior Volunteer
23 Corps programs”;

24 (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”; and

8 (3) by striking subsections (i) and (j).

9 **SEC. 119. ENGAGEMENT OF PARTICIPANTS.**

10 Section 180 of the National and Community Service
11 Act of 1990 (42 U.S.C. 12640) is amended by striking
12 “post-service benefits” and inserting “national service
13 educational awards”.

14 **SEC. 120. CONTINGENT EXTENSION.**

15 (a) IN GENERAL.—Section 181 of the National and
16 Community Service Act of 1990 (42 U.S.C. 12641) is
17 amended to read as follows:

18 **“SEC. 181. CONTINGENT EXTENSION.**

19 “Section 414 of the General Education Provisions
20 Act (20 U.S.C. 1226a) shall apply to this Act.”.

21 (b) TABLE OF CONTENTS.—Section 1(b) of the Na-
22 tional and Community Service Act of 1990 (Public Law
23 101–610; 104 Stat. 3127) is amended by striking the item
24 relating to sections 181 of such Act and inserting the fol-
25 lowing:

“Sec. 181. Contingent extension.”.

1 **SEC. 121. REPEALS.**

2 (a) IN GENERAL.—Subtitle F of title I of the Na-
 3 tional and Community Service Act of 1990 (42 U.S.C.
 4 12631 et seq.) is amended—

5 (1) by repealing sections 183, 185, and 186;
 6 and

7 (2) by redesignating section 184 as section 183.

8 (b) TABLE OF CONTENTS.—Section 1(b) of the Na-
 9 tional and Community Service Act of 1990 (Public Law
 10 101–610; 104 Stat. 3127) is amended by striking the
 11 items relating to sections 183, 184, and 185 of such Act
 12 and inserting the following:

“Sec. 183. Drug-free workplace requirements.”.

13 **TITLE II—ORGANIZATION**14 **SEC. 201. STATE COMMISSIONS ON NATIONAL SERVICE.**

15 (a) COMPOSITION AND DUTIES OF STATE COMMIS-
 16 SIONS.—Subtitle F of title I of the National and Commu-
 17 nity Service Act of 1990 is amended by striking section
 18 178 (42 U.S.C. 12638) and inserting the following new
 19 section:

20 **“SEC. 178. STATE COMMISSIONS ON NATIONAL SERVICE.**

21 “(a) EXISTENCE REQUIRED.—

22 “(1) STATE COMMISSION.—Except as provided
 23 in paragraph (2), to be eligible to receive a grant or
 24 allotment under subtitle B or C or to receive a dis-
 25 tribution of approved national service positions

1 under subtitle C, a State shall maintain a State
2 Commission on National Service that satisfies the
3 requirements of this section.

4 “(2) ALTERNATIVE ADMINISTRATIVE ENTITY.—

5 The chief executive officer of a State may apply to
6 the Corporation for approval to use an alternative
7 administrative entity to carry out the duties other-
8 wise entrusted to a State Commission under this
9 Act. The chief executive officer shall ensure that any
10 alternative administrative entity used in lieu of a
11 State Commission still provides for the individuals
12 described in paragraphs (1) and (2) of subsection (c)
13 to play a significant policy-making role in carrying
14 out the duties otherwise entrusted to a State Com-
15 mission, including the submission of applications on
16 behalf of the State under sections 117B and 130.

17 “(b) APPOINTMENT AND SIZE.—Except as provided
18 in subsection (c)(3), the members of a State Commission
19 for a State shall be appointed by the chief executive officer
20 of the State. A State Commission shall consist of not less
21 than 15 voting members.

22 “(c) COMPOSITION AND MEMBERSHIP.—

23 “(1) REQUIRED MEMBERS.—The State Com-
24 mission for a State shall include as voting members
25 at least one of each of the following individuals:

1 “(A) An individual with expertise in the
2 educational, training, and development needs of
3 youth, particularly disadvantaged youth.

4 “(B) An individual with experience in pro-
5 moting the involvement of older Americans in
6 service and voluntarism.

7 “(C) A representative of community action
8 agencies and community-based organizations
9 within the State, particularly those agencies
10 and organizations that—

11 “(i) are located in areas of the State
12 with high rates of poverty;

13 “(ii) provide a comprehensive range of
14 services to economically disadvantaged in-
15 dividuals and families;

16 “(iii) have a demonstrated record of
17 effectiveness; and

18 “(iv) are governed by a board com-
19 posed in significant part of economically
20 disadvantaged individuals.

21 “(D) A youth who is or has been a partici-
22 pant in a service program.

23 “(E) An individual with expertise in the
24 delivery of human, educational, environmental,

1 or public safety services to communities and
2 persons.

3 “(F) The head of the State educational
4 agency.

5 “(G) A representative of local governments
6 in the State.

7 “(H) A representative of local labor orga-
8 nizations in the State.

9 “(I) Representatives of business.

10 “(2) ADDITIONAL MEMBERS.—The State Com-
11 mission for a State may also include as voting mem-
12 bers the following individuals:

13 “(A) Representatives of entities which re-
14 ceive assistance under the Domestic Volunteer
15 Service Act of 1973 (42 U.S.C. 4950 et seq.).

16 “(B) Educators.

17 “(C) Individuals who are recognized for
18 their outstanding contributions as volunteers in
19 service to their community, State, and Nation.

20 “(3) CORPORATION REPRESENTATIVE.—The
21 representative of the Corporation designated under
22 section 195(b) for a State shall be a voting member
23 of the State Commission for that State.

24 “(4) EX OFFICIO STATE REPRESENTATIVES.—
25 The chief executive officer of a State may appoint as

1 nonvoting ex officio members of the State Commis-
2 sion for the State representatives selected from
3 among officers and employees of State agencies op-
4 erating community service, youth service, education,
5 social service, senior service, and job training pro-
6 grams.

7 “(5) LIMITATION ON NUMBER OF STATE EM-
8 PLOYEES AS MEMBERS.—The number of voting
9 members of a State Commission selected under
10 paragraph (1) or (2) who are officers or employees
11 of the State may not exceed 25 percent (reduced to
12 the nearest whole number) of the total membership
13 of the State Commission.

14 “(d) MISCELLANEOUS MATTERS.—

15 “(1) MEMBERSHIP BALANCE.—The chief execu-
16 tive officer of a State shall ensure that the member-
17 ship of the State Commission for the State is bal-
18 anced according to race, ethnic background, age,
19 and gender. Not more than 50 percent of the voting
20 members of a State Commission, plus 1 additional
21 member, may be from the same political party.

22 “(2) TERMS.—Each member of the State Com-
23 mission for a State shall serve for a term of 3 years,
24 except that the chief executive officer of a State

1 shall initially appoint a portion of the members to
2 terms of 1 year and 2 years.

3 “(3) VACANCIES.—As vacancies occur on a
4 State Commission, new members shall be appointed
5 by the chief executive of the State and serve for the
6 remainder of the term for which the predecessor of
7 such member was appointed. The vacancy shall not
8 affect the power of the remaining members to exe-
9 cute the duties of the State Commission.

10 “(4) COMPENSATION.—A member of a State
11 Commission shall not receive any additional com-
12 pensation by reason of service on the State Commis-
13 sion, except that the State may authorize the reim-
14 bursement of travel expenses, including a per diem
15 in lieu of subsistence, in the same manner as other
16 employees serving intermittently in the service of the
17 State.

18 “(5) CHAIRPERSON.—The voting members of a
19 State Commission shall elect one of the voting mem-
20 bers to serve as chairperson of the State Commis-
21 sion.

22 “(6) LIMITATION ON MEMBER PARTICIPA-
23 TION.—

24 “(A) GENERAL LIMITATION.—Except as
25 provided in subparagraph (B), a voting member

1 of the State Commission (or of an alternative
2 administrative entity) shall not participate in
3 the administration of the grant program (in-
4 cluding any discussion or decision regarding the
5 provision of assistance or approved national
6 service positions, or the continuation, suspen-
7 sion, or termination of such assistance or such
8 positions, to any program or entity) described
9 in subsection (e)(9) in any period during which
10 there is pending before the Commission (or
11 such entity) a grant applicant submitted by a
12 program or entity of which such member is, or
13 in the 1-year period before the submission of
14 such application was, an officer, director, trust-
15 ee, full-time volunteer, or employee.

16 “(B) EXCEPTION.—If, as a result of the
17 operation of subparagraph (A), the number of
18 voting members of the Commission (or of such
19 entity) is insufficient to establish a quorum for
20 the purpose of administering such program,
21 then voting members excluded from participa-
22 tion by subparagraph (A) may participate in
23 the administration of such program, notwith-
24 standing the limitation in subparagraph (A), to

1 the extent permitted by regulations issued
2 under section 192A(h)(10) by the Corporation.

3 “(C) RULE OF CONSTRUCTION.—Subpara-
4 graph (A) shall not be construed to limit the
5 authority of any voting member of the Commis-
6 sion (or of such entity) to participate in—

7 “(i) discussion of, and hearing and fo-
8 rums on—

9 “(I) the general duties, policies,
10 and operations of the Commission (or
11 of such entity); or

12 “(II) the general administration
13 of such program; or

14 “(ii) similar general matters relating
15 to the Commission (or such entity).

16 “(e) DUTIES OF A STATE COMMISSION.—The State
17 Commission for a State shall be responsible for the follow-
18 ing duties:

19 “(1) Preparation of a national service plan for
20 the State that—

21 “(A) is developed through an open and
22 public process (such as through regional fo-
23 rums, hearings, and other means) that provides
24 for maximum participation and input from ex-
25 isting national service programs within the

1 State and other interested members of the pub-
2 lic;

3 “(B) covers a 3-year period;

4 “(C) is updated annually; and

5 “(D) contains such information as the
6 State Commission considers to be appropriate
7 or as the Corporation may require.

8 “(2) Preparation of the applications of the
9 State under sections 117B and 130 for financial as-
10 sistance.

11 “(3) Assistance in the preparation of the appli-
12 cation of the State educational agency for assistance
13 under section 113.

14 “(4) Preparation of the application of the State
15 under section 130 for the approval of service posi-
16 tions that include the national service educational
17 award described in subtitle D.

18 “(5) Make recommendations to the Corporation
19 with respect to priorities for programs receiving as-
20 sistance under the Domestic Volunteer Service Act
21 of 1973.

22 “(6) Make technical assistance available to en-
23 able applicants under section 121—

24 “(A) to plan and implement service pro-
25 grams; and

1 “(B) to apply for assistance under the na-
2 tional service laws using, if appropriate, infor-
3 mation and materials available through a clear-
4 inghouse established under section 198A.

5 “(7) Assistance in the provision of health care
6 and child care benefits under section 140 to partici-
7 pants in national service programs that receive as-
8 sistance under section 121.

9 “(8) Development of a State system for the re-
10 cruitment and placement of participants in national
11 service programs that receive assistance under the
12 national service laws and dissemination of informa-
13 tion concerning national service programs that re-
14 ceive assistance and approved national service posi-
15 tions.

16 “(9) Administration of the grant program in
17 support of national service programs that is con-
18 ducted by the State using assistance provided to the
19 State under section 121, including selection, over-
20 sight, and evaluation of grant recipients.

21 “(10) Development of projects, training meth-
22 ods, curriculum materials, and other materials and
23 activities related to national service programs that
24 receive assistance from the State using assistance
25 provided under section 121.

1 “(f) ACTIVITY INELIGIBLE FOR ASSISTANCE.—A
2 State Commission may not directly carry out any national
3 service program that receives assistance under section
4 121.

5 “(g) DELEGATION.—Subject to such requirements as
6 the Corporation may prescribe, a State Commission may
7 delegate nonpolicymaking duties to a State agency or pub-
8 lic or private nonprofit organization.

9 “(h) APPROVAL OF STATE COMMISSION OR ALTER-
10 NATIVE.—

11 “(1) SUBMISSION TO CORPORATION.—The chief
12 executive officer for a State shall notify the Corpora-
13 tion of the establishment or designation of the State
14 Commission for the State. The notification shall in-
15 clude a description of—

16 “(A) the composition and membership of
17 the State Commission; and

18 “(B) the authority of the State Commis-
19 sion regarding national service activities carried
20 out by the State.

21 “(2) APPROVAL OF ALTERNATIVE ADMINISTRA-
22 TIVE ENTITY.—Any use of an alternative adminis-
23 trative entity to carry out the duties of a State Com-
24 mission shall be subject to the approval of the Cor-
25 poration.

1 “(3) REJECTION.—The Corporation may reject
2 a State Commission if the Corporation determines
3 that the composition, membership, or duties of the
4 State Commission do not comply with the require-
5 ments of this section. The Corporation shall reject a
6 request to use an alternative administrative entity in
7 lieu of a State Commission if the Corporation deter-
8 mines that use of the alternative administrative en-
9 tity does not allow the individuals described in para-
10 graphs (1) and (2) of subsection (c) to play a sig-
11 nificant policy-making role in carrying out the duties
12 otherwise entrusted to a State Commission. If the
13 Corporation rejects a State Commission or alter-
14 native administrative entity under this paragraph,
15 the Corporation shall promptly notify the State of
16 the reasons for the rejection.

17 “(4) RESUBMISSION AND RECONSIDERATION.—
18 The Corporation shall provide a State notified under
19 paragraph (3) with a reasonable opportunity to re-
20 vise the rejected State Commission or alternative ad-
21 ministrative entity. At the request of the State, the
22 Corporation shall provide technical assistance to the
23 State as part of the revision process. The Corpora-
24 tion shall promptly reconsider any resubmission of a
25 notification under paragraph (1) or application to

1 use an alternative administrative entity under para-
2 graph (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 en-
8 tity.”.

9 (b) TABLE OF CONTENTS.—Section 1(b) of the Na-
10 tional and Community Service Act of 1990 (Public Law
11 101–610; 104 Stat. 3127) is amended by striking the item
12 relating to section 178 and inserting the following new
13 item:

“Sec. 178. State Commissions on National Service.”.

14 (c) EFFECTIVE DATE.—The amendments made by
15 this section shall take effect on the date of the enactment
16 of this Act.

17 (d) TRANSITIONAL PROVISIONS.—

18 (1) USE OF ALTERNATIVES TO STATE COMMIS-
19 SION.—If a State does not have a State Commission
20 on National Service that satisfies the requirements
21 specified in section 178 of the National and Commu-
22 nity Services Act of 1990, as amended by subsection
23 (a), the Corporation for National Service may au-
24 thorize the chief executive of the State to use an ex-
25 isting agency of the State to perform the duties oth-

1 erwise reserved to a State Commission under sub-
2 section (e) of such section.

3 (2) APPLICATION OF SUBSECTION.—This sub-
4 section shall apply only during the 18-month period
5 beginning on the date of the enactment of this Act.

6 **SEC. 202. INTERIM AUTHORITIES OF THE CORPORATION**
7 **FOR NATIONAL SERVICE AND ACTION AGEN-**
8 **CY.**

9 (a) NATIONAL AND COMMUNITY SERVICE ACT OF
10 1990.—Subtitle G of title I of the National and Commu-
11 nity Service Act of 1990 (42 U.S.C. 12651) is amended
12 to read as follows:

13 **“Subtitle G—Corporation for**
14 **National Service**

15 **“SEC. 191. CORPORATION FOR NATIONAL SERVICE.**

16 “There is established a Corporation for National
17 Service that shall administer the programs established
18 under this Act. The Corporation shall be a Government
19 corporation, as defined in section 103 of title 5, United
20 States Code.

21 **“SEC. 192. BOARD OF DIRECTORS.**

22 “(a) COMPOSITION.—

23 “(1) IN GENERAL.—There shall be in the Cor-
24 poration a Board of Directors (referred to in this
25 subtitle as the ‘Board’) that shall be composed of—

1 “(A) not less than 15 members, including
2 the Chairperson appointed under section 193,
3 to be appointed by the President, by and with
4 the advice and consent of the Senate; and

5 “(B) the ex officio members described in
6 paragraph (4).

7 “(2) QUALIFICATIONS.—To the maximum ex-
8 tent practicable, the President shall appoint mem-
9 bers—

10 “(A) who have extensive experience in vol-
11 unteer and service programs, including pro-
12 grams funded under one of the national service
13 laws, and in State government;

14 “(B) who represent a broad range of view-
15 points;

16 “(C) who are experts in the delivery of
17 human, educational, environmental, or public
18 safety services;

19 “(D) so that the Board shall be diverse ac-
20 cording to race, ethnicity, age, and gender; and

21 “(E) so that no more than 50 percent of
22 the appointed members of the Board, plus 1 ad-
23 ditional appointed member, are from a single
24 political party.

1 “(3) EX OFFICIO MEMBERS.—The Secretary of
2 Education, the Secretary of Health and Human
3 Services, the Secretary of Labor, the Secretary of
4 the Interior, the Secretary of Agriculture, the Sec-
5 retary of Housing and Urban Development, the Sec-
6 retary of Defense, the Attorney General, the Direc-
7 tor of the Peace Corps, and the Administrator of the
8 Environmental Protection Agency shall serve as ex
9 officio nonvoting members of the Board.

10 “(b) TERMS.—Each appointed member of the Board
11 shall serve for a term of 5 years, except that, as designated
12 by the President—

13 “(1) 3 of the members first appointed to the
14 Board shall serve for a term of 1 year;

15 “(2) 3 of the members first appointed to the
16 Board shall serve for a term of 2 years;

17 “(3) 3 of the members first appointed to the
18 Board shall serve for a term of 3 years;

19 “(4) 3 of the members first appointed to the
20 Board shall serve for a term of 4 years; and

21 “(5) the remainder of the members first ap-
22 pointed to the Board shall serve for a term of 5
23 years.

24 “(c) VACANCIES.—As vacancies occur on the Board,
25 new members shall be appointed by the President, by and

1 with the advice and consent of the Senate, and serve for
2 the remainder of the term for which the predecessor of
3 such member was appointed. The vacancy shall not affect
4 the power of the remaining members to execute the duties
5 of the Board.

6 **“SEC. 192A. AUTHORITIES AND DUTIES OF THE BOARD OF**
7 **DIRECTORS.**

8 “(a) MEETINGS.—The Board shall meet not less than
9 3 times each year. The Board shall hold additional meet-
10 ings at the call of the Chairperson or if a majority of the
11 members of the Board request such meetings in writing.
12 In addition, the Board (or designated members of the
13 Board) shall conduct periodic public hearings throughout
14 the United States to examine and review operation of the
15 national service laws.

16 “(b) QUORUM.—A majority of the appointed mem-
17 bers of the Board shall constitute a quorum.

18 “(c) OFFICERS.—

19 “(1) VICE CHAIRPERSON.—The Board shall
20 elect a Vice Chairperson from among its member-
21 ship. The Vice Chairperson may conduct meetings of
22 the Board in the absence of the Chairperson.

23 “(2) OTHER OFFICERS.—The Board may elect
24 from among its membership such additional officers

1 of the Board as the Board determines to be appro-
2 priate.

3 “(d) INSPECTOR GENERAL OVERSIGHT COMMIT-
4 TEE.—The Board shall establish an Inspector General
5 oversight committee (referred to in this subtitle as the
6 ‘oversight committee’). Such committee shall be comprised
7 of the Vice Chairperson and two members selected by the
8 Vice Chairperson. The Chairperson shall not serve on the
9 oversight committee.

10 “(e) EXPENSES.—While away from their homes or
11 regular places of business on the business of the Board,
12 members of such Board shall be allowed travel expenses,
13 including per diem in lieu of subsistence, at rates author-
14 ized for employees of agencies under subchapter I of chap-
15 ter 57 of title 5, United States Code, for persons employed
16 intermittently in the Government service.

17 “(f) SPECIAL GOVERNMENT EMPLOYEES.—For pur-
18 poses of the provisions of chapter 11 of part I of title 18,
19 United States Code, and any other provision of Federal
20 law, a member of the Board (to whom such provisions
21 would not otherwise apply except for this subsection) shall
22 be a special Government employee.

23 “(g) STATUS OF MEMBERS.—

24 “(1) OTHER CLAIMS.—A member of the Board
25 has no personal liability under Federal law with re-

1 spect to any claim arising out of or resulting from
2 any act or omission by such person, within the scope
3 of the service of the member on the Board, in con-
4 nection with any transaction involving the provision
5 of financial assistance by the Corporation. This
6 paragraph shall not be construed to limit personal li-
7 ability for criminal acts or omissions, willful or mali-
8 cious misconduct, acts or omissions for private gain,
9 or any other act or omission outside the scope of the
10 service of such member on the Board.

11 “(2) EFFECT ON OTHER LAW.—This subsection
12 shall not be construed—

13 “(A) to affect any other immunities and
14 protections that may be available to such mem-
15 ber under applicable law with respect to such
16 transactions;

17 “(B) to affect any other right or remedy
18 against the Corporation, against the United
19 States under applicable law, or against any per-
20 son other than a member of the Board partici-
21 pating in such transactions; or

22 “(C) to limit or alter in any way the im-
23 munities that are available under applicable law
24 for Federal officials and employees not de-
25 scribed in this subsection.

1 “(h) DUTIES.—The Board shall—

2 “(1) prepare a strategic plan every 3 years, and
3 annual updates of the plan, for the Corporation with
4 respect to the grants, allotments, contracts, assist-
5 ance, and payments made by the Corporation, and
6 with respect to such standards, policies, procedures,
7 programs, and initiatives as are necessary or appro-
8 priate to carry out this Act;

9 “(2) make recommendations with respect to the
10 regulations established under section 195(b)(3)(A);

11 “(3)(A) review the actions of the Chairperson
12 with respect to—

13 “(i) grants, allotments, contracts, assist-
14 ance, and payments made by the Corporation;

15 “(ii) the personnel of the Corporation; and

16 “(iii) the standards, policies, procedures,
17 programs, and initiatives of the Corporation;
18 and

19 “(B) inform the Chairperson of any aspects of
20 the actions of the Chairperson that are not in com-
21 pliance with the annual strategic plan described in
22 paragraph (1) or the recommendations described in
23 paragraph (2), or are not consistent with the objec-
24 tives of this Act;

1 “(4) receive reports issued by the Inspector
2 General of the Corporation and review actions taken
3 by the Chairperson with respect to such reports;

4 “(5) review the evaluation of programs estab-
5 lished under this Act, in accordance with section
6 179;

7 “(6) make recommendations for research with
8 respect to national and community service programs,
9 including service-learning programs;

10 “(7) advise the President and the Congress con-
11 cerning developments in national and community
12 service that merit the attention of the President and
13 the Congress;

14 “(8) disseminate information regarding the pro-
15 grams and initiatives of the Corporation;

16 “(9) carry out any other activities determined
17 to be appropriate by the Chairperson; and

18 “(10) for purposes of subsection (i)(2) and sec-
19 tion 178(d)(6)(B), issue regulations to waive the dis-
20 qualification of members of the Board and members
21 of the State Commission (or of an alternative ad-
22 ministrative entity) selectively in a random, non-
23 discretionary manner and only to the extent nec-
24 essary to establish the quorum involved, including
25 rules that forbid each member of the Board and

1 each voting member of a State Commission (or of
2 such entity) to participate in any discussion or deci-
3 sion regarding the provision of assistance or ap-
4 proved national service positions, or the continu-
5 ation, suspension, or termination of such assistance
6 or such positions, to any program or entity of which
7 such member of the Board or such member of the
8 State Commission (or of such entity) is, or in the 1-
9 year period before the submission of such application
10 was, an officer, director, trustee, full-time volunteer,
11 or employee.

12 “(i) LIMITATION ON PARTICIPATION.—

13 “(1) GENERAL LIMITATION.—Except as pro-
14 vided in paragraph (2), a member of the Board shall
15 not participate in the administration of the grant
16 program (including any discussion or decision re-
17 garding the provision of assistance or approved na-
18 tional service positions, or the continuation, suspen-
19 sion, or termination of such assistance or such posi-
20 tions, to any program or entity) described in section
21 121 in any period during which there is pending be-
22 fore the Corporation a grant application submitted
23 by a program or entity of which such member of the
24 Board is, or in the 1-year period before the submis-

1 sion of such application was, an officer, director,
2 trustee, partner, full-time volunteer, or employee.

3 “(2) EXCEPTION.—If, as a result of the oper-
4 ation of paragraph (1), the number of members of
5 the Board is insufficient to establish a quorum for
6 the purpose of administering such program, then
7 members excluded from participation by paragraph
8 (1) may participate in the administration of such
9 program, notwithstanding the limitation in para-
10 graph (1), to the extent permitted by regulations is-
11 sued under subsection (h)(10) by the Corporations.

12 “(3) RULE OF CONSTRUCTION.—Paragraph (1)
13 shall not be construed to limit the authority of a
14 member of the Board to participate in—

15 “(A) discussions of, and hearings and fo-
16 rums on—

17 “(i) the general duties, policies, and
18 operations of the Commission (or of such
19 entity); or

20 “(ii) the general administration of
21 such program; or

22 “(B) similar general matters relating to
23 the Corporation.

24 “(j) COORDINATION WITH OTHER FEDERAL ACTIVI-
25 TIES.—As part of the agenda of meetings of the Board

1 under subsection (a), the Board shall review projects and
2 programs conducted or funded by the Corporation under
3 the national service laws to improve the coordination be-
4 tween such projects and programs and the activities of
5 other Federal agencies that deal with the individuals and
6 communities participating in or benefiting from such
7 projects and programs. The ex officio members of the
8 Board specified in section 192(a)(3) are encouraged to
9 jointly plan, implement, and fund activities in connection
10 with projects and programs conducted under the national
11 service laws to ensure that Federal efforts attempt to ad-
12 dress the total needs of participants, their communities,
13 and the persons and communities they serve.

14 **“SEC. 193. CHAIRPERSON AND DIRECTOR.**

15 “(a) APPOINTMENT.—The Corporation shall be head-
16 ed by an individual who shall serve as Chairperson of the
17 Board and as Director of the Corporation, and who shall
18 be appointed by the President, by and with the advice and
19 consent of the Senate.

20 “(b) COMPENSATION.—The Chairperson shall be
21 compensated at the rate provided for level III of the Exec-
22 utive Schedule under section 5314 of title 5, United States
23 Code.

1 pursuant to the national service laws, in accordance
2 with section 176;

3 “(5) prepare and submit to the Board an an-
4 nual report, and such interim reports as may be nec-
5 essary, describing the major actions of the Chair-
6 person with respect to the personnel of the Corpora-
7 tion, and with respect to such standards, policies,
8 procedures, programs, and initiatives;

9 “(6) notify, and provide an explanation to, the
10 Board regarding any substantial differences between
11 the actions of the Chairperson and the strategic plan
12 described in section 192A(h)(2); and

13 “(7) prepare and submit to the appropriate
14 committees of Congress an annual report, and such
15 interim reports as may be necessary, describing—

16 “(A) the services referred to in paragraph
17 (1), and the money and property referred to in
18 paragraph (2), of section 196(a) that have been
19 accepted by the Corporation; and

20 “(B) the manner in which the Corporation
21 used or disposed of such services, money, and
22 property.

23 “(c) POWERS.—In addition to the authority conferred
24 on the Chairperson under any other provision of this Act,
25 the Chairperson may—

1 “(1) establish, alter, consolidate, or discontinue
2 such organizational units or components within the
3 Corporation as the Chairperson considers necessary
4 or appropriate;

5 “(2) with the approval of the President—

6 “(A) arrange with and reimburse the heads
7 of other Federal agencies for the performance
8 of any of the provisions of this Act; and

9 “(B) as necessary or appropriate—

10 “(i) delegate any of the functions of
11 the Chairperson under this Act, or, with
12 the permission of the Board, any of the
13 functions of the Board under this Act, to
14 such heads of Federal agencies; and

15 “(ii) authorize the redelegation of
16 such functions,

17 subject to provisions to assure the maximum
18 possible liaison between the Corporation and
19 such other agencies at all operating levels;

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
23 political subdivision of a State, accept and utilize the
24 services and facilities of the agencies of such State
25 or subdivisions without reimbursement;

1 “(4) allocate and expend, or transfer to other
2 Federal agencies for expenditure, funds made avail-
3 able under this Act, including expenditure for con-
4 struction, repairs, and capital improvements;

5 “(5) disseminate, without regard to the provi-
6 sions of section 3204 of title 39, United States
7 Code, data and information, in such form as the
8 Chairperson shall determine to be appropriate to
9 public agencies, private organizations, and the gen-
10 eral public;

11 “(6) collect or compromise all obligations to or
12 held by the Chairperson and all legal or equitable
13 rights accruing to the Chairperson in connection
14 with the payment of obligations in accordance with
15 chapter 37 of title 31, United States Code (com-
16 monly known as the ‘Federal Claims Collection Act
17 of 1966’);

18 “(7) expend funds made available for purposes
19 of this Act, without regard to any other law or regu-
20 lation, for rent of buildings and space in buildings
21 and for repair, alteration, and improvement of build-
22 ings and space in buildings rented by the Chair-
23 person;

24 “(8) file a civil action in any court of record of
25 a State having general jurisdiction or in any district

1 court of the United States, with respect to a claim
2 arising under this Act;

3 “(9) exercise the authorities of the Corporation
4 under section 196; and

5 “(10) generally perform such functions and
6 take such steps consistent with the objectives and
7 provisions of this Act, as the Chairperson determines
8 to be necessary or appropriate to carry out such pro-
9 visions.

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 pro-
16 hibited by law or provided in this Act, the Chair-
17 person may delegate any function under this Act,
18 and authorize such successive redelegations of such
19 function as may be necessary or appropriate. No del-
20 egation of a function by the Chairperson under this
21 subsection or under any other provision of this Act
22 shall relieve such Chairperson of responsibility for
23 the administration of such function.

1 “(3) FUNCTION OF BOARD.—The Chairperson
2 may not delegate a function of the Board without
3 the permission 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 Chairperson
10 shall survive notwithstanding any change in the per-
11 son occupying the office of Chairperson or any va-
12 cancy in that office;

13 “(3) no attachment, injunction, garnishment, or
14 other similar process, mesne or final, shall be issued
15 against the Chairperson or the Board or property
16 under the control of the Chairperson or the Board;
17 and

18 “(4) nothing in this section shall be construed
19 to except litigation arising out of activities under
20 this Act from the application of sections 509, 517,
21 547, and 2679 of title 28, United States Code.

22 “(f) FULL FUNDING OF COSTS TO STATE AND
23 LOCAL GOVERNMENTS OF REQUIREMENTS UNDER NA-
24 TIONAL SERVICE LAWS.—Notwithstanding any other pro-
25 vision of law, a national service law may not impose any

1 requirement that a unit of State or local government con-
2 duct an activity, unless paid for by the Federal govern-
3 ment. However, voluntary participation by States or pro-
4 gram sponsors may include cost-sharing formulas, health
5 care, child care, and other allowances and other require-
6 ments proscribed by the Act.

7 **“SEC. 194. OFFICERS.**

8 “(a) MANAGING DIRECTORS.—

9 “(1) IN GENERAL.—There shall be in the Cor-
10 poration 2 Managing Directors, who shall be ap-
11 pointed by the President, by and with the advice and
12 consent of the Senate.

13 “(2) COMPENSATION.—The Managing Direc-
14 tors shall be compensated at the rate provided for
15 level IV of the Executive Schedule under section
16 5315 of title 5, United States Code.

17 “(3) DUTIES.—

18 “(A) FEDERAL PROGRAMS.—One of the
19 Managing Directors shall be primarily respon-
20 sible for the Federal programs carried out by
21 the Corporation.

22 “(B) INVESTMENT PROGRAMS.—The other
23 Managing Director shall be primarily respon-
24 sible for the financial assistance programs car-
25 ried out by the Corporation.

1 “(b) INSPECTOR GENERAL.—There shall be in the
2 Corporation an Office of Inspector General as provided in
3 section 8E(a)(2) of the Inspector General Act of 1978 (5
4 U.S.C. App.).

5 “(c) CHIEF FINANCIAL OFFICER.—

6 “(1) OFFICE.—There shall be in the Corpora-
7 tion a Chief Financial Officer, who shall be ap-
8 pointed by the President, by and with the advice and
9 consent of the Senate.

10 “(2) COMPENSATION.—The Chief Financial Of-
11 ficer shall be compensated at the rate provided for
12 level IV of the Executive Schedule under section
13 5315 of title 5, United States Code.

14 “(3) DUTIES.—The Chief Financial Officer
15 shall—

16 “(A) report directly to the Chairperson re-
17 garding financial management matters;

18 “(B) oversee all financial management ac-
19 tivities relating to the programs and operations
20 of the Corporation;

21 “(C) develop and maintain an integrated
22 accounting and financial management system
23 for the Corporation, including financial report-
24 ing and internal controls;

1 “(D) develop and maintain any joint finan-
2 cial management systems with the Department
3 of Education necessary to carry out the pro-
4 grams of the Corporation; and

5 “(E) direct, manage, and provide policy
6 guidance and oversight of the financial manage-
7 ment personnel, activities, and operations of the
8 Corporation.

9 **“SEC. 194A. CORPORATION STATE OFFICES.**

10 “(a) IN GENERAL.—The Chairperson shall establish
11 and maintain a decentralized field structure which pro-
12 vides for an office of the Corporation for each State which
13 is located in or in reasonable proximity of each such State.
14 Such State office may be directed by the State Corpora-
15 tion representative designated under section 195(b)(1).

16 “(b) DUTIES.—Each State office established pursu-
17 ant to subsection (a) shall—

18 “(1) provide to the State Commissions estab-
19 lished under section 178 technical and other assist-
20 ance for the development and implementation of
21 State service plans;

22 “(2) provide to community-based agencies and
23 other entities within the State technical assistance
24 for the preparation of applications for assistance
25 under the national service laws, utilizing, as appro-

1 prate, information and materials provided by the
2 clearinghouses established pursuant to section 198A;

3 “(3) provide to the State Commission and other
4 entities within the State support and technical as-
5 sistance necessary to assure that there is an effective
6 system of recruitment, placement, and training of
7 volunteers within the State;

8 “(4) monitor and evaluate the performance of
9 all programs and projects within the State which re-
10 ceive assistance under the national service laws; and

11 “(5) perform such other duties and functions
12 which may be assigned or delegated by the Chair-
13 person.

14 **“SEC. 195. EMPLOYEES, CONSULTANTS, AND OTHER PER-**
15 **SONNEL.**

16 “(a) EMPLOYEES.—

17 “(1) IN GENERAL.—Except as provided in para-
18 graph (2) and subsections (b) and (c), the Chair-
19 person shall, in accordance with applicable provi-
20 sions of title 5 of the United States Code, appoint
21 and determine the compensation of such employees
22 as the Chairperson determines to be necessary to
23 carry out the duties of the Corporation.

24 “(2) ASSISTANT DIRECTORS FOR VISTA AND
25 NATIONAL SENIOR VOLUNTEER CORPS.—

1 “(A) APPOINTMENT.—The Managing Di-
2 rector primarily responsible for the Federal pro-
3 grams carried out by the Corporation (ap-
4 pointed pursuant to section 194(a)) shall, in ac-
5 cordance with applicable provisions of title 5 of
6 the United States Code, appoint 4 Assistant Di-
7 rectors who shall report directly to such Manag-
8 ing Director, of which—

9 “(i) 1 Assistant Director shall be re-
10 sponsible for parts A and B of title I of
11 the Domestic Volunteer Service Act of
12 1973 (the Volunteers in Service to America
13 (VISTA) program) and other antipoverty
14 programs under title I of that Act;

15 “(ii) 1 Assistant Director shall be re-
16 sponsible for part A of title II of that Act
17 (relating to the Retired Senior Volunteer
18 Program);

19 “(iii) 1 Assistant Director shall be re-
20 sponsible for part B of title II of that Act
21 (relating to the Foster Grandparent Pro-
22 gram); and

23 “(iv) 1 Assistant Director shall be re-
24 sponsible for part C of title II of that Act

1 (relating to the Senior Companion Pro-
2 gram).

3 “(B) EFFECTIVE DATE FOR EXERCISE OF
4 AUTHORITY.—Each Assistant Director ap-
5 pointed pursuant to subparagraph (A) may ex-
6 ercise the authority assigned to each such Di-
7 rector only after the effective date of section
8 203(b) of the National Service Trust Act of
9 1993.

10 “(b) ALTERNATIVE PERSONNEL SYSTEM.—

11 “(1) AUTHORITY.—To the extent the Chair-
12 person determines it appropriate and desirable to
13 further the effective operation of the Corporation,
14 the Chairperson may designate positions in the Cor-
15 poration to which appointments may be made and
16 for which compensation may be determined without
17 regard to the provisions of title 5, United States
18 Code, governing appointments in the competitive
19 service, and without regard to the provisions of
20 chapter 51 and subchapter III of chapter 53 of such
21 title relating to classification and General Schedule
22 pay rates. The Chairperson may provide for appoint-
23 ments to such positions to be made on a limited
24 term basis.

1 “(2) APPOINTMENT IN THE COMPETITIVE
2 SERVICE AFTER EMPLOYMENT UNDER ALTERNATIVE
3 PERSONNEL SYSTEM.—The Director of the Office of
4 Personnel Management may grant competitive sta-
5 tus for appointment to the competitive service, under
6 such conditions as the Director may prescribe, to an
7 employee who is appointed under this subsection and
8 who is separated from the Corporation (other than
9 by removal for cause).

10 “(3) SELECTION AND COMPENSATION SYS-
11 TEM.—

12 “(A) ESTABLISHMENT OF SYSTEM.—The
13 Chairperson, after reviewing the recommenda-
14 tions of the Board under section 192A(h)(2),
15 and after obtaining the approval of the Director
16 of the Office of Personnel Management, shall
17 issue regulations establishing a selection and
18 compensation system for employees of the Cor-
19 poration appointed under paragraph (1). In is-
20 suing such regulations, the Chairperson shall
21 take into consideration the need for flexibility in
22 such a system.

23 “(B) APPLICATION.—The Chairperson
24 shall appoint and determine the compensation
25 of employees in accordance with the selection

1 and compensation system established under
2 subparagraph (A).

3 “(C) SELECTION.—The system established
4 under subparagraph (A) shall provide for the
5 selection of employees—

6 “(i) through a competitive process;
7 and

8 “(ii) on the basis of the qualifications
9 of applicants and the requirements of the
10 positions.

11 “(D) COMPENSATION.—The system estab-
12 lished under subparagraph (A) shall include a
13 scheme for the classification of positions in the
14 Corporation. The system shall require that the
15 compensation of an employee be determined in
16 part on the basis of the job performance of the
17 employee, and in a manner consistent with the
18 principles described in section 5301 of title 5,
19 United States Code. The rate of compensation
20 for each employee compensated under the sys-
21 tem shall not exceed the annual rate of basic
22 pay payable for level IV of the Executive Sched-
23 ule under section 5315 of title 5, United States
24 Code.

1 “(c) CORPORATION REPRESENTATIVE IN EACH
2 STATE.—

3 “(1) APPOINTMENT OF REPRESENTATIVE.—

4 The Chairperson shall, without regard to the provi-
5 sions of title 5, United States Code, governing ap-
6 pointments in the competitive service, appoint an
7 employee to serve as the representative of the Cor-
8 poration for each State or group of States to assist
9 the Corporation in carrying out the activities de-
10 scribed in this Act in the State or States.

11 “(2) DUTIES.—The representative appointed
12 under this subsection for a State or group of States
13 shall serve as the liaison between—

14 “(A) the Corporation and the State Com-
15 mission that is established in the State or
16 States; and

17 “(B) the Corporation and any subdivision
18 of a State, Indian tribe, public or private non-
19 profit organization, or institution of higher edu-
20 cation, in the State or States, that is awarded
21 a grant under section 121 directly from the
22 Corporation.

23 “(3) MEMBER OF STATE COMMISSION.—The
24 representative appointed under this subsection for a
25 State or group of States shall also serve as a voting

1 member of the State Commission established in the
2 State or States.

3 “(4) COMPENSATION.—

4 “(A) IN GENERAL.—The Chairperson may
5 determine the compensation of representatives
6 appointed under this subsection without regard
7 to the provisions of chapter 51 and subchapter
8 III of chapter 53 of title 5, United States Code,
9 relating to classification and General Schedule
10 pay rates.

11 “(B) LIMITATION ON COMPENSATION.—
12 The rate of compensation for each representa-
13 tive appointed under this subsection shall not
14 exceed the maximum rate of basic pay payable
15 for GS-15 of the General Schedule under sec-
16 tion 5332 of title 5, United States Code.

17 “(d) CONSULTANTS.—The Chairperson may procure
18 the temporary and intermittent services of experts and
19 consultants and compensate the experts and consultants
20 in accordance with section 3109(b) of title 5, United
21 States Code.

22 “(e) DETAILS OF PERSONNEL.—The head of any
23 Federal department or agency may detail on a reimburs-
24 able basis, or on a nonreimbursable basis for not to exceed
25 180 calendar days during any fiscal year, as agreed upon

1 by the Chairperson and the head of the Federal agency,
2 any of the personnel of that department or agency to the
3 Corporation to assist the Corporation in carrying out the
4 duties of the Corporation under this Act. Any detail shall
5 not interrupt or otherwise affect the civil service status
6 or privileges of the Federal employee.

7 “(f) ADVISORY COMMITTEES.—

8 “(1) ESTABLISHMENT.—The Chairperson, act-
9 ing upon the recommendation of the Board, may es-
10 tablish advisory committees in the Corporation to
11 advise the Board with respect to national service is-
12 sues, such as the type of programs to be established
13 or assisted under the national service laws, priorities
14 and criteria for such programs, and methods of con-
15 ducting outreach for, and evaluation of, such pro-
16 grams.

17 “(2) COMPOSITION.—Such an advisory commit-
18 tee shall be composed of members appointed by the
19 Chairperson, with such qualifications as the Chair-
20 person may specify.

21 “(3) EXPENSES.—Members of such an advisory
22 committee may be allowed travel expenses as de-
23 scribed in section 192A(e).

24 “(4) STAFF.—The Chairperson is authorized to
25 appoint and fix the compensation of such staff as

1 the Chairperson determines to be necessary to carry
2 out the functions of the advisory committee, without
3 regard to the provisions of title 5, United States
4 Code, governing appointments in the competitive
5 service, and without regard to the provisions of
6 chapter 51 and subchapter III of chapter 53 of such
7 title relating to classification and General Schedule
8 pay rates. Such compensation shall not exceed the
9 maximum rate of basic pay payable for GS-15 of
10 the General Schedule under section 5332 of title 5,
11 United States Code.

12 **“SEC. 196. ADMINISTRATION**

13 “(a) DONATIONS.—

14 “(1) SERVICES.—

15 “(A) VOLUNTEERS.—Notwithstanding sec-
16 tion 1342 of title 31, United States Code, the
17 Corporation may solicit and accept the vol-
18 untary services of individuals to assist the Cor-
19 poration in carrying out the duties of the Cor-
20 poration under this Act, and may provide to
21 such individuals the travel expenses described in
22 section 192A(e).

23 “(B) LIMITATION.—Such a volunteer shall
24 not be considered to be a Federal employee and
25 shall not be subject to the provisions of law re-

1 relating to Federal employment, including those
2 relating to hours of work, rates of compensa-
3 tion, leave, unemployment compensation, and
4 Federal employee benefits, except that for the
5 purposes of subchapter I of chapter 81 of title
6 5, United States Code, relating to compensation
7 to Federal employees for work injuries, volun-
8 teers under this subtitle shall be considered to
9 be employees, as defined in section 8101(1)(B)
10 of title 5, United States Code, and the provi-
11 sions of such subchapter shall apply.

12 “(C) VOLUNTEER DEFINED.—For pur-
13 poses of this paragraph, the term ‘volunteer’
14 does not include a participant.

15 “(2) PROPERTY.—

16 “(A) SOLICITATION AND ACCEPTANCE AU-
17 THORIZED.—The Corporation may solicit, ac-
18 cept, hold, administer, use, and dispose of, in
19 furtherance of the purposes of this Act, dona-
20 tions of any money or property, real, personal,
21 or mixed, tangible or intangible, received by
22 gift, devise, bequest, or otherwise. Donations
23 accepted under this subparagraph shall be used
24 as nearly as possibly in accordance with the
25 terms, if any, of such donation.

1 “(B) STATUS OF CONTRIBUTION.—Any do-
2 nation accepted under subparagraph (A) shall
3 be considered to be a gift, devise, or bequest to,
4 or for the use of, the United States.

5 “(C) RULES.—The Corporation shall es-
6 tablish written rules to ensure that the solicita-
7 tion, acceptance, holding, administration, and
8 use of donations described in subparagraph
9 (A)—

10 “(i) will not reflect unfavorably upon
11 the ability of the Corporation, or of any of-
12 ficer or employee of the Corporation, to
13 carry out the responsibilities or official du-
14 ties of the Corporation in a fair and objec-
15 tive manner; and

16 “(ii) will not compromise the integrity
17 of the programs of the Corporation or any
18 official or employee of the Corporation in-
19 volved in such programs.

20 “(D) DISPOSITION.—Upon completion of
21 the use by the Corporation of any donation ac-
22 cepted pursuant to subparagraph (A) (other
23 than money or monetary proceeds from sales of
24 property accepted), such completion shall be re-
25 ported to the General Services Administration

1 and such property shall be disposed of in ac-
2 cordance with title II of the Federal Property
3 and Administrative Services Act of 1949 (40
4 U.S.C. 481 et seq.).

5 “(b) **CONTRACTS.**—Subject to the Federal Property
6 and Administrative Services Act of 1949, the Corporation
7 may enter into contracts, and cooperative and interagency
8 agreements, with Federal and State agencies, private
9 firms, institutions, and individuals to conduct activities
10 necessary to carry out the duties of the Corporation under
11 this Act.

12 **“SEC. 196A. LIMITATION ON AUTHORITY TO TAKE CERTAIN**
13 **ACTIONS.**

14 “Notwithstanding any other provision of law, the
15 Corporation or the Chairperson, as the case may be, shall
16 not—

17 “(1) allocate, expend, or transfer to any other
18 Federal agency funds made available under this Act
19 for construction, repairs, or capital improvements;

20 “(2) enter into a lease for real property; or

21 “(3) dispose of surplus real property;

22 without receiving prior concurrence from the Committee
23 on Public Works and Transportation of the House of Rep-
24 resentatives and the Committee on Environment and Pub-
25 lic Works of the Senate.”.

1 (b) DOMESTIC VOLUNTEER SERVICE ACT OF
2 1973.—Section 401 of the Domestic Volunteer Service Act
3 of 1973 (42 U.S.C. 5041) is amended by inserting after
4 the second sentence the following: “The Director shall re-
5 port directly to the Chairperson of the Corporation for Na-
6 tional Service.”.

7 (c) TRANSFER OF FUNCTIONS OF COMMISSION ON
8 NATIONAL AND COMMUNITY SERVICE.—

9 (1) DEFINITIONS.—For purposes of this sub-
10 section, unless otherwise provided or indicated by
11 the context, each term specified in section 203(c)(1)
12 shall have the meaning given the term in such sec-
13 tion.

14 (2) TRANSFER OF FUNCTIONS.—There are
15 transferred to the Corporation the functions that the
16 Board of Directors or Executive Director of the
17 Commission on National and Community Service ex-
18 ercised before the effective date of this subsection
19 (including all related functions of any officer or em-
20 ployee of the Commission).

21 (3) APPLICATION.—The provisions of para-
22 graphs (3) through (10) of section 203(c) shall
23 apply with respect to the transfer described in para-
24 graph (2), except that—

1 (A) for purposes of such application, ref-
2 erences to the term “ACTION Agency” shall be
3 deemed to be references to the Corporation; and

4 (B) paragraph (10) of such section shall
5 not preclude the transfer of the members of the
6 Board of Directors of the Commission to the
7 Corporation if, on the effective date of this sub-
8 section, the Board of Directors of the Corpora-
9 tion has not been confirmed.

10 (d) CONTINUING PERFORMANCE OF CERTAIN FUNC-
11 TIONS.—The individuals who, on the day before the date
12 of enactment of this Act, are performing any of the func-
13 tions required by section 190 of the National and Commu-
14 nity Service Act of 1990 (42 U.S.C. 12651), as in effect
15 on such date, to be performed by the members of the
16 Board of Directors of the Commission on National and
17 Community Service may, subject to section 193A of the
18 National and Community Service Act of 1990, as added
19 by subsection (a) of this section, continue to perform such
20 functions until the date on the Board of Directors of the
21 Corporation for National Service conducts the first meet-
22 ing of the Board. The service of such individuals as mem-
23 bers of the Board of Directors of such Commission, and
24 the employment of such individuals as special government
25 employees, shall terminate on such date.

1 (e) GOVERNMENT CORPORATION CONTROL.—

2 (1) WHOLLY OWNED GOVERNMENT CORPORA-
3 TION.—Section 9101(3) of title 31, United States
4 Code, is amended by inserting after subparagraph
5 (D) the following:

6 “(E) the Corporation for National Serv-
7 ice.”.

8 (2) AUDITS.—Section 9105(a)(1) of title 31,
9 United States Code, is amended by inserting “, or
10 under other Federal law,” before “or by an inde-
11 pendent”.

12 (f) DISPOSAL OF PROPERTY.—Section 203(k) of the
13 Federal Property and Administrative Services Act of 1949
14 (40 U.S.C. 484(k)) is amended by adding at the end the
15 following:

16 “(5)(A) Under such regulations as the Administrator
17 may prescribe, the Administrator is authorized, in the dis-
18 cretion of the Administrator, to assign to the Chairperson
19 of the Corporation for National Service for disposal such
20 surplus property as is recommended by the Chairperson
21 as being needed for national service activities.

22 “(B) Subject to the disapproval of the Administrator,
23 within 30 days after notice to the Administrator by the
24 Chairperson of a proposed transfer of property for such
25 activities, the Chairperson, through such officers or em-

1 ployees of the Corporation as the Chairperson may des-
 2 ignate, may sell, lease, or donate such property to any en-
 3 tity that receives financial assistance under the National
 4 and Community Service Act of 1990 for such activities.

5 “(C) In fixing the sale or lease value of such property,
 6 the Chairperson shall comply with the requirements of
 7 paragraph (1)(C).”.

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

“Subtitle G—Corporation for National Service

“Sec. 191. Corporation for National Service.

“Sec. 192. Board of Directors.

“Sec. 192A. Authorities and duties of the Board of Directors.

“Sec. 193. Chairperson and Director.

“Sec. 193A. Authorities and duties of the Chairperson.

“Sec. 194. Officers.

“Sec. 194A. Corporation State offices.

“Sec. 195. Employees, consultants, and other personnel.

“Sec. 196. Administration.”.

13 (h) EFFECTIVE DATES.—

14 (1) IN GENERAL.—Except as provided in para-
 15 graph (2), the amendments made by this section
 16 shall take effect on October 1, 1993.

17 (2) ESTABLISHMENT AND APPOINTMENT AU-
 18 THORITIES.—Sections 191, 192, and 193 of the Na-
 19 tional and Community Service Act of 1990, as added

1 by subsection (a), shall take effect on the date of en-
2 actment of this Act.

3 **SEC. 203. FINAL AUTHORITIES OF THE CORPORATION FOR**
4 **NATIONAL SERVICE.**

5 (a) NATIONAL AND COMMUNITY SERVICE ACT OF
6 1990.—

7 (1) APPLICATION.—Subtitle I of the National
8 and Community Service Act of 1990 (as amended by
9 section 202 of this Act) is amended in section 191,
10 paragraphs (3) and (5) of section 192A(h), section
11 193(c), subsections (b), (c) (other than paragraph
12 (8)), and (d) of section 193A, subsections (c) and
13 (e) of section 195, and subsections (a) and (b) of
14 section 196, by striking “this Act” each place the
15 term appears and inserting “the national service
16 laws”.

17 (2) GRANTS.—Section 192A(h) of the National
18 and Community Service Act of 1990 (as added by
19 section 202 of this Act) is amended—

20 (A) by striking “and” at the end of para-
21 graph (8);

22 (B) by redesignating paragraph (9) as
23 paragraph (10); and

24 (C) by inserting after paragraph (8) the
25 following:

1 “(9) notwithstanding any other provision of
2 law, make grants to or contracts with Federal or
3 other public departments or agencies and private
4 nonprofit organizations for the assignment or refer-
5 ral of volunteers under the provisions of the Domes-
6 tic Volunteer Service Act of 1973 (except as pro-
7 vided in section 108 of the Domestic Volunteer Serv-
8 ice Act of 1973), which may provide that the agency
9 or organization shall pay all or a part of the costs
10 of the program; and”.

11 (b) AUTHORITIES OF ACTION AGENCY.—Sections
12 401 and 402 of the Domestic Volunteer Service Act of
13 1973 (42 U.S.C. 5041 and 5042) are repealed.

14 (c) TRANSFER OF FUNCTIONS FROM ACTION
15 AGENCY.—

16 (1) DEFINITIONS.—For purposes of this sub-
17 section, unless otherwise provided or indicated by
18 the context—

19 (A) the term “Chairperson” means the
20 Chairperson of the Corporation;

21 (B) the term “Corporation” means the
22 Corporation for National Service, established
23 under section 191 of the National and Commu-
24 nity Service Act of 1990;

1 (C) the term “Federal agency” has the
2 meaning given to the term “agency” by section
3 551(1) of title 5, United States Code;

4 (D) the term “function” means any duty,
5 obligation, power, authority, responsibility,
6 right, privilege, activity, or program; and

7 (E) the term “office” includes any office,
8 administration, agency, institute, unit, organi-
9 zational entity, or component thereof.

10 (2) TRANSFER OF FUNCTIONS.—There are
11 transferred to the Corporation the functions that the
12 Director of the ACTION Agency exercised before
13 the effective date of this subsection (including all re-
14 lated functions of any officer or employee of the AC-
15 TION Agency).

16 (3) DETERMINATIONS OF CERTAIN FUNCTIONS
17 BY THE OFFICE OF MANAGEMENT AND BUDGET.—
18 If necessary, the Office of Management and Budget
19 shall make any determination of the functions that
20 are transferred under paragraph (2).

21 (4) REORGANIZATION.—The Chairperson is au-
22 thorized to allocate or reallocate any function trans-
23 ferred under paragraph (2) among the officers of the
24 Corporation.

1 (5) TRANSFER AND ALLOCATIONS OF APPRO-
2 PRIATIONS AND PERSONNEL.—Except as otherwise
3 provided in this subsection, the personnel employed
4 in connection with, and the assets, liabilities, con-
5 tracts, property, records, and unexpended balances
6 of appropriations, authorizations, allocations, and
7 other funds employed, used, held, arising from,
8 available to, or to be made available in connection
9 with the functions transferred by this subsection,
10 subject to section 1531 of title 31, United States
11 Code, shall be transferred to the Corporation. Unex-
12 pended funds transferred pursuant to this paragraph
13 shall be used only for the purposes for which the
14 funds were originally authorized and appropriated.

15 (6) INCIDENTAL TRANSFER.—The Director of
16 the Office of Management and Budget, at such time
17 or times as the Director shall provide, is authorized
18 to make such determinations as may be necessary
19 with regard to the functions transferred by this sub-
20 section, and to make such additional incidental dis-
21 positions of personnel, assets, liabilities, grants, con-
22 tracts, property, records, and unexpended balances
23 of appropriations, authorizations, allocations, and
24 other funds held, used, arising from, available to, or
25 to be made available in connection with such func-

1 tions, as may be necessary to carry out the provi-
2 sions of this subsection. The Director of the Office
3 of Management and Budget shall provide for the ter-
4 mination of the affairs of all entities terminated by
5 this subsection and for such further measures and
6 dispositions as may be necessary to effectuate the
7 purposes of this subsection.

8 (7) EFFECT ON PERSONNEL.—

9 (A) IN GENERAL.—Except as otherwise
10 provided by this subsection, the transfer pursu-
11 ant to this subsection of full-time personnel (ex-
12 cept special Government employees) and part-
13 time personnel holding permanent positions
14 shall be to positions in the Corporation subject
15 to section 195(a)(1) of the National and Com-
16 munity Service Act of 1990, as added by sec-
17 tion 202(a) of this Act, and shall not cause any
18 such employee to be separated or reduced in
19 grade or compensation, or to have the benefits
20 of the employee reduced, for 1 year after the
21 date of transfer of such employee under this
22 subsection, and such transfer shall be deemed
23 to be a transfer of functions for purposes of
24 section 3503 of title 5 of the United States
25 Code.

1 (B) EXECUTIVE SCHEDULE POSITIONS.—

2 Except as otherwise provided in this subsection,
3 any person who, on the day preceding the effec-
4 tive date of this subsection, held a position com-
5 pensated in accordance with the Executive
6 Schedule prescribed in chapter 53 of title 5,
7 United States Code, and who, without a break
8 in service, is appointed in the Corporation to a
9 position having duties comparable to the duties
10 performed immediately preceding such appoint-
11 ment shall continue to be compensated in such
12 new position at not less than the rate provided
13 for such previous position, for the duration of
14 the service of such person in such new position.

15 (C) TERMINATION OF CERTAIN POSI-
16 TIONS.—Positions whose incumbents are ap-
17 pointed by the President, by and with the ad-
18 vice and consent of the Senate, the functions of
19 which are transferred by this subsection, shall
20 terminate on the effective date of this sub-
21 section.

22 (8) SAVINGS PROVISIONS.—

23 (A) CONTINUING EFFECT OF LEGAL DOCU-
24 MENTS.—All orders, determinations, rules, reg-
25 ulations, permits, agreements, grants, contracts,

1 certificates, licenses, registrations, privileges,
2 and other administrative actions—

3 (i) that have been issued, made,
4 granted, or allowed to become effective by
5 the President, any Federal agency or offi-
6 cial thereof, or by a court of competent ju-
7 risdiction, in the performance of functions
8 that are transferred under this subsection;
9 and

10 (ii) that are in effect at the time this
11 subsection takes effect, or were final before
12 the effective date of this subsection and
13 are to become effective on or after the ef-
14 fective date of this subsection,

15 shall continue in effect according to their terms
16 until modified, terminated, superseded, set
17 aside, or revoked in accordance with law by the
18 President, the Chairperson, or other authorized
19 official, a court of competent jurisdiction, or by
20 operation of law.

21 (B) PROCEEDINGS NOT AFFECTED.—The
22 provisions of this subsection shall not affect any
23 proceedings, including notices of proposed rule-
24 making, or any application for any license, per-
25 mit, certificate, or financial assistance pending

1 before the ACTION Agency at the time this
2 subsection takes effect, with respect to func-
3 tions transferred by this subsection but such
4 proceedings and applications shall be continued.
5 Orders shall be issued in such proceedings, ap-
6 peals shall be taken therefrom, and payments
7 shall be made pursuant to such orders, as if
8 this subsection had not been enacted, and or-
9 ders issued in any such proceedings shall con-
10 tinue in effect until modified, terminated, su-
11 perseded, or revoked by a duly authorized offi-
12 cial, by a court of competent jurisdiction, or by
13 operation of law. Nothing in this subparagraph
14 shall be deemed to prohibit the discontinuance
15 or modification of any such proceeding under
16 the same terms and conditions and to the same
17 extent that such proceeding could have been
18 discontinued or modified if this subsection had
19 not been enacted.

20 (C) SUITS NOT AFFECTED.—The provi-
21 sions of this subsection shall not affect suits
22 commenced before the effective date of this sub-
23 section, and in all such suits, proceedings shall
24 be had, appeals taken, and judgments rendered

1 in the same manner and with the same effect
2 as if this subsection had not been enacted.

3 (D) NONABATEMENT OF ACTIONS.—No
4 suit, action, or other proceeding commenced by
5 or against the ACTION Agency, or by or
6 against any individual in the official capacity of
7 such individual as an officer of the ACTION
8 Agency, shall abate by reason of the enactment
9 of this subsection.

10 (E) ADMINISTRATIVE ACTIONS RELATING
11 TO PROMULGATION OF REGULATIONS.—Any ad-
12 ministrative action relating to the preparation
13 or promulgation of a regulation by the AC-
14 TION Agency relating to a function transferred
15 under this subsection may be continued by the
16 Corporation with the same effect as if this sub-
17 section had not been enacted.

18 (9) SEVERABILITY.—If a provision of this sub-
19 section or its application to any person or cir-
20 cumstance is held invalid, neither the remainder of
21 this subsection nor the application of the provision
22 to other persons or circumstances shall be affected.

23 (10) TRANSITION.—Prior to, or after, any
24 transfer of a function under this subsection, the
25 Chairperson is authorized to utilize—

1 (A) the services of such officers, employ-
2 ees, and other personnel of the ACTION Agen-
3 cy with respect to functions that will be or have
4 been transferred to the Corporation by this sub-
5 section; and

6 (B) funds appropriated to such functions
7 for such period of time as may reasonably be
8 needed to facilitate the orderly implementation
9 of this subsection.

10 (d) EFFECTIVE DATE.—

11 (1) IN GENERAL.—Except as provided in para-
12 graph (2), this section, and the amendments made
13 by this section, shall take effect—

14 (A) 18 months after the date of enactment
15 of this Act; or

16 (B) on such earlier date as the President
17 shall determine to be appropriate and announce
18 by proclamation published in the Federal Reg-
19 ister.

20 (2) TRANSITION.—Subsection (c)(10) shall take
21 effect on the date of enactment of this Act.

1 **SEC. 204. ACTIONS UNDER THE NATIONAL SERVICE LAWS**
2 **TO BE SUBJECT TO THE AVAILABILITY OF AP-**
3 **PROPRIATIONS.**

4 No action involving the obligation or expenditure of
5 funds may be taken under a national service law (as de-
6 fined in section 101(14) of the National and Community
7 Service Act of 1990 (42 U.S.C. 12511(14)) unless and
8 until the Corporation for National Service has sufficient
9 appropriations available at the time such action is taken
10 to satisfy the obligation to be incurred or make the ex-
11 penditure to be made.

12 **TITLE III—REAUTHORIZATION**
13 **Subtitle A—National and**
14 **Community Service Act of 1990**

15 **SEC. 301. AUTHORIZATION OF APPROPRIATIONS.**

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

19 **“SEC. 501. AUTHORIZATION OF APPROPRIATIONS.**

20 “(a) TITLE I.—

21 “(1) SUBTITLE B.—There are authorized to be
22 appropriated to provide financial assistance under
23 subtitle B of title I, \$45,000,000 for fiscal year
24 1994, and such sums as may be necessary for each
25 of the fiscal years 1995 through 1996.

1 “(2) SUBTITLES C, D, AND H.—There are au-
2 thorized to be appropriated to provide financial as-
3 sistance under subtitles C and H of title I, and to
4 provide national service educational awards under
5 subtitle D of title I, \$389,000,000 for fiscal year
6 1994, and such sums as may be necessary for each
7 of the fiscal years 1995 through 1996. Of the funds
8 appropriated under this paragraph for a fiscal year,
9 not more than 15 percent of such funds may be
10 made available to provide financial assistance for ac-
11 tivities in subtitle H, section 125, or section 126.

12 “(3) ADMINISTRATION.—There are authorized
13 to be appropriated for the administration of this Act
14 (including subtitle G) such sums as may be nec-
15 essary for each of the fiscal years 1994 through
16 1996.

17 “(b) TITLE III.—There are authorized to be appro-
18 priated to carry out title III \$5,000,000 for each of the
19 fiscal years 1994 through 1996.

20 “(c) AVAILABILITY OF APPROPRIATIONS.—Funds ap-
21 propriated under this section shall remain available until
22 expended.

23 “(d) SPECIFICATION OF BUDGET FUNCTION.—The
24 authorizations of appropriations contained in this section
25 shall be considered to be a component of budget function

1 500 as used by the Office of Management and Budget to
2 cover education, training, employment, and social services,
3 and, as such, shall be considered as related to the pro-
4 grams of the Departments of Labor, Health and Human
5 Services, and Education for budgetary purposes.”.

6 **Subtitle B—Domestic Volunteer**
7 **Service Act of 1973**

8 **SEC. 311. SHORT TITLE; REFERENCES.**

9 (a) SHORT TITLE.—This subtitle may be cited as the
10 “Domestic Volunteer Service Act Amendments of 1993”.

11 (b) REFERENCES.—Except as otherwise specifically
12 provided, whenever in this subtitle an amendment or re-
13 peal is expressed in terms of an amendment to, or repeal
14 of, a section or other provision, the reference shall be con-
15 sidered to be made to a section or other provision of the
16 Domestic Volunteer Service Act of 1973 (42 U.S.C. 4950
17 et seq.).

18 **CHAPTER 1—VISTA AND OTHER ANTI-**
19 **POVERTY PROGRAMS**

20 **SEC. 321. PURPOSE OF THE VISTA PROGRAM.**

21 The last sentence of section 101 (42 U.S.C. 4951)
22 is amended to read as follows: “In addition, the objectives
23 of this part are to generate the commitment of private
24 sector resources, to encourage volunteer service at the

1 local level, and to strengthen local agencies and organiza-
2 tions to carry out the purpose of this part.”.

3 **SEC. 321A. ASSISTANT DIRECTOR FOR VISTA PROGRAM.**

4 (a) IN GENERAL.—Section 102 (42 U.S.C. 4952) is
5 amended by striking “The Director” and inserting “This
6 part shall be administered by the Assistant Director ap-
7 pointed pursuant to section 195(a)(2) of the National and
8 Community Service Act of 1990. Such Director”.

9 (b) EFFECTIVE DATE.—The amendments made by
10 subsection (a) shall take effect on the effective date of sec-
11 tion 203(b).

12 **SEC. 322. SELECTION AND ASSIGNMENT OF VISTA VOLUN-**
13 **TEERS.**

14 (a) VOLUNTEER ASSIGNMENTS.—Section 103(a) (42
15 U.S.C. 4953(a)) is amended—

16 (1) in the matter preceding paragraph (1), by
17 striking “a public” and inserting “public”;

18 (2) in paragraph (2), by striking “and” at the
19 end;

20 (3) in paragraph (3), by striking “illiterate or
21 functionally illiterate youth and other individuals,”;

22 (4) in paragraph (5), by striking “and” at the
23 end;

24 (5) in paragraph (6)—

1 (A) by striking “or the Community Eco-
2 nomic” and inserting “the Community Eco-
3 nomic”;

4 (B) by inserting “or other similar Acts,”
5 after “1981,”; and

6 (C) by striking the period and inserting “;
7 and”;

8 (6) by adding at the end the following new
9 paragraph:

10 “(7) in strengthening, supplementing, and ex-
11 panding efforts to address the problem of illiteracy
12 throughout the United States.”.

13 (b) RECRUITMENT PROCEDURES.—Section 103(b)
14 (42 U.S.C. 4953(b)) is amended—

15 (1) in paragraph (2)—

16 (A) by amending subparagraph (A) to read
17 as follows:

18 “(2)(A) The Director shall establish and maintain
19 within the national headquarters of the ACTION Agency
20 (or any successor entity of such agency) a volunteer place-
21 ment office which shall be responsible for all functions re-
22 lated to the recruitment and placement of volunteers
23 under this part. Such functions and activities shall be car-
24 ried out in coordination or in conjunction with recruitment

1 and placement activities carried out under the National
2 Service Trust Act of 1993.”;

3 (B) by striking subparagraph (C); and

4 (C) by redesignating subparagraph (D) as
5 subparagraph (C);

6 (2) by striking paragraphs (4) and (6); and

7 (3) by redesignating paragraphs (5) and (7) as
8 paragraphs (4) and (6), respectively.

9 (c) PUBLIC AWARENESS AND RECRUITMENT.—Sub-
10 section (c) of section 103 (42 U.S.C. 4953(c)) is amend-
11 ed—

12 (1) in paragraph (1)—

13 (A) in the 1st sentence by striking “re-
14 gional or State employees designated in sub-
15 paragraphs (C) and (D) of subsection (b)(2)”
16 and inserting “personnel described in sub-
17 section (b)(2)(C)”;

18 (B) in the 2nd sentence, by striking “shall
19 include” and inserting “may include”;

20 (C) by redesignating subparagraphs (F)
21 and (G) as subparagraphs (G) and (H), respec-
22 tively; and

23 (D) by inserting after subparagraph (E)
24 the following new subparagraph:

1 “(F) publicizing educational awards avail-
2 able under the National Service Trust Act of
3 1993;”;

4 (2) by striking paragraphs (4) and (5); and

5 (3) by redesignating paragraph (6) as para-
6 graph (4).

7 (d) COORDINATION WITH OTHER FEDERAL AGEN-
8 CIES.—Section 103 (42 U.S.C. 4953) is amended by add-
9 ing at the end the following new subsection:

10 “(h) The Director is encouraged to enter into agree-
11 ments with other Federal agencies to use VISTA volun-
12 teers in furtherance of program objectives that are consist-
13 ent with the purposes described in section 101.”.

14 **SEC. 323. TERMS AND PERIODS OF SERVICE.**

15 (a) CLARIFICATION AND PERIODS OF SERVICE.—
16 Subsection (b) of section 104 (42 U.S.C. 4954(b)) is
17 amended to read as follows:

18 “(b)(1) Volunteers serving under this part may be en-
19 rolled initially for periods of service of not less than 1 year,
20 nor more than 2 years, except as provided in paragraph
21 (2) or subsection (e).

22 “(2) Volunteers serving under this part may be en-
23 rolled for periods of service of less than 1 year if the Direc-
24 tor determines, on an individual basis, that a period of

1 service of less than 1 year is necessary to meet a critical
2 scarce skill need.

3 “(3) Volunteers serving under this part may be
4 reenrolled for periods of service in a manner to be deter-
5 mined by the Director. No volunteer shall serve for more
6 than a total of 5 years under this part.”.

7 (b) SUMMER PROGRAM.—Section 104 (42 U.S.C.
8 4954) is amended by adding at the end the following new
9 subsection:

10 “(e)(1) Notwithstanding any other provision of this
11 part, the Director may enroll full-time VISTA summer as-
12 sociates in a program for the summer months only, under
13 such terms and conditions as the Director shall determine
14 to be appropriate. Such individuals shall be assigned to
15 projects that meet the criteria set forth in section 103(a).

16 “(2) In preparing reports relating to programs under
17 this Act, the Director shall report on participants, costs,
18 and accomplishments under the summer program sepa-
19 rately.

20 “(3) The limitation on funds appropriated for grants
21 and contracts, as contained in section 108, shall not apply
22 to the summer program.”.

23 **SEC. 324. SUPPORT FOR VISTA VOLUNTEERS.**

24 (a) POSTSERVICE STIPEND.—Section 105(a)(1) (42
25 U.S.C. 4955(a)(1)) is amended—

1 (1) by inserting “(A)” after “(a)(1)”; and

2 (2) by striking the second sentence and insert-
3 ing the following:

4 “(B) Such stipend shall not exceed \$95 per month
5 in fiscal year 1994, but shall be set at a minimum of \$100
6 per month during the service of the volunteer after Oc-
7 tober 1, 1994. The Director may provide a stipend of a
8 maximum of \$200 per month in the case of persons who
9 have served as volunteers under this part for at least 1
10 year and who, in accordance with standards established
11 in such regulations as the Director shall prescribe, have
12 been designated volunteer leaders on the basis of experi-
13 ence and special skills and a demonstrated leadership
14 among volunteers.

15 “(C) The Director shall not provide a stipend under
16 this subsection to an individual who elects to receive a na-
17 tional service education award under subtitle D of title I
18 of the National and Community Service Act of 1990.”.

19 (b) SUBSISTENCE ALLOWANCE.—Section 105(b) (42
20 U.S.C. 4955(b)) is amended—

21 (1) in paragraph (3)—

22 (A) by striking subparagraph (A);

23 (B) in subparagraph (B), by striking the
24 subparagraph designation; and

1 (C) by adding at the end the following new
2 sentence: “The Director shall review such ad-
3 justments on an annual basis to ensure that the
4 adjustments are current.”; and
5 (2) by striking paragraph (4).

6 **SEC. 325. PARTICIPATION OF YOUNGER AND OLDER PER-**
7 **SONS.**

8 Section 107 (42 U.S.C. 4957) is amended to read as
9 follows:

10 **“SEC. 107. PARTICIPATION OF YOUNGER AND OLDER PER-**
11 **SONS.**

12 “In carrying out this part and part C, the Director
13 shall take necessary steps, including the development of
14 special projects, where appropriate, to encourage the full-
15 est participation of individuals 18 through 27 years of age,
16 and individuals 55 years of age and older, in the various
17 programs and activities authorized under such parts.”.

18 **SEC. 326. LITERACY ACTIVITIES.**

19 Section 109 (42 U.S.C. 4959) is amended—

20 (1) in subsection (g)—

21 (A) by striking paragraph (1); and

22 (B) by striking the paragraph designation
23 of paragraph (2); and

24 (2) in subsection (h)—

1 (A) in paragraph (1) by striking “para-
2 graphs (2) and (3)” and inserting “paragraph
3 (2)”; and

4 (B) by striking paragraph (3).

5 **SEC. 327. APPLICATIONS FOR ASSISTANCE.**

6 Section 110 (42 U.S.C. 4960) is amended to read as
7 follows:

8 **“SEC. 110. APPLICATIONS FOR ASSISTANCE.**

9 “In reviewing an application for assistance under this
10 part, the Director shall not deny such assistance to any
11 project or program, or any public or private nonprofit or-
12 ganization, solely on the basis of the duration of the assist-
13 ance such project, program, or organization has received
14 under this part prior to the date of submission of the ap-
15 plication. The Director shall grant assistance under this
16 part on the basis of merit and to accomplish the goals
17 of the VISTA program, and shall consider the needs and
18 requirements of projects in existence on such date as well
19 as potential new projects.”.

20 **SEC. 328. REPEAL OF AUTHORITY FOR STUDENT COMMU-
21 NITY SERVICE PROGRAMS.**

22 Part B of title I (42 U.S.C. 4971 et seq.) is amended
23 by repealing section 114 (42 U.S.C. 4974).

1 **SEC. 329. UNIVERSITY YEAR FOR VISTA.**

2 (a) PROGRAM TITLE.—Part B of title I (42 U.S.C.
3 4971 et seq.) is amended—

4 (1) in the part heading to read as follows:

5 “PART B—UNIVERSITY YEAR FOR VISTA”;

6 (2) by striking “University Year for ACTION”
7 each place that such term appears in such part and
8 inserting “University Year for VISTA”;

9 (3) by striking “UYA” each place that such
10 term appears in such part and inserting “UYV”;
11 and

12 (4) in section 112 (42 U.S.C. 4972) by striking
13 the section heading and inserting the following new
14 section heading:

15 “AUTHORITY TO OPERATE UNIVERSITY YEAR FOR VISTA
16 PROGRAM”.

17 (b) SPECIAL CONDITIONS.—Section 113(a) (42
18 U.S.C. 4973(a)) is amended—

19 (1) by striking “of not less than the duration
20 of an academic year” and inserting “of not less than
21 the duration of an academic semester or its equiva-
22 lent”; and

23 (2) by adding at the end the following new sen-
24 tence: “Volunteers may receive a living allowance
25 and such other support or allowances as the Director
26 determines to be appropriate.”.

1 **SEC. 330. AUTHORITY TO ESTABLISH AND OPERATE SPE-**
2 **CIAL VOLUNTEER AND DEMONSTRATION**
3 **PROGRAMS.**

4 Section 122 (42 U.S.C. 4992) is amended to read as
5 follows:

6 **“SEC. 122. AUTHORITY TO ESTABLISH AND OPERATE SPE-**
7 **CIAL VOLUNTEER AND DEMONSTRATION**
8 **PROGRAMS.**

9 “(a) IN GENERAL.—The Director is authorized to
10 conduct special volunteer programs for demonstration pro-
11 grams, or award grants to or enter into contracts with
12 public or nonprofit organizations to carry out such pro-
13 grams. Such programs shall encourage wider volunteer
14 participation on a full-time, part-time, or short-term basis
15 to further the purpose of this part, and identify particular
16 segments of the poverty community that could benefit
17 from volunteer and other antipoverty efforts.

18 “(b) ASSIGNMENT AND SUPPORT OF VOLUNTEERS.—
19 The assignment of volunteers under this section, and the
20 provision of support for such volunteers, including any
21 subsistence allowances and stipends, shall be on such
22 terms and conditions as the Director shall determine to
23 be appropriate, but shall not exceed the level of support
24 provided under section 105. Projects using volunteers who
25 do not receive stipends may also be supported under this
26 section.

1 “(c) CRITERIA AND PRIORITIES.—In carrying out
2 this section and section 123, the Director shall establish
3 criteria and priorities for awarding grants and entering
4 into contracts under this part in each fiscal year. No grant
5 or contract exceeding \$100,000 shall be made under this
6 part unless the recipient of the grant or contractor has
7 been selected by a competitive process that includes public
8 announcement of the availability of funds for such grant
9 or contract, general criteria for the selection of recipients
10 or contractors, and a description of the application process
11 and application review process.”.

12 **SEC. 331. TECHNICAL AND FINANCIAL ASSISTANCE.**

13 Section 123 (42 U.S.C. 4993) is amended to read as
14 follows:

15 **“SEC. 123. TECHNICAL AND FINANCIAL ASSISTANCE.**

16 “The Director may provide technical and financial as-
17 sistance to Federal agencies, State and local governments
18 and agencies, private nonprofit organizations, employers,
19 and other private organizations that utilize or desire to
20 utilize volunteers in carrying out the purpose of this
21 part.”.

22 **SEC. 332. ELIMINATION OF SEPARATE AUTHORITY FOR**
23 **DRUG ABUSE PROGRAMS.**

24 Section 124 (42 U.S.C. 4994) is repealed.

1 **CHAPTER 2—NATIONAL SENIOR**
2 **VOLUNTEER CORPS**

3 **SEC. 341. NATIONAL SENIOR VOLUNTEER CORPS.**

4 (a) TITLE HEADING.—The heading for title II is
5 amended to read as follows:

6 “TITLE II—NATIONAL SENIOR VOLUNTEER
7 CORPS”.

8 (b) REFERENCES.—

9 (1) Section 200(1) (42 U.S.C. 5000(1)) is
10 amended by striking “Older American Volunteer
11 Programs” and inserting “National Senior Volunteer
12 Corps”.

13 (2) The heading for section 221 (42 U.S.C.
14 5021) is amended by striking “OLDER AMERICAN
15 VOLUNTEER PROGRAMS” and inserting “NATIONAL
16 SENIOR VOLUNTEER CORPS”.

17 (3) Section 224 (42 U.S.C. 5024) is amended—

18 (A) in the section heading by striking
19 “OLDER AMERICAN VOLUNTEER PROGRAMS”
20 and inserting “NATIONAL SENIOR VOLUNTEER
21 CORPS”; and

22 (B) by striking “volunteer projects for
23 Older Americans” and inserting “National Sen-
24 ior Volunteer Corps projects”.

1 (4) Section 205(c) of the Older Americans
2 Amendments of 1975 (Public Law 94-135; 89 Stat.
3 727; 42 U.S.C. 5001 note) is amended by striking
4 “national older American volunteer programs” each
5 place the term appears and inserting “National Sen-
6 ior Volunteer Corps programs”.

7 **SEC. 342. THE RETIRED AND SENIOR VOLUNTEER PRO-**
8 **GRAM.**

9 (a) PART HEADING.—The heading for part A of title
10 II is amended by striking “RETIRED SENIOR VOLUNTEER
11 PROGRAM” and inserting “RETIRED AND SENIOR VOLUN-
12 TEER PROGRAM”.

13 (b) REFERENCES.—Section 200 (42 U.S.C. 5000) is
14 amended by striking “retired senior volunteer program”
15 each place that such term appears in such section and the
16 Act and inserting “Retired and Senior Volunteer Pro-
17 gram”.

18 **SEC. 343. OPERATION OF THE RETIRED AND SENIOR VOL-**
19 **UNTEER PROGRAM.**

20 Section 201(a) (42 U.S.C. 5001(a)) is amended—

21 (1) in the matter preceding paragraph (1) by
22 striking “retired persons” and inserting “retired in-
23 dividuals and working older individuals”; and

24 (2) in paragraph (2)—

1 (A) by striking “aged sixty or over” and
2 inserting “55 years of age or older”; and

3 (B) by inserting “, and individuals 60
4 years of age or older will be given priority for
5 enrollment,” after “enrolled”.

6 **SEC. 344. SERVICES UNDER THE FOSTER GRANDPARENT**
7 **PROGRAM.**

8 Section 211(a) (42 U.S.C. 5011(a)) is amended by
9 striking “, including services” and all that follows through
10 “with special needs.” and inserting a period and the fol-
11 lowing: “Such services may include services by individuals
12 serving as foster grandparents to children with disabilities
13 and chronic health conditions and to children who are re-
14 ceiving care in hospitals, who are residing in homes for
15 dependent and neglected children, or who are receiving
16 services provided by day care centers, schools, Head Start
17 agencies, early intervention programs, family support pro-
18 grams, or other programs, establishments, or institutions
19 providing services for children with special or exceptional
20 needs. Individual foster grandparents may provide person-
21 to-person services to one or more children, depending on
22 the need for such services.”.

23 **SEC. 345. STIPENDS FOR LOW-INCOME VOLUNTEERS.**

24 Section 211(d) (42 U.S.C. 5011(d)) is amended—

1 (1) in the second sentence by striking “Any sti-
2 pend or allowance provided under this subsection
3 shall not be less than \$2.20 per hour until October
4 1, 1990, \$2.35 per hour during fiscal year 1991,
5 and \$2.50 per hour on and after October 1, 1992,”
6 and inserting “Any stipend or allowance provided
7 under this section shall not be less than \$2.45 per
8 hour on and after October 1, 1993, and shall be ad-
9 justed once prior to December 31, 1997, to account
10 for inflation, as determined by the Director and
11 rounded to the nearest five cents,”; and

12 (2) by adding at the end the following:
13 “In establishing the amount of, and the effective date for,
14 such adjustment, the Director, in consultation with the
15 State commissions (as defined in section 178 of the Na-
16 tional and Community Service Act of 1990) and the heads
17 of the State offices established under section 195 of such
18 Act, shall consider the effect such adjustment will have
19 on the ability of non-Federally funded volunteer programs
20 similar to the programs under this title to maintain their
21 current level of volunteer hours.”.

22 **SEC. 346. CONDITIONS OF GRANTS AND CONTRACTS.**

23 Section 212(a) (42 U.S.C. 5012(a)) is amended—

24 (1) by striking paragraph (1), and

25 (2) in paragraph (2)—

1 (A) by striking “(2)(A)” and inserting
2 “(1)”,

3 (B) in paragraph (1), as so redesignated—

4 (i) by redesignating clauses (i) and
5 (ii) as subparagraphs (A) and (B), respec-
6 tively; and

7 (ii) by redesignating subclauses (I)
8 and (II) as clauses (i) and (ii), respec-
9 tively; and

10 (C) by striking “(B)” and inserting “(2)”.

11 **SEC. 347. AGREEMENTS WITH OTHER FEDERAL AGENCIES.**

12 (a) PROMOTION.—Section 221(a) (42 U.S.C.
13 5021(a)) is amended—

14 (1) by striking “(a)” and inserting “(a)(1)”;
15 and

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

17 “(2) To the maximum extent practicable, the Direc-
18 tor shall enter into agreements with—

19 “(A) the Department of Health and Human
20 Services to—

21 “(i) involve retired and senior volunteers,
22 and foster grandparents, in Head Start pro-
23 grams;

24 “(ii) involve retired and senior volunteers,
25 and senior companions, in providing services

1 authorized by title III of the Older Americans
2 Act of 1965; and

3 “(iii) promote the recognition of such vol-
4 unteers who are qualified to provide in-home
5 services for reimbursement under title XVIII of
6 the Social Security Act for providing such serv-
7 ices;

8 “(B) the Department of Education to promote
9 intergenerational tutoring and mentoring for at-risk
10 children; and

11 “(C) the Environmental Protection Agency to
12 support conservation efforts.”.

13 (b) MINIMUM EXPENDITURE.—Section 221(b)(3) (42
14 U.S.C. 5021(b)(3)) is amended by striking “\$250,000”
15 and inserting “\$500,000”.

16 **SEC. 348. MINORITY GROUP PARTICIPATION.**

17 Section 223 (42 U.S.C. 5023) is amended by adding
18 at the end the following:

19 “Such efforts shall include using methods appropriate to
20 communicate with individuals who have limited English
21 proficiency.”.

22 **SEC. 349. PROGRAMS OF NATIONAL SIGNIFICANCE.**

23 Section 225 (42 U.S.C. 5025) is amended—

1 (1) in subsection (a)(2)(B) by striking “para-
2 graph (10)” and inserting “paragraphs (10), (12),
3 (15), and (16)”;

4 (2) in subsection (b), by adding at the end the
5 following new paragraphs:

6 “(12) Programs that address environmental
7 needs.

8 “(13) Programs that reach out to organizations
9 (such as labor unions and profit-making organiza-
10 tions) not previously involved in addressing national
11 problems of local concern.

12 “(14) Programs that provide for outreach to in-
13 crease participation of members of ethnic groups
14 who have limited English proficiency.

15 “(15) Programs that support criminal justice
16 activities and juvenile justice activities.

17 “(16) Programs that involve older volunteers
18 working with young people in apprenticeship pro-
19 grams.

20 “(17) Programs that support the community in-
21 tegration of individuals with disabilities.

22 “(18) Programs that provide health, education,
23 and welfare services that augment the activities of
24 State and local agencies, to be carried out in a fiscal
25 year for which the aggregate amount of funds avail-

1 able to such agencies is not less than the annual av-
2 erage aggregate amount of funds available to such
3 agencies for the period of 3 fiscal years preceding
4 such fiscal year.”;

5 (3) in subsection (c)(1), by striking “under this
6 title”; and

7 (4) in subsection (d), by striking paragraph (1)
8 and inserting the following new paragraph:

9 “(1) Except as provided in paragraph (2), from the
10 amounts appropriated under subsection (a), (b), (c), or (d)
11 of section 502, for each fiscal year there shall be available
12 to the Director such sums as may be necessary to make
13 grants under subsection (a).”.

14 **SEC. 350. DEMONSTRATION PROGRAMS.**

15 Title II is amended by adding at the end the follow-
16 ing:

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 private agencies and organizations, including orga-
22 nizations funded under part A, B, or C, for the purposes
23 of demonstrating innovative activities involving older indi-
24 viduals as volunteers. The Director may support under

1 this part both volunteers receiving stipends and volunteers
2 not receiving stipends.

3 “(b) ACTIVITIES.—An organization that receives a
4 grant or enters into a contract under subsection (a) may
5 use funds made available through the grant or contract
6 for activities such as—

7 “(1) linking youth groups, and organizations
8 whose members are older individuals, in volunteer
9 activities;

10 “(2) involving older volunteers in programs and
11 activities different from those currently supported in
12 the community; and

13 “(3) testing whether programs for older volun-
14 teers may contribute to achieving new objectives or
15 to carrying out certain national priorities.”.

16 **CHAPTER 3—ADMINISTRATION**

17 **SEC. 361. PURPOSE OF AGENCY.**

18 Section 401 (42 U.S.C. 5041) is amended—

19 (1) by inserting after the first sentence the fol-
20 lowing: “This Agency shall also promote the coordi-
21 nation of volunteer efforts among Federal, State,
22 and local agencies and organizations, exchange tech-
23 nical assistance information among them, and pro-
24 vide technical assistance to other nations concerning

1 domestic volunteer programs within their coun-
2 tries.”; and

3 (2) by striking “Older American Volunteer Pro-
4 grams” each place the term appears and inserting
5 “National Senior Volunteer Corps”.

6 **SEC. 362. AUTHORITY OF THE DIRECTOR.**

7 Section 402 (42 U.S.C. 5042) is amended in para-
8 graphs (5) and (6) by inserting “solicit and” before “ac-
9 cept” in each such paragraph.

10 **SEC. 362A. POLITICAL ACTIVITIES.**

11 Section 403 (42 U.S.C. 5043) is amended—

12 (1) by redesignating subsections (b)(2) and (c)
13 as subsections (c) and (d), respectively;

14 (2) in subsection (c), as so redesignated, by re-
15 designating subparagraphs (A) and (B) as para-
16 graphs (1) and (2), respectively; and

17 (3) by striking subsection (b)(1) and inserting
18 the following:

19 “(b)(1) Programs assisted under this Act shall not
20 be carried on in a manner involving the use of funds, the
21 provision of services, or the employment or assignment of
22 personnel in a manner supporting or resulting in the iden-
23 tification of such programs with—

24 “(A) any partisan or nonpartisan political activ-
25 ity associated with a candidate, or a contending fac-

1 tion or group, in an election for public or party of-
2 fice;

3 “(B) any activity to provide voters or prospec-
4 tive voters with transportation to the polls or similar
5 assistance in connection with any such election; or

6 “(C) any voter registration activity;

7 except that programs assisted under this Act may make
8 voter registration applications and nonpartisan voter reg-
9 istration information available to the public on the prem-
10 ises of such programs.

11 “(2) In carrying out any voter registration activity
12 permitted under paragraph (1), an individual who is affili-
13 ated with, or employed to carry out, a program assisted
14 under this Act shall not—

15 “(A) indicate a preference with respect to any
16 candidate, political party, or election issue; or

17 “(B) seek to influence the political or party af-
18 filiation, or voting decision, of any individual.”.

19 **SEC. 363. COMPENSATION FOR VOLUNTEERS.**

20 Section 404 (42 U.S.C. 5044) is amended—

21 (1) in subsection (c), by inserting “from such
22 volunteers or from beneficiaries” after “compensa-
23 tion”;

24 (2) by striking subsection (f); and

1 (3) by redesignating subsection (g) as sub-
2 section (f).

3 **SEC. 364. REPEAL OF REPORT.**

4 Section 407 (42 U.S.C. 5047) is repealed.

5 **SEC. 365. APPLICATION OF FEDERAL LAW.**

6 Section 415(b)(4)(A) (42 U.S.C. 5055(b)(4)(A)) is
7 amended by striking “a grade GS–7 employee” and insert-
8 ing “an employee at grade GS–5 of the General Schedule
9 under section 5332 of title 5, United States Code”.

10 **SEC. 366. NONDISCRIMINATION PROVISIONS.**

11 Section 417 (42 U.S.C. 5057) is amended to read as
12 follows:

13 **“SEC. 417. NONDISCRIMINATION PROVISIONS.**

14 “(a) IN GENERAL.—

15 “(1) BASIS.—An individual with responsibility
16 for the operation of a program that receives assist-
17 ance under this Act shall not discriminate against a
18 participant in, or member of the staff of, such pro-
19 gram on the basis of race, color, national origin, sex,
20 age, or political affiliation of such participant or
21 member, or on the basis of disability, if the partici-
22 pant or member is a qualified individual with a dis-
23 ability.

24 “(2) DEFINITION.—As used in paragraph (1),
25 the term ‘qualified individual with a disability’ has

1 the meaning given the term in section 101(8) of the
2 Americans with Disabilities Act of 1990 (42 U.S.C.
3 12111(8)).

4 “(b) FEDERAL FINANCIAL ASSISTANCE.—Any assist-
5 ance provided under this Act shall constitute Federal fi-
6 nancial assistance for purposes of title VI of the Civil
7 Rights Act of 1964 (42 U.S.C. 2000d et seq.), title IX
8 of the Education Amendments of 1972 (20 U.S.C. 1681
9 et seq.), section 504 of the Rehabilitation Act of 1973 (29
10 U.S.C. 794), and the Age Discrimination Act of 1975 (42
11 U.S.C. 6101 et seq.).

12 “(c) RELIGIOUS DISCRIMINATION.—

13 “(1) IN GENERAL.—Except as provided in para-
14 graph (2), an individual with responsibility for the
15 operation of a program that receives assistance
16 under this Act shall not discriminate on the basis of
17 religion against a participant in such program or a
18 member of the staff of such program who is paid
19 with funds received under this Act.

20 “(2) EXCEPTION.—Paragraph (1) shall not
21 apply to the employment, with assistance provided
22 under this Act, of any member of the staff, of a pro-
23 gram that receives assistance under this Act, who
24 was employed with the organization operating the

1 program on the date the grant under this Act was
2 awarded.

3 “(d) RULES AND REGULATIONS.—The Director shall
4 promulgate rules and regulations to provide for the en-
5 forcement of this section that shall include provisions for
6 summary suspension of assistance for not more than 30
7 days, on an emergency basis, until notice and an oppor-
8 tunity to be heard can be provided.”.

9 **SEC. 367. ELIMINATION OF SEPARATE REQUIREMENTS FOR**
10 **SETTING REGULATIONS.**

11 Section 420 (42 U.S.C. 5060) is repealed.

12 **SEC. 368. CLARIFICATION OF ROLE OF INSPECTOR GEN-**
13 **ERAL.**

14 Section 422 (42 U.S.C. 5062) is amended—

15 (1) in subsection (a), by inserting “or the In-
16 spector General” after “Director”; and

17 (2) in subsection (b), by inserting “, the Inspec-
18 tor General,” after “Director” each place that such
19 term appears.

20 **SEC. 369. COPYRIGHT PROTECTION.**

21 Title IV is amended by adding at the end, the follow-
22 ing new section:

23 **“SEC. 425. PROTECTION AGAINST IMPROPER USE.**

24 “Whoever falsely—

25 “(1) advertises or represents; or

1 “(2) publishes or displays any sign, symbol, or
2 advertisement, reasonably calculated to convey the
3 impression,
4 that an entity is affiliated with, funded by, or operating
5 under the authority of ACTION, VISTA, or any of the
6 programs of the National Senior Volunteer Corps may be
7 enjoined under an action filed by the Attorney General,
8 on a complaint by the Director.”.

9 **SEC. 372. DEPOSIT REQUIREMENT CREDIT FOR SERVICE AS**
10 **A VOLUNTEER.**

11 (a) CIVIL SERVICE RETIREMENT SYSTEM.—

12 (1) CREDITABLE SERVICE.—Section 8332(j) of
13 title 5, United States Code, is amended—

14 (A) in paragraph (1)—

15 (i) in the first sentence, by inserting
16 “the period of an individual’s service as a
17 full-time volunteer enrolled in a program of
18 at least 1 year’s duration under part A, B,
19 or C of title I of the Domestic Volunteer
20 Service Act of 1973,” after “Economic Op-
21 portunity Act of 1964,”;

22 (ii) in the second sentence, by insert-
23 ing “, as a full-time volunteer enrolled in
24 a program of at least 1 year’s duration
25 under part A, B, or C of title I of the Do-

1 mestic Volunteer Service Act of 1973,”
2 after “Economic Opportunity Act of
3 1964”; and

4 (iii) in the last sentence—

5 (I) by inserting “or under part
6 A, B, or C of title I of the Domestic
7 Volunteer Service Act of 1973” after
8 “Economic Opportunity Act of 1964”;
9 and

10 (II) by inserting “or the Chair-
11 person of the Corporation for Na-
12 tional Service, as appropriate,” after
13 “Director of the Office of Economic
14 Opportunity”; and

15 (B) by adding at the end the following new
16 paragraph:

17 “(3) The provisions of paragraph (1) relating to cred-
18 it for service as a volunteer or volunteer leader under the
19 Economic Opportunity Act of 1964, part A, B, or C of
20 title I of the Domestic Volunteer Service Act of 1973, or
21 the Peace Corps Act shall not apply to any period of serv-
22 ice as a volunteer or volunteer leader of an employee or
23 Member with respect to which the employee or Member
24 has made the deposit with interest, if any, required by sec-
25 tion 8334(l).”.

1 (2) DEDUCTIONS, CONTRIBUTIONS, AND DEPOS-
2 ITS.—

3 (A) IN GENERAL.—Section 8334 of title 5,
4 United States Code, is amended by adding at
5 the end the following new subsection:

6 “(1)(1) Each employee or Member who has performed
7 service as a volunteer or volunteer leader under part A
8 of title VIII of the Economic Opportunity Act of 1964,
9 as a full-time volunteer enrolled in a program of at least
10 1 year’s duration under part A, B, or C of title I of the
11 Domestic Volunteer Service Act of 1973, or as a volunteer
12 or volunteer leader under the Peace Corps Act before the
13 date of the separation on which the entitlement to any
14 annuity under this subchapter is based may pay, in ac-
15 cordance with such regulations as the Office of Personnel
16 Management shall issue, an amount equal to 7 percent
17 of the readjustment allowance paid to the employee or
18 Member under title VIII of the Economic Opportunity Act
19 of 1964 or section 5(c) or 6(1) of the Peace Corps Act
20 or the stipend paid to the employee or Member under part
21 A, B, or C of title I of the Domestic Volunteer Service
22 Act of 1973, for each period of service as such a volunteer
23 or volunteer leader.

24 “(2) Any deposit made under paragraph (1) more
25 than 2 years after the later of—

1 “(A) October 1, 1993; or

2 “(B) the date on which the employee or Mem-
3 ber making the deposit first becomes an employee or
4 Member,

5 shall include interest on such amount computed and
6 compounded annually beginning on the date of the expira-
7 tion of the 2-year period. The interest rate that is applica-
8 ble in computing interest in any year under this paragraph
9 shall be equal to the interest rate that is applicable for
10 such year under subsection (e).

11 “(3) The Director of the Peace Corps and the Chair-
12 person of the Corporation for National Service shall fur-
13 nish such information to the Office of Personnel Manage-
14 ment as the Office may determine to be necessary for the
15 administration of this subsection.”.

16 (B) CONFORMING AMENDMENT.—Section
17 8334(e) of title 5, United States Code, is
18 amended in paragraphs (1) and (2) by striking
19 “or (k)” each place that such term appears and
20 inserting “(k), or (l)”.

21 (b) FEDERAL EMPLOYEES’ RETIREMENT SYSTEM.—

22 (1) CREDITABLE SERVICE.—Section 8411 of
23 title 5, United States Code, is amended—

1 (A) in subsection (b)(3), by striking “sub-
2 section (f)” and inserting “subsection (f) or
3 (h)”; and

4 (B) by adding at the end the following new
5 subsection:

6 “(h) An employee or Member shall be allowed credit
7 for service as a volunteer or volunteer leader under part
8 A of title VIII of the Economic Opportunity Act of 1964,
9 as a full-time volunteer enrolled in a program of at least
10 1 year’s duration under part A, B, or C of title I of the
11 Domestic Volunteer Service Act of 1973, or as a volunteer
12 or volunteer leader under the Peace Corps Act performed
13 at any time prior to the separation on which the entitle-
14 ment to any annuity under this subchapter is based if the
15 employee or Member has made a deposit with interest, if
16 any, with respect to such service under section 8422(f).”.

17 (2) DEDUCTIONS, CONTRIBUTIONS.—Section
18 8422 of title 5, United States Code, is amended by
19 adding at the end the following new subsection:

20 “(f)(1) Each employee or Member who has performed
21 service as a volunteer or volunteer leader under part A
22 of title VIII of the Economic Opportunity Act of 1964,
23 as a full-time volunteer enrolled in a program of at least
24 1 year’s duration under part A, B, or C of title I of the
25 Domestic Volunteer Service Act of 1973, or as a volunteer

1 or volunteer leader under the Peace Corps Act before the
2 date of the separation on which the entitlement to any
3 annuity under this subchapter, or subchapter V of this
4 chapter, is based may pay, in accordance with such regula-
5 tions as the Office of Personnel Management shall issue,
6 an amount equal to 3 percent of the readjustment allow-
7 ance paid to the employee or Member under title VIII of
8 the Economic Opportunity Service Act of 1964 or section
9 5(c) or 6(1) of the Peace Corps Act or the stipend paid
10 to the employee or Member under part A, B, or C of title
11 I of the Domestic Volunteer Service Act of 1973, for each
12 period of service as such a volunteer or volunteer leader.

13 “(2) Any deposit made under paragraph (1) more
14 than 2 years after the later of—

15 “(A) October 1, 1993, or

16 “(B) the date on which the employee or Mem-
17 ber making the deposit first becomes an employee or
18 Member,

19 shall include interest on such amount computed and
20 compounded annually beginning on the date of the expira-
21 tion of the 2-year period. The interest rate that is applica-
22 ble in computing interest in any year under this paragraph
23 shall be equal to the interest rate that is applicable for
24 such year under section 8334(e).

1 “(3) The Director of the Peace Corps and the Chair-
2 person of the Corporation for National Service shall fur-
3 nish such information to the Office of Personnel Manage-
4 ment as the Office may determine to be necessary for the
5 administration of this subsection.”.

6 (c) APPLICABILITY AND OTHER PROVISIONS.—

7 (1) APPLICABILITY.—

8 (A) AMENDMENTS RELATING TO CSRS.—

9 (i) IN GENERAL.—The amendments
10 made by subsection (a) shall apply with re-
11 spect to any individual entitled to an annu-
12 ity on the basis of a separation from serv-
13 ice occurring on or after the effective date
14 of this subtitle.

15 (ii) RULES RELATING TO ANNUITIES
16 BASED ON EARLIER SEPARATIONS.—An
17 annuity under subchapter III of chapter 83
18 of title 5, United States Code, payable to
19 an individual based on a separation from
20 service occurring before the effective date
21 of this subtitle shall be subject to the pro-
22 visions of paragraph (2).

23 (B) AMENDMENTS RELATING TO FERS.—

24 (i) IN GENERAL.—The amendments
25 made by subsection (b) shall apply with re-

1 spect to any individual entitled to an annu-
2 ity on the basis of a separation from serv-
3 ice occurring before, on, or after the effec-
4 tive date of this subtitle, subject to clause
5 (ii).

6 (ii) RULE RELATING TO ANNUITIES
7 BASED ON EARLIER SEPARATIONS.—In the
8 case of any individual whose entitlement to
9 an annuity is based on a separation from
10 service occurring before the effective date
11 of this subtitle, any increase in such indi-
12 vidual’s annuity on the basis of a deposit
13 made under section 8442(f) of title 5,
14 United States Code, as amended by sub-
15 section (b)(2), shall be effective beginning
16 with the annuity payment payable for the
17 first calendar month beginning after the
18 effective date of this subtitle.

19 (2) SPECIAL RULES.—

20 (A) OLD-AGE OR SURVIVORS INSURANCE
21 BENEFITS.—Subject to subparagraph (B), in
22 any case in which an individual described in
23 paragraph (1)(A)(ii) is also entitled to old-age
24 or survivors insurance benefits under section
25 202 of the Social Security Act (or would be en-

1 titled to such benefits upon filing an application
2 therefor), the amount of the annuity to which
3 such individual is entitled under subchapter III
4 of chapter 83 of title 5, United States Code
5 (after taking into account any creditable service
6 as a volunteer or volunteer leader under the
7 Economic Opportunity Act of 1964, the Domes-
8 tic Volunteer Service Act of 1973, or the Peace
9 Corps Act) which is payable for any month
10 shall be reduced by an amount determined by
11 multiplying the amount of such old-age or sur-
12 vivors insurance benefit for the determination
13 month by a fraction—

14 (i) the numerator of which is the total
15 of the wages (within the meaning of sec-
16 tion 209 of the Social Security Act) for
17 service as a volunteer or volunteer leader
18 under the Economic Opportunity Act of
19 1964, the Domestic Volunteer Service Act
20 of 1973, or the Peace Corps Act of such
21 individual credited for years before the cal-
22 endar year in which the determination
23 month occurs, up to the contribution and
24 benefit base determined under section 230
25 of the Social Security Act (or other appli-

1 cable maximum annual amount referred to
2 in section 215(e)(1) of such Act for each
3 such year); and

4 (ii) the denominator of which is the
5 total of all wages described in clause (i),
6 plus all other wages (within the meaning of
7 section 209 of such Act) and all self-em-
8 ployment income (within the meaning of
9 section 211(b) of such Act) of such individ-
10 ual credited for years after 1936 and be-
11 fore the calendar year in which the deter-
12 mination month occurs, up to the contribu-
13 tion and benefit base (or such other
14 amount referred to in section 215(e)(1) of
15 such Act for each such year.

16 (B) LIMITATIONS.—

17 (i) Subparagraph (A) shall not reduce
18 the annuity of an individual below the
19 amount of the annuity which would be pay-
20 able to the individual for the determination
21 month if the provisions of section 8332(j)
22 of title 5, United States Code, relating to
23 service as a volunteer or volunteer leader,
24 applied to the individual for such month.

1 (ii) Subparagraph (A) shall not apply
2 in the case of an individual who, prior to
3 the date of enactment of this Act, made a
4 deposit for under section 8334(c) of title 5,
5 United States Code, with respect to service
6 as a volunteer or volunteer leader (as de-
7 scribed in subparagraph (A)).

8 (iii) DETERMINATION MONTH.—For
9 purposes of this paragraph, the term “de-
10 termination month” means—

11 (I) the first month the individual
12 described in paragraph (1)(A)(ii) is
13 entitled to old-age or survivors bene-
14 fits under section 202 of the Social
15 Security Act (or would be entitled to
16 such benefits upon filing an applica-
17 tion therefor); or

18 (II) the first calendar month be-
19 ginning after the date of enactment of
20 this Act, in the case of any individual
21 entitled to such benefits for such
22 month.

23 (iv) RULE RELATING TO ANNUITIES
24 BASED ON EARLIER SEPARATIONS.—Any
25 increase in an annuity which occurs by vir-

1 tue of the enactment of this paragraph
2 shall be effective beginning with the annu-
3 ity payment payable for the first calendar
4 month beginning after the effective date of
5 this subtitle.

6 (3) FURNISHING OF INFORMATION.—The Sec-
7 retary of Health and Human Services shall furnish
8 such information to the Office of Personnel Manage-
9 ment as may be necessary to carry out this sub-
10 section.

11 (4) ACTION TO INFORM INDIVIDUALS.—The Di-
12 rector of the Office of Personnel Management shall
13 take such action as may be necessary and appro-
14 priate to inform individuals entitled to credit under
15 this section for service as a volunteer or volunteer
16 leader, or to have any annuity recomputed, or to
17 make a deposit under this section, of such entitle-
18 ment.

19 **CHAPTER 4—AUTHORIZATION OF APPRO-**
20 **PRIATIONS AND OTHER AMENDMENTS**

21 **SEC. 381. AUTHORIZATION OF APPROPRIATIONS FOR**

22 **TITLE I.**

23 Section 501 (42 U.S.C. 5081) is amended to read as
24 follows:

1 **“SEC. 501. NATIONAL VOLUNTEER ANTIPOVERTY PRO-**
2 **GRAMS.**

3 “(a) AUTHORIZATIONS.—

4 “(1) VOLUNTEERS IN SERVICE TO AMERICA.—

5 There are authorized to be appropriated to carry out
6 parts A and B of title I, excluding section 109,
7 \$56,000,000 for fiscal year 1994, and such sums as
8 may be necessary for each of the fiscal years 1995
9 through 1996.

10 “(2) LITERACY ACTIVITIES.—There are author-
11 ized to be appropriated to carry out section 109,
12 such sums as may be necessary for each of the fiscal
13 years 1994 through 1996.

14 “(3) SPECIAL VOLUNTEER PROGRAMS.—There
15 are authorized to be appropriated to carry out part
16 C of title I, excluding section 125, such sums as may
17 be necessary for each of the fiscal years 1994
18 through 1996.

19 “(4) LITERACY CHALLENGE GRANTS.—There
20 are authorized to be appropriated to carry out sec-
21 tion 125, such sums as may be necessary for each
22 of the fiscal years 1994 through 1996.

23 “(5) SPECIFICATION OF BUDGET FUNCTION.—
24 The authorizations of appropriations contained in
25 this subsection shall be considered to be a compo-
26 nent of budget function 500 as used by the Office

1 of Management and Budget to cover education,
2 training, employment and social services, and, as
3 such, shall be considered as related to the programs
4 of the Departments of Labor, Health and Human
5 Services, and Education for budgetary purposes.

6 “(b) SUBSISTENCE.—The minimum level of an allow-
7 ance for subsistence required under section 105(b)(2), to
8 be provided to each volunteer under title I, may not be
9 reduced or limited in order to provide for an increase in
10 the number of volunteer service years under part A of title
11 I.

12 “(c) LIMITATION.—No part of the funds appro-
13 priated to carry out part A of title I may be used to pro-
14 vide volunteers or assistance to any program or project
15 authorized under part B or C of title I, or under title II,
16 unless the program or project meets the antipoverty cri-
17 teria of part A of title I.

18 “(d) AVAILABILITY.—Amounts appropriated for part
19 A of title I shall remain available for obligation until the
20 end of the fiscal year following the fiscal year for which
21 the amounts were appropriated.

22 “(e) VOLUNTEER SERVICE REQUIREMENT.—

23 “(1) VOLUNTEER SERVICE YEARS.—Of the
24 amounts appropriated under this section for parts A,
25 B, and C of title I, including section 125, there shall

1 first be available for part A of title I, including sec-
2 tions 104(e) and 109, an amount not less than the
3 amount necessary to provide 3,700 volunteer service
4 years in fiscal year 1994, 4,000 volunteer service
5 years in fiscal year 1995, and 4,500 volunteer serv-
6 ice years in fiscal year 1996.

7 “(2) PLAN.—If the Director determines that
8 funds appropriated to carry out part A, B, and C of
9 title I are insufficient to provide for the years of vol-
10 unteer service required by paragraph (1), the Direc-
11 tor shall submit a plan to the relevant authorizing
12 and appropriations committees of Congress that will
13 detail what is necessary to fully meet this require-
14 ment.”.

15 **SEC. 382. AUTHORIZATION OF APPROPRIATIONS FOR**
16 **TITLE II.**

17 Section 502 (42 U.S.C. 5082) is amended to read as
18 follows:

19 **“SEC. 502. NATIONAL SENIOR VOLUNTEER CORPS.**

20 “(a) RETIRED AND SENIOR VOLUNTEER PRO-
21 GRAM.—There are authorized to be appropriated to carry
22 out part A of title II, \$53,100,000 for fiscal year 1994,
23 and such sums as may be necessary for each of the fiscal
24 years 1995 through 1996.

1 “(b) FOSTER GRANDPARENT PROGRAM.—There are
2 authorized to be appropriated to carry out part B of title
3 II, \$98,200,000 for fiscal year 1994, and such sums as
4 may be necessary for each of the fiscal years 1995 through
5 1996.

6 “(c) SENIOR COMPANION PROGRAM.—There are au-
7 thorized to be appropriated to carry out part C of title
8 II, \$48,700,000 for fiscal year 1994, and such sums as
9 may be necessary for each of the fiscal years 1995 through
10 1996.

11 “(d) DEMONSTRATION PROGRAMS.—There are au-
12 thorized to be appropriated to carry out part E of title
13 II, such sums as may be necessary for each of the fiscal
14 years 1994 through 1996.”.

15 **SEC. 383. AUTHORIZATION OF APPROPRIATIONS FOR**
16 **TITLE IV.**

17 Section 504 (42 U.S.C. 5084) is amended to read as
18 follows:

19 **“SEC. 504. ADMINISTRATION AND COORDINATION.**

20 “(a) IN GENERAL.—For each of the fiscal years 1994
21 through 1996, there are authorized to be appropriated for
22 the administration of this Act as provided for in title IV,
23 21 percent of the total amount appropriated under sec-
24 tions 501 and 502 with respect to such year.

1 “(b) EVALUATION.—For each of the fiscal years
2 1994 through 1996, the Director is authorized to expend
3 not less than 2½ percent, and not more than 5 percent,
4 of the amount appropriated under subsection (a), for the
5 purposes prescribed in section 416.”.

6 **SEC. 384. CONFORMING AMENDMENTS; COMPENSATION**
7 **FOR VISTA FECA CLAIMANTS.**

8 Section 8143(b) of title 5, United States Code, is
9 amended by striking “GS-7” and inserting “GS-5 of the
10 General Schedule under section 5332 of title 5, United
11 States Code”.

12 **SEC. 385. REPEAL OF AUTHORITY.**

13 Title VII (42 U.S.C. 5091 et seq.) is repealed.

14 **CHAPTER 5—GENERAL PROVISIONS**

15 **SEC. 391. TECHNICAL AND CONFORMING AMENDMENTS.**

16 The Domestic Volunteer Service Act of 1973 (42
17 U.S.C. 4950 et seq.) is amended by striking “That this
18 Act” and all that follows through the end of the table of
19 contents and inserting the following:

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

21 “(a) SHORT TITLE.—This Act may be cited as the
22 ‘Domestic Volunteer Service Act of 1973’.

23 “(b) TABLE OF CONTENTS.—The table of contents
24 is as follows:

“Sec. 1. Short title; table of contents.

“Sec. 2. Volunteerism policy.

“TITLE I—NATIONAL VOLUNTEER ANTIPOVERTY PROGRAMS

“PART A—VOLUNTEERS IN SERVICE TO AMERICA

- “Sec. 101. Statement of purpose.
- “Sec. 102. Authority to operate VISTA program.
- “Sec. 103. Selection and assignment of volunteers.
- “Sec. 104. Terms and periods of service.
- “Sec. 105. Support service.
- “Sec. 106. Participation of beneficiaries.
- “Sec. 107. Participation of younger and older persons.
- “Sec. 108. Limitation.
- “Sec. 109. VISTA Literacy Corps.
- “Sec. 110. Applications for assistance.

“PART B—UNIVERSITY YEAR FOR VISTA

- “Sec. 111. Statement of purpose.
- “Sec. 112. Authority to operate University Year for VISTA program.
- “Sec. 113. Special conditions.

“PART C—SPECIAL VOLUNTEER PROGRAMS

- “Sec. 121. Statement of purpose.
- “Sec. 122. Authority to establish and operate special volunteer and demonstration programs.
- “Sec. 123. Technical and financial assistance for improvement of volunteer programs.
- “Sec. 125. Literacy challenge grants.

“TITLE II—NATIONAL SENIOR VOLUNTEER CORPS

- “Sec. 200. Statement of purposes.

“PART A—RETIRED AND SENIOR VOLUNTEER PROGRAM

- “Sec. 201. Grants and contracts for volunteer service projects.

“PART B—FOSTER GRANDPARENT PROGRAM

- “Sec. 211. Grants and contracts for volunteer service projects.
- “Sec. 212. Conditions of grants and contracts.

“PART C—SENIOR COMPANION PROGRAM

- “Sec. 213. Grants and contracts for volunteer service projects.

“PART D—GENERAL PROVISIONS

- “Sec. 221. Promotion of National Senior Volunteer Corps.
- “Sec. 222. Payments.
- “Sec. 223. Minority group participation.
- “Sec. 224. Use of locally generated contributions in National Senior Volunteer Corps.
- “Sec. 225. Programs of national significance.
- “Sec. 226. Adjustments to Federal financial assistance.
- “Sec. 227. Multiyear grants or contracts.

“PART E—DEMONSTRATION PROGRAMS

“Sec. 231. Authority of Director.

“TITLE IV—ADMINISTRATION AND COORDINATION

“Sec. 403. Political activities.

“Sec. 404. Special limitations.

“Sec. 406. Labor standards.

“Sec. 408. Joint funding.

“Sec. 409. Prohibition of Federal control.

“Sec. 410. Coordination with other programs.

“Sec. 411. Prohibition.

“Sec. 412. Notice and hearing procedures for suspension and termination of financial assistance.

“Sec. 414. Distribution of benefits between rural and urban areas.

“Sec. 415. Application of Federal law.

“Sec. 416. Evaluation.

“Sec. 417. Nondiscrimination provisions.

“Sec. 418. Eligibility for other benefits.

“Sec. 419. Legal expenses.

“Sec. 421. Definitions.

“Sec. 422. Audit.

“Sec. 423. Reduction of paperwork.

“Sec. 424. Review of project renewals.

“Sec. 425. Protection against improper use.

“Sec. 426. Center for Research and Training.

“TITLE V—AUTHORIZATION OF APPROPRIATIONS

“Sec. 501. National volunteer antipoverty programs.

“Sec. 502. National Senior Volunteer Corps.

“Sec. 504. Administration and coordination.

“Sec. 505. Availability of appropriations.

“TITLE VI—AMENDMENTS TO OTHER LAWS AND REPEALERS

“Sec. 601. Supersedence of Reorganization Plan No. 1 of July 1, 1971.

“Sec. 602. Creditable service for civil service retirement.

“Sec. 603. Repeal of title VIII of the Economic Opportunity Act.

“Sec. 604. Repeal of title VI of the Older Americans Act.”.

1 SEC. 392. EFFECTIVE DATE.

2 This subtitle shall become effective on October 1,

3 1993.

1 **TITLE IV—TECHNICAL AND**
2 **CONFORMING AMENDMENTS**

3 **SEC. 401. DEFINITION OF DIRECTOR.**

4 Section 421 of the Domestic Volunteer Service Act
5 of 1973 (42 U.S.C. 5061) is amended by striking para-
6 graph (1) and inserting the following new paragraph:

7 “(1) the term ‘Director’ means the Chairperson
8 and Director of the Corporation for National Service
9 appointed under section 193 of the National and
10 Community Service Act of 1990;”.

11 **SEC. 402. REFERENCES TO ACTION AND THE ACTION**
12 **AGENCY.**

13 (a) DOMESTIC VOLUNTEER SERVICE ACT OF
14 1973.—

15 (1) Section 2(b) of the Domestic Volunteer
16 Service Act of 1973 (42 U.S.C. 4950(b)) is amend-
17 ed—

18 (A) by striking “ACTION, the Federal do-
19 mestic volunteer agency,” and inserting “this
20 Act”; and

21 (B) by striking “ACTION” and inserting
22 “the Corporation for National Service”.

23 (2) Section 125(b) of such Act (42 U.S.C.
24 4995(b)) is amended by striking “the ACTION
25 Agency” and inserting “the Corporation”.

1 (3) Section 225(e) of such Act (42 U.S.C.
2 5025(e)) is amended by striking “the ACTION
3 Agency” and inserting “the Corporation”.

4 (4) Section 403(a) of such Act (42 U.S.C.
5 5043(a)) is amended—

6 (A) by striking “the ACTION Agency” the
7 first place it appears and inserting “the Cor-
8 poration under this Act”; and

9 (B) by striking “the ACTION Agency” the
10 second place it appears and inserting “the Cor-
11 poration”.

12 (5) Section 408 of such Act (42 U.S.C. 5048)
13 is amended by striking “the ACTION Agency” and
14 inserting “the Corporation”.

15 (6) Section 425 of such Act (as added by sec-
16 tion 369 of this Act) is further amended by striking
17 “ACTION” and inserting “the Corporation”.

18 (b) ADMINISTRATION ON CHILDREN, YOUTH, AND
19 FAMILIES.—Section 916(b) of the Claude Pepper Young
20 Americans Act of 1990 (42 U.S.C. 12312(b)) is amended
21 by striking “the Director of the ACTION Agency” and
22 inserting “the Chairperson of the Corporation for Na-
23 tional Service”.

1 (c) INSPECTOR GENERAL.—Section 8E(a)(2) of the
2 Inspector General Act of 1978 (5 U.S.C. App.) is amend-
3 ed—

4 (1) by striking “ACTION,”; and

5 (2) by inserting “the Corporation for National
6 Service (except as provided in section 194(b) of the
7 National and Community Service Act of 1990),”
8 after “the Consumer Product Safety Commission,”.

9 (d) PUBLIC HOUSING SECURITY.—Section 207(c) of
10 the Public Housing Security Demonstration Act of 1978
11 (Public Law 95–557; 92 Stat. 2093; 12 U.S.C. 1701z–
12 6 note) is amended—

13 (1) in paragraph (3)(ii), by striking “ACTION”
14 and inserting “the Corporation for National Serv-
15 ice”; and

16 (2) in paragraph (4), by striking “ACTION”
17 and inserting “the Corporation for National Serv-
18 ice”.

19 (e) NATIONAL FOREST VOLUNTEERS.—The first sec-
20 tion of the Volunteers in the National Forests Act of 1972
21 (16 U.S.C. 558a) is amended by striking “ACTION” and
22 inserting “the Corporation for National Service”.

23 (f) PEACE CORPS.—Section 2A of the Peace Corps
24 Act (22 U.S.C. 2501–1) is amended by inserting after

1 “the ACTION Agency” the following: “, the successor to
2 the ACTION Agency,”.

3 (g) INDIAN ECONOMIC DEVELOPMENT.—Section 502
4 of the Indian Financing Act of 1974 (25 U.S.C. 1542)
5 is amended by striking “and ACTION” and inserting “,
6 the Corporation for National Service,”.

7 (h) OLDER AMERICANS.—The Older Americans Act
8 of 1965 is amended—

9 (1) in section 202(c)(1) (42 U.S.C. 3012(c)(1)),
10 by striking “the Director of the ACTION Agency”
11 and inserting “the Corporation for National Serv-
12 ice”;

13 (2) in section 203(a)(1) (42 U.S.C.
14 3013(a)(1)), by striking “the ACTION Agency” and
15 inserting “the Corporation for National Service”;
16 and

17 (3) in section 422(b)(12)(C) (42 U.S.C.
18 3035a(b)(12)(C)), by striking “the ACTION Agen-
19 cy” and inserting “the Corporation for National
20 Service”.

21 (i) VISTA SERVICE EXTENSION.—Section 101(c)(1)
22 of the Domestic Volunteer Service Act Amendments of
23 1989 (Public Law 101–204; 103 Stat. 1810; 42 U.S.C.
24 4954 note) is amended by striking “Director of the AC-

1 TION Agency” and inserting “Chairperson of the Cor-
2 poration for National Service”.

3 (j) AGING RESOURCE SPECIALISTS.—Section 205(c)
4 of the Older Americans Amendments of 1975 (Public Law
5 94–135; 89 Stat. 727; 42 U.S.C. 5001 note) is amended—

6 (1) in paragraph (1)—

7 (A) by striking “the ACTION Agency,”
8 and inserting “the Corporation for National
9 Service,”; and

10 (B) by striking “the Director of the AC-
11 TION Agency” and inserting “the Chairperson
12 of the Corporation”;

13 (2) in paragraph (2)(A), by striking “ACTION
14 Agency” and inserting “Corporation”; and

15 (3) in paragraph (3), by striking subparagraph
16 (A) and inserting the following new subparagraph:

17 “(A) the term ‘Corporation’ means the Cor-
18 poration for National Service established by section
19 191 of the National and Community Service Act of
20 1990.”.

21 (k) PROMOTION OF PHOTOVOLTAIC ENERGY.—Sec-
22 tion 11(a) of the Solar Photovoltaic Energy Research, De-
23 velopment, and Demonstration Act of 1978 (42 U.S.C.
24 5590) is amended by striking “the Director of ACTION,”.

1 (l) COORDINATING COUNCIL ON JUVENILE JUS-
2 TICE.—Section 206(a)(1) of the Juvenile Justice and De-
3 linquency Prevention Act of 1974 (42 U.S.C. 5616(a)(1))
4 is amended by striking “the Director of the ACTION
5 Agency” and inserting “the Chairperson of the Corpora-
6 tion for National Service”.

7 (m) ENERGY CONSERVATION.—Section 413(b)(1) of
8 the Energy Conservation and Production Act (42 U.S.C.
9 6863(b)(1)) is amended by striking “the Director of the
10 ACTION Agency,”.

11 (n) INTERAGENCY COUNCIL ON THE HOMELESS.—
12 Section 202(a) of the Stewart B. McKinney Homeless As-
13 sistance Act (42 U.S.C. 11312(a)) is amended by striking
14 paragraph (12) and inserting the following new para-
15 graph:

16 “(12) The Chairperson of the Corporation for
17 National Service, or the designee of the Chair-
18 person.”.

19 (o) ANTI-DRUG ABUSE.—Section 3601 of the Anti-
20 Drug Abuse Act of 1988 (42 U.S.C. 11851) is amended
21 by striking paragraph (5) and inserting the following new
22 paragraph:

23 “(5) the term ‘Director’ means the Chairperson
24 and Director of the Corporation for National Serv-
25 ice.”.

1 **SEC. 403. DEFINITIONS.**

2 Section 421 of the Domestic Volunteer Service Act
3 of 1973 (42 U.S.C. 5061) is amended—

4 (1) by striking “and” at the end of paragraph
5 (6);

6 (2) by striking the period at the end of para-
7 graph (7) and inserting a semicolon; and

8 (3) by adding at the end the following new
9 paragraphs:

10 “(8) the term ‘Corporation’ means the Corpora-
11 tion for National Service established under section
12 191 of the National and Community Service Act of
13 1990;

14 “(9) the term ‘foster grandparent’ means a vol-
15 unteer in the Foster Grandparent Program;

16 “(10) the term ‘Foster Grandparent Program’
17 means the program established under part B of title
18 II;

19 “(11) the term ‘Inspector General’ means the
20 Inspector General of the Corporation;

21 “(12) the term ‘national senior volunteer’
22 means a volunteer in the National Senior Volunteer
23 Corps;

24 “(13) the term ‘National Senior Volunteer
25 Corps’ means the programs established under parts
26 A, B, C, and E of title II;

1 “(14) the term ‘Retired and Senior Volunteer
2 Program’ means the program established under part
3 A of title II;

4 “(15) the term ‘retired or senior volunteer’
5 means a volunteer in the Retired and Senior Volun-
6 teer Program;

7 “(16) the term ‘senior companion’ means a vol-
8 unteer in the Senior Companion Program;

9 “(17) the term ‘Senior Companion Program’
10 means the program established under part C of title
11 II;

12 “(18) the terms ‘VISTA’ and ‘Volunteers in
13 Service to America’ mean the program established
14 under part A of title I; and

15 “(19) the term ‘VISTA volunteer’ means a vol-
16 unteer in VISTA.”.

17 **SEC. 404. REFERENCES TO THE COMMISSION ON NATIONAL**
18 **AND COMMUNITY SERVICE.**

19 (a) NATIONAL DEFENSE AUTHORIZATION ACT FOR
20 FISCAL YEAR 1993.—

21 (1) Section 1092(b) of the National Defense
22 Authorization Act for Fiscal Year 1993 (42 U.S.C.
23 12653a note) is amended—

24 (A) in paragraph (1)—

1 (i) by striking “Commission on Na-
2 tional Community Service” and inserting
3 “Corporation for National Service”; and

4 (ii) by striking “Commission shall pre-
5 pare” and inserting “Board of Directors of
6 the Corporation shall prepare”; and

7 (B) in paragraph (2), by striking “Board
8 of Directors of the Commission on National and
9 Community Service” and inserting “Board of
10 Directors of the Corporation for National Serv-
11 ice”.

12 (2) Section 1093(a) of such Act (42 U.S.C.
13 12653a note) is amended by striking “the Board of
14 Directors and Executive Director of the Commission
15 on National and Community Service” and inserting
16 “the Board of Directors and Chairperson of the Cor-
17 poration for National Service”.

18 (3) Section 1094 of such Act (Public Law 102-
19 484; 106 Stat. 2535) is amended—

20 (A) in the title, by striking “**COMMISSION**
21 **ON NATIONAL AND COMMUNITY SERVICE**”
22 and inserting “**CORPORATION FOR NA-**
23 **TIONAL SERVICE**”;

24 (B) in subsection (a)—

1 (i) in the heading, by striking “COM-
2 MISSION” and inserting “CORPORATION”;

3 (ii) in the first sentence, by striking
4 “Commission on National and Community
5 Service” and inserting “Corporation for
6 National Service”; and

7 (iii) in the second sentence, by strik-
8 ing “The Commission” and inserting “The
9 Chairperson of the Corporation”; and

10 (C) in subsection (b)—

11 (i) in paragraph (1), by striking
12 “Board of Directors of the Commission on
13 National and Community Service” and in-
14 serting “Chairperson of the Corporation
15 for National Service”; and

16 (ii) in paragraph (2), by striking “the
17 Commission” and inserting “the Chair-
18 person of the Corporation for National
19 Service”.

20 (4) Section 1095 of such Act (Public Law 102-
21 484; 106 Stat. 2535) is amended in the heading for
22 subsection (b) by striking “COMMISSION ON NA-
23 TIONAL AND COMMUNITY SERVICE” and inserting
24 “CORPORATION FOR NATIONAL SERVICE”.

1 (5) Section 2(b) of such Act (Public Law 102–
2 484; 106 Stat. 2315) is amended by striking the
3 item relating to section 1094 of such Act and insert-
4 ing the following:

“Sec. 1094. Other programs of the Corporation for National Service.”.

5 (b) NATIONAL AND COMMUNITY SERVICE ACT OF
6 1990.—

7 (1) Sections 159(b)(2) (as redesignated in sec-
8 tion 104(b)(3) of this Act) and 165 (as redesignated
9 in section 104(b)(3) of this Act), subsections (a) and
10 (b) of section 172, sections 176(a) and 177(c), and
11 subsection (a), (b), and (d) through (h) of section
12 179, of the National and Community Service Act of
13 1990 (42 U.S.C. 12653h(b)(2), 12653n, 12632 (a)
14 and (b), 12636(a), 12637(c), and 12639 (a), (b),
15 and (d) through (h)) are each amended by striking
16 the term “Commission” each place the term appears
17 and inserting “Corporation”.

18 (2) Sections 152, 157(b)(2), 159(b),
19 162(a)(2)(C), 164, and 166(1) of such Act (in each
20 case, as redesignated in section 104(b)(3) of this
21 Act) (42 U.S.C. 12653a, 12653f(b)(2), 12653h(b),
22 12653k(a)(2)(C), 12653m, and 12653o(1)) are each
23 amended by striking “Commission on National and
24 Community Service” and inserting “Corporation”.

1 (3) Section 163(b)(9) of such Act (as redesignig-
2 nated in section 104(b)(3) of this Act) (42 U.S.C.
3 126351(b)(9)) is amended by striking “Chair of the
4 Commission on National and Community Service”
5 and inserting “Chairperson”.

6 (4) Section 303(a) of such Act (42 U.S.C.
7 12662(a)) is amended—

8 (A) by striking “The President” and in-
9 serting “The President, acting through the Cor-
10 poration,”;

11 (B) by inserting “in furtherance of activi-
12 ties under section 302” after “section 501(b)”;
13 and

14 (C) by striking “the President” both places
15 it appears and inserting “the Corporation”.

16 **SEC. 405. REFERENCES TO DIRECTORS OF THE COMMIS-**
17 **SION ON NATIONAL AND COMMUNITY**
18 **SERVICE.**

19 (a) CHAIRPERSON.—

20 (1) Section 159(a) of such Act (as redesignated
21 in section 104(b)(3) of this Act) (42 U.S.C.
22 12653h(b)) is amended—

23 (A) by striking “BOARD.—The Board”
24 and inserting “SUPERVISION.—The Chair-
25 person”;

1 (B) by striking “the Board” in the matter
2 preceding the paragraphs and in paragraph (1)
3 and inserting “the Chairperson”; and

4 (C) by striking “the Director” in para-
5 graph (1) and inserting “the Board”.

6 (2) Section 159(b) of such Act (as redesignated
7 in section 104(b)(3) of this Act) (42 U.S.C.
8 12653h(b)) is amended by striking “(b)” and all
9 that follows through “Director” and inserting “(b)
10 MONITORING AND COORDINATION.—The Chair-
11 person”.

12 (3) Section 159(c)(1) (as redesignated in sec-
13 tion 104(b)(3) of this Act) (12653h(c)(1)) is amend-
14 ed—

15 (A) in subparagraph (A), by striking “the
16 Board, in consultation with the Executive Di-
17 rector,” and inserting “the Chairperson”; and

18 (B) in subparagraph (B)(iii), by striking
19 “the Board through the Executive Director”
20 and inserting “the Chairperson”.

21 (4) Section 166 (as redesignated in section
22 104(b)(3) of this Act) (42 U.S.C. 12653o) is amend-
23 ed—

24 (A) by striking paragraph (6); and

1 (B) by redesignating paragraphs (7)
2 through (11) as paragraphs (6) through (10),
3 respectively.

4 (b) DIRECTOR OF CIVILIAN COMMUNITY CORPS.—
5 Sections 155(a), 157(b)(1)(A), 158(a), 159(c)(1)(A), and
6 163(a) (in each case, as redesignated in section 104(b)(3)
7 of this Act) of the National and Community Service Act
8 of 1990 (42 U.S.C. 12653d(a), 12653f(b)(1)(A),
9 12653g(a), 12653h(c)(1)(A), and 12653l(a)) are amended
10 by striking “Director of the Civilian Community Corps”
11 each place the term appears and inserting “Director”.

12 **SEC. 406. EFFECTIVE DATE.**

13 (a) ACTION.—The amendments made by sections
14 401 and 402 (except subsection (c)(2)) shall take effect
15 on the effective date of section 203.

16 (b) COMMISSION.—The amendments made by section
17 402(c)(2), and sections 403 through 405, will take effect
18 on October 1, 1993.

19 **TITLE V—GENERAL PROVISIONS**

20 **SEC. 501. COMPLIANCE WITH BUY AMERICAN ACT.**

21 No funds appropriated pursuant to this Act (includ-
22 ing the amendments made by this Act) may be expended
23 by an entity unless the entity agrees that in expending
24 the assistance the entity will comply with sections 2

1 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–
2 10c, popularly known as the “Buy American Act”).

3 **SEC. 502. SENSE OF CONGRESS; REQUIREMENT REGARD-**
4 **ING NOTICE.**

5 (a) PURCHASE OF AMERICAN-MADE EQUIPMENT
6 AND PRODUCTS.—In the case of any equipment or prod-
7 uct that may be authorized to be purchased with financial
8 assistance provided under this Act (including the amend-
9 ments made by this Act), it is the sense of the Congress
10 that entities receiving such assistance should, in expending
11 the assistance, purchase only American-made equipment
12 and products.

13 (b) NOTICE TO RECIPIENTS OF ASSISTANCE.—In
14 providing financial assistance under this Act (including
15 the amendments made by this Act), the Secretary of Edu-
16 cation shall provide to each recipient of the assistance a
17 notice describing the statement made in subsection (a) by
18 the Congress.

19 **SEC. 503. PROHIBITION OF CONTRACTS WITH PERSONS**
20 **FALSELY LABELING PRODUCTS AS MADE IN**
21 **AMERICA.**

22 If it has been finally determined by a court or Federal
23 agency that any person intentionally affixed a label bear-
24 ing a “Made in America” inscription, or any inscription
25 with the same meaning, to any product sold in or shipped

1 to the United States that is not made in the United
2 States, the person shall be ineligible to receive any con-
3 tract or subcontract made with funds appropriated to
4 carry out this Act, pursuant to the debarment, suspension,
5 and ineligibility procedures described in sections 9.400
6 through 9.409 of title 48, Code of Federal Regulations.

7 **TITLE VI—LIMITATION ON LIABILITY OF**
8 **VOLUNTEERS**

9 **SEC. 601. FINDINGS AND PURPOSE.**

10 (a) FINDINGS.—The Congress finds and declares
11 that—

12 (1) within certain States, the willingness of vol-
13 unteers to offer their services has been increasingly
14 deterred by a perception that they thereby put per-
15 sonal assets at risk in the event of liability actions
16 against the organization they serve;

17 (2) as a result of this perception, many non-
18 profit public and private organizations and govern-
19 mental entities, including voluntary associations, so-
20 cial service agencies, educational institutions, local
21 governments, foundations, and other civic programs,
22 have been adversely affected through the withdrawal
23 of volunteers from boards of directors and service in
24 other capacities;

1 (3) the contribution of these programs to their
2 communities is thereby diminished, resulting in
3 fewer and higher cost programs than would be ob-
4 tainable if volunteers were participating;

5 (4) the efforts of nonprofit organizations, local
6 government, States, and the Federal Government to
7 promote voluntarism, and community and national
8 service, are adversely affected by the withdrawal of
9 volunteers from boards of directors and service in
10 other capacities; and

11 (5) because Federal funds are expended on use-
12 ful and cost-effective social service programs which
13 depend heavily on volunteer participation, protection
14 of voluntarism through clarification and limitation of
15 the personal liability risks assumed by the volunteer
16 in connection with such participation is an appro-
17 priate subject for Federal encouragement of State
18 reform.

19 (b) PURPOSE.—The purposes of this title are to pro-
20 mote programs of community and national service, to pro-
21 mote the interests of social service program beneficiaries
22 and taxpayers, and to sustain the availability of programs
23 and nonprofit organizations and governmental entities
24 which depend on volunteer contributions, by encouraging
25 reasonable reform of laws to provide protection from per-

1 sonal financial liability to volunteers serving with non-
2 profit organizations and governmental entities for actions
3 undertaken in good faith on behalf of such organizations.

4 **SEC. 602. NO PREEMPTION OF STATE TORT LAW.**

5 Nothing in this title shall be construed to preempt
6 the laws of any State governing tort liability actions.

7 **SEC. 603. LIMITATION ON LIABILITY FOR VOLUNTEERS.**

8 (a) LIABILITY PROTECTION FOR VOLUNTEERS.—For
9 purposes of satisfying the requirement specified in section
10 129(a)(5) of the National and Community Service Act of
11 1990, and except as provided in subsections (b), (c), and
12 (d), a State shall provide by law that any volunteer of a
13 nonprofit organization or governmental entity shall incur
14 no personal financial liability for any tort claim alleging
15 damage or injury from any act or omission of the volun-
16 teer on behalf of the organization or entity if—

17 (1) such individual was acting in good faith and
18 within the scope of such individual's official func-
19 tions and duties with the organization or entity and
20 such functions and duties are directly connected to
21 the administration of a program described in section
22 122(a); and

23 (2) such damage or injury was not caused by
24 willful and wanton misconduct by such individual.

1 (b) CONCERNING RESPONSIBILITY OF VOLUNTEERS
2 WITH RESPECT TO ORGANIZATIONS.—Nothing in this
3 section shall be construed to affect any civil action brought
4 by any nonprofit organization or any governmental entity
5 against any volunteer of such organization or entity.

6 (c) NO EFFECT ON LIABILITY OF ORGANIZATION.—
7 Nothing in this section shall be construed to affect the
8 liability of any nonprofit organization or governmental en-
9 tity with respect to injury caused to any person.

10 (d) EXCEPTIONS TO VOLUNTEER LIABILITY PRO-
11 TECTION.—A State shall impose the following conditions
12 on and exceptions to the granting of liability protection
13 to any volunteer of an organization or entity required by
14 subsection (a):

15 (1) The organization or entity must adhere to
16 risk management procedures, including mandatory
17 training of volunteers.

18 (2) The organization or entity shall be liable for
19 the acts or omissions of its volunteers to the same
20 extent as an employer is liable, under the laws of
21 that State, for the acts or omissions of its em-
22 ployees.

23 (3) The protection from liability does not apply
24 if the volunteer was operating a motor vehicle or was

1 operating a vessel, aircraft, or other vehicle for
2 which a pilot's license is required.

3 (4) The protection from liability does not apply
4 in the case of a suit brought by an appropriate offi-
5 cer of a State or local government to enforce a Fed-
6 eral, State, or local law.

7 (5) The protection from liability shall apply
8 only if the organization or entity provides a finan-
9 cially secure source of recovery for individuals who
10 suffer injury as a result of actions taken by a volun-
11 teer on behalf of the organization or entity. A finan-
12 cially secure source of recovery may be an insurance
13 policy within specified limits, comparable coverage
14 from a risk pooling mechanism, equivalent assets, or
15 alternative arrangements that satisfy the State that
16 the entity will be able to pay for losses up to a speci-
17 fied amount. Separate standards for different types
18 of liability exposure may be specified.

19 **SEC. 604. DEFINITIONS.**

20 For purposes of this title—

21 (1) the term “volunteer” means an individual
22 performing services for a nonprofit organization or
23 a governmental entity who does not receive com-
24 pensation, or any other thing of value in lieu of com-
25 pensation, for such services (other than reimburse-

1 ment for expenses actually incurred or honoraria not
2 to exceed \$300 per year for government service),
3 and such term includes a volunteer serving as a di-
4 rector, officer, trustee, or direct service volunteer;

5 (2) the term “nonprofit organization” means
6 any organization described in section 501(c) of the
7 Internal Revenue Code of 1986 and exempt from tax
8 under section 501(a) of such Code;

9 (3) the term “damage or injury” includes phys-
10 ical, nonphysical, economic, and noneconomic dam-
11 age; and

12 (4) the term “State” means each of the several
13 States, the District of Columbia, the Commonwealth
14 of Puerto Rico, the Virgin Islands, Guam, American
15 Samoa, the Northern Mariana Islands, any other
16 territory or possession of the United States, or any
17 political subdivision of any such State, territory, or
18 possession.

Passed the House of Representatives July 28, 1993.

Attest:

Clerk.

HR 2010 EH—2

HR 2010 EH—3

HR 2010 EH—4

HR 2010 EH—5

HR 2010 EH—6

HR 2010 EH—7
HR 2010 EH—8
HR 2010 EH—9
HR 2010 EH—10
HR 2010 EH—11
HR 2010 EH—12
HR 2010 EH—13
HR 2010 EH—14
HR 2010 EH—15
HR 2010 EH—16
HR 2010 EH—17
HR 2010 EH—18
HR 2010 EH—19
HR 2010 EH—20