Calendar No. 110

103D CONGRESS
1ST SESSION

S. 919

[Report No. 103–70]

A BILL

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

JUNE 29 (legislative day, JUNE 22), 1993

Reported with an amendment

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[Report No. 103–70]

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

IN THE SENATE OF THE UNITED STATES

MAY 6 (legislative day, APRIL 19), 1993

Mr. KENNEDY (for himself, Mr. DURENBERGER, Ms. MIKULSKI, Mr. JEFFORDS, Mr. NUNN, Mr. SPECTER, Mr. BOREN, Mr. CHAFEE, Mr. BREAUX, Mr. PELL, Mr. DODD, Mr. SIMON, Mr. WELLSTONE, Mr. WOFFORD, Mr. CAMPBELL, Mr. ROCKEFELLER, Mr. ROBB, Mr. LIEBERMAN, Mr. AKAKA, and Mr. RIEGLE) (by request) introduced the following bill; which was read twice and referred to the Committee on Labor and Human Resources

JUNE 29 (legislative day, JUNE 22), 1993

Reported by Mr. KENNEDY, with an amendment

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

A BILL

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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

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

~~(a) SHORT TITLE.—This Act may be cited as the ''National Service Trust Act of 1993''.~~

~~(b) TABLE OF CONTENTS.—The table of contents is 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.~~

~~Subtitle B—Related Provisions~~

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

~~TITLE II—ORGANIZATION~~

~~Sec. 201. State Commissions on National Service.~~
~~Sec. 202. Interim authorities of the Corporation for National Service and ACTION Agency.~~
~~Sec. 203. Final authorities of the Corporation for National Service.~~

~~TITLE III—REAUTHORIZATION~~

~~Subtitle A—National and Community Service Act of 1990~~

~~Sec. 301. Authorization of appropriations.~~

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

~~Sec. 311. Short title; references.~~

~~CHAPTER 1—VISTA AND OTHER ANTI-POVERTY PROGRAMS~~

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

~~CHAPTER 2—NATIONAL SENIOR VOLUNTEER CORPS~~

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

~~CHAPTER 3—ADMINISTRATION~~

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

~~CHAPTER 4—AUTHORIZATION OF APPROPRIATIONS AND OTHER AMENDMENTS~~

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

~~CHAPTER 5—GENERAL PROVISIONS~~

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

~~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.~~

~~SEC. 2. FINDINGS AND PURPOSE.~~

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

~~"SEC. 2. FINDINGS AND PURPOSE.~~

~~"(a) FINDINGS.—The Congress finds the following:~~

~~"(1) Throughout the United States, there are pressing unmet human, educational, environmental, and public safety needs.~~

~~"(2) Americans desire to affirm common responsibilities and shared values that transcend race, religion, or region.~~

~~"(3) The rising costs of post-secondary education are putting higher education out of reach for an increasing number of citizens.~~

~~"(4) Americans of all ages can improve their communities and become better citizens through service to the United States.~~

~~"(5) Nonprofit organizations, local governments, States, and the Federal Government are al-~~

~~ready supporting a wide variety of national service programs that deliver needed services in a cost-effective manner.~~

~~"(b) PURPOSES.—It is the purpose of this Act to—~~

~~"(1) meet the unmet human, educational, environmental, and public safety needs of the United States, without displacing existing workers;~~

~~"(2) renew the ethic of civic responsibility and the spirit of community throughout the United States;~~

~~"(3) expand educational opportunity by rewarding individuals who participate in national service with an increased ability to pursue higher education or job training;~~

~~"(4) encourage citizens of the United States, regardless of age or income, to engage in full-time or part-time national service;~~

~~"(5) reinvent government to eliminate duplication, support locally established initiatives, require measurable goals for performance, and offer flexibility in meeting those goals;~~

~~"(6) build on the existing organizational service infrastructure of Federal, State, and local programs and agencies to expand full-time and part-time service opportunities for all citizens; and~~

"(7) provide tangible benefits to the communities in which national service is performed.".

(b) TABLE OF CONTENTS.—Section 1(b) of the National and Community Service Act of 1990 (Public Law 101–610; 104 Stat. 3127) is amended by striking the item relating to section 2 and inserting the following new item:

"Sec. 2. Findings and purpose.".

TITLE I—PROGRAMS AND RELATED PROVISIONS

Subtitle A—Programs

SEC. 101. FEDERAL INVESTMENT IN SUPPORT OF NATIONAL SERVICE.

(a) ASSISTANCE PROGRAM AUTHORIZED.—Subtitle C of title I of the National and Community Service Act of 1990 (42 U.S.C. 12541 et seq.) is amended to read as follows:

"Subtitle C—National Service Trust Program

"PART I—INVESTMENT IN NATIONAL SERVICE

"SEC. 121. AUTHORITY TO PROVIDE ASSISTANCE AND APPROVED NATIONAL SERVICE POSITIONS.

"(a) PROVISION OF ASSISTANCE.—The Corporation for National Service may make grants to States, subdivisions of States, Indian tribes, public and private not-for-profit organizations, and institutions of higher education for the purpose of assisting the recipients of the grants—

~~"(1) to carry out full- or part-time national service programs, including summer programs, described in section 122(a); and~~

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

~~"(b) AGREEMENTS WITH FEDERAL AGENCIES.—The Corporation may enter into a contract or cooperative agreement with another Federal agency to support a national service program carried out by the agency. The support provided by the Corporation pursuant to the contract or cooperative agreement may include the transfer to the Federal agency of funds available to the Corporation under this subtitle. A Federal agency receiving assistance under this subsection shall not be required to satisfy the matching funds requirements specified in subsection (e). However, the supplementation requirements specified in section 173 shall apply with respect to the Federal national service programs supported with such assistance.~~

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

~~"(1) approve the provision of national service educational awards described in subtitle D for the~~

~~participants who serve in national service programs carried out using such assistance; and~~

~~"(2) deposit in the National Service Trust established in section 145(a) an amount equal to the product of—~~

~~"(A) the value of a national service educational award under section 147; and~~

~~"(B) the total number of approved national service positions to be provided.~~

~~"(d) FIVE PERCENT LIMITATION ON ADMINISTRATIVE COSTS.—~~

~~"(1) LIMITATION.—Not more than 5 percent of the amount of assistance provided to the original recipient of a grant or transfer of assistance under subsection (a) or (b) for a fiscal year may be used to pay for administrative costs incurred by—~~

~~"(A) the recipient of the assistance; and~~

~~"(B) national service programs carried out or supported with the assistance.~~

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

~~"(A) assistance provided under subsection (a) or (b) may be used to cover administrative costs; and~~

~~"(B) that portion of the assistance available to cover administrative costs should be distributed between—~~

~~"(i) the original recipient of the grant or transfer of assistance under such subsection; and~~

~~"(ii) national service programs carried out or supported with the assistance.~~

~~"(e) MATCHING FUNDS REQUIREMENTS.—~~

~~"(1) REQUIREMENTS.—Except as provided in section 140, the Federal share of the cost of carrying out a national service program that receives the assistance under subsection (a), whether the assistance is provided directly or as a subgrant from the original recipient of the assistance, may not exceed 75 percent of such cost.~~

~~"(2) CALCULATION.—In providing for the remaining share of the cost of carrying out a national service program, the program—~~

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

~~"(B) may provide for such share through State sources, local sources, or other Federal~~

~~sources (other than the use of funds made available under the national service laws).~~

~~"(3) WAIVER.—The Corporation may waive in whole or in part the requirements of paragraph (1) with respect to a national service program in any fiscal year if the Corporation determines that such a waiver would be equitable due to a lack of available financial resources at the local level.~~

~~"SEC. 122. TYPES OF NATIONAL SERVICE PROGRAMS ELIGIBLE FOR PROGRAM ASSISTANCE.~~

~~"(a) ELIGIBLE NATIONAL SERVICE PROGRAMS.—The recipient of a grant under section 121(a) and each Federal agency receiving assistance under section 121(b) shall use the assistance, directly or through subgrants to other entities, to carry out full- or part-time national service programs, including summer programs, that address unmet human, educational, environmental, or public safety needs. Subject to subsection (b)(1), these national service programs may include the following types of national service programs:~~

~~"(1) A community corps program that meets unmet human, educational, environmental, or public safety needs and promotes greater community unity through the use of organized teams of participants of varied social and economic backgrounds, skill lev-~~

~~els, physical capabilities, ages, ethnic backgrounds, or genders.~~

~~"(2) A youth corps program, such as a conservation corps or youth service corps (including a conservation corps or youth service corps that performs service on Federal or other public lands or on Indian lands), that—~~

~~"(A) undertakes meaningful full-time service projects with visible benefits to a community, including natural resource, urban renovation, or human services projects;~~

~~"(B) includes as participants youths and young adults between the ages of 16 and 25, inclusive, including out-of-school youths and other disadvantaged youths who are between those ages; and~~

~~"(C) provides those participants who are youths and young adults with—~~

~~"(i) crew-based, highly structured, and adult-supervised work experience, life skills, education, career guidance and counseling, employment training, and support services; and~~

~~"(ii) the opportunity to develop citizenship values and skills through service to their community and the United States.~~

~~"(3) A program that provides specialized training to individuals in service-learning and places the individuals after such training in positions, including positions as service-learning coordinators, to facilitate service-learning in programs eligible for funding under part I subtitle B.~~

~~"(4) A service program that is targeted at specific unmet human, educational, environmental, or public safety needs and that—~~

~~"(A) recruits individuals with special skills or provides specialized preservice training to enable participants to be placed individually or in teams in positions in which the participants can meet such unmet needs; and~~

~~"(B) brings participants together for additional training and other activities designed to foster civic responsibility, increase the skills of participants, and improve the quality of the service provided.~~

~~"(5) An individualized placement program that includes regular group activities, such as leadership training and special service projects.~~

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

~~"(A) students who are attending an institution of higher education, including students supported by work-study funds under part C of title IV of the Higher Education Act of 1965 (42 U.S.C. 2751 et seq.);~~

~~"(B) teams composed of such students; or~~

~~"(C) teams composed of a combination of such students and community residents.~~

~~"(7) A preprofessional training program in which students enrolled in an institution of higher education—~~

~~"(A) receive training in specified fields, which may include classes containing service-learning;~~

~~"(B) perform service related to such training outside the classroom during the school term and during summer or other vacation periods; and~~

~~"(C) agree to provide service upon graduation to meet unmet human, educational, envi-~~

~~ronmental, or public safety needs related to such training.~~

~~"(8) A professional corps program that recruits and places qualified participants in positions—~~

~~"(A) as teachers, nurses, police officers, early childhood development staff, or other professionals providing service to meet educational, human, environmental, or public safety needs in communities with an inadequate number of such professionals;~~

~~"(B) that may include a salary in excess of the maximum living allowance authorized in subsection (a)(3) of section 140, as provided in subsection (c) of such section; and~~

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

~~"(9) A program in which economically disadvantaged individuals who are between the ages of 16 and 24 years of age, inclusive, are provided with opportunities to perform service that, while enabling such individuals to obtain the education and employ-~~

~~ment skills necessary to achieve economic self-sufficiency, will help their communities meet—~~

~~"(A) the housing needs of low-income families and the homeless; and~~

~~"(B) the need for community facilities in low-income areas.~~

~~"(10) A national service entrepreneur program that identifies, recruits, and trains gifted young adults of all backgrounds and assists them in designing solutions to community problems.~~

~~"(11) An intergenerational program that combines students, out-of-school youths, and older adults as participants to provide needed community services.~~

~~"(12) Such other national service programs addressing unmet human, educational, environmental, or public safety needs as the Corporation may designate.~~

~~"(b) QUALIFICATION CRITERIA TO DETERMINE ELIGIBILITY.—~~

~~"(1) ESTABLISHMENT BY CORPORATION.—The Corporation shall establish qualification criteria for different types of national service programs for the purpose of determining whether a particular national service program should be considered to be a na-~~

~~tional service program eligible to receive assistance or approved national service positions under this subtitle.~~

~~"(2) CONSULTATION.—In establishing qualification criteria under paragraph (1), the Corporation shall consult with organizations and individuals who are experts regarding national service or regarding the delivery of human, educational, environmental, or public safety services to communities or persons.~~

~~"(3) APPLICATION TO SUBGRANTS.—The qualification criteria established by the Corporation under paragraph (1) shall also be used by each recipient of assistance under section 121(a) that uses any portion of the assistance to conduct a grant program to support other national service programs.~~

~~"(c) NATIONAL SERVICE PRIORITIES.—~~

~~"(1) ESTABLISHMENT BY CORPORATION.—In order to concentrate national efforts on meeting certain unmet human, educational, environmental, or public safety needs and to achieve the other purposes of this Act, the Corporation may establish, and periodically alter, priorities regarding the types of national service programs to be assisted under section 121 and the purposes for which such assistance may be used.~~

~~"(2) NOTICE TO APPLICANTS.—The Corporation shall provide advance notice to potential applicants of any national service priorities to be in effect under this subsection for a fiscal year. The notice shall specifically include—~~

~~"(A) a description of any alteration made in the priorities since the previous notice; and~~

~~"(B) a description of the national service programs that are designated by the Corporation under section 133(d)(2) as eligible for priority consideration in the next competitive distribution of assistance under section 121(a).~~

~~"(3) APPLICATION TO SUBGRANTS.—Any national service priorities established by the Corporation under this subsection shall also be used by each recipient of funds under section 121(a) that uses any portion of the assistance to conduct a grant program to support other national service programs.~~

~~"SEC. 123. TYPES OF NATIONAL SERVICE POSITIONS ELIGIBLE FOR APPROVAL FOR NATIONAL SERVICE EDUCATIONAL AWARDS.~~

~~"The Corporation may approve of any of the following service positions as an approved national service position that includes the national service educational award~~

~~described in subtitle D as one of the benefits to be provided for successful service in the position:~~

~~"(1) A position for a participant in a national service program described in section 122(a) that receives assistance under subsection (a) or (b) of section 121.~~

~~"(2) A position for a participant in a program that—~~

~~"(A) is carried out by a State, a subdivision of a State, an Indian tribe, a public or private not-for-profit organization, an institution of higher education, or a Federal agency; and~~

~~"(B) would be eligible to receive assistance under section 121(a), based on criteria established by the Corporation, but has not applied for such assistance.~~

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

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

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

1 ~~''(6) A position involving service as a crew lead-~~
2 ~~er in a youth corps program or a similar position~~
3 ~~supporting a national service program that receives~~
4 ~~an approved national service position.~~
5 ~~''(7) Such other national service positions as~~
6 ~~the Corporation considers to be appropriate.~~
7 ~~**''SEC. 124. TYPES OF PROGRAM ASSISTANCE.**~~
8 ~~''(a) PLANNING ASSISTANCE.—The Corporation may~~
9 ~~provide assistance under section 121 to a qualified appli-~~
10 ~~cant that submits an application under section 130 for the~~
11 ~~planning of a national service program. Assistance pro-~~
12 ~~vided in accordance with this subsection may cover a pe-~~
13 ~~riod of not more than 1 year.~~
14 ~~''(b) OPERATIONAL ASSISTANCE.—The Corporation~~
15 ~~may provide assistance under section 121 to a qualified~~
16 ~~applicant that submits an application under section 130~~
17 ~~for the establishment, operation, or expansion of a na-~~
18 ~~tional service program. Assistance provided in accordance~~
19 ~~with this subsection may cover a period of not more than~~
20 ~~3 years, but may be renewed by the Corporation upon con-~~
21 ~~sideration of a new application under section 130.~~
22 ~~''(c) REPLICATION ASSISTANCE.—The Corporation~~
23 ~~may provide assistance under section 121 to a qualified~~
24 ~~applicant that submits an application under section 130~~
25 ~~for the expansion of a proven national service program to~~

another geographical location. Assistance provided in accordance with this subsection may cover a period of not more than 3 years, but may be renewed by the Corporation upon consideration of a new application under section 130.

"(d) APPLICATION TO SUBGRANTS.—The requirements of this section shall apply to any State or other applicant receiving assistance under section 121 that proposes to conduct a grant program using the assistance to support other national service programs.

"SEC. 125. TRAINING AND TECHNICAL ASSISTANCE.

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

"(1) improve the ability of national service programs assisted under section 121 to meet human, educational, environmental, or public safety needs in communities—

"(A) where services are needed most; and

"(B) where programs do not currently exist or are currently too limited to meet community needs;

"(2) promote leadership development in such programs;

1 ~~''(3) improve the instructional and pro-~~
2 ~~grammatic quality of such programs to build an~~
3 ~~ethic of civic responsibility;~~
4 ~~''(4) develop the management and budgetary~~
5 ~~skills of program operators; and~~
6 ~~''(5) provide for or improve the training pro-~~
7 ~~vided to the participants in such programs.~~
8 ~~''(b) TECHNICAL ASSISTANCE.—The Corporation~~
9 ~~may make appropriate technical assistance available to~~
10 ~~States, labor organizations, organizations operated by~~
11 ~~young adults, and other entities described in section 121~~
12 ~~that desire—~~
13 ~~''(1) to develop national service programs; or~~
14 ~~''(2) to apply for assistance under such section or~~
15 ~~under a grant program conducted using assistance pro-~~
16 ~~vided under such section.~~
17 ~~**"SEC. 126. OTHER SPECIAL ASSISTANCE.**~~
18 ~~''(a) SUPPORT FOR STATE COMMISSIONS.—~~
19 ~~''(1) ASSISTANCE AUTHORIZED.—The Corpora-~~
20 ~~tion may make assistance available to assist a State~~
21 ~~to establish or operate the State Commission on Na-~~
22 ~~tional Service required to be established by the State~~
23 ~~under section 178.~~
24 ~~''(2) AMOUNT OF ASSISTANCE.—The amount of~~
25 ~~assistance that may be provided to a State Commis-~~

~~sion under this subsection, together with other Federal funds available to establish or operate the State Commission, may not exceed—~~

~~"(A) 85 percent of the total cost to establish or operate the State Commission for the first year for which the State Commission receives assistance under this subsection; and~~

~~"(B) such smaller percentage of such cost as the Corporation may establish for the second, third, and fourth years of such assistance in order to ensure that the Federal share does not exceed 50 percent of such costs for the fifth year, and any subsequent year, for which the State Commission receives assistance under this subsection.~~

~~"(b) DISASTER SERVICE.—The Corporation may undertake activities to involve youth corps programs described in section 122(a)(2) and other programs that receive assistance under the national service laws in disaster relief efforts.~~

~~"(c) CHALLENGE GRANTS FOR NATIONAL SERVICE PROGRAMS.—~~

~~"(1) ASSISTANCE AUTHORIZED.—The Corporation may make challenge grants under this subsection to a national service program that receives~~

assistance under section 121. The Corporation shall develop criteria for the selection of challenge grant recipients so as to make the grants widely available to a variety of high-quality national service programs.

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

"PART II—APPLICATION AND APPROVAL PROCESS

"SEC. 129. PROVISION OF ASSISTANCE AND APPROVED NATIONAL SERVICE POSITIONS BY COMPETITIVE AND OTHER MEANS.

"(a) ALLOTMENTS OF ASSISTANCE AND APPROVED POSITIONS TO STATES AND INDIAN TRIBES.—

"(1) 33⅓ PERCENT ALLOTMENT OF ASSISTANCE.—Of the funds allocated by the Corporation for provision of assistance under subsections (a) and

~~(b) of section 121 for a fiscal year, the Corporation shall make a grant under section 121(a) (and a corresponding allotment of approved national service positions) to each of the several States, the District of Columbia, and the Commonwealth of Puerto Rico that has an application approved by the Corporation under section 133. The amount allotted as a grant to each such State under this paragraph for a fiscal year shall be equal to the amount that bears the same ratio to 33⅓ percent of the allocated funds for that fiscal year as the population of the State bears to the total population of the several States, the District of Columbia, and the Commonwealth of Puerto Rico.~~

~~"(2) ONE PERCENT ALLOTMENT OF ASSISTANCE.—Of the funds allocated by the Corporation for provision of assistance under subsections (a) and (b) of section 121 for a fiscal year, the Corporation shall reserve 1 percent of the allocated funds for grants under section 121(a) to Indian tribes, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, to be allotted by the Corporation on a competitive basis in accordance with their respective needs. Palau shall also be eligible for a grant under this para-~~

~~graph from the 1 percent allotment until such time as the Compact of Free Association with Palau is ratified.~~

~~"(3) EFFECT OF FAILURE TO APPLY.—If a State or Indian tribe fails to apply for, or fails to give notice to the Corporation of its intent to apply for, an allotment under this subsection, the Corporation shall use the amount that would have been allotted under this subsection to the State or Indian tribe—~~

~~"(A) to make grants (and provide approved national service positions in connection with such grants) to other eligible entities under section 121 that propose to carry out national service programs in the State or on behalf of the Indian tribe; and~~

~~"(B) after making grants under paragraph (1), to make a reallotment to other States and Indian tribes with approved applications under section 130.~~

~~"(b) RESERVATION OF APPROVED POSITIONS.—~~

~~"(1) NUMBER RESERVED.—Except as provided in paragraph (2), the Corporation shall ensure that each individual selected during a fiscal year for assignment as a VISTA volunteer under title I of the~~

~~Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.) or as a participant in the Civilian Community Corps Demonstration Program under subtitle E shall receive the national service educational award described in subtitle D if the individual satisfies the eligibility requirements for the award. Funds for approved national service positions required by this paragraph for a fiscal year shall be deducted from the total funding for approved national service positions to be available for distribution under subsections (a) and (d) for that fiscal year.~~

~~"(2) EXCEPTION.—If the total number of approved national service positions to be available for distribution under subsections (a) and (d) for a fiscal year does not exceed 200 percent of the number of such positions that would be required to satisfy paragraph (1) for that fiscal year, the Corporation shall not reserve the national service educational award for individuals described in such paragraph who are selected during that fiscal year.~~

~~"(c) RESERVATION FOR SPECIAL ASSISTANCE.—Subject to section 501(a)(2), of the funds allocated by the Corporation for provision of assistance under subsections (a) and (b) of section 121 for a fiscal year, the Corpora-~~

~~tion may reserve such amount as the Corporation considers to be appropriate for the purpose of making assistance available under sections 125 and 126. However, the Corporation may not reserve more than $10,000,000 for a fiscal year for challenge grants under section 126(c).~~

~~"(d) COMPETITIVE DISTRIBUTION OF REMAINING FUNDS AND APPROVED POSITIONS.—~~

~~"(1) STATE COMPETITION.—Of the funds allocated by the Corporation for provision of assistance under subsections (a) and (b) of section 121 for a fiscal year, the Corporation shall use not less than 33⅓ percent of the allocated funds to make grants to States on a competitive basis under section 121(a).~~

~~"(2) FEDERAL AGENCIES AND OTHER APPLICANTS.—The Corporation shall distribute on a competitive basis to subdivisions of States, Indian tribes, public and private not-for-profit organizations (including labor organizations), institutions of higher education, and Federal agencies the remainder of the funds allocated by the Corporation for provision of assistance under section 121 for a fiscal year, after operation of paragraph (1) and subsections (a) and (c).~~

~~"(3) LIMITATIONS.—The Corporation may limit the categories of eligible applicants for assistance under paragraph (2) consistent with the priorities established by the Corporation under section 133(d)(2).~~

~~"(e) APPLICATION REQUIRED.—The allotment of assistance and approved national service positions to a State or Indian tribe under subsection (a), and the competitive distribution of assistance and approved national service positions under subsection (d), shall be made by the Corporation only pursuant to an application submitted by a State or other applicant under section 130 and approved by the Corporation under section 133.~~

~~"(f) DISTRIBUTION OF APPROVED POSITIONS SUBJECT TO AVAILABLE FUNDS.—The Corporation may not distribute approved national service positions under this section for a fiscal year in excess of the number of such positions for which the Corporation has sufficient available funds in the National Service Trust for that fiscal year to satisfy the maximum possible obligations to be incurred by the United States to provide the national service educational award corresponding to service in these positions.~~

~~"(g) SPONSORSHIP OF APPROVED NATIONAL SERVICE POSITIONS.—~~

~~"(1) SPONSORSHIP AUTHORIZED.—The Corporation may enter into agreements with persons or entities who offer to sponsor national service positions for which the person or entity will be responsible for supplying the funds necessary to provide a national service educational award. The distribution of these approved national service positions shall be made pursuant to the agreement, and the creation of these positions shall not be taken into consideration in determining the number of approved national service positions to be available for distribution under this section.~~

~~"(2) DEPOSIT OF CONTRIBUTION.—Funds provided pursuant to an agreement under paragraph (1) and any other funds contributed to the Corporation to support the activities of the Corporation under the national service laws shall be deposited in the National Service Trust established in section 145 until such time as the funds are needed.~~

~~"SEC. 130. APPLICATION FOR ASSISTANCE AND APPROVED NATIONAL SERVICE POSITIONS.~~

~~"(a) TIME, MANNER, AND CONTENT OF APPLICATION.—To be eligible to receive assistance under section 121 and approved national service positions for participants who serve in the national service programs to be~~

~~carried out using the assistance, a State, subdivision of a State, Indian tribe, public or private not-for-profit organization, institution of higher education, or Federal agency shall prepare and submit to the Corporation an application at such time, in such manner, and containing such information as the Corporation may reasonably require.~~

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

~~''(1) A description of the national service programs proposed to be carried out directly by the applicant using assistance provided under section 121.~~

~~''(2) A description of the national service programs that are selected by the applicant to receive a grant from assistance requested under section 121 and a description of the process and criteria by which the programs were selected.~~

~~''(3) A description of other funding sources to be used, or sought to be used, for the national service programs referred to in paragraphs (1) and (2), and, if the application is submitted for the purpose of seeking a renewal of assistance, a description of~~

~~the success of the programs in reducing their reliance on Federal funds.~~

~~"(4) A description of the extent to which the projects to be conducted using the assistance will address unmet human, educational, environmental, or public safety needs and produce a direct benefit for the community in which the projects are performed.~~

~~"(5) A description of the plan to be used to recruit participants, including economically disadvantaged youth, for the national service programs referred to in paragraphs (1) and (2).~~

~~"(6) A description of the manner in which the national service programs referred to in paragraphs (1) and (2) build on existing programs, including Federal programs;~~

~~"(7) A description of the manner in which the national service programs referred to in paragraphs (1) and (2) will involve participants—~~

~~"(A) in projects that build an ethic of civic responsibility and produce a positive change in the lives of participants through training and participation in meaningful service experiences and opportunities for reflection on such experiences; and~~

~~"(B) in leadership positions in implementing and evaluating the program.~~

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

~~"(A) the impact to be made in meeting unmet human, educational, environmental, or public safety needs; and~~

~~"(B) the service experience to be provided to participants in the programs.~~

~~"(9) A description of the manner and extent to which the national service programs referred to in paragraphs (1) and (2) conform to the national service priorities established by the Corporation under section 122(c).~~

~~"(10) A description of the past experience of the applicant in operating a comparable program or in conducting a grant program in support of other comparable programs.~~

~~"(11) A description of the type and number of proposed service positions in which participants will receive the national service educational award described in subtitle D and a description of the manner in which approved national service positions will be apportioned by the applicant.~~

~~"(12) A description of the manner and extent to which participants, representatives of the community served, community-based agencies with a demonstrated record of experience in providing services, and labor organizations contributed to the development of the national service programs referred to in paragraphs (1) and (2), including the identity of the individual representing the labor organization who was consulted and the nature of the consultation.~~

~~"(13) Such other information as the Corporation may reasonably require.~~

~~"(c) APPLICATION TO RECEIVE ONLY APPROVED NATIONAL SERVICE POSITIONS.—~~

~~"(1) APPLICABILITY OF SUBSECTION.—This subsection shall apply in the case of an application in which—~~

~~"(A) the applicant is not seeking assistance under subsection (a) or (b) of section 121, but requests national service educational awards for individuals serving in service positions described in section 123; or~~

~~"(B) the applicant requests national service educational awards for service positions described in section 123, but the positions are not positions in a national service program de-~~

~~scribed in section 122(a) for which assistance may be provided under subsection (a) or (b) of section 121.~~

~~"(2) SPECIAL APPLICATION REQUIREMENTS.—For the applications described in paragraph (1), the Corporation shall establish special application requirements in order to determine—~~

~~"(A) whether the service positions meet unmet human, educational, environmental, or public safety needs and meet the criteria for assistance under this subtitle; and~~

~~"(B) whether the Corporation should approve the positions as approved national service positions that include the national service educational award described in subtitle D as one of the benefits to be provided for successful service in the position.~~

~~"(d) SPECIAL RULE FOR STATE APPLICANTS.—~~

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

~~"(2) COMPETITIVE SELECTION.—The application of a State shall contain an assurance that all assistance provided under section 121(a) to the~~

~~State will be used to support national service programs that were selected by the State on a competitive basis.~~

~~"(3) ASSISTANCE TO NONSTATE ENTITIES.—The application of a State shall also contain an assurance that not less than 60 percent of the assistance will be used to make grants in support of national service programs other than national service programs carried out by a State agency. The Corporation may permit a State to deviate from the percentage specified by this subsection if the State has not received a sufficient number of acceptable applications to comply with the percentage.~~

~~"(e) SPECIAL RULE FOR CERTAIN SERVICE SPONSORS.—In the case of an applicant that proposes to serve as the service sponsor, the application shall include the written concurrence of any local labor organization representing employees of the applicant who are engaged in the same or substantially similar work as that proposed to be carried out.~~

~~"(f) LIMITATION ON SAME PROJECT IN MULTIPLE APPLICATIONS.—The Corporation shall reject an application submitted under this section if a project proposed to be conducted using assistance requested by the applicant~~

is already described in another application pending before the Corporation.

"SEC. 131. NATIONAL SERVICE PROGRAM ASSISTANCE REQUIREMENTS.

"(a) IMPACT ON COMMUNITIES.—An application submitted under section 130 shall include an assurance by the applicant that any national service program carried out by the applicant using assistance provided under section 121 and any national service program supported by a grant made by the applicant using such assistance will—

"(1) address unmet human, educational, environmental, or public safety needs through services that provide a direct benefit to the community in which the service is performed; and

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

"(b) IMPACT ON PARTICIPANTS.—An application submitted under section 130 shall also include an assurance by the applicant that any national service program carried out by the applicant using assistance provided under section 121 and any national service program supported by a grant made by the applicant using such assistance will—

"(1) provide participants in the national service program with the training, skills, and knowledge

~~necessary for the projects that participants are called upon to perform; and~~

~~"(2) provide support services to participants, such as the provision of appropriate information and support—~~

~~"(A) to those participants who are completing a term of service and making the transition to other educational and career opportunities; and~~

~~"(B) to those participants who are school dropouts in order to assist those participants in earning the equivalent of a high school diploma.~~

~~"(c) CONSULTATION.—An application submitted under section 130 shall also include an assurance by the applicant that any national service program carried out by the applicant using assistance provided under section 121 and any national service program supported by a grant made by the applicant using such assistance will—~~

~~"(1) provide in the design, recruitment, and operation of the program for broad-based input from the community served, community-based agencies with a demonstrated record of experience in providing services, and local labor organizations representing employees of service sponsors;~~

~~"(2) prior to the placement of participants, consult with any local labor organization representing employees in the area who are engaged in the same or similar work as that proposed to be carried out by such program to ensure compliance with the nondisplacement requirements specified in section 177; and~~

~~"(3) in the case of a program that is not funded through a State, consult with and coordinate activities with the State Commission for the State in which the program operates.~~

~~"(d) EVALUATION AND PERFORMANCE GOALS.—~~

~~"(1) IN GENERAL.—An application submitted under section 130 shall also include an assurance by the applicant that the applicant will—~~

~~"(A) arrange for an independent evaluation of any national service program carried out using assistance provided to the applicant under section 121;~~

~~"(B) develop measurable performance goals and evaluation methods (such as the use of surveys of participants and persons served), which are to be used as part of such evaluation to determine the impact of the program—~~

~~"(i) on communities and persons served by the projects performed by the program;~~

~~"(ii) on participants who take part in the projects; and~~

~~"(iii) in such other areas as the Corporation may require; and~~

~~"(C) cooperate with any evaluation activities undertaken by the Corporation.~~

~~"(2) ALTERNATIVE EVALUATION REQUIREMENTS.—The Corporation may establish alternative evaluation requirements for national service programs based upon the amount of assistance received under section 121 or received by a grant made by a recipient of assistance under such section. The determination of whether a national service program is covered by this paragraph shall be made in such manner as the Corporation may prescribe.~~

~~"(e) LIVING ALLOWANCES AND OTHER INSERVICE BENEFITS.—Except as provided in section 140(c), an application submitted under section 124 shall also include an assurance by the applicant that the applicant will—~~

~~"(1) provide a living allowance and other benefits specified in section 140 to participants in any national service program carried out by the appli-~~

~~cant using assistance provided under section 121; and~~

~~"(2) require that each national service program that receives a grant from the applicant using such assistance will also provide a living allowance and other benefits specified in section 140 to participants in the program.~~

~~"(f) SELECTION OF PARTICIPANTS FROM INDIVIDUALS RECRUITED BY CORPORATION OR STATE COMMISSIONS.—The Corporation may also require an assurance by the applicant that any national service program carried out by the applicant using assistance provided under section 121 and any national service program supported by a grant made by the applicant using such assistance will select a portion of the participants for the program from among prospective participants recruited by the Corporation or State Commissions under section 138(d). The Corporation may specify a minimum percentage of participants to be selected from the national leadership pool established under section 138(e) and may vary the percentage for different types of national service programs.~~

~~"SEC. 132. INELIGIBLE SERVICE CATEGORIES.~~

~~"An application submitted to the Corporation under section 130 shall include an assurance by the applicant that any national service program carried out using assist-~~

~~ance provided under section 121 and any approved national service position provided to an applicant will not be used to perform service that provides a direct benefit to any—~~

~~''(1) business organized for profit;~~

~~''(2) labor union;~~

~~''(3) partisan political organization; or~~

~~''(4) organization engaged in religious activities, unless such service does not involve the use of assistance provided under section 121 or participants to give religious instruction, conduct worship services, or engage in any form of proselytization.~~

~~''SEC. 133. CONSIDERATION OF APPLICATIONS.~~

~~''(a) CORPORATION CONSIDERATION OF CERTAIN CRITERIA.—The Corporation shall apply the criteria described in subsections (c) and (d) in determining whether—~~

~~''(1) to approve an application submitted under section 130 and provide assistance under section 121 to the applicant; and~~

~~''(2) to approve service positions described in the application as national service positions that include the national service educational award described in subtitle D and provide such approved national service positions to the applicant.~~

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

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

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

~~"(2) The innovative aspects of the national service program, and the feasibility of replicating the program.~~

~~"(3) The sustainability of the national service program, based on evidence such as the existence—~~

~~"(A) of strong and broad-based community support for the program; and~~

~~"(B) of multiple funding sources or private funding for the program.~~

~~"(4) The quality of the leadership of the national service program, the past performance of the program, and the extent to which the program builds on existing programs.~~

~~"(5) The extent to which participants of the national service program are recruited from among residents of the communities in which projects are to be conducted, and the extent to which participants and community residents are involved in the design, leadership, and operation of the program.~~

~~"(6) The extent to which projects would be conducted in areas where they are needed most, such as—~~

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

~~"(B) areas that are environmentally distressed; or~~

~~"(C) areas adversely affected by reductions in defense spending or the closure or realignment of military installations.~~

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

~~"(8) Such other criteria as the Corporation considers to be appropriate.~~

~~"(d) OTHER CONSIDERATIONS.—~~

~~"(1) GEOGRAPHIC DIVERSITY.—The Corporation shall ensure that recipients of assistance provided under section 121 are geographically diverse and include projects to be conducted in those urban and rural areas in a State with the highest rates of poverty.~~

~~"(2) PRIORITIES.—The Corporation may designate, under such criteria as may be established by the Corporation, certain national service programs or types of national service programs described in section 122(a) for priority consideration in the competitive distribution of funds under section 129(d)(2). In designating national service programs to receive priority, the Corporation may include—~~

~~"(A) national service programs carried out by another Federal agency;~~

~~"(B) national service programs that conform to the national service priorities in effect under section 122(c);~~

~~"(C) innovative national service programs;~~

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

~~"(E) grant programs in support of other national service programs if the grant programs are to be conducted by not-for-profit organizations with a demonstrated and extensive expertise in the provision of services to meet human, educational, environmental, or public safety needs; and~~

~~"(F) professional corps programs described in section 122(a)(8).~~

~~"(e) REJECTION OF STATE APPLICATIONS.—~~

~~"(1) NOTIFICATION OF STATE APPLICANTS.—If the Corporation rejects an application submitted by a State Commission under section 130 for funds described in section 129(a)(1), the Corporation shall promptly notify the State Commission of the reasons for the rejection of the application.~~

~~''(2) RESUBMISSION AND RECONSIDERATION.—The Corporation shall provide a State Commission notified under paragraph (1) with a reasonable opportunity to revise and resubmit the application. At the request of the State Commission, the Corporation shall provide technical assistance to the State Commission as part of the resubmission process. The Corporation shall promptly reconsider an application resubmitted under this paragraph.~~

~~''(3) REALLOTMENT.—The amount of any State's allotment under section 129(a) for a fiscal year that the Corporation determines will not be provided for that fiscal year shall be available for distribution by the Corporation as provided in paragraph (3) of such subsection.~~

~~"PART III—NATIONAL SERVICE PARTICIPANTS~~

~~"SEC. 137. DESCRIPTION OF PARTICIPANTS.~~

~~''(a) IN GENERAL.—For purposes of this subtitle, an individual shall be considered to be a participant in a national service program carried out using assistance provided under section 121 if the individual—~~

~~''(1) meets such eligibility requirements as may be established by the program;~~

~~''(2) is selected by the program to serve in a position with the program;~~

~~"(3) will serve in the program for a term of service specified in section 139 to be performed before, during, or after attendance at an institution of higher education;~~

~~"(4) is 17 years of age or older at the time the individual begins the term of service;~~

~~"(5) has received a high school diploma or its equivalent or agrees to obtain a high school diploma or its equivalent and the individual did not drop out of an elementary or secondary school to enroll in the program; and~~

~~"(6) is a citizen of the United States or lawfully admitted for permanent residence.~~

~~"(b) SPECIAL RULES FOR CERTAIN YOUTH PROGRAMS.—An individual shall be considered to be a participant in a youth corps program described in section 122(a)(2) or a program described in section 122(a)(9) that is carried out with assistance provided under section 121(a) if the individual—~~

~~"(1) satisfies the requirements specified in subsection (a), except paragraph (4) of such subsection; and~~

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

~~"SEC. 138. SELECTION OF NATIONAL SERVICE PARTICIPANTS.~~

~~"(a) SELECTION PROCESS.—Subject to subsections (b) and (c) and section 131(f), the actual recruitment and selection of an individual to serve in a national service program receiving assistance under section 121 or to fill an approved national service position shall be conducted by the State, subdivision of a State, Indian tribe, public or private not-for-profit organization, institution of higher education, Federal agency, or other entity to which the assistance and approved national service positions are provided.~~

~~"(b) NONDISCRIMINATION AND NONPOLITICAL SELECTION OF PARTICIPANTS.—The recruitment and selection of individuals to serve in national service programs receiving assistance under section 121 or to fill approved national service positions shall be consistent with the requirements of section 175.~~

~~"(c) SECOND TERM.—Acceptance into a national service program to serve a second term of service under section 139 shall only be available to individuals who perform satisfactorily in their first term of service.~~

~~"(d) RECRUITMENT AND PLACEMENT.—The Corporation and each State Commission shall establish a system to recruit individuals who desire to perform national service and to assist the placement of these individuals in~~

~~approved national service positions, including positions available under title I of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951). The Corporation and State Commissions shall disseminate information regarding available approved national service positions through cooperation with secondary schools, institutions of higher education, employment service offices, and other appropriate entities, particularly those organizations that provide outreach to disadvantaged youths.~~

~~''(e) NATIONAL LEADERSHIP POOL.—~~

~~''(1) SELECTION AND TRAINING.—From among individuals recruited under subsection (d), the Corporation may select individuals with significant leadership potential, as determined by the Corporation, to receive special training to enhance their leadership ability. The leadership training shall be provided by the Corporation directly or through a grant or contract.~~

~~''(2) EMPHASIS ON CERTAIN INDIVIDUALS.—In selecting individuals to receive leadership training under this subsection, the Corporation shall make special efforts to select individuals who have served in the Peace Corps, as VISTA volunteers, or as participants in national service programs receiving assistance under section 121.~~

1 ~~"(3) ASSIGNMENT.—At the request of a pro-~~
2 ~~gram that receives assistance under the national~~
3 ~~service laws, the Corporation may assign an individ-~~
4 ~~ual who receives leadership training under para-~~
5 ~~graph (1) to work with the program in a leadership~~
6 ~~position and carry out assignments not otherwise~~
7 ~~performed by regular participants. An individual as-~~
8 ~~signed to a program shall be considered to be a par-~~
9 ~~ticipant of the program.~~
10 ~~"SEC. 139. TERMS OF SERVICE.~~
11 ~~"(a) IN GENERAL.—As a condition of receiving a na-~~
12 ~~tional service education award under subtitle D, a partici-~~
13 ~~pant in an approved national service position shall be re-~~
14 ~~quired to perform full- or part-time national service for~~
15 ~~at least one term of service specified in subsection (b).~~
16 ~~"(b) TERM OF SERVICE.—~~
17 ~~"(1) FULL-TIME SERVICE.—An individual per-~~
18 ~~forming full-time national service in an approved na-~~
19 ~~tional service position shall agree to participate in~~
20 ~~the program sponsoring the position for not less~~
21 ~~than 1,700 hours during a period of not less than~~
22 ~~9 months and not more than 1 year.~~
23 ~~"(2) PART-TIME SERVICE.—Except as provided~~
24 ~~in paragraph (3), an individual performing part-time~~
25 ~~national service in an approved national service posi-~~

~~tion shall agree to participate in the program sponsoring the position for not less than 1,700 hours during a period of not less than 1 year and not more than 2 years.~~

~~"(3) REDUCTION IN HOURS OF PART-TIME SERVICE.—The Corporation may reduce the number of hours required to be served to successfully complete part-time national service to a level determined by the Corporation, except that any reduction in the required term of service shall include a corresponding reduction in the amount of any national service educational award that may be available under subtitle D with regard to that service.~~

~~"(c) RELEASE FROM COMPLETING TERM OF SERVICE.—~~

~~"(1) RELEASE AUTHORIZED.—A recipient of assistance under section 121 or a program sponsoring an approved national service position may release a participant from completing a term of service in the position—~~

~~"(A) for compelling personal circumstances as demonstrated by the participant; or~~

~~"(B) for cause.~~

~~"(2) EFFECT OF RELEASE.—If the released participant was serving in an approved national~~

service position, the participant may receive a portion of the national service educational award corresponding to that service in the manner provided in section 147(b), except that a participant released for cause may not receive any portion of the national service educational award.

"SEC. 140. LIVING ALLOWANCES FOR NATIONAL SERVICE PARTICIPANTS.

"(a) PROVISION OF LIVING ALLOWANCE.—

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

"(2) LIMITATION ON FEDERAL SHARE.—The amount of the annual living allowance provided under paragraph (1) that may be paid using assistance provided under section 121 and using any other Federal funds shall not exceed the lesser of—

"(A) 85 percent of the total average annual subsistence allowance provided to VISTA volunteers under section 105 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4955); and

~~"(B) 85 percent of the annual living allowance established by the national service program involved.~~

~~"(3) MAXIMUM LIVING ALLOWANCE.—Except as provided in subsection (c), the total amount of an annual living allowance that may be provided to a participant in a national service program shall not exceed 200 percent of the average annual subsistence allowance provided to VISTA volunteers under section 105 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4955).~~

~~"(4) PRORATION OF LIVING ALLOWANCE.—The amount provided as a living allowance under this subsection shall be prorated in the case of a participant who is authorized to serve a reduced term of service under section 139(b)(3).~~

~~"(5) TREATMENT OF LIVING ALLOWANCE.—The amount provided as a living allowance under this subsection, up to the maximum living allowance authorized by paragraph (3), shall not be taken into account in determining the need or eligibility of any person for benefits or assistance, or the amount of such benefits or assistance, under any Federal, State, or local program financed in whole or in part with Federal funds. Nothing in the preceding sen-~~

~~tence shall be construed to exclude amounts received as a living allowance from gross income under section 61 of the Internal Revenue Code of 1986 (26 U.S.C. 61).~~

~~"(b) COVERAGE OF CERTAIN EMPLOYMENT-RELATED TAXES.—To the extent a national service program that receives assistance under section 121 is subject, with respect to the participants in the program, to the taxes imposed on an employer under sections 3111 and 3301 of the Internal Revenue Code of 1986 (26 U.S.C. 3111, 3301) and taxes imposed on an employer under a workmen's compensation act, the assistance provided to the program under section 121 shall include an amount sufficient to cover 85 percent of such taxes based upon the lesser of—~~

~~"(1) the total average annual subsistence allowance provided to VISTA volunteers under section 105 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4955); and~~

~~"(2) the annual living allowance established by the program.~~

~~"(c) EXCEPTION FROM MAXIMUM LIVING ALLOWANCE FOR CERTAIN ASSISTANCE.—A professional corps program described in section 122(a)(8) that desires to provide a living allowance in excess of the maximum allow-~~

ance authorized in subsection (a)(3) may still apply for such assistance, except that—

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

"(2) the applicant shall apply for such assistance only by submitting an application to the Corporation for assistance on a competitive basis; and

"(3) the national service program must be operated directly by the applicant and must meet urgent, unmet human, educational, environmental, or public safety needs, as determined by the Corporation.

"(d) HEALTH INSURANCE.—A State or other recipient of assistance under section 121 shall provide a basic health care policy for each full-time participant in a national service program carried out or supported using the assistance if the participant is not otherwise covered by a health care policy. Not more than 85 percent of the cost of a premium shall be provided by the Corporation, with the remaining cost paid by the entity receiving assistance under section 121. The Corporation shall establish minimum standards that all plans must meet in order to qualify for payment under this part, any circumstances in which an alternative health care policy may be substituted

~~for the basic health care policy, and mechanisms to prohibit participants from dropping existing coverage.~~

~~"(e) CHILD CARE.—~~

~~"(1) AVAILABILITY.—A State or other recipient of assistance under section 121 shall—~~

~~"(A) make child care available for children of each full-time participant who serves in a national service program carried out or supported by the recipient using the assistance, including individuals who need such child care in order to participate in the program; or~~

~~"(B) provide a child care allowance to each full-time participant in a national service program who needs such assistance in order to participate in the program.~~

~~"(2) GUIDELINES.—The Corporation shall establish guidelines regarding the circumstances under which child care must be made available under this subsection and the value of any allowance to be provided.~~

~~"(f) WAIVER OF LIMITATION ON FEDERAL SHARE.—The Corporation may waive in whole or in part the limitation on the Federal share specified in this section with respect to a particular national service program in any fiscal year if the Corporation determines that such a waiver~~

would be equitable due to a lack of available financial resources at the local level.

"SEC. 141. NATIONAL SERVICE EDUCATIONAL AWARDS.

"(a) ELIGIBILITY GENERALLY.—A participant in a national service program carried out using assistance provided to an applicant under section 121 shall be eligible for the national service educational award described in subtitle D if the participant—

"(1) serves in an approved national service position; and

"(2) satisfies the eligibility requirements specified in section 146 with respect to service in that approved national service position.

"(b) SPECIAL RULE FOR VISTA VOLUNTEERS.—A VISTA volunteer who serves in an approved national service position shall be ineligible for a national service educational award if the VISTA volunteer accepts the stipend authorized under section 105(a)(1) of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4955(a)(1)).".

(b) TABLE OF CONTENTS.—Section 1(b) of the National and Community Service Act of 1990 (Public Law 101–610; 104 Stat. 3127) is amended by striking the items relating to subtitle C of title I of such Act and inserting the following new items:

"Subtitle C—National Service Trust Program

~~''PART I—INVESTMENT IN NATIONAL SERVICE~~

~~''Sec. 121. Authority to provide assistance and approved national service positions.~~
~~''Sec. 122. Types of national service programs eligible for program assistance.~~
~~''Sec. 123. Types of national service positions eligible for approval for national service educational awards.~~
~~''Sec. 124. Types of program assistance.~~
~~''Sec. 125. Training and technical assistance.~~
~~''Sec. 126. Other special assistance.~~

~~''PART II—APPLICATION AND APPROVAL PROCESS~~

~~''Sec. 129. Provision of assistance and approved national service positions by competitive and other means.~~
~~''Sec. 130. Application for assistance and approved national service positions.~~
~~''Sec. 131. National service program assistance requirements.~~
~~''Sec. 132. Ineligible service categories.~~
~~''Sec. 133. Consideration of applications.~~

~~''PART III—NATIONAL SERVICE PARTICIPANTS~~

~~''Sec. 137. Description of participants.~~
~~''Sec. 138. Selection of national service participants.~~
~~''Sec. 139. Required terms of service of national service participants.~~
~~''Sec. 140. Living allowances for national service participants.~~
~~''Sec. 141. National service educational awards.''.~~

~~SEC. 102. NATIONAL SERVICE TRUST AND PROVISION OF NATIONAL SERVICE EDUCATIONAL AWARDS.~~

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

~~''Subtitle D—National Service Trust and Provision of National Service Educational Awards~~

~~''SEC. 145. ESTABLISHMENT OF THE NATIONAL SERVICE TRUST.~~

~~''(a) ESTABLISHMENT.—There is established in the Treasury of the United States an account to be known~~

as the National Service Trust. The Trust shall consist of—

"(1) from the amounts appropriated to the Corporation and made available to carry out this subtitle pursuant to section 501(a)(1), such amounts as the Corporation may designate to be available for the payment of—

"(A) national service educational awards; and

"(B) interest expenses pursuant to subsection (e);

"(2) any amounts received by the Corporation as gifts, bequests, devise, or otherwise pursuant to section 192(a)(2); and

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

"(b) INVESTMENT OF TRUST.—It shall be the duty of the Secretary of the Treasury to invest in full the amounts appropriated to the Trust. Except as otherwise expressly provided in instruments concerning a gift, bequest, devise, or other donation and agreed to by the Corporation, such investments may be made only in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States. For such purpose, such obligations may be ac-

~~quired (1) on original issue at the issue price, or (2) by purchase of outstanding obligations at the marketplace. Any obligation acquired by the Trust may be sold by the Secretary at the market price.~~

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

~~''(d) REPORTS TO CONGRESS ON RECEIPTS AND EXPENDITURES.—The Corporation shall submit an annual report to the Congress on the financial status of the Trust. Such report shall—~~

~~''(1) specify the amount deposited to the Trust from the most recent appropriation to the Corporation, the amount received by the Corporation as gifts or bequest during the period covered by the report, and any amounts obtained by the Trust pursuant to subsection (a)(3);~~

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

~~''(3) identify the number of individuals whose ability to claim national service educational awards during the period covered by the report—~~

~~''(A) has been reduced pursuant to section 147(b); or~~

1 ~~"(B) has lapsed pursuant to section~~
2 ~~146(d); and~~
3 ~~"(4) estimate the number of additional ap-~~
4 ~~proved national service positions which the Corpora-~~
5 ~~tion will be able to make available under subtitle C~~
6 ~~on the basis of any accumulated surplus in the~~
7 ~~Trust above the amount required to provide national~~
8 ~~service educational awards to individuals identified~~
9 ~~under paragraph (2), including any amounts avail-~~
10 ~~able as a result of the circumstances referred to in~~
11 ~~paragraph (3).~~
12 ~~"SEC. 146. INDIVIDUALS ELIGIBLE TO RECEIVE A NATIONAL~~
13 ~~SERVICE EDUCATIONAL AWARD FROM THE~~
14 ~~TRUST.~~
15 ~~"(a) ELIGIBLE INDIVIDUALS.—An individual shall~~
16 ~~receive a national service educational award from the Na-~~
17 ~~tional Service Trust if the individual—~~
18 ~~"(1) successfully completes the required term of~~
19 ~~service described in subsection (b) in an approved~~
20 ~~national service position;~~
21 ~~"(2) was 17 years of age or older at the time~~
22 ~~the individual began serving in the approved na-~~
23 ~~tional service position or was an out-of-school youth~~
24 ~~serving in an approved national service position with~~
25 ~~a youth corps program described in section~~

~~122(a)(2) or a program described in section 122(a)(9);~~

~~"(3) has received a high school diploma, or the equivalent of such diploma, at the time the individual uses the national service educational award; and~~

~~"(4) is a citizen of the United States or lawfully admitted for permanent residence.~~

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

~~"(c) LIMITATION ON NUMBER OF TERMS OF SERVICE FOR AWARDS.—Although an individual may serve more than 2 terms of service described in subsection (b) in an approved national service position, the individual shall receive a national service educational award from the National Service Trust only on the basis of the first and second of such terms of service.~~

~~"(d) TIME FOR USE OF EDUCATIONAL AWARD.—~~

~~"(1) FIVE-YEAR REQUIREMENT.—An individual eligible to receive a national service educational award under this section may not use such award after the end of the 5-year period beginning on the date the individual completes the term of service in~~

~~an approved national service position that is the basis of the award.~~

~~"(2) EXCEPTION. The Corporation may extend the period within which an individual may use a national service educational award if the Corporation determines that the individual—~~

~~"(A) was unavoidably prevented from using the national service educational award during the original 5-year period; or~~

~~"(B) performed another term of service in an approved national service position during that period.~~

~~"SEC. 147. DETERMINATION OF THE AMOUNT OF THE NATIONAL SERVICE EDUCATIONAL AWARD.~~

~~"(a) AMOUNT GENERALLY. Except as provided in subsection (b), an individual described in section 146(a) who successfully completes a required term of service in an approved national service position shall receive a national service educational award having a value equal to $5,000 for each of not more than 2 of such terms of service.~~

~~"(b) AWARD FOR PARTIAL COMPLETION OF SERVICE. If an individual serving in an approved national service position is released in accordance with section 139(c)(1)(A) from completing the term of service agreed~~

~~to by the individual, the Corporation may provide the individual with that portion of the national service educational award approved for the individual that corresponds to the quantity of the term of service actually completed by the individual.~~

~~"SEC. 148. DISBURSEMENT OF NATIONAL SERVICE EDUCATIONAL AWARDS.~~

~~"(a) IN GENERAL.—Amounts in the Trust shall be available—~~

~~"(1) to repay student loans in accordance with subsection (b);~~

~~"(2) to pay all or part of the cost of attendance at an institution of higher education in accordance with subsection (c);~~

~~"(3) to pay expenses incurred in participating in an approved school-to-work program in accordance with subsection (d); and~~

~~"(4) to pay interest expenses in accordance with regulations prescribed pursuant to subsection (e).~~

~~"(b) USE OF EDUCATIONAL AWARD TO REPAY OUTSTANDING STUDENT LOANS.—~~

~~"(1) APPLICATION BY ELIGIBLE INDIVIDUALS.—An eligible individual under section 146 who desires to apply his or her national service educational award to the repayment of qualified student~~

~~loans shall submit, in a manner prescribed by the Corporation, an application to the Corporation that—~~

~~"(A) identifies, or permits the Corporation to identify readily, the holder or holders of such loans;~~

~~"(B) indicates, or permits the Corporation to determine readily, the amounts of principal and interest outstanding on the loans; and~~

~~"(C) contains or is accompanied by such other information as the Corporation may require.~~

~~"(2) DISBURSEMENT OF REPAYMENTS.—Upon receipt of an application from an eligible individual of an application that complies with paragraph (1), the Corporation shall, as promptly as practicable consistent with paragraph (5), disburse the amount of the national service educational award to which the eligible individual is entitled. Such disbursement shall be made by check or other means that is payable to the holder of the loan and requires the endorsement or other certification by the eligible individual.~~

~~"(3) APPLICATION OF DISBURSED AMOUNTS.—If the amount disbursed under paragraph (2) is less~~

~~than the principal and accrued interest on any qualified student loan, such amount shall first be applied to the repayment of principal.~~

~~"(4) REPORTS BY HOLDERS.—Any holder receiving a loan payment pursuant to this subsection shall submit to the Corporation such information as the Corporation may require to verify that such payment was applied in accordance with this subsection and any regulations prescribed to carry out this subsection.~~

~~"(5) AUTHORITY TO AGGREGATE PAYMENTS.—The Corporation may, by regulation, provide for the aggregation of payments to holders under this subsection.~~

~~"(6) DEFINITION OF QUALIFIED STUDENT LOANS.—The term 'qualified student loans' means—~~

~~"(A) any loan made, insured, or guaranteed pursuant to title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.), other than a loan to a parent of a student pursuant to section 428B of such Act (20 U.S.C. 1078-2); and~~

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

~~"(7) DEFINITION OF HOLDER.—The term 'holder' with respect to any eligible loan means the original lender or, if the loan is subsequently sold, transferred, or assigned to some other person, and such other person acquires a legally enforceable right to receive payments from the borrower, such other person.~~

~~"(c) USE OF EDUCATIONAL AWARDS TO PAY CURRENT EDUCATIONAL EXPENSES.—~~

~~"(1) APPLICATION BY ELIGIBLE INDIVIDUAL.—An eligible individual under section 146 who desires to apply his or her national service educational award to the payment of current educational expenses shall, on a form prescribed by the Corporation, submit an application to the institution of higher education in which the student will be enrolled that contains such information as the Corporation may require to verify the individual's eligibility.~~

~~"(2) SUBMISSION OF REQUESTS FOR PAYMENT BY INSTITUTIONS.—An institution of higher education that receives one or more applications that comply with paragraph (1) shall submit to the Corporation a statement, in a manner prescribed by the Corporation, that—~~

~~"(A) identifies each eligible individual filing an application under paragraph (1) for a disbursement of the individual's national service educational award under this subsection;~~

~~"(B) specifies the amounts for which such eligible individuals are, consistent with paragraph (6), qualified for disbursement under this subsection;~~

~~"(C) certifies that (i) the institution of higher education has in effect a program participation agreement under section 487 of the Higher Education Act of 1965 (20 U.S.C. 1094), and (ii) the institution's eligibility to participate in any of the programs under title IV of such Act (20 U.S.C. 1070 et seq.) has not been limited, suspended, or terminated; and~~

~~"(D) contains such provisions concerning financial compliance as the Corporation may require.~~

~~"(3) DISBURSEMENT OF PAYMENTS.—Upon receipt of a statement from an institution of higher education that complies with paragraph (2), the Corporation shall, subject to paragraph (4), disburse the total amount of the national service educational awards for which eligible individuals who have sub-~~

~~mitted applications to that institution under paragraph (1) are qualified. Such disbursement shall be made by check or other means that is payable to the institution and requires the endorsement or other certification by the eligible individual.~~

~~"(4) MULTIPLE DISBURSEMENTS REQUIRED.—The total amount required to be disbursed to an institution of higher education under paragraph (3) for any period of enrollment shall be disbursed by the Corporation in 2 or more installments, none of which exceeds ½ of such total amount. The interval between the first and second such installment shall not be less than ½ of such period of enrollment, except as necessary to permit the second installment to be paid at the beginning of the second semester, quarter, or similar division of such period of enrollment.~~

~~"(5) REFUND RULES.—The Corporation shall, by regulation, provide for the refund to the Corporation (and the crediting to the national service educational award of an eligible individual) of amounts disbursed to institutions for the benefit of eligible individuals who withdraw or otherwise fail to complete the period of enrollment for which the assistance was provided. Such regulations shall be consistent~~

with the fair and equitable refund policies required of institutions pursuant to section 484B of the Higher Education Act of 1965 (20 U.S.C. 1091b). Amounts refunded to the Trust pursuant to this paragraph may be used by the Corporation to fund additional approved national service positions under subtitle C.

"(6) MAXIMUM AWARD.—The portion of an eligible individual's total available national service educational award that may be disbursed under this subsection for any period of enrollment shall not exceed the difference between—

"(A) the eligible individual's cost of attendance for such period of enrollment, determined in accordance with section 472 of the Higher Education Act of 1965 (20 U.S.C. 1087ll); and

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

"(d) USE OF EDUCATIONAL AWARD TO PARTICIPATE IN APPROVED SCHOOL-TO-WORK PROGRAMS.—The Corporation shall by regulation provide for the payment of

national service educational awards to permit eligible individuals to participate in school-to-work programs approved by the Secretaries of Labor and Education.

"(e) INTEREST PAYMENTS DURING FORBEARANCE ON LOAN REPAYMENT.—The Corporation may provide by regulation for the payment on behalf of an eligible individual of interest that accrues during a period for which such individual has obtained forbearance in the repayment of a qualified student loan (as defined in subsection (b)(6)), if the eligible individual successfully completes his or her required term of service (as determined under section 146(b)). Such regulations shall be prescribed after consultation with the Secretary of Education.

"(f) TREATMENT OF BENEFITS.—Notwithstanding any other provision of law, national service awards and other benefits received under this section shall not be taken into account in the determining the need or eligibility of any person for benefits or assistance, or the amount of such benefits or assistance, under any Federal, State, or local program financed in whole or in part with Federal funds. The amount of any national service award or other benefits received under this section shall not be considered income for purposes of the Internal Revenue Code of 1986.

~~''(g) DEFINITION OF INSTITUTION OF HIGHER EDUCATION.—Notwithstanding section 101 of this Act, for purposes of this section the term 'institution of higher education' has the meaning provided by section 481(a) of the Higher Education Act of 1965 (20 U.S.C. 1088(a)).''.~~

~~(b) TABLE OF CONTENTS.—Section 1(b) of the National and Community Service Act of 1990 (Public Law 101–610; 104 Stat. 3127) is amended by striking the items relating to subtitle D of title I of such Act and inserting 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.''.~~

~~(c) CONFORMING AMENDMENTS.—~~

~~(1) ELIGIBILITY FOR SUBSIDIZED STAFFORD LOANS.—Section 428(a)(2)(C)(i) of the Higher Education Act of 1965 (20 U.S.C. 1078(a)(2)(C)(i)) is amended by inserting after ''parts C and E of this title,'' the following: ''any national service educational award such student will receive under subtitle D of title I of the National and Community Service Act of 1990 (42 U.S.C. 12751 et seq.),''.~~

~~(2) FORBEARANCE IN THE COLLECTION OF STAFFORD LOANS.—Section 428 of the Higher Education Act of 1965 is amended—~~

~~(A) in subsection (b)(1)—~~

~~(i) by redesignating subparagraphs (W), (X), and (Y) as subparagraphs (X), (Y), and (Z), respectively; and~~

~~(ii) by inserting immediately after subparagraph (V) the following new subparagraph:~~

~~"(W)(i) provides that, upon written request, a lender shall grant a borrower forbearance on such terms as are otherwise consistent with the regulations of the Secretary, during periods in which the borrower is serving in a national service position, for which he or she receives a national service educational award under the National Service Trust Act of 1993;~~

~~"(ii) provides that clauses (iii) and (iv) of subparagraph (V) shall also apply to a forbearance granted under this subparagraph; and~~

~~"(iii) provides that interest shall continue to accrue on a loan for which a borrower receives forbearance under this subparagraph and~~

shall be capitalized or paid by the borrower;''; and

(B) in subsection (c)(3)(A), by striking ''subsection (b)(1)(V)'' and inserting ''subsection (b)(1) (V) and (W)''.

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

(A) in subsection (b)(1), is amended by striking ''October 1, 1992'' and inserting ''October 1, 1989'';

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

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

(C) by adding at the end the following new subsection:

''(h) TREATMENT OF BENEFITS.—Notwithstanding any other provision of law, the amount of any loan repaid by the Secretary under this section shall not be taken into account in determining the need or eligibility of any per-

son for benefits or assistance, or the amount of such benefits or assistance, under any Federal, State, or local program financed in whole or in part with Federal funds. The amount of any loan repaid by the Secretary under this section shall not be considered income for purposes of the Internal Revenue Code of 1986.''.

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

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

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

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

~~SEC. 103. SCHOOL-BASED AND COMMUNITY-BASED SERVICE-LEARNING PROGRAMS.~~

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

~~(1) PURPOSE.—The purpose of this subsection is to improve the Serve-America programs established under part I of subtitle B of the National and Community Service Act of 1990, and to enable the Corporation for National Service, and the entities receiving financial assistance under such part, to—~~

~~(A) work with teachers in elementary schools and secondary schools within a community, and with community-based agencies, to create and offer service-learning opportunities for all school-age youth;~~

~~(B) educate teachers, and faculty providing teacher training and retraining, about service-learning, and incorporate service-learning opportunities into classroom teaching to strengthen academic learning;~~

~~(C) coordinate the work of adult volunteers who work with elementary and secondary schools as part of their community service activities; and~~

~~(D) work with employers in the communities to ensure that projects introduce the stu-~~

~~dents to various careers and expose the students to needed further education and training.~~

~~(2) PROGRAMS.—Subtitle B of title I of the National and Community Service Act of 1990 (42 U.S.C. 12501 et seq.) is amended by striking the subtitle heading and all that follows through the end of part I and inserting 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.~~

~~"(a) USE OF FUNDS.—The Corporation, in consultation with the Secretary of Education, may make grants under section 112(b)(1), and allotments under subsections (a) and (b)(2) of section 112, to States and Indian tribes to pay for the Federal share of—~~

~~"(1) planning and building the capacity of the States or Indian tribes (which may be accomplished through grants or contracts with qualified organizations) to implement school-based service-learning programs, including—~~

~~"(A) providing training for teachers, supervisors, personnel from community-based agencies (particularly with regard to the utilization of participants), and trainers, to be conducted by qualified individuals or organizations that have experience with service-learning;~~

~~"(B) developing service-learning curricula to be integrated into academic programs, including the age-appropriate learning component described in section 114(d)(5)(B);~~

~~"(C) forming local partnerships described in paragraph (2) or (4) to develop school-based service-learning programs in accordance with this subpart;~~

~~"(D) devising appropriate methods for research and evaluation of the educational value of service-learning and the effect of service-learning activities on communities; and~~

~~"(E) establishing effective outreach and dissemination of information to ensure the broadest possible involvement of community-based agencies with demonstrated effectiveness in working with school-age youth in their communities;~~

~~"(2) implementing, operating, or expanding school-based service-learning programs, which may include paying for the cost of the recruitment, training, supervision, placement, salaries, and benefits of service-learning coordinators, through State distribution of Federal funds made available under this subpart to projects operated by local partnerships among—~~

~~"(A) local educational agencies; and~~

~~"(B) one or more community partners that—~~

~~"(i) shall include a public or private not-for-profit organization that will make projects available for participants, who shall be students; and~~

~~"(ii) may include a private for-profit business or private elementary or secondary school;~~

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

~~"(A) the salaries and benefits of service-learning coordinators; or~~

~~"(B) the recruitment, training, supervision, and placement of service-learning coordinators who are participants in a program under subtitle C or receive a national service educational award under subtitle D,~~

~~who will identify the community partners described in paragraph (2)(B) and assist in the design and implementation of a program described in paragraph (2); and~~

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

~~"(A) local educational agencies; and~~

~~"(B) one or more—~~

~~"(i) public or private not-for-profit organizations;~~

~~"(ii) other educational agencies; or~~

~~"(iii) private for-profit businesses,~~

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

~~"(b) DUTIES OF SERVICE-LEARNING COORDINATOR.—A service-learning coordinator referred to in para-~~

graph (2) or (3) of subsection (a) shall provide services to a local educational agency by—

"(1) expanding the awareness of teachers of the potential of service-learning in strengthening the educational achievement, leadership development, and substantive learning, of students;

"(2) providing technical assistance and information to, and facilitating the training of, teachers who want to use service-learning in their classrooms;

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

"(4) recruiting and supervising adult volunteers, or individuals who are participants in a program under subtitle C or receive a national service educational award under subtitle D, to expand service-learning opportunities; and

"(5) coordinating the activities of the service-learning coordinator with the activities of the committee described in section 114(d)(1), and, where appropriate, assisting the committee.

"(c) RELATED EXPENSES.—A partnership, local educational agency, or other qualified organization that receives financial assistance under this subpart may, in carrying out the activities described in subsection (a), use

such assistance to pay for the Federal share of reasonable costs related to the supervision of participants, program administration, transportation, insurance, evaluations, and for other reasonable expenses related to the activities.

"SEC. 111A. AUTHORITY TO ASSIST LOCAL APPLICANTS IN NONPARTICIPATING STATES.

''In any fiscal year in which a State does not submit an application under section 113, for an allotment under subsection (a) or (b)(2) of section 112, that meets the requirements of section 113 and such other requirements as the Chairperson may determine to be appropriate, the Corporation may use the allotment of that State to make direct grants to pay for the Federal share of the cost of—

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

''(2) carrying out the activities described in paragraph (3) of such section, to an agency described in such paragraph,

that is located in the State.

"SEC. 111B. AUTHORITY TO ASSIST PUBLIC OR PRIVATE NOT-FOR-PROFIT ORGANIZATIONS.

''(a) IN GENERAL.—The Corporation may make a grant under section 112(b)(1) to a public or private not-for-profit organization that—

1 ~~''(1) has experience with service-learning;~~

2 ~~''(2) was in existence 1 year before the date on~~
3 ~~which the organization submitted an application~~
4 ~~under section 114(a); and~~

5 ~~''(3) meets such other criteria as the Chair-~~
6 ~~person may establish.~~

7 ~~''(b) USE OF FUNDS.—Such an organization may use~~
8 ~~a grant made under subsection (a) to make grants to part-~~
9 ~~nerships described in paragraph (2) or (4) of section~~
10 ~~111(a) to implement, operate, or expand school-based~~
11 ~~service-learning programs as described in such section and~~
12 ~~provide technical assistance and training to appropriate~~
13 ~~persons.~~

14 ~~**''SEC. 112. GRANTS AND ALLOTMENTS.**~~

15 ~~''(a) INDIAN TRIBES AND TERRITORIES.—Of the~~
16 ~~amounts appropriated to carry out this subpart for any~~
17 ~~fiscal year, the Corporation shall reserve an amount of not~~
18 ~~more than 1 percent for payments to Indian tribes, the~~
19 ~~Virgin Islands, Guam, American Samoa, and the Com-~~
20 ~~monwealth of the Northern Mariana Islands, to be allotted~~
21 ~~in accordance with their respective needs. The Corporation~~
22 ~~may also make payments from such amount to Palau, in~~
23 ~~accordance with its needs, until such time as the Compact~~
24 ~~of Free Association with Palau is ratified.~~

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

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

~~"(A) State educational agencies and Indian tribes; or~~

~~"(B) as described in section 111B, to grantmaking entities.~~

~~"(2) ALLOTMENTS.—~~

~~"(A) SCHOOL-AGE YOUTH.—Except as provided in paragraph (3), from 37.5 percent of such funds, the Corporation shall allot to each State an amount that bears the same ratio to 37.5 percent of such funds as the number of school-age youth in the State bears to the total number of school-age youth of all States.~~

~~"(B) ALLOCATION UNDER ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965.—Except as provided in paragraph (3), from 37.5 percent of such funds, the Corporation shall allot to each State an amount that bears the~~

same ratio to 37.5 percent of such funds as the allocation to the State for the previous fiscal year under chapter 1 of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2711 et seq.) bears to such allocations to all States.

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

"(4) DEFINITION.—Notwithstanding section 101(25), for purposes of this subsection, the term 'State' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, and an Indian tribe.

"(c) REALLOTMENT.—If the Corporation determines that the allotment of a State or Indian tribe under this section will not be required for a fiscal year because the

~~State or Indian tribe does not submit an application for the allotment under section 113 that meets the requirements of such section and such other requirements as the Chairperson may determine to be appropriate, the Corporation shall, after making any grants under section 111A to a partnership or agency described in such section, make any remainder of such allotment available for reallotment to such other States, and Indian tribes, with approved applications submitted under section 113, as the Corporation may determine to be appropriate.~~

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

~~''SEC. 113. STATE OR TRIBAL APPLICATIONS.~~

~~''(a) SUBMISSION.—To be eligible to receive a grant under section 112(b)(1), an allotment under subsection (a) or (b)(2) of section 112, a reallotment under section 112(c), or a grant under section 112(d), a State, acting through the State educational agency, or an Indian tribe, shall prepare, submit to the Corporation, and obtain approval of, an application at such time and in such manner as the Chairperson may reasonably require.~~

~~"(b) CONTENTS.—An application that is submitted under subsection (a) with respect to service-learning programs described in section 111 shall include—~~

~~"(1) a 3-year strategic plan, or a revision of a previously approved 3-year strategic plan, for promoting service-learning through the programs, which plan shall contain such information as the Chairperson may reasonably require, such as—~~

~~"(A) a description of the goals to be attained in promoting service-learning through such programs;~~

~~"(B) a description of the resources and organization needed to achieve the goals of such programs within elementary schools and secondary schools; and~~

~~"(C) a description of the manner in which—~~

~~"(i) such programs and the activities to be carried out under such programs relate to the goals described in subparagraph (A);~~

~~"(ii) the applicant will evaluate the success of the programs and the extent of community involvement in the programs, and measure the extent to which the pro-~~

~~grams meet the goals described in subparagraph (A);~~

~~"(iii) in reviewing applications submitted under section 114(c), the applicant has ranked the applications according to the criteria described in section 115(b), has considered the factors described in section 115(a), and has reviewed the applications in a manner that ensured the equitable treatment of all such applications;~~

~~"(iv) the programs will be coordinated with—~~

~~"(I) the education reform efforts of the applicant;~~

~~"(II) other efforts to meet the National Education Goals;~~

~~"(III) other service activities in the State or serving the Indian tribe; and~~

~~"(IV) other education programs, training programs, social service programs, and appropriate programs that serve school-age youth, that are authorized under Federal law;~~

~~"(v) the applicant will disseminate information, conduct outreach, and take other measures, to encourage cooperative efforts among the local educational agencies, local government agencies, community-based agencies, State agencies, and private for-profit businesses that will carry out the service-learning programs proposed by the applicant, to develop and provide projects, including those that involve the participation of urban, suburban, and rural students working together;~~

~~"(vi) the applicant will promote appropriate projects in such programs for economically disadvantaged students, students with limited basic skills, students in foster care who are becoming too old for foster care, students of limited-English proficiency, homeless students, and students with disabilities;~~

~~"(vii) service-learning training and technical assistance will be provided through the programs—~~

~~"(I) to State and local educational agency personnel, federally~~

~~assisted education specialists in the State or serving the Indian tribe, and local recipients of grants under this subpart, to raise the awareness of service-learning among such personnel, specialists, and recipients; and~~

~~''(II) by qualified and experienced individuals employed by the State or Indian tribe or through grants or contracts with such individuals;~~

~~''(viii) a service-learning network will be established for the State or Indian tribe, comprised of expert teachers and administrators who have carried out successful service-learning activities within the State or serving the Indian tribe; and~~

~~''(ix) the applicant will use payments from sources described in section 116(a)(2)(B) to expand projects for students through the programs proposed by the applicant;~~

~~''(2) assurances that—~~

~~''(A) the applicant will keep such records and provide such information to the Corpora-~~

~~tion with respect to the programs as may be required for fiscal audits and program evaluation; and~~

~~"(B) the applicant will comply with the nonduplication and nondisplacement requirements of section 177; and~~

~~"(3) such additional information as the Chairperson may reasonably require.~~

~~"SEC. 114. LOCAL APPLICATIONS.~~

~~"(a) APPLICATION TO CORPORATION TO MAKE GRANTS FOR SCHOOL-BASED SERVICE-LEARNING PROGRAMS.—~~

~~"(1) IN GENERAL.—To be eligible to receive a grant in accordance with section 111B(a) to make grants relating to school-based service-learning programs described in section 111(a)(2), a grantmaking entity shall prepare, submit to the Corporation, and obtain approval of, an application.~~

~~"(2) SUBMISSION.—Such application shall be submitted at such time and in such manner, and shall contain such information, as the Chairperson may reasonably require. Such application shall include a proposal to assist such programs in more than 1 State.~~

~~"(b) DIRECT APPLICATION TO CORPORATION TO CARRY OUT SCHOOL-BASED SERVICE-LEARNING PROGRAMS IN NONPARTICIPATING STATES.—To be eligible to receive a grant from the Corporation in the circumstances described in section 111A to carry out an activity described in such section, a partnership or agency described in such section shall prepare, submit to the Corporation, and obtain approval of, an application. Such application shall be submitted at such time and in such manner, and shall contain such information, as the Chairperson may reasonably require.~~

~~"(c) APPLICATION TO STATE OR INDIAN TRIBE TO RECEIVE ASSISTANCE TO CARRY OUT SCHOOL-BASED SERVICE-LEARNING PROGRAMS.—~~

~~"(1) IN GENERAL.—Any—~~

~~"(A) qualified organization that desires to receive financial assistance under this subpart from a State or Indian tribe for an activity described in section 111(a)(1);~~

~~"(B) partnership described in section 111(a)(2) that desires to receive such assistance from a State, Indian tribe, or grantmaking entity for an activity described in section 111(a)(2);~~

~~"(C) agency described in section 111(a)(3) that desires to receive such assistance from a State or Indian tribe for an activity described in such section; or~~

~~"(D) partnership described in section 111(a)(4) that desires to receive such assistance from a State or Indian tribe for an activity described in such section,~~

~~to be carried out through a service-learning program described in section 111, shall prepare, submit to the State educational agency, Indian tribe, or grantmaking entity, and obtain approval of, an application for the program.~~

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

~~"(d) CONTENTS OF APPLICATION.—An application that is submitted under subsection (a), (b), or (c) with respect to a service-learning program described in section 111 shall, at a minimum, contain a proposal that includes—~~

~~"(1) information specifying the membership and role of an established advisory committee, consisting of representatives of community-based agencies in-~~

~~cluding service recipients, students, parents, teachers, administrators, representatives of agencies that serve school-age youth or older adults, school board members, representatives of local labor organizations, and representatives of business, that will provide advice with respect to the program;~~

~~"(2) a description of—~~

~~"(A) the goals of the program which shall include goals that are quantifiable and demonstrate any benefits from the program to participants and the community;~~

~~"(B) service-learning projects to be provided under the program, and evidence that participants will make a sustained commitment to service in the projects;~~

~~"(C) the manner in which participants in the program were or will be involved in the design and operation of the program;~~

~~"(D) training for supervisors, teachers, service sponsors, and participants in the program;~~

~~"(E) the manner in which exemplary service will be recognized under the program; and~~

~~"(F) any resources that will permit continuation of the program, if needed, after the~~

~~assistance received under this subpart for the program has ended;~~

~~''(3) information that shall include—~~

~~''(A) a disclosure of whether or not the participants will receive academic credit for participation in the program;~~

~~''(B) the expected number of participants in the program and the hours of service that such participants will provide individually and as a group;~~

~~''(C) the proportion of expected participants in the program who are economically disadvantaged, including participants with disabilities; and~~

~~''(D) any role of adult volunteers in implementing the program, and the manner in which such volunteers will be recruited;~~

~~''(4) in the case of an application submitted by a local partnership, a written agreement, between the members of the local partnership, stating that the program was jointly developed by the members and that the program will be jointly executed by the members; and~~

~~''(5) assurances that—~~

~~"(A) prior to the placement of a participant, the entity carrying out the program will consult with any local labor organization representing employees in the area who are engaged in the same or similar work as that proposed to be carried out by such program, to prevent the displacement and protect the rights of such employees;~~

~~"(B) the entity carrying out the program will develop an age-appropriate learning component for participants in the program that shall include a chance for participants to analyze and apply their service experiences; and~~

~~"(C) the entity carrying out the program will comply with the nonduplication and nondisplacement requirements of section 177 and grievance procedure requirements of section 176(f).~~

~~"SEC. 115. CONSIDERATION OF APPLICATIONS.~~

~~"(a) CRITERIA FOR APPLICATIONS.—In approving applications for financial assistance under subsection (a), (b), (c), or (d) of section 112, the Corporation shall consider such criteria with respect to sustainability, replicability, innovation, and quality of programs under this subpart as the Chairperson may by regulation specify.~~

~~In providing assistance under this subpart, a State educational agency, Indian tribe, or grantmaking entity shall consider such criteria.~~

~~''(b) PRIORITY FOR LOCAL APPLICATIONS.—~~

~~''(1) IN GENERAL.—In providing assistance under this subpart, a State educational agency or Indian tribe, or the Corporation if section 111A or 111B applies, shall give priority to entities that submit applications under section 114 with respect to service-learning programs described in section 111 that—~~

~~''(A) involve participants in the design and operation of the program;~~

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

~~''(C) involve—~~

~~''(i) students from public elementary or secondary schools, and students from private elementary or secondary schools, serving together; or~~

~~''(ii) students of different ages, races, sexes, ethnic groups, disabilities, or economic backgrounds, serving together; or~~

~~''(D) are integrated into the academic program of the participants.~~

1 ~~''(c) REJECTION OF APPLICATIONS.—If the Corpora-~~
2 ~~tion rejects an application submitted by a State under sec-~~
3 ~~tion 113 for an allotment under subsection (b)(2) of sec-~~
4 ~~tion 112, the Corporation shall promptly notify the State~~
5 ~~of the reasons for the rejection of the application. The~~
6 ~~Corporation shall provide the State with a reasonable op-~~
7 ~~portunity to revise and resubmit the application and shall~~
8 ~~provide technical assistance, if needed, to the State as part~~
9 ~~of the resubmission process. The Corporation shall~~
10 ~~promptly reconsider such resubmitted application.~~

11 ~~**''SEC. 115A. PARTICIPATION OF STUDENTS AND TEACHERS**~~
12 ~~**FROM PRIVATE SCHOOLS.**~~

13 ~~''(a) IN GENERAL.—To the extent consistent with the~~
14 ~~number of students in the State or Indian tribe or in the~~
15 ~~school district of the local educational agency involved who~~
16 ~~are enrolled in private not-for-profit elementary and sec-~~
17 ~~ondary schools, such State, Indian tribe, or agency shall~~
18 ~~(after consultation with appropriate private school rep-~~
19 ~~resentatives) make provision—~~

20 ~~''(1) for the inclusion of services and arrange-~~
21 ~~ments for the benefit of such students so as to allow~~
22 ~~for the equitable participation of such students in~~
23 ~~the programs implemented to carry out the objec-~~
24 ~~tives and provide the benefits described in this sub-~~
25 ~~part; and~~

1 ~~''(2) for the training of the teachers of such~~
2 ~~students so as to allow for the equitable participa-~~
3 ~~tion of such teachers in the programs implemented~~
4 ~~to carry out the objectives and provide the benefits~~
5 ~~described in this subpart.~~
6 ~~''(b) WAIVER.—If a State, Indian tribe, or local edu-~~
7 ~~cational agency is prohibited by law from providing for~~
8 ~~the participation of students or teachers from private not-~~
9 ~~for-profit schools as required by subsection (a), or if the~~
10 ~~Corporation determines that a State, Indian tribe, or local~~
11 ~~educational agency substantially fails or is unwilling to~~
12 ~~provide for such participation on an equitable basis, the~~
13 ~~Chairperson shall waive such requirements and shall ar-~~
14 ~~range for the provision of services to such students and~~
15 ~~teachers. Such waivers shall be subject to consultation,~~
16 ~~withholding, notice, and judicial review requirements in~~
17 ~~accordance with paragraphs (3) and (4) of section 1017(b)~~
18 ~~of the Elementary and Secondary Education Act of 1965~~
19 ~~(20 U.S.C. 2727(b)).~~
20 **~~"SEC. 116. FEDERAL, STATE, AND LOCAL CONTRIBUTIONS.~~**
21 ~~''(a) SHARE.—~~
22 ~~''(1) IN GENERAL.—The Federal share attrib-~~
23 ~~utable to this subpart of the cost of carrying out a~~
24 ~~program for which a grant or allotment is made~~
25 ~~under this subpart may not exceed—~~

~~"(A) 90 percent of the total cost of the program for the first year for which the program receives assistance under this subpart;~~

~~"(B) 80 percent of the total cost of the program for the second year for which the program receives assistance under this subpart;~~

~~"(C) 70 percent of the total cost of the program for the third year for which the program receives assistance under this subpart; and~~

~~"(D) 50 percent of the total cost of the program for the fourth year, and for any subsequent year, for which the program receives assistance under this subpart.~~

~~"(2) CALCULATION.—In providing for the remaining share of the cost of carrying out such a program, each recipient of assistance under this subpart—~~

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

~~"(B) may provide for such share through State sources, local sources, or Federal sources (other than funds made available under the national service laws).~~

~~"(b) WAIVER.—The Chairperson may waive the requirements of subsection (a) in whole or in part with respect to any such program in any fiscal year if the Corporation determines that such a waiver would be equitable due to a lack of available financial resources at the local level.~~

~~"SEC. 116A. LIMITATIONS ON USES OF FUNDS.~~

~~"(a) ADMINISTRATIVE COSTS.—~~

~~"(1) LIMITATION.—Not more than 5 percent of the amount of assistance provided to a State educational agency, Indian tribe, or grantmaking entity that is the original recipient of a grant or allotment under subsection (a), (b), (c), or (d) of section 112 for a fiscal year may be used to pay for administrative costs incurred by—~~

~~"(A) the original recipient; or~~

~~"(B) the entity carrying out the service-learning programs supported with the assistance.~~

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

~~"(A) such assistance may be used to cover administrative costs; and~~

~~"(B) that portion of the assistance available to cover administrative costs should be distributed between—~~

~~"(i) the original recipient; and~~

~~"(ii) the entity carrying out the service-learning programs supported with the assistance.~~

~~"(b) CAPACITY-BUILDING ACTIVITIES.—Not less than 10 percent and not more than 15 percent of the amount of assistance provided to a State educational agency or Indian tribe that is the original recipient of a grant or allotment under subsection (a), (b), (c), or (d) of section 112 for a fiscal year may be used to build capacity through training, technical assistance, curriculum development, and coordination activities, described in section 111(a)(1).~~

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

~~"SEC. 116B. DEFINITIONS.~~

~~"As used in this subpart:~~

~~''(1) GRANTMAKING ENTITY.—The term 'grantmaking entity' means an organization described in section 111B(a).~~

~~''(2) SCHOOL-BASED.—The term 'school-based' means based in an elementary school or a secondary school.~~

~~''(3) STUDENT.—Notwithstanding section 101(28), the term 'student' means an individual who is enrolled in an elementary or secondary school on a full- or part-time basis.~~

~~''Subpart B—Community-Based Service Programs for School-Age Youth~~

~~''SEC. 117. DEFINITIONS.~~

~~''As used in this subpart:~~

~~''(1) COMMUNITY-BASED SERVICE PROGRAM.—The term 'community-based service program' means a program described in section 117A(b)(1)(A).~~

~~''(2) GRANTMAKING ENTITY.—The term 'grantmaking entity' means a qualified organization that—~~

~~''(A) submits an application under section 117C(a) to make grants to qualified organizations; and~~

1 ~~"(B) was in existence 1 year before the~~
2 ~~date on which the organization submitted the~~
3 ~~application.~~
4 ~~"(3) QUALIFIED ORGANIZATION.—The term~~
5 ~~'qualified organization' means a public or private~~
6 ~~not-for-profit organization with experience working~~
7 ~~with school-age youth that meets such criteria as the~~
8 ~~Chairperson may establish.~~
9 ~~"SEC. 117A. GENERAL AUTHORITY.~~
10 ~~"(a) GRANTS.—From the funds appropriated to~~
11 ~~carry out this subpart for a fiscal year, the Corporation~~
12 ~~may make grants to State Commissions, grantmaking en-~~
13 ~~tities, and qualified organizations to pay for the Federal~~
14 ~~share of the implementation, operation, expansion, or rep-~~
15 ~~lication of community-based service programs.~~
16 ~~"(b) USE OF FUNDS.—~~
17 ~~"(1) STATE COMMISSIONS AND GRANTMAKING~~
18 ~~ENTITIES.—A State Commission or grantmaking en-~~
19 ~~tity may use a grant made under subsection (a)—~~
20 ~~"(A) to make a grant to a qualified organi-~~
21 ~~zation to implement, operate, expand, or rep-~~
22 ~~licate a community-based service-learning pro-~~
23 ~~gram that provides for meaningful human, edu-~~
24 ~~cational, environmental, or public safety service~~

~~by participants, who shall be school-age youth; or~~

~~''(B) to provide training and technical assistance to such an organization.~~

~~''(2) QUALIFIED ORGANIZATIONS.—A qualified organization, other than a grantmaking entity, may use a grant made under subsection (a) to implement, operate, expand, or replicate a program described in paragraph (1)(A).~~

~~''SEC. 117B. STATE APPLICATIONS.~~

~~''(a) IN GENERAL.—To be eligible to receive a grant under section 117A(a), a State Commission shall prepare, submit to the Corporation, and obtain approval of, an application.~~

~~''(b) SUBMISSION.—Such application shall be submitted to the Corporation at such time and in such manner, and shall contain such information, as the Chairperson may reasonably require.~~

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

~~"SEC. 117C. LOCAL APPLICATIONS.~~

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

~~"(b) DIRECT APPLICATION TO CORPORATION TO CARRY OUT COMMUNITY-BASED SERVICE PROGRAMS.—To be eligible to receive a grant from the Corporation under section 117A(a) to implement, operate, expand, or replicate a community service program, a qualified organization shall prepare, submit to the Corporation, and obtain approval of, an application that proposes a community-based service program to be carried out at multiple sites, or that proposes an innovative community-based service program. Such application shall be submitted at such time and in such manner, and shall contain such information, as the Chairperson may reasonably require.~~

~~"(c) APPLICATION TO STATE COMMISSION OR GRANTMAKING ENTITY TO RECEIVE GRANTS TO CARRY~~

~~OUT COMMUNITY-BASED SERVICE PROGRAMS.—To be eligible to receive a grant from a State Commission or grantmaking entity under section 117A(b)(1), a qualified organization shall prepare, submit to the Commission or entity, and obtain approval of, an application. Such application shall be submitted at such time and in such manner, and shall contain such information, as the Commission or entity may reasonably require.~~

~~''(d) REQUIREMENTS OF APPLICATION.—An application submitted under subsection (a), (b), or (c) shall, at a minimum, contain—~~

~~''(1) a description of any community-based service program proposed to be implemented, operated, expanded, or replicated directly by the applicant using assistance provided under this subpart;~~

~~''(2) a description of any grant program proposed to be conducted by the applicant with assistance provided under this subpart to support a community-based service program;~~

~~''(3) a proposal for carrying out the community-based service program that describes the manner in which the entity carrying out the program will—~~

~~''(A) provide preservice and inservice training, for supervisors and participants, that will~~

~~be conducted by qualified individuals, or qualified organizations, that have experience in community-based service programs;~~

~~"(B) include economically disadvantaged individuals as participants in the program proposed by the applicant;~~

~~"(C) provide an age-appropriate service-learning component described in section 114(d)(5)(B);~~

~~"(D) conduct an appropriate evaluation of the program;~~

~~"(E) provide for appropriate community involvement in the program;~~

~~"(F) provide service experiences that promote leadership abilities among participants in the program, including experiences that involve such participants in program design;~~

~~"(G) involve participants in projects approved by community-based agencies;~~

~~"(H) establish and measure progress toward the goals of the program; and~~

~~"(I) organize participants in the program into teams, with team leaders who may be participants in a program under subtitle C or indi-~~

viduals who receive a national service educational award under subtitle D; and

"(4) an assurance that the entity carrying out the program proposed by the applicant will comply with the nonduplication and nondisplacement provisions of section 177 and grievance procedure requirements of section 176(f).

"SEC. 117D. CONSIDERATION OF APPLICATIONS.

"(a) APPLICATION OF CRITERIA.—The Corporation shall apply the criteria described in subsection (b) in determining whether to approve an application submitted under section 117B or under subsection (a) or (b) of section 117C and to provide assistance under section 117A to the applicant on the basis of the application.

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

"(c) APPLICATION TO SUBGRANTS.—A State Commission or grantmaking entity shall apply the criteria described in subsection (b) in determining whether to approve an application under section 117C(c) and to make a grant under section 117A(b)(1) to the applicant on the basis of the application.

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

“(a) FEDERAL SHARE.—

“(1) IN GENERAL.—The Federal share attributable to this subpart of the cost of carrying out a program for which a grant is made under this subpart may not exceed the percentage specified in subparagraph (A), (B), (C), or (D) of section 116(a)(1), as appropriate.

“(2) CALCULATION.—Each recipient of assistance under this subpart shall comply with section 116(a)(2).

“(b) WAIVER.—The Chairperson may waive the requirements of subsection (a), in whole or in part, as provided in section 116(b).

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

“(a) ADMINISTRATIVE COSTS.—Not more than 5 percent of the amount of assistance provided to a State Commission, grantmaking entity, or qualified organization that is the original recipient of a grant under section 117A(a) for a fiscal year may be used to pay for administrative costs incurred by—

“(1) the original recipient; or

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

1 ~~''(b) RULES ON USE.—The Chairperson may by rule~~
2 ~~prescribe the manner and extent to which—~~
3 ~~''(1) such assistance may be used to cover ad-~~
4 ~~ministrative costs; and~~
5 ~~''(2) that portion of the assistance available to~~
6 ~~cover administrative costs should be distributed be-~~
7 ~~tween—~~
8 ~~''(A) the original recipient; and~~
9 ~~''(B) the entity carrying out the commu-~~
10 ~~nity-based service programs supported with the~~
11 ~~assistance.~~
12 ~~**''Subpart C—Clearinghouse**~~
13 ~~**''SEC. 118. SERVICE-LEARNING CLEARINGHOUSE.**~~
14 ~~''(a) IN GENERAL.—The Corporation shall provide fi-~~
15 ~~nancial assistance, from funds appropriated to carry out~~
16 ~~subtitle H, to agencies described in subsection (b) to es-~~
17 ~~tablish a clearinghouse, which shall carry out activities,~~
18 ~~either directly or by arrangement with another such entity,~~
19 ~~with respect to information about service-learning.~~
20 ~~''(b) PUBLIC AND PRIVATE NOT-FOR-PROFIT AGEN-~~
21 ~~CIES.—Public and private not-for-profit agencies that~~
22 ~~have extensive experience with service-learning, including~~
23 ~~use of adult volunteers to foster service-learning, shall be~~
24 ~~eligible to receive assistance under subsection (a).~~

~~"(c) FUNCTION OF CLEARINGHOUSE.—An entity that receives assistance under subsection (a) may—~~

~~"(1) assist entities carrying out State or local service-learning programs with needs assessments and planning;~~

~~"(2) conduct research and evaluations concerning service-learning;~~

~~"(3)(A) provide leadership development and training to State and local service-learning program administrators, supervisors, service sponsors, and participants; and~~

~~"(B) provide training to persons who can provide the leadership development and training described in subparagraph (A);~~

~~"(4) facilitate communication among entities carrying out service-learning programs and participants in such programs;~~

~~"(5) provide information, curriculum materials, and technical assistance relating to planning and operation of service-learning programs, to States and local entities eligible to receive financial assistance under this title;~~

~~"(6)(A) gather and disseminate information on successful service-learning programs, components of such successful programs, innovative youth skills~~

curricula related to service-learning, and service-learning projects; and

"(B) coordinate the activities of the Clearinghouse with appropriate entities to avoid duplication of effort;

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

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

"(9) carry out such other activities as the Chairperson determines to be appropriate.".

(b) HIGHER EDUCATION INNOVATIVE PROJECTS.—Subtitle B of title I of the National and Community Service Act of 1990 (42 U.S.C. 12531 et seq.) is amended by striking part H and inserting the following:

"PART H—HIGHER EDUCATION INNOVATIVE PROGRAMS FOR COMMUNITY SERVICE

"SEC. 119. HIGHER EDUCATION INNOVATIVE PROGRAMS FOR COMMUNITY SERVICE.

"(a) PURPOSE.—It is the purpose of this part to expand participation in community service by supporting innovative community service programs carried out through institutions of higher education, acting as civic institutions

to meet the human, educational, environmental, or public safety needs of neighboring communities.

"(b) GENERAL AUTHORITY.—The Corporation, in consultation with the Secretary of Education, is authorized to make grants to, and enter into contracts with, institutions of higher education (including a combination of such institutions), and partnerships comprised of such institutions and of other public agencies or not-for-profit private organizations, to pay for the Federal share of the cost of—

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

"(A) engenders a sense of social responsibility and commitment to the community in which the institution is located; and

"(B) provides projects for participants, who shall be students, faculty, administration, or staff of the institution, or residents of the community;

"(2) supporting student-initiated and student-designed community service projects through the program;

"(3) facilitating the integration of community service carried out under the program into academic

~~curricula, including integration of clinical programs into the curriculum for students in professional schools, so that students can obtain credit for their community service projects;~~

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

~~"(5) strengthening the service infrastructure within institutions of higher education in the United States through the program; and~~

~~"(6) providing for the training of teachers, prospective teachers, related education personnel, and community leaders in the skills necessary to develop, supervise, and organize service-learning.~~

~~"(c) FEDERAL SHARE.—~~

~~"(1) SHARE.—~~

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

~~"(B) CALCULATION.—Each recipient of assistance under this part shall comply with section 116(a)(2).~~

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

~~"(d) APPLICATION FOR GRANT.—~~

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

~~"(2) CONTENTS.—An application submitted under paragraph (1) shall contain—~~

~~"(A) such information as the Chairperson may reasonably require, such as a description of—~~

~~"(i) the proposed program to be established with assistance provided under the grant or contract;~~

~~"(ii) the human, educational, environmental, or public safety service that participants will perform and the community need that will be addressed under such program;~~

~~"(iii) whether or not students will receive academic credit for community service projects under the program;~~

~~"(iv) the procedure for training supervisors and participants and for supervising and organizing participants in such program;~~

~~"(v) the procedures to ensure that the program includes the age-appropriate learning component described in section 114(d)(5)(B);~~

~~"(vi) the roles played by students and community members, including service recipients, in the design and implementation of the program; and~~

~~"(vii) the budget for the program;~~

~~"(B) assurances that—~~

~~"(i) prior to the placement of a participant, the applicant will consult with any local labor organization representing employees in the area who are engaged in the same or similar work as that proposed to be carried out by such program, to prevent the displacement and protect the rights of such employees; and~~

~~"(ii) the applicant will comply with the nonduplication and nondisplacement provisions of section 177 and grievance procedure requirements of section 176(f); and~~

~~"(C) such other assurances as the Chairperson may reasonably require.~~

~~"(e) PRIORITY.—~~

~~"(1) IN GENERAL.—In making grants and entering into contracts under subsection (b), the Corporation shall give priority to applicants that submit applications containing proposals that—~~

~~"(A) demonstrate the commitment of the institution of higher education, other than by demonstrating the commitment of the students, to supporting the community service projects carried out under the program;~~

~~"(B) specify the manner in which the institution will promote faculty, administration, and staff participation in the community service projects;~~

~~"(C) specify the manner in which the institution will provide service to the community through organized programs, including, where~~

appropriate, clinical programs for students in professional schools;

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

"(i) the institution;

"(ii)(I) a community-based agency;

"(II) a local government agency; or

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

"(iii) a student organization;

"(E) demonstrate community involvement in the development of the proposal;

"(F) specify that the institution will use such assistance to strengthen the service infrastructure in institutions of higher education; or

"(G) with respect to projects involving delivery of service, specify projects that involve leadership development of school-age youth.

"(2) DETERMINATION.—In giving priority to applicants under paragraph (1), the Corporation shall give increased priority to such an applicant for each characteristic described in subparagraphs (A)

through (G) of paragraph (1) that is reflected in the application submitted by the applicant.

''(f) NATIONAL SERVICE EDUCATIONAL AWARD.—A participant in a program funded under this part shall be eligible for the national service educational award described in subtitle D, if the participant served in an approved national service position.

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

''PART III—GENERAL PROVISIONS

''SEC. 120. AVAILABILITY OF APPROPRIATIONS.

''Of the aggregate amount appropriated to carry out this subtitle for each fiscal year—

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

''(A) 85 percent of such sum shall be available to carry out subpart A; and

''(B) 15 percent of such sum shall be available to carry out subpart B; and

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

~~(c) TABLE OF CONTENTS.—Section 1(b) of the National and Community Service Act of 1990 (Public Law 101–610; 104 Stat. 3127) is amended by striking the items relating to subtitle B of title I of such Act and inserting the following:~~

~~"Subtitle B—School-Based and Community-Based Service-Learning Programs~~

~~"PART I—SERVE-AMERICA PROGRAMS~~

~~"SUBPART A—SCHOOL-BASED PROGRAMS FOR STUDENTS~~

~~"Sec. 111. Authority to assist States and Indian tribes.~~
~~"Sec. 111A. Authority to assist local applicants in nonparticipating States.~~
~~"Sec. 111B. Authority to assist public or private not-for-profit organizations.~~
~~"Sec. 112. Grants and allotments.~~
~~"Sec. 113. State or tribal applications.~~
~~"Sec. 114. Local applications.~~
~~"Sec. 115. Consideration of applications.~~
~~"Sec. 115A. Participation of students and teachers from private schools.~~
~~"Sec. 116. Federal, State, and local contributions.~~
~~"Sec. 116A. Limitations on uses of funds.~~
~~"Sec. 116B. Definitions.~~

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

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

~~"SUBPART C—CLEARINGHOUSE~~

~~"Sec. 118. Service-learning clearinghouse.~~

~~"PART II—HIGHER EDUCATION INNOVATIVE PROGRAMS FOR COMMUNITY SERVICE~~

~~"Sec. 119. Higher education innovative programs for community service.~~

~~"PART III—GENERAL PROVISIONS~~

~~"Sec. 120. Availability of appropriations.".~~

SEC. 104. QUALITY AND INNOVATION ACTIVITIES.

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

(b) TRANSFER.—Title I of the National and Community Service Act of 1990 is amended—

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

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

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

(c) INVESTMENT FOR QUALITY AND INNOVATION.—Title I of the National and Community Service Act of 1990 (as amended by subsection (b) of this section) is amended by adding at the end the following new subtitle:

"Subtitle H—Investment for Quality and Innovation

"SEC. 198. ADDITIONAL CORPORATION ACTIVITIES TO SUPPORT NATIONAL SERVICE.

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

"(b) INNOVATION AND QUALITY IMPROVEMENT.—

1 ~~"(1) ACTIVITIES.—The Corporation may under-~~
2 ~~take activities to improve the quality of national~~
3 ~~service programs and to support innovative and~~
4 ~~model programs, including—~~
5 ~~"(A) programs under subtitle B or C for~~
6 ~~rural youth;~~
7 ~~"(B) employer-based retiree programs;~~
8 ~~"(C) intergenerational programs;~~
9 ~~"(D) programs involving individuals with~~
10 ~~disabilities as participants providing service;~~
11 ~~and~~
12 ~~"(E) programs sponsored by Governors.~~
13 ~~"(2) INTERGENERATIONAL PROGRAM.—An~~
14 ~~intergenerational program referred to in paragraph~~
15 ~~(1)(C) may include a program in which older adults~~
16 ~~provide services to children who participate in Head~~
17 ~~Start programs.~~
18 ~~"(c) SUMMER PROGRAMS.—The Corporation may~~
19 ~~support service programs intended to be carried out be-~~
20 ~~tween May 1 and October 1, except that such a program~~
21 ~~may also include a year-round component.~~
22 ~~"(d) COMMUNITY-BASED AGENCIES.—The Corpora-~~
23 ~~tion may provide training and technical assistance and~~
24 ~~other assistance to service sponsors and other community-~~
25 ~~based agencies that provide volunteer placements in order~~

~~to improve the ability of such agencies to use participants and other volunteers in a manner that results in high-quality service and a positive service experience for the participants and volunteers.~~

~~"(e) IMPROVE ABILITY TO APPLY FOR ASSISTANCE.—The Corporation may provide training and technical assistance to individuals, programs, local labor organizations, State educational agencies, State commissions, local educational agencies, local governments, community-based agencies, and other entities to enable them to apply for funding under one of the national service laws, to conduct high-quality programs, to evaluate such programs, and for other purposes.~~

~~"(f) NATIONAL SERVICE FELLOWSHIPS.—The Corporation may award national service fellowships.~~

~~"(g) CONFERENCES AND MATERIALS.—The Corporation may organize and hold conferences, and prepare and publish materials, to disseminate information and promote the sharing of information among programs for the purpose of improving the quality of programs and projects.~~

~~"(h) PEACE CORPS AND VISTA TRAINING.—The Corporation may provide training assistance to selected individuals who volunteer to serve in the Peace Corps or a program authorized under title I of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.). The~~

~~training shall be provided as part of the course of study of the individual at an institution of higher education, shall involve service-learning, and shall cover appropriate skills that the individual will use in the Peace Corps or VISTA.~~

~~''(i) PROMOTION AND RECRUITMENT.—The Corporation may conduct a campaign to solicit funds for the National Service Trust and other programs and activities authorized under the national service laws and to promote and recruit participants for programs that receive assistance under the national service laws.~~

~~''(j) TRAINING.—The Corporation may support national and regional participant and supervisor training, including leadership training and training in specific types of service and in building the ethic of civic responsibility.~~

~~''(k) RESEARCH.—The Corporation may support research on national service, including service-learning.~~

~~''(l) INTERGENERATIONAL SUPPORT.—The Corporation may assist programs in developing a service component that combines students, out-of-school youths, and older adults as participants to provide needed community services.~~

~~''(m) PLANNING COORDINATION.—The Corporation may coordinate community-wide planning among programs and projects.~~

~~''(n) YOUTH LEADERSHIP.—The Corporation may support activities to enhance the ability of youth and young adults to play leadership roles in national service.~~

~~''(o) NATIONAL PROGRAM IDENTITY.—The Corporation may support the development and dissemination of materials, including training materials, and arrange for uniforms and insignia, designed to promote unity and shared features among programs that receive assistance under the national service laws.~~

~~''(p) SERVICE-LEARNING.—The Corporation shall support innovative programs and activities that promote service-learning.~~

~~''SEC. 198A. CLEARINGHOUSES.~~

~~''(a) ASSISTANCE.—The Corporation shall provide assistance to appropriate entities to establish one or more clearinghouses, including the clearinghouse described in section 118.~~

~~''(b) APPLICATION.—To be eligible to receive assistance under subsection (a), an entity shall submit an application to the Corporation at such time, in such manner, and containing such information as the Corporation may require.~~

~~''(c) FUNCTION OF CLEARINGHOUSES.—An entity that receives assistance under subsection (a) may—~~

~~"(1) assist entities carrying out State or local community service programs with needs assessments and planning;~~

~~"(2) conduct research and evaluations concerning community service;~~

~~"(3)(A) provide leadership development and training to State and local community service program administrators, supervisors, and participants; and~~

~~"(B) provide training to persons who can provide the leadership development and training described in subparagraph (A);~~

~~"(4) facilitate communication among entities carrying out community service programs and participants;~~

~~"(5) provide information, curriculum materials, technical assistance relating to planning and operation of community service programs, to States and local entities eligible to receive funds under this title;~~

~~"(6)(A) gather and disseminate information on successful community service programs, components of such successful programs, innovative youth skills curriculum, and community service projects; and~~

1 ~~''(B) coordinate the activities of the clearing-~~
2 ~~house with appropriate entities to avoid duplication~~
3 ~~of effort;~~
4 ~~''(7) make recommendations to State and local~~
5 ~~entities on quality controls to improve the delivery of~~
6 ~~community service programs and on changes in the~~
7 ~~programs under this title; and~~
8 ~~''(8) carry out such other activities as the~~
9 ~~Chairperson determines to be appropriate.''.~~
10 ~~''SEC. 198B. PRESIDENTIAL AWARDS FOR SERVICE.~~
11 ~~''(a) PRESIDENTIAL AWARDS.—~~
12 ~~''(1) IN GENERAL.—The President, acting~~
13 ~~through the Corporation, may make Presidential~~
14 ~~awards for service to individuals providing signifi-~~
15 ~~cant service, and to outstanding service programs.~~
16 ~~''(2) INDIVIDUALS AND PROGRAMS.—Notwith-~~
17 ~~standing section 101(17)—~~
18 ~~''(A) an individual receiving an award~~
19 ~~under this subsection need not be a participant~~
20 ~~in a program authorized under this Act; and~~
21 ~~''(B) a program receiving an award under~~
22 ~~this subsection need not be a program author-~~
23 ~~ized under this Act.~~

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

~~"(A) is authorized to incur necessary expenses for the honorary recognition of the individual or program; and~~

~~"(B) is not authorized to make a cash award to such individual or program.~~

~~"(b) INFORMATION.—The President, acting through the Corporation, shall ensure that information concerning individuals and programs receiving awards under this section is widely disseminated.".~~

~~(d) TABLE OF CONTENTS.—~~

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

~~"Subtitle E—Civilian Community Corps~~

~~"Sec. 151. Purpose.~~
~~"Sec. 152. Establishment of Civilian Community Corps Demonstration Program.~~
~~"Sec. 153. National service program.~~
~~"Sec. 154. Summer national service program.~~
~~"Sec. 155. Civilian Community Corps.~~
~~"Sec. 156. Training.~~
~~"Sec. 157. Service projects.~~
~~"Sec. 158. Authorized benefits for Corps personnel under Federal law.~~
~~"Sec. 159. Administrative provisions.~~
~~"Sec. 160. Status of Corps members and Corps personnel under Federal law.~~
~~"Sec. 161. Contract and grant authority.~~
~~"Sec. 162. Responsibilities of other departments.~~
~~"Sec. 163. Advisory board.~~

~~''Sec. 164. Annual evaluation.~~
~~''Sec. 165. Funding limitation.~~
~~''Sec. 166. Definitions.''.~~

~~(2) QUALITY AND INNOVATION.—Section 1(b) of the National and Community Service Act of 1990 (Public Law 101–610; 104 Stat. 3127) is amended by striking the items relating to subtitle H of title 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.''.~~

~~(e) TECHNICAL AND CONFORMING AMENDMENTS.—~~

~~(1) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1993.—~~

~~(A) Section 1091(f)(2) of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484) is amended by striking ''195G'' and inserting ''158''.~~

~~(B) Paragraphs (1) and (2) of section 1092(b), and sections 1092(c), 1093(a), and 1094(a) of such Act are amended by striking ''195A'' and inserting ''152''.~~

~~(C) Sections 1091(f)(2), 1092(b)(1), and 1094(a), and subsections (a) and (c) of section 1095 of such Act are amended by striking ''subtitle H'' and inserting ''subtitle E''.~~

~~(D) Section 1094(b)(1) and subsections (b) and (c)(1) of section 1095 of such Act are amended by striking ''subtitles B, C, D, E, F, and G'' and inserting ''subtitles B, C, D, F, G, and H''.~~

~~(2) NATIONAL AND COMMUNITY SERVICE ACT OF 1990.—~~

~~(A) Section 153(a) of such Act (as redesignated in subsection (b)(3) of this section) (42 U.S.C. 12653b(a)) is amended by striking ''195A(a)'' and inserting ''152(a)''.~~

~~(B) Section 154(a) of such Act (as redesignated in subsection (b)(3) of this section) (42 U.S.C. 12653c(a)) is amended by striking ''195A(a)'' and inserting ''152(a)''.~~

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

~~(i) in subsection (a), by striking ''195H(c)(1)'' and inserting ''159(c)(1)'';~~

~~(ii) in subsection (c)(2), by striking ''195H(c)(2)'' and inserting ''159(c)(2)''; and~~

~~(iii) in subsection (d)(3), by striking ''195K(a)(3)'' and inserting ''162(a)(3)''.~~

~~(D) Section 156 of such Act (as redesignated in subsection (b)(3) of this section) (42 U.S.C. 12653e) is amended—~~

~~(i) in subsection (c)(1), by striking ''195H(c)(2)'' and inserting ''159(c)(2)''; and~~

~~(ii) in subsection (d), by striking ''195K(a)(3)'' and inserting ''162(a)(3)''.~~

~~(E) Section 159 of such Act (as redesignated in subsection (b)(3) of this section) (42 U.S.C. 12653h) is amended—~~

~~(i) in subsection (a)—~~

~~(I) by striking ''195A'' and inserting ''152''; and~~

~~(II) by striking ''195'' and inserting ''151''; and~~

~~(ii) in subsection (c)(2)(C)(i), by striking ''195K(a)(2)'' and inserting ''section 162(a)(2)''.~~

~~(F) Section 161(b)(1)(B) of such Act (as redesignated in subsection (b)(3) of this section) (42 U.S.C. 12653j(b)(1)(B)) is amended by striking ''195K(a)(3)'' and inserting ''162(a)(3)''.~~

~~(G) Section 162(a)(2)(A) of such Act (as redesignated in subsection (b)(3) of this section) (42 U.S.C. 12653k(a)(2)(A)) is amended by striking ''195(3)'' and inserting ''151(3)''.~~

~~(H) Section 166 of such Act (as redesignated in subsection (b)(3) of this section) (42 U.S.C. 12653o) is amended—~~

~~(i) in paragraph (2), by striking ''195D'' and inserting ''155'';~~

~~(ii) in paragraph (8), by striking ''195A'' and inserting ''152'';~~

~~(iii) in paragraph (10), by striking ''195D(d)'' and inserting ''155(d)''; and~~

~~(iv) in paragraph (11), by striking ''195D(c)'' and inserting ''155(c)''.~~

~~(f) EXTENSION OF AUTHORITY TO CONDUCT CIVILIAN COMMUNITY CORPS.—Section 1092(c) of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 106 Stat. 2534), as amended by subsection (e)(1) of this section, is further amended by adding at the end the following new sentence: ''The amount made available for the Civilian Community Corps Demonstration Program pursuant to this subsection shall remain available for expenditure during fiscal years 1993 and 1994.''.~~

~~(g) ADDITIONAL AMENDMENT REGARDING CIVILIAN COMMUNITY CORPS.—Section 158 of the National and Community Service Act of 1990 (as redesignated in subsection (b)(3) of this section) (42 U.S.C. 12653g) is amended by striking subsections (f), (g), and (h) and inserting the following new subsections:~~

~~"(f) NATIONAL SERVICE EDUCATIONAL AWARDS.—A Corps member who successfully completes a period of agreed service in the Corps may receive the national service educational award described in subtitle D if the Corps member—~~

~~"(1) serves in an approved national service position; and~~

~~"(2) satisfies the eligibility requirements specified in section 146 with respect to service in that approved national service position.~~

~~"(g) ALTERNATIVE BENEFIT.—If a Corps member who successfully completes a period of agreed service in the Corps is ineligible for the national service educational award described in subtitle D, the Director may provide for the provision of a suitable alternative benefit for the Corps member.".~~

~~Subtitle B—Related Provisions~~

~~SEC. 111. DEFINITIONS.~~

~~(a) IN GENERAL.—Section 101 of the National and Community Service Act of 1990 (42 U.S.C. 12511) is amended to read as follows:~~

~~"SEC. 101. DEFINITIONS.~~

~~''For purposes of this title:~~

~~''(1) ADULT VOLUNTEER.—The term 'adult volunteer' means an individual, such as an older adult, an individual with a disability, a parent, or an employee of a business or public or private not-for-profit agency, who—~~

~~''(A) works without financial remuneration in an educational institution to assist students or out-of-school youth; and~~

~~''(B) is beyond the age of compulsory school attendance in the State in which the educational institution is located.~~

~~''(2) APPROVED NATIONAL SERVICE POSITION.—The term 'approved national service position' means a national service position designated by the Corporation as a position that includes a national service educational award described in section 147 as one of the benefits to be provided for successful service in the position.~~

~~"(3) CARRY OUT.—The term 'carry out', when used in connection with a national service program described in section 122, means the planning, establishment, operation, expansion, or replication of the program.~~

~~"(4) CHAIRPERSON.—The term 'Chairperson' means the Chairperson and Director of the Corporation appointed under section 193.~~

~~"(5) COMMUNITY-BASED AGENCY.—The term 'community-based agency' means a private not-for-profit organization that is representative of a community and that is engaged in meeting human, educational, environmental, or public safety community needs.~~

~~"(6) CORPORATION.—The term 'Corporation' means the Corporation for National Service established under section 191.~~

~~"(7) ECONOMICALLY DISADVANTAGED.—The term 'economically disadvantaged' means, with respect to an individual, an individual who is determined by the Chairperson to be low-income according to the latest available data from the Department of Commerce.~~

~~"(8) ELEMENTARY SCHOOL.—The term 'elementary school' has the same meaning given such~~

~~term in section 1471(8) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2891(8)).~~

~~''(9) INDIAN. The term 'Indian' means a person who is a member of an Indian tribe.~~

~~''(10) INDIAN LANDS. The term 'Indian lands' means any real property owned by an Indian tribe, any real property held in trust by the United States for an Indian or Indian tribe, and any real property held by an Indian or Indian tribe that is subject to restrictions on alienation imposed by the United States.~~

~~''(11) INDIAN TRIBE. The term 'Indian tribe' means an Indian tribe, band, nation, or other organized group or community, including any Native village, Regional Corporation, or Village Corporation, as defined in subsection (c), (g), or (j), respectively, of section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602 (c), (g), or (j)), that is recognized as eligible for the special programs and services provided by the United States under Federal law to Indians because of their status as Indians.~~

~~''(12) INSTITUTION OF HIGHER EDUCATION. The term 'institution of higher education' has the same meaning given such term in section 1201(a) of~~

~~the Higher Education Act of 1965 (20 U.S.C. 1141(a)).~~

~~"(13) LOCAL EDUCATIONAL AGENCY.—The term 'local educational agency' has the same meaning given such term in section 1471(12) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2891(12)).~~

~~"(14) NATIONAL SERVICE LAWS.—The term 'national service laws' means this Act and the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4950 et seq.).~~

~~"(15) OUT-OF-SCHOOL YOUTH.—The term 'out-of-school youth' means an individual who—~~

~~"(A) has not attained the age of 27;~~

~~"(B) has not completed college or the equivalent thereof; and~~

~~"(C) is not enrolled in an elementary or secondary school or institution of higher education.~~

~~"(16) PARTICIPANT.—~~

~~"(A) IN GENERAL.—The term 'participant' means—~~

~~"(i) for purposes of subtitle C, an individual in an approved national service position; and~~

~~"(ii) for purposes of any other provision of this Act, an individual enrolled in a program that receives assistance under this title.~~

~~"(B) RULE.—A participant shall not be considered to be an employee of the program in which the participant is enrolled.~~

~~"(17) PARTNERSHIP PROGRAM.—The term 'partnership program' means a program through which an adult volunteer, a public or private not-for-profit agency, an institution of higher education, or a business assists a local educational agency.~~

~~"(18) PROGRAM.—The term 'program', except when used as part of the term 'academic program', means a program described in section 111(a) (other than a program referred to in paragraph (3)(B) of such section), 117A(a), 119(b)(1), or 122(a), in paragraph (1) or (2) of section 152(b), or in section 198.~~

~~"(19) PROJECT.—The term 'project' means an activity, carried out through a program that receives assistance under this title, that results in a specific identifiable service or improvement that otherwise would not be done with existing funds, and that does~~

not duplicate the routine services or functions of the employer to whom participants are assigned.

"(20) SCHOOL-AGE YOUTH.—The term 'school-age youth' means an individual between the ages of 5 and 17, inclusive.

"(21) SECONDARY SCHOOL.—The term 'secondary school' has the same meaning given such term in section 1471(21) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2891(21)).

"(22) SERVICE-LEARNING.—The term 'service-learning' means a method—

"(A) under which students or participants learn and develop through active participation in thoughtfully organized service that—

"(i) is conducted in and meets the needs of a community;

"(ii) is coordinated with an elementary school, secondary school, institution of higher education, or community service program, and with the community; and

"(iii) helps foster civic responsibility; and

"(B) that—

"(i) is integrated into and enhances the academic curriculum of the students,

~~or the educational components of the community service program in which the participants are enrolled; and~~

~~"(ii) provides structured time for the students or participants to reflect on the service experience.~~

~~"(23) SERVICE-LEARNING COORDINATOR.—The term 'service-learning coordinator' means an individual who provides services as described in subsection (a)(3) or (b) of section 111.~~

~~"(24) SERVICE SPONSOR.—The term 'service sponsor' means an organization, or other entity, that has been selected to provide a placement for a participant.~~

~~"(25) STATE.—The term 'State' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands. The term also includes Palau, until such time as the Compact of Free Association is ratified.~~

~~"(26) STATE COMMISSION.—The term 'State Commission' means a State Commission on National Service maintained by a State pursuant to section 178. Except when used in section 178, the term in-~~

~~cludes an alternative administrative entity for a State approved by the Corporation under such section to act in lieu of a State Commission.~~

~~''(27) STATE EDUCATIONAL AGENCY.—The term 'State educational agency' has the same meaning given such term in section 1471(23) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2891(23)).~~

~~''(28) STUDENT.—The term 'student' means an individual who is enrolled in an elementary or secondary school or institution of higher education on a full- or part-time basis.''.~~

~~(b) TECHNICAL AND CONFORMING AMENDMENTS.—~~

~~(1) Section 182(a)(2) of the National and Community Service Act of 1990 (42 U.S.C 12642(a)(2)) is amended by striking ''adult volunteer and partnership'' each place the term appears and inserting ''partnership''.~~

~~(2) Section 182(a)(3) of the National and Community Service Act of 1990 (42 U.S.C 12642(a)(3)) is amended by striking ''adult volunteer and partnership'' and inserting ''partnership''.~~

~~(3) Section 441(c)(2) of the Higher Education Act of 1965 (42 U.S.C. 2751(c)(2)) is amended by striking ''service opportunities or youth corps as de-~~

~~fined in section 101 of the National and Community Service Act of 1990, and service in the agencies, institutions and activities designated in section 124(a) of the National and Community Service Act of 1990'' and inserting ''a project, as defined in section 101(19) of the National and Community Service Act of 1990 (42 U.S.C. 12511(18))''.~~

~~(4) Section 1122(a)(2)(C) of the Higher Education Act of 1965 (20 U.S.C. 1137a(a)(2)(C)) is amended by striking ''youth corps as defined in section 101(30) of the National and Community Service Act of 1990'' and inserting ''youth corps programs, as described in section 122(a)(1) of the National and Community Service Act of 1990''.~~

~~(5) Section 1201(p) of the Higher Education Act of 1965 (20 U.S.C. 1141(p)) is amended by striking ''section 101(22) of the National and Community Service Act of 1990'' and inserting ''section 101(22) of the National and Community Service Act of 1990 (42 U.S.C. 12511(21))''.~~

~~SEC. 112. AUTHORITY TO MAKE STATE GRANTS.~~

~~Section 102 of the National and Community Service Act of 1990 (42 U.S.C. 12512) is repealed.~~

~~SEC. 113. FAMILY AND MEDICAL LEAVE.~~

~~(a) IN GENERAL.—Section 171 of the National and Community Service Act of 1990 (42 U.S.C. 12631) is amended to read as follows:~~

~~"SEC. 171. FAMILY AND MEDICAL LEAVE.~~

~~"(a) PARTICIPANTS IN PRIVATE, STATE, AND LOCAL PROJECTS.—For purposes of title I of the Family and Medical Leave Act of 1993 (29 U.S.C. 2601 et seq.), if—~~

~~"(1) a participant has provided service for the period required by section 101(2)(A)(i) (29 U.S.C. 2611(2)(A)(i)), and has met the hours of service requirement of section 101(2)(A)(ii), of such Act with respect to a project; and~~

~~"(2) the service sponsor of the project is an employer described in section 101(4) of such Act (other than an employing agency within the meaning of subchapter V of chapter 63 of title 5, United States Code),~~

~~the participant shall be considered to be an eligible employee of the service sponsor.~~

~~"(b) PARTICIPANTS IN FEDERAL PROJECTS.—For purposes of subchapter V of chapter 63 of title 5, United States Code, if—~~

~~"(1) a participant has provided service for the period required by section 6381(1)(B) of such title with respect to a project; and~~

1 ~~''(2) the service sponsor of the project is an em-~~
2 ~~ploying agency within the meaning of such sub-~~
3 ~~chapter,~~
4 ~~the participant shall be considered to be en employee of~~
5 ~~the service sponsor.''.~~
6 ~~(b) TABLE OF CONTENTS.—Section 1(b) of the Na-~~
7 ~~tional and Community Service Act of 1990 (Public Law~~
8 ~~101–610; 104 Stat. 3127) is amended by striking the item~~
9 ~~relating to section 171 of such Act and inserting the fol-~~
10 ~~lowing:~~

~~''Sec. 171. Family and medical leave.''.~~

11 ~~**SEC. 114. REPORTS.**~~
12 ~~Section 172 of the National and Community Service~~
13 ~~Act of 1990 (42 U.S.C. 12632) is amended—~~
14 ~~(1) in subsection (a)(3)(A), by striking ''sec-~~
15 ~~tions 177 and 113(9)'' and inserting ''section 177''; and~~
16
17 ~~(2) in subsection (b)(1), by striking ''this title'' and inserting ''the national service laws''.~~
18
19 ~~**SEC. 115. NONDISCRIMINATION.**~~
20 ~~Section 175 of the National and Community Service~~
21 ~~Act of 1990 (42 U.S.C. 12635) is amended to read as~~
22 ~~follows:~~
23 ~~**''SEC. 175. NONDISCRIMINATION.**~~
24 ~~''(a) IN GENERAL.—~~

~~"(1) BASIS.—An individual with responsibility for the operation of a project that receives assistance under this title shall not discriminate against a participant in, or member of the staff of, such project on the basis of race, color, national origin, sex, age, or political affiliation of such participant or member, or on the basis of disability, if the participant or member is a qualified individual with a disability.~~

~~"(2) DEFINITION.—As used in paragraph (1), the term 'qualified individual with a disability' has the meaning given the term in section 101(8) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12111(8)).~~

~~"(b) FEDERAL FINANCIAL ASSISTANCE.—Any assistance provided under this title shall constitute Federal financial assistance for purposes of title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), and the Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.).~~

~~"(c) RELIGIOUS DISCRIMINATION.—~~

~~"(1) IN GENERAL.—Except as provided in paragraph (2), an individual with responsibility for the operation of a project that receives assistance under~~

this title shall not discriminate on the basis of religion against a participant in such project or a member of the staff of such project who is paid with funds received under this title.

''(2) EXCEPTION.—Paragraph (1) shall not apply to the employment, with assistance provided under this title, of any member of the staff, of a project that receives assistance under this title, who was employed with the organization operating the project on the date the grant under this title was awarded.

''(d) RULES AND REGULATIONS.—The Chairperson shall promulgate rules and regulations to provide for the enforcement of this section that shall include provisions for summary suspension of assistance for not more than 30 days, on an emergency basis, until notice and an opportunity to be heard can be provided.''.

SEC. 116. NOTICE, HEARING, AND GRIEVANCE PROCEDURES.

(a) DECERTIFICATION OF POSITIONS.—Section 176(a) of the National and Community Service Act of 1990 (42 U.S.C. 12636(a)) is amended—

(1) in paragraph (1), by inserting '', or revoke the designation of positions, related to the grant or

~~contract, as approved national service positions,'' before ''whenever the Commission''; and~~

~~(2) in paragraph (2)(B), by inserting ''or revoked'' after ''terminated''.~~

~~(b) CONSTRUCTION.—Section 176(e) of such Act (42 U.S.C. 12636(e)) is amended by adding before the period the following '', other than assistance provided pursuant to this Act''.~~

~~(c) GRIEVANCE PROCEDURE.—Section 176(f) of such Act is amended to read as follows:~~

~~''(f) GRIEVANCE PROCEDURE.—~~

~~''(1) IN GENERAL.—A State or local applicant that receives assistance under this title shall establish and maintain a procedure for the filing and adjudication of grievances from participants, labor organizations, and other interested individuals concerning projects that receive assistance under this title, including grievances regarding proposed placements of such participants in such projects.~~

~~''(2) DEADLINE FOR GRIEVANCES.—Except for a grievance that alleges fraud or criminal activity, a grievance shall be made not later than 1 year after the date of the alleged occurrence of the event that is the subject of the grievance.~~

~~"(3) DEADLINE FOR HEARING AND DECISION.—~~

~~"(A) HEARING.—A hearing on any grievance conducted under this subsection shall be conducted not later than 30 days after the filing of such grievance.~~

~~"(B) DECISION.—A decision on any such grievance shall be made not later than 60 days after the filing of such grievance.~~

~~"(4) ARBITRATION.—~~

~~"(A) IN GENERAL.—~~

~~"(i) JOINTLY SELECTED ARBITRATOR.—In the event of a decision on a grievance that is adverse to the party who filed such grievance, or 60 days after the filing of such grievance if no decision has been reached, such party shall be permitted to submit such grievance to binding arbitration before a qualified arbitrator who is jointly selected and independent of the interested parties.~~

~~"(ii) APPOINTED ARBITRATOR.—If the parties cannot agree on an arbitrator, the Chairperson shall appoint an arbitrator from a list of qualified arbitrators within~~

~~15 days after receiving a request for such appointment from one of the parties to the grievance.~~

~~"(B) DEADLINE FOR PROCEEDING.—An arbitration proceeding shall be held not later than 45 days after the request for such arbitration proceeding, or, if the arbitrator is appointed by the Chairperson in accordance with subparagraph (A)(ii), not later than 30 days after the appointment of such arbitrator.~~

~~"(C) DEADLINE FOR DECISION.—A decision concerning a grievance shall be made not later than 30 days after the date such arbitration proceeding begins.~~

~~"(D) COST.—~~

~~"(i) IN GENERAL.—Except as provided in clause (ii), the cost of an arbitration proceeding shall be divided evenly between the parties to the arbitration.~~

~~"(ii) EXCEPTION.—If a participant, labor organization, or other interested individual described in paragraph (1) prevails under a binding arbitration proceeding, the State, local agency, public or private not-for-profit organization, or partnership of~~

~~such agencies and organizations, that is a party to such grievance shall pay the total cost of such proceeding and the attorneys' fees of such participant, labor organization, or individual, as the case may be.~~

~~"(5) PROPOSED PLACEMENT.—If a grievance is filed regarding a proposed placement of a participant in a project that receives assistance under this title, such placement shall not be made unless the placement is consistent with the resolution of the grievance pursuant to this subsection.~~

~~"(6) REMEDIES.—Remedies for a grievance filed under this subsection include—~~

~~"(A) suspension of payments for assistance under this title;~~

~~"(B) termination of such payments;~~

~~"(C) prohibition of the placement described in paragraph (5); and~~

~~"(D) in a case in which the grievance involves a violation of subsection (a) or (b) of section 177 and the employer of the displaced employee is the recipient of assistance under this title—~~

1 ~~''(i) reinstatement of the displaced~~
2 ~~employee to the position held by such em-~~
3 ~~ployee prior to displacement;~~
4 ~~''(ii) payment of lost wages and bene-~~
5 ~~fits of the displaced employee;~~
6 ~~''(iii) reestablishment of other relevant~~
7 ~~terms, conditions, and privileges of employ-~~
8 ~~ment of the displaced employee; and~~
9 ~~''(iv) such equitable relief as is nec-~~
10 ~~essary to correct any violation of sub-~~
11 ~~section (a) or (b) of section 177 or to~~
12 ~~make the displaced employee whole.~~
13 ~~''(7) ENFORCEMENT.—Suits to enforce arbitra-~~
14 ~~tion awards under this section may be brought in~~
15 ~~any district court of the United States having juris-~~
16 ~~diction of the parties, without regard to the amount~~
17 ~~in controversy and without regard to the citizenship~~
18 ~~of the parties.''.~~
19 ~~**SEC. 117. NONDISPLACEMENT.**~~
20 ~~Section 177(b)(3) of the National and Community~~
21 ~~Service Act of 1990 (42 U.S.C. 12637(b)(3)) is amend-~~
22 ~~ed—~~
23 ~~(1) in subparagraph (B), to read as follows:~~
24 ~~''(B) SUPPLANTATION OF HIRING.—A par-~~
25 ~~ticipant in any program receiving assistance~~

~~under this title shall not perform any services or duties, or engage in activities, that—~~

~~''(i) will supplant the hiring of employed workers; or~~

~~''(ii) are services, duties, or activities with respect to which an individual has recall rights pursuant to a collective bargaining agreement or applicable personnel procedures.''; and~~

~~(2) in subparagraph (C)(iii), to read as follows:~~

~~''(iii) employee who—~~

~~''(I) is subject to a reduction in force; or~~

~~''(II) has recall rights pursuant to a collective bargaining agreement or applicable personnel procedures;''.~~

~~SEC. 118. EVALUATION.~~

~~Section 179 of the National and Community Service Act of 1990 (42 U.S.C 12639) is amended—~~

~~(1) in subsection (a)—~~

~~(A) in the matter preceding paragraph (1), by striking ''this title'' and inserting ''the national service laws''; and~~

~~(B) in paragraph (2)—~~

~~(i) in the matter preceding subparagraph (A), by striking ''for purposes of the reports required by subsection (j),'' and inserting ''with respect to the programs authorized under subtitle C''; and~~

~~(ii) in subparagraph (A), by striking ''older American volunteer programs'' and inserting ''National Senior Volunteer Corps programs'';~~

~~(2) in subsection (g)—~~

~~(A) in the matter preceding paragraph (1), by striking ''subtitle D'' and inserting ''subtitle C''; and~~

~~(B) in paragraphs (3) and (9), by striking ''older American volunteer programs'' and inserting ''National Senior Volunteer Corps programs''; and~~

~~(3) by striking subsections (i) and (j).~~

~~SEC. 119. ENGAGEMENT OF PARTICIPANTS.~~

~~Section 180 of the National and Community Service Act of 1990 (42 U.S.C. 12640) is amended by striking ''post-service benefits'' and inserting ''national service educational awards''.~~

~~SEC. 120. CONTINGENT EXTENSION.~~

~~(a) IN GENERAL.—Section 181 of the National and Community Service Act of 1990 (42 U.S.C. 12641) is amended to read as follows:~~

~~"SEC. 181. CONTINGENT EXTENSION.~~

~~''Section 414 of the General Education Provisions Act (20 U.S.C. 1226a) shall apply to this Act.''.~~

~~(b) TABLE OF CONTENTS.—Section 1(b) of the National and Community Service Act of 1990 (Public Law 101–610; 104 Stat. 3127) is amended by striking the item relating to sections 181 of such Act and inserting the following:~~

~~''Sec. 181. Contingent extension.''.~~

~~SEC. 121. REPEALS.~~

~~(a) IN GENERAL.—Subtitle F of title I of the National and Community Service Act of 1990 (42 U.S.C. 12631 et seq.) is amended—~~

~~(1) by repealing sections 183, 185, and 186; and~~

~~(2) by redesignating section 184 as section 183.~~

~~(b) TABLE OF CONTENTS.—Section 1(b) of the National and Community Service Act of 1990 (Public Law 101–610; 104 Stat. 3127) is amended by striking the items relating to sections 183, 184, and 185 of such Act and inserting the following:~~

~~''Sec. 183. Drug-free workplace requirements.''.~~

TITLE II—ORGANIZATION

SEC. 201. STATE COMMISSIONS ON NATIONAL SERVICE.

(a) COMPOSITION AND DUTIES OF STATE COMMISSIONS.—Subtitle F of title I of the National and Community Service Act of 1990 is amended by striking section 178 (42 U.S.C. 12638) and inserting the following new section:

"SEC. 178. STATE COMMISSIONS ON NATIONAL SERVICE.

"(a) EXISTENCE REQUIRED.—

"(1) STATE COMMISSION.—Except as provided in paragraph (2), to be eligible to receive a grant or allotment under subtitle B or C or to receive a distribution of approved national service positions under subtitle C, a State shall maintain a State Commission on National Service that satisfies the requirements of this section.

"(2) ALTERNATIVE ADMINISTRATIVE ENTITY.—The chief executive officer of a State may apply to the Corporation for approval to use an alternative administrative entity to carry out the duties otherwise entrusted to a State Commission under this Act. The chief executive officer shall ensure that any alternative administrative entity used in lieu of a State Commission still provides for the individuals described in paragraphs (1) and (2) of subsection (c)

~~to play a significant policy-making role in carrying out the duties otherwise entrusted to a State Commission, including the submission of applications on behalf of the State under sections 117B and 130.~~

~~"(b) APPOINTMENT AND SIZE.—Except as provided in subsection (c)(3), the members of a State Commission for a State shall be appointed by the chief executive officer of the State. A State Commission shall consist of not less than 7 voting members and not more than 13 voting members.~~

~~"(c) COMPOSITION AND MEMBERSHIP.—~~

~~"(1) REQUIRED MEMBERS.—The State Commission for a State shall include as voting members at least one representative from each of the following categories:~~

~~"(A) A national service program, such as a youth corps program, a service program for school-age youth, and a program in which older Americans are participants.~~

~~"(B) Local governments in the State.~~

~~"(C) Local labor organizations.~~

~~"(2) SOURCES OF OTHER MEMBERS.—The State Commission for a State may include as voting members the following:~~

~~"(A) Representatives of community-based organizations.~~

~~"(B) Members selected from among participants in service programs who are youths.~~

~~"(C) Members selected from among educators.~~

~~"(D) Members selected from among experts in the delivery of human, educational, environmental, or public safety services to communities and persons.~~

~~"(E) Representatives of businesses and business groups.~~

~~"(3) CORPORATION REPRESENTATIVE.—The representative of the Corporation designated under section 195(b) for a State shall be a voting member of the State Commission for that State.~~

~~"(4) EX OFFICIO STATE REPRESENTATIVES.—The chief executive officer of a State may appoint as nonvoting ex officio members of the State Commission for the State representatives selected from among officers and employees of State agencies operating community service, youth service, education, social service, senior service, and job training programs.~~

~~"(5) LIMITATION ON NUMBER OF STATE EMPLOYEES AS MEMBERS.—The number of voting members of a State Commission selected under paragraph (1) or (2) who are officers or employees of the State may not exceed 25 percent (reduced to the nearest whole number) of the total membership of the State Commission.~~

~~"(d) MISCELLANEOUS MATTERS.—~~

~~"(1) MEMBERSHIP BALANCE.—The chief executive officer of a State shall ensure that the membership of the State Commission for the State is balanced according to race, ethnic background, age, and gender. Not more than 50 percent of the voting members of a State Commission, plus one additional member, may be from the same political party.~~

~~"(2) TERMS.—Each member of the State Commission for a State shall serve for a term of 3 years, except that the chief executive officer of a State shall initially appoint a portion of the members to terms of 1 year and 2 years.~~

~~"(3) VACANCIES.—As vacancies occur on a State Commission, new members shall be appointed by the chief executive of the State and serve for the remainder of the term for which the predecessor of such member was appointed. The vacancy shall not~~

~~affect the power of the remaining members to execute the duties of the State Commission.~~

~~"(4) COMPENSATION.—A member of a State Commission shall not receive any additional compensation by reason of service on the State Commission, except that the State may authorize the reimbursement of travel expenses, including a per diem in lieu of subsistence, in the same manner as other employees serving intermittently in the service of the State.~~

~~"(5) CHAIRPERSON.—The voting members of a State Commission shall elect one of the voting members to serve as chairperson of the State Commission.~~

~~"(e) DUTIES OF A STATE COMMISSION.—The State Commission for a State shall be responsible for the following duties:~~

~~"(1) Preparation of a national service plan for the State that—~~

~~"(A) covers a 3-year period;~~

~~"(B) is updated annually; and~~

~~"(C) contains such information as the State Commission considers to be appropriate or as the Corporation may require.~~

~~"(2) Preparation of the applications of the State under sections 117B and 130 for financial assistance.~~

~~"(3) Assistance in the preparation of the application of the State educational agency for assistance under section 113.~~

~~"(4) Preparation of the application of the State under section 130 for the approval of service positions that include the national service educational award described in subtitle D.~~

~~"(5) Assistance in the provision of health care and child care benefits under section 140 to participants in national service programs that receive assistance under section 121.~~

~~"(6) Development of a State system for the recruitment and placement of participants in national service programs that receive assistance under section 121 and dissemination of information concerning national service programs that receive assistance and approved national service positions.~~

~~"(7) Administration of the grant program in support of national service programs that is conducted by the State using assistance provided to the State under section 121, including selection, oversight, and evaluation of grant recipients.~~

~~"(8) Development of projects, training methods, curriculum materials, and other materials and activities related to national service programs that receive assistance directly from the Corporation or from the State using assistance provided under section 121.~~

~~"(f) ACTIVITY INELIGIBLE FOR ASSISTANCE.—A State Commission may not directly carry out any national service program that receives assistance under section 121.~~

~~"(g) DELEGATION.—Subject to such requirements as the Corporation may prescribe, a State Commission may delegate nonpolicymaking duties to a State agency or public or private not-for-profit organization.~~

~~"(h) APPROVAL OF STATE COMMISSION OR ALTERNATIVE.—~~

~~"(1) SUBMISSION TO CORPORATION.—The chief executive officer for a State shall notify the Corporation of the establishment or designation of the State Commission for the State. The notification shall include a description of—~~

~~"(A) the composition and membership of the State Commission; and~~

~~"(B) the authority of the State Commission regarding national service activities carried out by the State.~~

~~"(2) APPROVAL OF ALTERNATIVE ADMINISTRATIVE ENTITY.—Any use of an alternative administrative entity to carry out the duties of a State Commission shall be subject to the approval of the Corporation.~~

~~"(3) REJECTION.—The Corporation may reject a State Commission if the Corporation determines that the composition, membership, or duties of the State Commission do not comply with the requirements of this section. The Corporation shall reject a request to use an alternative administrative entity in lieu of a State Commission if the Corporation determines that use of the alternative administrative entity does not allow the individuals described in paragraphs (1) and (2) of subsection (c) to play a significant policy-making role in carrying out the duties otherwise entrusted to a State Commission. If the Corporation rejects a State Commission or alternative administrative entity under this paragraph, the Corporation shall promptly notify the State of the reasons for the rejection.~~

~~"(4) RESUBMISSION AND RECONSIDERATION.—The Corporation shall provide a State notified under paragraph (3) with a reasonable opportunity to revise the rejected State Commission or alternative ad-~~

~~ministrative entity. At the request of the State, the Corporation shall provide technical assistance to the State as part of the revision process. The Corporation shall promptly reconsider any resubmission of a notification under paragraph (1) or application to use an alternative administrative entity under paragraph (2).~~

~~"(5) SUBSEQUENT CHANGES.—This subsection shall also apply to any change in the composition or duties of a State Commission or an alternative administrative entity made after approval of the State Commission or the alternative administrative entity.".~~

~~(b) TABLE OF CONTENTS.—Section 1(b) of the National and Community Service Act of 1990 (Public Law 101–610; 104 Stat. 3127) is amended by striking the item relating to section 178 and inserting the following new item:~~

~~"Sec. 178. State Commissions on National Service.".~~

~~(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.~~

~~(d) TRANSITIONAL PROVISIONS.—~~

~~(1) USE OF ALTERNATIVES TO STATE COMMISSION.—If a State does not have a State Commission on National Service that satisfies the requirements~~

specified in section 178 of the National and Community Services Act of 1990, as amended by subsection (a), the Corporation for National Service may authorize the chief executive of the State to use an existing agency of the State to perform the duties otherwise reserved to a State Commission under subsection (e) of such section.

(2) APPLICATION OF SUBSECTION.—This subsection shall apply only during the 1-year period beginning on the date of the enactment of this Act.

SEC. 202. INTERIM AUTHORITIES OF THE CORPORATION FOR NATIONAL SERVICE AND ACTION AGENCY.

(a) NATIONAL AND COMMUNITY SERVICE ACT OF 1990.—Subtitle G of title I of the National and Community Service Act of 1990 (42 U.S.C. 12651) is amended to read as follows:

"Subtitle G—Corporation for National Service

"SEC. 191. CORPORATION FOR NATIONAL SERVICE.

''There is established a Corporation for National Service that shall administer the programs established under this Act. The Corporation shall be a Government corporation, as defined in section 103 of title 5, United States Code.

~~"SEC. 192. BOARD OF DIRECTORS.~~

~~''(a) COMPOSITION.—~~

~~''(1) IN GENERAL.—There shall be in the Corporation a Board of Directors (referred to in this subtitle as the 'Board') that shall be composed of—~~

~~''(A) 11 members, including the Chairperson appointed under section 193, to be appointed by the President, by and with the advice and consent of the Senate; and~~

~~''(B) the ex officio members described in paragraph (4).~~

~~''(2) QUALIFICATIONS.—To the maximum extent practicable, the President shall appoint members—~~

~~''(A) who have extensive experience in volunteer and service programs, including programs funded under one of the national service laws, and in State government;~~

~~''(B) who represent a broad range of viewpoints;~~

~~''(C) who are experts in the delivery of human, educational, environmental, or public safety services;~~

~~''(D) so that the Board shall be diverse according to race, ethnicity, age, and gender; and~~

~~"(E) so that no more than 6 appointed members of the Board are from a single political party.~~

~~"(3) INITIAL MEMBERS.—No fewer than 8 of the members first appointed to the Board after the date of enactment of this section shall be appointed from among individuals who served on the Board of Directors of the Commission on National and Community Service.~~

~~"(4) EX OFFICIO MEMBERS.—The Secretary of Education, the Secretary of Health and Human Services, the Secretary of Labor, the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Housing and Urban Development, the Secretary of Defense, the Attorney General, the Director of the Peace Corps, and the Administrator of the Environmental Protection Agency shall serve as ex officio nonvoting members of the Board.~~

~~"(b) TERMS.—Each appointed member of the Board shall serve for a term of 3 years, except that 4 of the members first appointed to the Board after the date of enactment of this section shall serve for a term of 1 year and 4 shall serve for a term of 2 years, as designated by the President.~~

~~"(c) VACANCIES.—As vacancies occur on the Board, new members shall be appointed by the President, by and with the advice and consent of the Senate, and serve for the remainder of the term for which the predecessor of such member was appointed. The vacancy shall not affect the power of the remaining members to execute the duties of the Board.~~

~~"SEC. 192A. AUTHORITIES AND DUTIES OF THE BOARD OF DIRECTORS.~~

~~"(a) MEETINGS.—The Board shall meet not less than 3 times each year. The Board shall hold additional meetings if 6 members of the Board request such meetings in writing.~~

~~"(b) QUORUM.—A majority of the appointed members of the Board shall constitute a quorum.~~

~~"(c) OFFICERS.—~~

~~"(1) VICE CHAIRPERSON.—The Board shall elect a Vice Chairperson from among its membership. The Vice Chairperson may conduct meetings of the Board in the absence of the Chairperson.~~

~~"(2) OTHER OFFICERS.—The Board may elect from among its membership such additional officers of the Board as the Board determines to be appropriate.~~

~~"(d) INSPECTOR GENERAL OVERSIGHT COMMITTEE.—The Board shall establish an Inspector General oversight committee (referred to in this subtitle as the 'oversight committee'). Such committee shall be comprised of the Vice Chairperson and two members selected by the Vice Chairperson. The Chairperson shall not serve on the oversight committee.~~

~~"(e) EXPENSES.—While away from their homes or regular places of business on the business of the Board, members of such Board shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, for persons employed intermittently in the Government service.~~

~~"(f) SPECIAL GOVERNMENT EMPLOYEES.—For purposes of the provisions of chapter 11 of part I of title 18, United States Code, and any other provision of Federal law, a member of the Board (to whom such provisions would not otherwise apply except for this subsection) shall be a special Government employee.~~

~~"(g) STATUS OF MEMBERS.—~~

~~"(1) TORT CLAIMS.—For the purposes of the tort claims provisions of chapter 171 of title 28, United States Code, a member of the Board shall be considered to be a Federal employee.~~

~~"(2) OTHER CLAIMS.—A member of the Board has no personal liability under Federal law with respect to any claim arising out of or resulting from any act or omission by such person, within the scope of the service of the member on the Board, in connection with any transaction involving the provision of financial assistance by the Corporation. This paragraph shall not be construed to limit personal liability for criminal acts or omissions, willful or malicious misconduct, acts or omissions for private gain, or any other act or omission outside the scope of the service of such member on the Board.~~

~~"(3) EFFECT ON OTHER LAW.—This subsection shall not be construed—~~

~~"(A) to affect any other immunities and protections that may be available to such member under applicable law with respect to such transactions;~~

~~"(B) to affect any other right or remedy against the Corporation, against the United States under applicable law, or against any person other than a member of the Board participating in such transactions; or~~

~~"(C) to limit or alter in any way the immunities that are available under applicable law~~

~~for Federal officials and employees not described in this subsection.~~

~~"(h) DUTIES.—The Board shall—~~

~~"(1) make such grants and allotments, enter into such contracts, award such other financial assistance, make such payments (in lump sum or installments, and in advance or by way of reimbursement, and in the case of financial assistance otherwise authorized under this Act, with necessary adjustments on account of overpayments and underpayments), and designate such positions as approved national service positions as are necessary or appropriate to carry out this Act;~~

~~"(2) prepare a strategic plan every 3 years, and annual updates of the plan, for the Corporation with respect to the grants, allotments, contracts, assistance, and payments described in paragraph (1), and with respect to such standards, policies, procedures, programs, and initiatives as are necessary or appropriate to carry out this Act;~~

~~"(3) make recommendations with respect to the regulations established under section 195(a)(3)(B)(i);~~

~~"(4)(A) review the actions of the Chairperson with respect to the personnel of the Corporation,~~

~~and with respect to the standards, policies, procedures, programs, and initiatives; and~~

~~"(B) inform the Chairperson of any aspects of the actions of the Chairperson that are not in compliance with the annual strategic plan described in paragraph (2) or the recommendations described in paragraph (3), or are not consistent with the objectives of this Act;~~

~~"(5) receive, and act on, the reports issued by the Inspector General of the Corporation;~~

~~"(6) arrange for the evaluation of programs established under this Act, in accordance with section 179;~~

~~"(7) provide for research with respect to national and community service programs, including service-learning programs;~~

~~"(8) advise the President and the Congress concerning developments in national and community service that merit the attention of the President and the Congress;~~

~~"(9) disseminate information regarding the programs and initiatives of the Corporation; and~~

~~"(10) carry out any other activities determined to be appropriate by the Chairperson.~~

1 ~~''(i) ADMINISTRATION.—The Federal Advisory Com-~~
2 ~~mittee Act (5 U.S.C. App.) shall not apply with respect~~
3 ~~to the Board.~~

4 ~~''SEC. 193. CHAIRPERSON AND DIRECTOR.~~

5 ~~''(a) APPOINTMENT.—The Corporation shall be head-~~
6 ~~ed by an individual who shall serve as Chairperson of the~~
7 ~~Board and as Director of the Corporation, and who shall~~
8 ~~be appointed by the President, by and with the advice and~~
9 ~~consent of the Senate.~~

10 ~~''(b) COMPENSATION.—The Chairperson shall be~~
11 ~~compensated at the rate provided for level III of the Exec-~~
12 ~~utive Schedule under section 5314 of title 5, United States~~
13 ~~Code.~~

14 ~~''(c) REGULATIONS.—The Chairperson shall pre-~~
15 ~~scribe such rules and regulations as are necessary or ap-~~
16 ~~propriate to carry out this Act.~~

17 ~~''SEC. 193A. AUTHORITIES AND DUTIES OF THE CHAIR-~~
18 ~~PERSON.~~

19 ~~''(a) GENERAL POWERS AND DUTIES.—The Chair-~~
20 ~~person shall be responsible for the exercise of the powers~~
21 ~~and the discharge of the duties of the Corporation that~~
22 ~~are not reserved to the Board, and shall have authority~~
23 ~~and control over all personnel of the Corporation.~~

~~"(b) DUTIES.—In addition to the duties conferred on the Chairperson under any other provision of this Act, the Chairperson shall—~~

~~"(1) submit a proposal to the Board regarding, and establish, such standards, policies, and procedures, as are necessary or appropriate to carry out this Act;~~

~~"(2) establish and administer such programs and initiatives as the Chairperson, acting on the recommendation of the Board, may determine to be necessary or appropriate to carry out this Act;~~

~~"(3) consult with appropriate Federal agencies in administering such programs and initiatives;~~

~~"(4) on the recommendation of the Board, suspend or terminate payments and positions described in section 192A(h)(1), in accordance with section 176;~~

~~"(5) prepare and submit to the Board an annual report, and such interim reports as may be necessary, describing the major actions of the Chairperson with respect to the personnel of the Corporation, and with respect to such standards, policies, procedures, programs, and initiatives;~~

~~"(6) notify, and provide an explanation to, the Board regarding any substantial differences between~~

~~the actions of the Chairperson and the strategic plan described in section 192A(h)(2); and~~

~~"(7) prepare and submit to the appropriate committees of Congress an annual report, and such interim reports as may be necessary, describing—~~

~~"(A) the services referred to in paragraph (1), and the money and property referred to in paragraph (2), of section 196(a) that have been accepted by the Corporation; and~~

~~"(B) the manner in which the Corporation used or disposed of such services, money, and property.~~

~~"(c) POWERS.—In addition to the authority conferred on the Chairperson under any other provision of this Act, the Chairperson may—~~

~~"(1) establish, alter, consolidate, or discontinue such organizational units or components within the Corporation as the Chairperson considers necessary or appropriate;~~

~~"(2) with the approval of the President—~~

~~"(A) arrange with and reimburse the heads of other Federal agencies for the performance of any of the provisions of this Act; and~~

~~"(B) as necessary or appropriate—~~

~~"(i) delegate any of the functions of the Chairperson under this Act, or, with the permission of the Board, any of the functions of the Board under this Act, to such heads of Federal agencies; and~~

~~"(ii) authorize the redelegation of such functions,~~

~~subject to provisions to assure the maximum possible liaison between the Corporation and such other agencies at all operating levels;~~

~~"(3) with their consent, utilize the services and facilities of Federal agencies with or without reimbursement, and, with the consent of any State, or political subdivision of a State, accept and utilize the services and facilities of the agencies of such State or subdivisions without reimbursement;~~

~~"(4) allocate and expend, or transfer to other Federal agencies for expenditure, funds made available under this Act, including expenditure for construction, repairs, and capital improvements;~~

~~"(5) disseminate, without regard to the provisions of section 3204 of title 39, United States Code, data and information, in such form as the Chairperson shall determine to be appropriate to~~

~~public agencies, private organizations, and the general public;~~

~~"(6) collect or compromise all obligations to or held by the Chairperson and all legal or equitable rights accruing to the Chairperson in connection with the payment of obligations in accordance with chapter 37 of title 31, United States Code (commonly known as the 'Federal Claims Collection Act of 1966');~~

~~"(7) expend funds made available for purposes of this Act, without regard to any other law or regulation, for rent of buildings and space in buildings and for repair, alteration, and improvement of buildings and space in buildings rented by the Chairperson;~~

~~"(8) file a civil action in any court of record of a State having general jurisdiction or in any district court of the United States, with respect to a claim arising under this Act;~~

~~"(9) exercise the authorities of the Corporation under section 196; and~~

~~"(10) generally perform such functions and take such steps consistent with the objectives and provisions of this Act, as the Chairperson determines~~

~~to be necessary or appropriate to carry out such provisions.~~

~~"(d) DELEGATION.—~~

~~"(1) DEFINITION.—As used in this subsection, the term 'function' means any duty, obligation, power, authority, responsibility, right, privilege, activity, or program.~~

~~"(2) IN GENERAL.—Except as otherwise prohibited by law or provided in this Act, the Chairperson may delegate any function under this Act, and authorize such successive redelegations of such function as may be necessary or appropriate. No delegation of a function by the Chairperson under this subsection or under any other provision of this Act shall relieve such Chairperson of responsibility for the administration of such function.~~

~~"(3) FUNCTION OF BOARD.—The Chairperson may not delegate a function of the Board without the permission of the Board.~~

~~"(e) ACTIONS.—In an action described in subsection (c)(8)—~~

~~"(1) a district court referred to in such subsection shall have jurisdiction of such a civil action without regard to the amount in controversy;~~

~~''(2) such an action brought by the Chairperson shall survive notwithstanding any change in the person occupying the office of Chairperson or any vacancy in that office;~~

~~''(3) no attachment, injunction, garnishment, or other similar process, mesne or final, shall be issued against the Chairperson or the Board or property under the control of the Chairperson or the Board; and~~

~~''(4) nothing in this section shall be construed to except litigation arising out of activities under this Act from the application of sections 509, 517, 547, and 2679 of title 28, United States Code.~~

~~''SEC. 194. OFFICERS.~~

~~''(a) MANAGING DIRECTORS.—~~

~~''(1) IN GENERAL.—There shall be in the Corporation 2 Managing Directors, who shall be appointed by the President, by and with the advice and consent of the Senate.~~

~~''(2) COMPENSATION.—The Managing Directors shall be compensated at the rate provided for level IV of the Executive Schedule under section 5315 of title 5, United States Code.~~

~~''(3) DUTIES.—~~

~~"(A) FEDERAL PROGRAMS.—One of the Managing Directors shall be primarily responsible for the Federal programs carried out by the Corporation.~~

~~"(B) INVESTMENT PROGRAMS.—The other Managing Director shall be primarily responsible for the financial assistance programs carried out by the Corporation.~~

~~"(b) INSPECTOR GENERAL.—~~

~~"(1) OFFICE.—There shall be in the Corporation an Office of the Inspector General.~~

~~"(2) APPOINTMENT.—~~

~~"(A) IN GENERAL.—The Office shall be headed by an Inspector General, appointed by the President, by and with the consent of the Senate.~~

~~"(B) REPORTING.—The Inspector General shall report directly to the oversight committee.~~

~~"(3) COMPENSATION.—The Inspector General shall be compensated at the rate provided for level IV of the Executive Schedule under section 5315 of title 5, United States Code.~~

~~"(4) DUTIES.—~~

~~"(A) IN GENERAL.—Except as provided in subparagraph (B), for purposes of the Inspector General Act of 1978 (5 U.S.C. App.)—~~

~~"(i) the Corporation shall be considered to be a designated Federal entity, as defined in section 8E(2) of such Act; and~~

~~"(ii) except as provided in paragraph (2)(A), the oversight committee shall be considered to be the head of the designated Federal entity, as defined in section 8E(4) of such Act.~~

~~"(B) PROGRAM FRAUD.—For purposes of chapter 38 of title 31, United States Code (commonly known as the 'Program Fraud Civil Remedies Act of 1986')—~~

~~"(i) the Corporation shall be considered to be an authority, as defined in section 3801(a)(1) of such Act;~~

~~"(ii) the oversight committee shall be considered to be an authority head, as defined in section 3801(a)(2) of such Act; and~~

~~"(iii) the Inspector General shall be considered to be an investigating official,~~

~~as defined in section 3801(a)(4) of such Act.~~

~~''(c) CHIEF FINANCIAL OFFICER.—~~

~~''(1) OFFICE.—There shall be in the Corporation a Chief Financial Officer, who shall be appointed by the President, by and with the advice and consent of the Senate.~~

~~''(2) COMPENSATION.—The Chief Financial Officer shall be compensated at the rate provided for level IV of the Executive Schedule under section 5315 of title 5, United States Code.~~

~~''(3) DUTIES.—The Chief Financial Officer shall—~~

~~''(A) report directly to the Chairperson regarding financial management matters;~~

~~''(B) oversee all financial management activities relating to the programs and operations of the Corporation;~~

~~''(C) develop and maintain an integrated accounting and financial management system for the Corporation, including financial reporting and internal controls;~~

~~''(D) develop and maintain any joint financial management systems with the Department~~

of Education necessary to carry out the programs of the Corporation; and

"(E) direct, manage, and provide policy guidance and oversight of the financial management personnel, activities, and operations of the Corporation.

"SEC. 195. EMPLOYEES, CONSULTANTS, AND OTHER PERSONNEL.

"(a) EMPLOYEES.—

"(1) IN GENERAL.—The Chairperson may appoint and determine the compensation of such employees as the Chairperson determines to be necessary to carry out the duties of the Corporation.

"(2) TERMS.—

"(A) INITIAL TERM.—

"(i) LENGTH OF TERM.—Such an employee shall be appointed for an initial term that shall not exceed 5 years.

"(ii) PROBATION PERIOD.—The Chairperson shall take such action, including the issuance of rules, regulations, and directives, as shall provide, as nearly as conditions of good administration warrant, for a 1-year period of probation before such an appointment becomes final.

~~"(B) APPOINTMENT EXTENSIONS.—The appointment of an employee may be extended if the Chairperson determines that such an extension is necessary to ensure the continuity of functions under this Act.~~

~~"(C) APPOINTMENT IN THE COMPETITIVE SERVICE AFTER EMPLOYMENT IN THE CORPORATION.—~~

~~"(i) EMPLOYEES WITH NOT LESS THAN 3 YEARS OF EMPLOYMENT.—If an employee, other than a representative described in section 195(b), is separated from the Corporation (other than by removal for cause), and has been continuously employed by the Corporation for a period of not less than 3 years, such period shall be treated as a period of service in the competitive service for purposes of chapter 33 of title 5, United States Code.~~

~~"(ii) EMPLOYEES WITH NOT LESS THAN 1 BUT LESS THAN 3 YEARS OF EMPLOYMENT.—If an employee, other than a representative described in section 195(b), is separated from the Corporation (other than by removal for cause), and has been~~

~~continuously employed by the Corporation for a period of not less than 1 year, but less than 3 years, such period shall be treated as a period of service in the competitive service for purposes of chapter 33 of title 5, United States Code, until the date that is 3 years after the date of separation.~~

~~''(iii) DEFINITION.—As used in this subparagraph, the term 'competitive service' has the meaning given the term in section 2102 of title 5, United States Code.~~

~~''(3) APPOINTMENT AND COMPENSATION.—~~

~~''(A) IN GENERAL.—Except as provided in subparagraphs (B)(iv) and (C)(ii), the Chairperson may appoint and determine the compensation of employees under this subsection without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates.~~

~~''(B) CORPORATION SELECTION AND COMPENSATION SYSTEMS.—~~

~~"(i) ESTABLISHMENT OF SYSTEM.—The Chairperson, after consultation with the Director of the Office of Personnel Management and after reviewing the recommendations of the Board under section 192A(h)(3), shall issue regulations establishing selection and compensation systems for the Corporation. In issuing such regulations, the Chairperson shall take into consideration the need for flexibility in such a system.~~

~~"(ii) APPLICATION.—The Chairperson shall appoint and determine the compensation of employees referred to in paragraph (1), other than representatives described in section 195(b), in accordance with the selection and compensation systems referred to in clause (i).~~

~~"(iii) SELECTION SYSTEM.—The selection system shall provide for the selection of such an employee for such a position—~~

~~"(I) through a competitive process; and~~

~~"(II) on the basis of the qualifications of applicants and the requirements of the position.~~

~~"(iv) COMPENSATION SYSTEM.—The compensation system shall include a scheme for the classification of positions in the Corporation. The system shall require that the compensation of such an employee be determined based in part on the job performance of the employee, and in a manner consistent with the principles described in section 5301 of title 5, United States Code. The rate of compensation for each employee compensated through the system shall not exceed the annual rate of basic pay payable for level IV of the Executive Schedule under section 5315 of title 5, United States Code.~~

~~"(C) SELECTION AND COMPENSATION OF CORPORATION REPRESENTATIVES.—~~

~~"(i) IN GENERAL.—The Chairperson may appoint and determine the compensation of representatives described in section 195(b) without regard to the selection and~~

~~compensation systems described in sub-paragraph (B).~~

~~"(ii) LIMITATION ON COMPENSATION.—The rate of compensation for each representative described in section 195(b) shall not exceed the maximum rate of basic pay payable for GS–15 of the General Schedule under section 5332 of title 5, United States Code.~~

~~"(b) CORPORATION REPRESENTATIVE IN EACH STATE.—~~

~~"(1) DESIGNATION OF REPRESENTATIVE.—The Corporation shall designate 1 employee of the Corporation for each State or group of States to serve as the representative of the Corporation in the State or States and to assist the Corporation in carrying out the activities described in this Act in the State or States.~~

~~"(2) DUTIES.—The representative designated under this subsection for a State or group of States shall serve as the liaison between—~~

~~"(A) the Corporation and the State Commission that is established in the State or States; and~~

~~"(B) the Corporation and any subdivision of a State, Indian tribe, public or private nonprofit organization, or institution of higher education, in the State or States, that is awarded a grant under section 121 directly from the Corporation.~~

~~"(3) MEMBER OF STATE COMMISSION.—The representative designated under this subsection for a State or group of States shall also serve as a voting member of the State Commission established in the State or States.~~

~~"(c) CONSULTANTS.—The Chairperson may procure the temporary and intermittent services of experts and consultants and compensate the experts and consultants in accordance with section 3109(b) of title 5, United States Code.~~

~~"(d) DETAILS OF PERSONNEL.—The head of any Federal department or agency may detail on a reimbursable basis, or on a nonreimbursable basis for not to exceed 180 calendar days during any fiscal year, as agreed upon by the Chairperson and the head of the Federal agency, any of the personnel of that department or agency to the Corporation to assist the Corporation in carrying out the duties of the Corporation under this Act. Any detail shall~~

not interrupt or otherwise affect the civil service status or privileges of the Federal employee.

"(e) ADVISORY COMMITTEES.—

"(1) ESTABLISHMENT.—The Chairperson, acting upon the recommendation of the Board, may establish advisory committees in the Corporation to advise the Board with respect to national service issues, such as the type of programs to be established or assisted under the national service laws, priorities and criteria for such programs, and methods of conducting outreach for, and evaluation of, such programs.

"(2) COMPOSITION.—Such an advisory committee shall be composed of members appointed by the Chairperson, with such qualifications as the Chairperson may specify.

"(3) EXPENSES.—Members of such an advisory committee may be allowed travel expenses as described in section 192A(e).

"(4) STAFF.—The Chairperson is authorized to appoint and fix the compensation of such staff as the Chairperson determines to be necessary to carry out the functions of the advisory committee, in accordance with subsection (a)(3)(A), and without regard to the selection and compensation systems de-

~~scribed in subsection (a)(3)(B). Such compensation shall not exceed the rate described in subsection (a)(3)(C)(ii).~~

~~"SEC. 196. ADMINISTRATION.~~

~~"(a) DONATIONS.—~~

~~"(1) SERVICES.—~~

~~"(A) VOLUNTEERS.—Notwithstanding section 1342 of title 31, United States Code, the Corporation may solicit and accept the voluntary services of individuals to assist the Corporation in carrying out the duties of the Corporation under this Act, and may provide to such individuals the travel expenses described in section 192A(e).~~

~~"(B) LIMITATION.—Such a volunteer shall not be considered to be a Federal employee and shall not be subject to the provisions of law relating to Federal employment, including those relating to hours of work, rates of compensation, leave, unemployment compensation, and Federal employee benefits, except that—~~

~~"(i) for the purposes of the tort claims provisions of chapter 171 of title 28, United States Code, a volunteer under~~

~~this subtitle shall be considered to be a Federal employee; and~~

~~"(ii) for the purposes of subchapter I of chapter 81 of title 5, United States Code, relating to compensation to Federal employees for work injuries, volunteers under this subtitle shall be considered to be employees, as defined in section 8101(1)(B) of title 5, United States Code, and the provisions of such subchapter shall apply.~~

~~"(2) PROPERTY.—The Corporation may solicit, accept, use, and dispose of, in furtherance of the purposes of this Act, donations of any money or property, real, personal, or mixed, tangible or intangible, received by gift, devise, bequest, or otherwise.~~

~~"(3) RULES.—The Chairperson shall establish written rules setting forth the criteria to ensure that the solicitation or acceptance of contributions of money or property, real, personal, or mixed, tangible or intangible, received by gift, device, bequest, or otherwise (pursuant to paragraph (2)) will not reflect unfavorably upon the ability of the Corporation or any employee of the Corporation to carry out the responsibilities or official duties of the Corporation~~

~~in a fair and objective manner, or compromise the integrity of the programs of the Corporation or any official involved in such programs.~~

~~''(4) DISPOSITION.—Upon completion of the use by the Corporation of any property described in paragraph (2), such completion shall be reported to the General Services Administration and such property shall be disposed of in accordance with title II of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 481 et seq.).~~

~~''(5) VOLUNTEER.—As used in this subsection, the term 'volunteer' does not include a participant.~~

~~''(b) CONTRACTS.—Subject to the Federal Property and Administrative Services Act of 1949, the Corporation may enter into contracts, and cooperative and interagency agreements, with Federal and State agencies, private firms, institutions, and individuals to conduct activities necessary to carry out the duties of the Corporation under this Act.''.~~

~~(b) DOMESTIC VOLUNTEER SERVICE ACT OF 1973.—Section 401 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5041) is amended by inserting after the second sentence the following: ''The Director shall report directly to the Chairperson of the Corporation for National Service.''.~~

~~(c) TRANSFER OF FUNCTIONS OF COMMISSION ON NATIONAL AND COMMUNITY SERVICE.—~~

~~(1) DEFINITIONS.—For purposes of this subsection, unless otherwise provided or indicated by the context, each term specified in section 203(c)(1) shall have the meaning given the term in such section.~~

~~(2) TRANSFER OF FUNCTIONS.—There are transferred to the Corporation the functions that the Board of Directors or Executive Director of the Commission on National and Community Service exercised before the effective date of this subsection (including all related functions of any officer or employee of the Commission).~~

~~(3) APPLICATION.—The provisions of paragraphs (3) through (10) of section 203(c) shall apply with respect to the transfer described in paragraph (2), except that—~~

~~(A) for purposes of such application, references to the term "ACTION Agency" shall be deemed to be references to the Corporation; and~~

~~(B) paragraph (10) of such section shall not preclude the transfer of the members of the Board of Directors of the Commission to the Corporation if, on the effective date of this sub-~~

~~section, the Board of Directors of the Corporation has not been confirmed.~~

~~(d) CONTINUING PERFORMANCE OF CERTAIN FUNCTIONS.—The individuals who, on the day before the date of enactment of this Act, are performing any of the functions required by section 190 of the National and Community Service Act of 1990 (42 U.S.C. 12651), as in effect on such date, to be performed by the members of the Board of Directors of the Commission on National and Community Service may, subject to section 193A of the National and Community Service Act of 1990, as added by subsection (a) of this section, continue to perform such functions until the date on the Board of Directors of the Corporation for National Service conducts the first meeting of the Board. The service of such individuals as members of the Board of Directors of such Commission, and the employment of such individuals as special government employees, shall terminate on such date.~~

~~(e) JOB SEARCH ASSISTANCE.—The Chairperson shall establish a program to provide, or shall seek to enter into a memorandum of understanding with the Director of the Office of Personnel Management to provide, job search and related assistance to employees of the ACTION agency who are not transferred to the Corporation for National Service under section 203(c).~~

~~(f) GOVERNMENT CORPORATION CONTROL.—~~

~~(1) WHOLLY OWNED GOVERNMENT CORPORATION. Section 9101(3) of title 31, United States Code, is amended by inserting after subparagraph (D) the following:~~

~~''(E) the Corporation for National Service.''.~~

~~(2) AUDITS. Section 9105(a)(1) of title 31, United States Code, is amended by inserting '', or under other Federal law,'' before ''or by an independent''.~~

~~(g) DISPOSAL OF PROPERTY. Section 203(k) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 484(k)) is amended by adding at the end the following:~~

~~''(5)(A) Under such regulations as the Administrator may prescribe, the Administrator is authorized, in the discretion of the Administrator, to assign to the Chairperson of the Corporation for National Service for disposal such surplus property as is recommended by the Chairperson as being needed for national service activities.~~

~~''(B) Subject to the disapproval of the Administrator, within 30 days after notice to the Administrator by the Chairperson of a proposed transfer of property for such activities, the Chairperson, through such officers or em-~~

ployees of the Corporation as the Chairperson may designate, may sell, lease, or donate such property to any entity that receives financial assistance under the National and Community Service Act of 1990 for such activities.

"(C) In fixing the sale or lease value of such property, the Chairperson shall comply with the requirements of paragraph (1)(C).".

(h) TABLE OF CONTENTS.—Section 1(b) of the National and Community Service Act of 1990 (Public Law 101–610; 104 Stat. 3127) is amended by striking the items relating to subtitle G of title I of such Act and inserting 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. 195. Employees, consultants, and other personnel.
"Sec. 196. Administration.".

(i) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall take effect on October 1, 1993.

(2) ESTABLISHMENT AND APPOINTMENT AUTHORITIES.—Sections 191, 192, and 193 of the National and Community Service Act of 1990, as added by subsection (a), shall take effect on the date of enactment of this Act.

~~SEC. 203. FINAL AUTHORITIES OF THE CORPORATION FOR NATIONAL SERVICE.~~

~~(a) NATIONAL AND COMMUNITY SERVICE ACT OF 1990.—~~

~~(1) APPLICATION.—Subtitle I of the National and Community Service Act of 1990 (as amended by section 202 of this Act) is amended in section 191, paragraphs (2) and (4) of section 192A(h), section 193(c), subsections (b), (c) (other than paragraph (8)), and (d) of section 193A, subsections (a), (b), and (d) of section 195, and subsections (a) and (b) of section 196, by striking ''this Act'' each place the term appears and inserting ''the national service laws''.~~

~~(2) GRANTS.—Section 192A(h) of the National and Community Service Act of 1990 (as added by section 202 of this Act) is amended—~~

~~(A) by striking ''and'' at the end of paragraph (9);~~

~~(B) by redesignating paragraph (10) as paragraph (11); and~~

~~(C) by inserting after paragraph (9) the following:~~

~~''(10) notwithstanding any other provision of law, make grants to or contracts with Federal or other public departments or agencies and private~~

~~nonprofit organizations for the assignment or referral of volunteers under the provisions of the Domestic Volunteer Service Act of 1973 (except as provided in section 108 of the Domestic Volunteer Service Act of 1973), which may provide that the agency or organization shall pay all or a part of the costs of the program; and''.~~

~~(b) AUTHORITIES OF ACTION AGENCY.—Sections 401 and 402 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5041 and 5042) are repealed.~~

~~(c) TRANSFER OF FUNCTIONS FROM ACTION AGENCY.—~~

~~(1) DEFINITIONS.—For purposes of this subsection, unless otherwise provided or indicated by the context—~~

~~(A) the term ''Chairperson'' means the Chairperson of the Corporation;~~

~~(B) the term ''Corporation'' means the Corporation for National Service, established under section 191 of the National and Community Service Act of 1990;~~

~~(C) the term ''Federal agency'' has the meaning given to the term ''agency'' by section 551(1) of title 5, United States Code;~~

~~(D) the term ''function'' means any duty, obligation, power, authority, responsibility, right, privilege, activity, or program; and~~

~~(E) the term ''office'' includes any office, administration, agency, institute, unit, organizational entity, or component thereof.~~

~~(2) TRANSFER OF FUNCTIONS.—There are transferred to the Corporation such functions as the President determines to be appropriate that the Director of the ACTION Agency exercised before the effective date of this subsection (including all related functions of any officer or employee of the ACTION Agency).~~

~~(3) DETERMINATIONS OF CERTAIN FUNCTIONS BY THE OFFICE OF MANAGEMENT AND BUDGET.—If necessary, the Office of Management and Budget shall make any determination of the functions that are transferred under paragraph (2).~~

~~(4) REORGANIZATION.—The Chairperson is authorized to allocate or reallocate any function transferred under paragraph (2) among the officers of the Corporation.~~

~~(5) TRANSFER AND ALLOCATIONS OF APPROPRIATIONS AND PERSONNEL.—Except as otherwise provided in this subsection, the personnel employed~~

~~in connection with, and the assets, liabilities, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds employed, used, held, arising from, available to, or to be made available in connection with the functions transferred by this subsection, subject to section 1531 of title 31, United States Code, shall be transferred to the Corporation. Unexpended funds transferred pursuant to this paragraph shall be used only for the purposes for which the funds were originally authorized and appropriated.~~

~~(6) INCIDENTAL TRANSFER.—The Director of the Office of Management and Budget, at such time or times as the Director shall provide, is authorized to make such determinations as may be necessary with regard to the functions transferred by this subsection, and to make such additional incidental dispositions of personnel, assets, liabilities, grants, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds held, used, arising from, available to, or to be made available in connection with such functions, as may be necessary to carry out the provisions of this subsection. The Director of the Office of Management and Budget shall provide for the ter-~~

~~mination of the affairs of all entities terminated by this subsection and for such further measures and dispositions as may be necessary to effectuate the purposes of this subsection.~~

~~(7) EFFECT ON PERSONNEL.—~~

~~(A) IN GENERAL.— Except as otherwise provided by this subsection, the transfer pursuant to this subsection of full-time personnel (except special Government employees) and part-time personnel holding permanent positions shall not cause any such employee to be separated or reduced in grade or compensation, or to have the benefits of the employee reduced, for 1 year after the date of transfer of such employee under this subsection.~~

~~(B) EXECUTIVE SCHEDULE POSITIONS.— Except as otherwise provided in this subsection, any person who, on the day preceding the effective date of this subsection, held a position compensated in accordance with the Executive Schedule prescribed in chapter 53 of title 5, United States Code, and who, without a break in service, is appointed in the Corporation to a position having duties comparable to the duties performed immediately preceding such appoint-~~

~~ment shall continue to be compensated in such new position at not less than the rate provided for such previous position, for the duration of the service of such person in such new position.~~

~~(C) TERMINATION OF CERTAIN POSITIONS.—Positions whose incumbents are appointed by the President, by and with the advice and consent of the Senate, the functions of which are transferred by this subsection, shall terminate on the effective date of this subsection.~~

~~(8) SAVINGS PROVISIONS.—~~

~~(A) CONTINUING EFFECT OF LEGAL DOCUMENTS.—All orders, determinations, rules, regulations, permits, agreements, grants, contracts, certificates, licenses, registrations, privileges, and other administrative actions—~~

~~(i) that have been issued, made, granted, or allowed to become effective by the President, any Federal agency or official thereof, or by a court of competent jurisdiction, in the performance of functions that are transferred under this subsection; and~~

~~(ii) that are in effect at the time this subsection takes effect, or were final before the effective date of this subsection and are to become effective on or after the effective date of this subsection,~~

~~shall continue in effect according to their terms until modified, terminated, superseded, set aside, or revoked in accordance with law by the President, the Chairperson, or other authorized official, a court of competent jurisdiction, or by operation of law.~~

~~(B) PROCEEDINGS NOT AFFECTED.—The provisions of this subsection shall not affect any proceedings, including notices of proposed rulemaking, or any application for any license, permit, certificate, or financial assistance pending before the ACTION Agency at the time this subsection takes effect, with respect to functions transferred by this subsection but such proceedings and applications shall be continued. Orders shall be issued in such proceedings, appeals shall be taken therefrom, and payments shall be made pursuant to such orders, as if this subsection had not been enacted, and orders issued in any such proceedings shall con-~~

~~tinue in effect until modified, terminated, superseded, or revoked by a duly authorized official, by a court of competent jurisdiction, or by operation of law. Nothing in this subparagraph shall be deemed to prohibit the discontinuance or modification of any such proceeding under the same terms and conditions and to the same extent that such proceeding could have been discontinued or modified if this subsection had not been enacted.~~

~~(C) SUITS NOT AFFECTED.—The provisions of this subsection shall not affect suits commenced before the effective date of this subsection, and in all such suits, proceedings shall be had, appeals taken, and judgments rendered in the same manner and with the same effect as if this subsection had not been enacted.~~

~~(D) NONABATEMENT OF ACTIONS.—No suit, action, or other proceeding commenced by or against the ACTION Agency, or by or against any individual in the official capacity of such individual as an officer of the ACTION Agency, shall abate by reason of the enactment of this subsection.~~

~~(E) ADMINISTRATIVE ACTIONS RELATING TO PROMULGATION OF REGULATIONS.—Any administrative action relating to the preparation or promulgation of a regulation by the ACTION Agency relating to a function transferred under this subsection may be continued by the Corporation with the same effect as if this subsection had not been enacted.~~

~~(9) SEVERABILITY.—If a provision of this subsection or its application to any person or circumstance is held invalid, neither the remainder of this subsection nor the application of the provision to other persons or circumstances shall be affected.~~

~~(10) TRANSITION.—Prior to, or after, any transfer of a function under this subsection, the Chairperson is authorized to utilize—~~

~~(A) the services of such officers, employees, and other personnel of the ACTION Agency with respect to functions that will be or have been transferred to the Corporation by this subsection; and~~

~~(B) funds appropriated to such functions for such period of time as may reasonably be needed to facilitate the orderly implementation of this subsection.~~

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), this section, and the amendments made by this section, shall take effect—

(A) 18 months after the date of enactment of this Act; or

(B) on such earlier date as the President shall determine to be appropriate and announce by proclamation published in the Federal Register.

(2) TRANSITION.—Subsection (c)(10) shall take effect on the date of enactment of this Act.

TITLE III—REAUTHORIZATION

Subtitle A—National and Community Service Act of 1990

SEC. 301. AUTHORIZATION OF APPROPRIATIONS.

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

"SEC. 501. AUTHORIZATION OF APPROPRIATIONS.

''(a) TITLE I.—

''(1) SUBTITLE B.—There are authorized to be appropriated to provide financial assistance under subtitle B of title I, $45,000,000 for fiscal year

~~1994, and such sums as may be necessary for each of the fiscal years 1995 through 1998.~~

~~''(2) SUBTITLES C, D, AND H. There are authorized to be appropriated to provide financial assistance under subtitles C and H of title I, and to provide national service educational awards under subtitle D of title I, $389,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 through 1998. Of the funds appropriated under this paragraph for a fiscal year, not more than 15 percent of such funds may be made available to provide financial assistance for activities in subtitle H, section 125, or section 126.~~

~~''(3) ADMINISTRATION. There are authorized to be appropriated for the administration of this Act such sums as may be necessary for each of the fiscal years 1994 through 1998.~~

~~''(b) TITLE III. There are authorized to be appropriated to carry out title III $5,000,000 for each of the fiscal years 1994 through 1998.~~

~~''(c) AVAILABILITY OF APPROPRIATIONS. Funds appropriated under this section shall remain available until expended.''.~~

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

~~SEC. 311. SHORT TITLE; REFERENCES.~~

~~(a) SHORT TITLE.—This subtitle may be cited as the ''Domestic Volunteer Service Act Amendments of 1993''.~~

~~(b) REFERENCES.—Except as otherwise specifically provided, whenever in this subtitle an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4950 et seq.).~~

~~CHAPTER 1—VISTA AND OTHER ANTI-POVERTY PROGRAMS~~

~~SEC. 321. PURPOSE OF THE VISTA PROGRAM.~~

~~The last sentence of section 101 (42 U.S.C. 4951) is amended to read as follows: ''In addition, the objectives of this part are to generate the commitment of private sector resources, to encourage volunteer service at the local level, and to strengthen local agencies and organizations to carry out the purpose of this part.''.~~

~~SEC. 322. SELECTION AND ASSIGNMENT OF VISTA VOLUNTEERS.~~

~~(a) VOLUNTEER ASSIGNMENTS.—Section 103(a) (42 U.S.C. 4953(a)) is amended—~~

~~(1) in the matter preceding paragraph (1), by striking ''a public'' and inserting ''public'';~~

~~(2) in paragraph (2), by striking ''and'' at the end;~~

~~(3) in paragraph (3), by striking ''illiterate or functionally illiterate youth and other individuals,'';~~

~~(4) in paragraph (5), by striking ''and'' at the end;~~

~~(5) in paragraph (6)—~~

~~(A) by striking ''or the Community Economic'' and inserting ''the Community Economic'';~~

~~(B) by inserting ''or other similar Acts,'' after ''1981,''; and~~

~~(C) by striking the period and inserting ''; and''; and~~

~~(6) by adding at the end the following new paragraph:~~

~~''(7) in strengthening, supplementing, and expanding efforts to address the problem of illiteracy throughout the United States.''.~~

~~(b) RECRUITMENT PROCEDURES.—Section 103(b) (42 U.S.C. 4953(b)) is amended—~~

~~(1) by striking paragraphs (2), (4), (5) and (6);~~

~~(2) by redesignating paragraphs (3) and (7) as paragraphs (2) and (3), respectively;~~

~~(3) in paragraph (2) (as redesignated in paragraph (2) of this subsection), by striking ''paragraph (7)'' and inserting ''paragraph (3)''; and~~

~~(4) in paragraph (3) (as redesignated in paragraph (2) of this subsection)—~~

~~(A) in subparagraph (A), by striking ''paragraph (4)'' and inserting ''paragraph (2)'';~~

~~(B) by striking subparagraphs (B), (C), and (E);~~

~~(C) by redesignating subparagraphs (D) and (F) as subparagraphs (C) and (D), respectively; and~~

~~(D) by inserting after subparagraph (A) the following new subparagraph:~~

~~''(B) A sponsoring organization may recruit volunteers for service under this part, subject to final approval by the Director.''.~~

~~(c) PUBLIC AWARENESS AND RECRUITMENT.—Subsection (c) of section 103 (42 U.S.C. 4953(c)) is amended—~~

~~(1) in paragraph (1), to read as follows:~~

~~''(1)(A) The Director shall conduct national and local public awareness and recruitment activities in order to meet the volunteer goals of the program. Such activities shall be coordinated with recruitment authorized under subtitle C or E of the National and Community Service Act of 1990 and may include public service announcements, advertisements, publicity on loan deferments and cancellations available to VISTA volunteers, maintenance of a toll-free telephone system, and provision of technical assistance for the recruitment of volunteers to programs and projects receiving assistance under this part.~~

~~''(B) The Director shall take steps to recruit individuals 18 through 27 years of age, 55 years of age and older, recent graduates of institutions of higher education, and special skilled volunteers and to promote diverse participation in the program.'';~~

~~(2) in paragraph (3), by adding at the end the following new sentence: ''In addition, the Director shall take steps to provide opportunities for returned Peace Corps volunteers to serve in the VISTA program.'';~~

~~(3) by striking paragraphs (4), (5), and (6); and~~

~~(4) by adding at the end the following new paragraph:~~

1 ~~''(4) From the amounts appropriated under section~~
2 ~~501(a) for fiscal year 1994 and each subsequent fiscal~~
3 ~~year, the Director shall obligate such sums as may be nec-~~
4 ~~essary for the purpose of carrying out this subsection in~~
5 ~~such fiscal year.''.~~

6 ~~(d) COORDINATION WITH OTHER FEDERAL AGEN-~~
7 ~~CIES.—Section 103 (42 U.S.C. 4953) is amended by add-~~
8 ~~ing at the end the following new subsection:~~

9 ~~''(h) The Director is encouraged to enter into agree-~~
10 ~~ments with other Federal agencies to use VISTA volun-~~
11 ~~teers in furtherance of program objectives that are consist-~~
12 ~~ent with the purposes described in section 101.''.~~

13 ~~**SEC. 323. TERMS AND PERIODS OF SERVICE.**~~

14 ~~(a) CLARIFICATION AND PERIODS OF SERVICE.—~~
15 ~~Subsection (b) of section 104 (42 U.S.C. 4954(b)) is~~
16 ~~amended to read as follows:~~

17 ~~''(b)(1) Volunteers serving under this part may be en-~~
18 ~~rolled initially for periods of service of not less than 1 year,~~
19 ~~nor more than 2 years, except as provided in paragraph~~
20 ~~(2) or subsection (e).~~

21 ~~''(2) Volunteers serving under this part may be en-~~
22 ~~rolled for periods of service of less than 1 year if the Direc-~~
23 ~~tor determines, on an individual basis, that a period of~~
24 ~~service of less than 1 year is necessary to meet a critical~~
25 ~~scarce skill need.~~

1 ~~''(3) Volunteers serving under this part may be~~
2 ~~reenrolled for periods of service in a manner to be deter-~~
3 ~~mined by the Director. No volunteer shall serve for more~~
4 ~~than a total of 5 years under this part.''.~~

5 ~~(b) SUMMER PROGRAM.—Section 104 (42 U.S.C.~~
6 ~~4954) is amended by adding at the end the following new~~
7 ~~subsection:~~

8 ~~''(e)(1) Notwithstanding any other provision of this~~
9 ~~part, the Director may enroll full-time VISTA summer as-~~
10 ~~sociates in a program for the summer months only, under~~
11 ~~such terms and conditions as the Director shall determine~~
12 ~~to be appropriate. Such individuals shall be assigned to~~
13 ~~projects that meet the criteria set forth in section 103(a).~~

14 ~~''(2) In preparing reports relating to programs under~~
15 ~~this Act, the Director shall report on participants, costs,~~
16 ~~and accomplishments under the summer program sepa-~~
17 ~~rately.~~

18 ~~''(3) The limitation on funds appropriated for grants~~
19 ~~and contracts, as contained in section 108, shall not apply~~
20 ~~to the summer program.''.~~

21 **~~SEC. 324. SUPPORT FOR VISTA VOLUNTEERS.~~**

22 ~~(a) POSTSERVICE STIPEND.—Section 105(a)(1) (42~~
23 ~~U.S.C. 4955(a)(1)) is amended—~~

24 ~~(1) by inserting ''(A)'' after ''(a)(1)''; and~~

~~(2) by striking the second sentence and inserting the following:~~

~~"(B) Such stipend shall not exceed $95 per month in fiscal year 1994, but shall be set at a minimum of $125 per month during the service of the volunteer after October 1, 1994, assuming the availability of funds to accomplish this increase. The Director may provide a stipend of a minimum of $200 per month in the case of persons who have served as volunteers under this part for at least 1 year and who, in accordance with standards established in such regulations as the Director shall prescribe, have been designated volunteer leaders on the basis of experience and special skills and a demonstrated leadership among volunteers.~~

~~"(C) The Director shall not provide a stipend under this subsection to an individual who elects to receive a national service education award under subtitle D of title I of the National and Community Service Act of 1990.".~~

~~(b) SUBSISTENCE ALLOWANCE.—Section 105(b) (42 U.S.C. 4955(b)) is amended—~~

~~(1) in paragraph (3)—~~

~~(A) by striking subparagraph (A);~~

~~(B) in subparagraph (B), by striking the subparagraph designation; and~~

(C) by adding at the end the following new sentence: ''The Director shall review such adjustments on an annual basis to ensure that the adjustments are current.''; and

(2) by striking paragraph (4).

SEC. 325. PARTICIPATION OF YOUNGER AND OLDER PERSONS.

Section 107 (42 U.S.C. 4957) is amended to read as follows:

''SEC. 107. PARTICIPATION OF YOUNGER AND OLDER PERSONS.

''In carrying out this part and part C, the Director shall take necessary steps, including the development of special projects, where appropriate, to encourage the fullest participation of individuals 18 through 27 years of age, and individuals 55 years of age and older, in the various programs and activities authorized under such parts.''.

SEC. 326. LITERACY ACTIVITIES.

Section 109 (42 U.S.C. 4959) is amended—

(1) in subsection (g)—

(A) by striking paragraph (1); and

(B) by striking the paragraph designation of paragraph (2); and

(2) in subsection (h), by striking paragraph (3).

SEC. 327. APPLICATIONS FOR ASSISTANCE.

Section 110 (42 U.S.C. 4960) is amended to read as follows:

"SEC. 110. APPLICATIONS FOR ASSISTANCE.

''In reviewing an application for assistance under this part, the Director shall not deny such assistance to any project or program, or any public or private nonprofit organization, solely on the basis of the duration of the assistance such project, program, or organization has received under this part prior to the date of submission of the application. The Director shall grant assistance under this part on the basis of merit and to accomplish the goals of the VISTA program, and shall consider the needs and requirements of projects in existence on such date as well as potential new projects.''.

SEC. 328. REPEAL OF AUTHORITY FOR STUDENT COMMUNITY SERVICE PROGRAMS.

Part B of title I (42 U.S.C. 4971 et seq.) is amended by repealing section 114 (42 U.S.C. 4974).

SEC. 329. UNIVERSITY YEAR FOR VISTA.

(a) PROGRAM TITLE.—Part B of title I (42 U.S.C. 4971 et seq.) is amended—

(1) in the part heading to read as follows:

~~''PART B—UNIVERSITY YEAR FOR VISTA'';~~

~~(2) by striking ''University Year for ACTION'' each place that such term appears in such part and inserting ''University Year for VISTA'';~~

~~(3) by striking ''UYA'' each place that such term appears in such part and inserting ''UYV''; and~~

~~(4) in section 112 (42 U.S.C. 4972) by striking the section heading and inserting the following new section heading:~~

~~''AUTHORITY TO OPERATE UNIVERSITY YEAR FOR VISTA PROGRAM''.~~

~~(b) SPECIAL CONDITIONS.—Section 113(a) (42 U.S.C. 4973(a)) is amended—~~

~~(1) by striking ''of not less than the duration of an academic year'' and inserting ''of not less than the duration of an academic semester or its equivalent''; and~~

~~(2) by adding at the end the following new sentence: ''Volunteers may receive a living allowance and such other support or allowances as the Director determines to be appropriate.''.~~

SEC. 330. AUTHORITY TO ESTABLISH AND OPERATE SPECIAL VOLUNTEER AND DEMONSTRATION PROGRAMS.

Section 122 (42 U.S.C. 4992) is amended to read as follows:

"SEC. 122. AUTHORITY TO ESTABLISH AND OPERATE SPECIAL VOLUNTEER AND DEMONSTRATION PROGRAMS.

"(a) IN GENERAL.—The Director is authorized to conduct special volunteer programs for demonstration programs, or award grants to or enter into contracts with public or nonprofit organizations to carry out such programs. Such programs shall encourage wider volunteer participation on a full-time, part-time, or short-term basis to further the purpose of this part, and identify particular segments of the poverty community that could benefit from volunteer and other antipoverty efforts.

"(b) ASSIGNMENT AND SUPPORT OF VOLUNTEERS.—The assignment of volunteers under this section, and the provision of support for such volunteers, including any subsistence allowances and stipends, shall be on such terms and conditions as the Director shall determine to be appropriate, but shall not exceed the level of support provided under section 105. Projects using volunteers who do not receive stipends may also be supported under this 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.

~~CHAPTER 2—NATIONAL SENIOR VOLUNTEER CORPS~~

~~SEC. 341. NATIONAL SENIOR VOLUNTEER CORPS.~~

~~(a) TITLE HEADING.—The heading for title II is amended to read as follows:~~

~~"TITLE II—NATIONAL SENIOR VOLUNTEER CORPS"~~

~~(b) REFERENCES.—~~

~~(1) Section 200(1) (42 U.S.C. 5000(1)) is amended by striking ''Older America Volunteer Programs'' and inserting ''National Senior Volunteer Corps''.~~

~~(2) The heading for section 221 (42 U.S.C. 5021) is amended by striking ''OLDER AMERICAN VOLUNTEER PROGRAMS'' and inserting ''NATIONAL SENIOR VOLUNTEER CORPS''.~~

~~(3) Section 224 (42 U.S.C. 5024) is amended—~~

~~(A) in the section heading by striking ''OLDER AMERICAN VOLUNTEER PROGRAMS'' and inserting ''NATIONAL SENIOR VOLUNTEER CORPS''; and~~

~~(B) by striking ''volunteer projects for Older Americans'' and inserting ''National Senior Volunteer Corps projects''.~~

~~(4) Section 205(c) of the Older Americans Amendments of 1975 (Public Law 94–135; 89 Stat. 727; 42 U.S.C. 5001 note) is amended by striking ''national older American volunteer programs'' each place the term appears and inserting ''National Senior Volunteer Corps programs''.~~

~~SEC. 342. THE RETIRED AND SENIOR VOLUNTEER PROGRAM.~~

~~(a) PART HEADING.—The heading for part A of title H is amended by striking ''RETIRED SENIOR VOLUNTEER PROGRAM'' and inserting ''RETIRED AND SENIOR VOLUNTEER PROGRAM''.~~

~~(b) REFERENCES.—Section 200 (42 U.S.C. 5000) is amended by striking ''retired senior volunteer program'' each place that such term appears in such section and the Act and inserting ''Retired and Senior Volunteer Program''.~~

~~SEC. 343. OPERATION OF THE RETIRED AND SENIOR VOLUNTEER PROGRAM.~~

~~(a) ELIGIBILITY FOR PARTICIPANTS IN THE PROGRAM.—Section 201(a) (42 U.S.C. 5001(a)) is amended—~~

~~(1) in the matter preceding paragraph (1), by inserting ''and older working persons'' after ''retired persons''; and~~

(2) in paragraph (2), by striking ''aged sixty'' and inserting ''age 55''.

(b) DELETION OF REQUIREMENT FOR STATE AGENCY REVIEW.—Section 201 (42 U.S.C. 5001) is amended—

(1) by striking subsection (c); and

(2) by redesignating subsection (d) as subsection (c).

SEC. 344. SERVICES UNDER THE FOSTER GRANDPARENT PROGRAM.

Section 211(a) (42 U.S.C. 5011(a)) is amended by striking '', including services'' and all that follows through ''with special needs.'' and inserting a period and the following: ''Such services may include services by individuals serving as foster grandparents to children who are receiving care in hospitals, who are residing in homes for dependent and neglected children, or who are receiving services provided by day care centers, schools, Head Start projects, or any of a variety of other establishments and institutions providing services for children with special or exceptional needs. Individual foster grandparents may provide person-to-person services to one or more children, depending on the needs of the project and local site.''.

SEC. 345. STIPENDS FOR LOW-INCOME VOLUNTEERS.

Section 211(d) (42 U.S.C. 5011(d)) is amended in the second sentence by striking ''Any stipend or allowance

provided under this subsection shall not be less than $2.20 per hour until October 1, 1990, $2.35 per hour during fiscal year 1991, and $2.50 per hour on and after October 1, 1992,'' and inserting ''Any stipend or allowance provided under this section shall not be less than $2.45 per hour on and after October 1, 1993, and shall be adjusted once prior to December 31, 1997, to account for inflation, as determined by the Director and rounded to the nearest five cents,''.

SEC. 346. PARTICIPATION OF NON-LOW-INCOME PERSONS UNDER PARTS B AND C.

Subsection (f) of section 211(f) (42 U.S.C. 5011(f)) is amended to read as follows:

''(f) Individuals who are not low-income persons may serve as volunteers under parts B and C, in accordance with such regulations as the Director shall issue, at the discretion of the local project. Such individuals shall not receive any allowance, stipend, or other financial support for such service except reimbursement for transportation, meals, and out-of-pocket expenses related to such service.''.

SEC. 347. CONDITIONS OF GRANTS AND CONTRACTS.

Section 212 (42 U.S.C. 5012) is repealed.

SEC. 348. EVALUATION OF THE SENIOR COMPANION PROGRAM.

Section 213(c) (42 U.S.C. 5013(c)) is amended by striking paragraph (3).

SEC. 349. AGREEMENTS WITH OTHER FEDERAL AGENCIES.

Section 221(a) (42 U.S.C. 5021(a)) is amended—

(1) by striking ''(1)'' and inserting ''(1)(A)''; and

(2) by adding at the end the following:

''(2) The Director is encouraged to enter into agreements with—

''(A) the Department of Health and Human Services to—

''(i) involve retired or senior volunteers and foster grandparents in Head Start projects; and

''(ii) promote in-home care in cooperation with the Administration on Aging;

''(B) the Department of Education to promote intergenerational tutoring and mentoring for at-risk children; and

''(C) the Environmental Protection Agency to support conservation efforts.''.

SEC. 350. PROGRAMS OF NATIONAL SIGNIFICANCE.

Section 225 (42 U.S.C. 5025) is amended—

(1) in subsection (a)—

~~(A) by striking paragraph (1) and inserting the following new paragraph:~~

~~''(1) The Director is authorized to make grants under parts A, B, and C to support programs that address national problems that are also of local concern. The Director may, in any fiscal year, determine which programs of national significance will receive priority in that year.'';~~

~~(B) in paragraph (2)(B), by striking ''paragraph (10)'' and inserting ''paragraphs (10) and (12)''; and~~

~~(C) in paragraph (2)(C), by striking ''and (10)'' and inserting ''(10), (12), (15), and (16)'';~~

~~(2) in subsection (b), by adding at the end the following new paragraphs:~~

~~''(12) Programs that address environmental needs.~~

~~''(13) Programs that reach out to organizations not previously involved in addressing local needs, such as labor unions and profit-making organizations.~~

~~''(14) Programs that provide for ethnic outreach.~~

~~''(15) Programs that support criminal justice activities.~~

~~''(16) Programs that involve older volunteers working with young people in apprenticeship programs.'';~~ ~~and~~

~~(3) in subsection (d), by striking paragraph (1) and inserting the following new paragraph:~~

~~''(1) Except as provided in paragraph (2), from the amounts appropriated under subsection (a), (b), (c), or (d) of section 502, for each fiscal year there shall be available to the Director such sums as may be necessary to make grants under subsection (a).''.~~

~~SEC. 351. ADJUSTMENTS TO FEDERAL FINANCIAL ASSISTANCE.~~

~~Section 226 (42 U.S.C. 5026) is amended—~~

~~(1) in subsection (a)(1)—~~

~~(A) in subparagraph (A), by striking ''(A)'';~~ ~~and~~

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

~~(2) in subsection (b)—~~

~~(A) in paragraph (1), by striking ''(1)'';~~ ~~and~~

~~(B) by striking paragraph (2).~~

~~SEC. 352. DEMONSTRATION PROGRAMS.~~

~~Title II is amended by adding at the end the following new part:~~

1 ~~''PART E—DEMONSTRATION PROGRAMS~~

2 **~~''SEC. 231. AUTHORITY OF DIRECTOR.~~**

3 ~~''(a) IN GENERAL.—The Director is authorized to~~
4 ~~make grants to or enter into contracts with public or non-~~
5 ~~profit organizations, including organizations funded under~~
6 ~~part A, B, or C, for the purposes of demonstrating innova-~~
7 ~~tive activities involving older Americans as volunteers. The~~
8 ~~Director may support under this part both volunteers re-~~
9 ~~ceiving stipends and volunteers not receiving stipends.~~

10 ~~''(b) ACTIVITIES.—An organization that receives a~~
11 ~~grant or enters into a contract under subsection (a) may~~
12 ~~use funds made available through the grant or contract~~
13 ~~for activities such as—~~

14 ~~''(1) linking youth groups and older American~~
15 ~~organizations in volunteer activities;~~

16 ~~''(2) involving older volunteers in programs and~~
17 ~~activities different from those currently supported in~~
18 ~~the community; and~~

19 ~~''(3) testing whether older American volunteer~~
20 ~~programs may contribute to new objectives or cer-~~
21 ~~tain national priorities.~~

22 **~~''SEC. 232. PROHIBITION.~~**

23 ~~''The Director may not reduce the activities, projects,~~
24 ~~or volunteers funded under the other parts of this title~~
25 ~~in order to support projects under this part.''.~~

~~CHAPTER 3—ADMINISTRATION~~

~~SEC. 361. PURPOSE OF AGENCY.~~

~~Section 401 (42 U.S.C. 5041) is amended—~~

~~(1) by inserting after the first sentence the following: ''This Agency shall also promote the coordination of volunteer efforts among Federal, State, and local agencies and organizations, exchange technical assistance information among them, and provide technical assistance to other nations concerning domestic volunteer programs within their countries.''; and~~

~~(2) by striking ''Older American Volunteer Programs'' each place the term appears and inserting ''National Senior Volunteer Corps''.~~

~~SEC. 362. AUTHORITY OF THE DIRECTOR.~~

~~Section 402 (42 U.S.C. 5042) is amended in paragraphs (5) and (6) by inserting ''solicit and'' before ''accept'' in each such paragraph.~~

~~SEC. 363. COMPENSATION FOR VOLUNTEERS.~~

~~Section 404 (42 U.S.C. 5044) is amended—~~

~~(1) in subsection (c), by inserting ''from such volunteers or from beneficiaries'' after ''compensation'';~~

~~(2) by striking subsection (f); and~~

(3) by redesignating subsection (g) as subsection (f).

SEC. 364. REPEAL OF REPORT.

Section 407 (42 U.S.C. 5047) is repealed.

SEC. 365. APPLICATION OF FEDERAL LAW.

Section 415(b)(4)(A) (42 U.S.C. 5055(b)(4)(A)) is amended by striking ''a grade GS–7 employee'' and inserting ''an employee at grade GS–5 of the General Schedule under section 5332 of title 5, United States Code''.

SEC. 366. EVALUATION OF PROGRAMS.

Section 416 (42 U.S.C. 5056) is amended—

(1) in subsection (a)—

(A) in the first sentence, by striking ''(including the VISTA Literacy Corps which shall be evaluated as a separate program at least once every 3 years)''; and

(B) in the second sentence, by striking ''at least once every 3 years'' and inserting ''periodically'';

(2) in subsection (b) to read as follows:

''(b) In carrying out evaluations of programs under this Act, the Director shall create appropriate management information systems that will summarize information on volunteer activities and accomplishments across the programs supported under this Act. The Director shall

~~periodically prepare and submit to the appropriate committees of Congress a report containing such information.'';~~ ~~and~~

~~(3) by striking subsections (d), (e), (f), and (g).~~

~~SEC. 367. NONDISCRIMINATION PROVISIONS.~~

~~Section 417 (42 U.S.C. 5057) is amended to read as follows:~~

~~''SEC. 417. NONDISCRIMINATION PROVISIONS.~~

~~''(a) IN GENERAL.—~~

~~''(1) BASIS.—An individual with responsibility for the operation of a program that receives assistance under this Act shall not discriminate against a participant in, or member of the staff of, such program on the basis of race, color, national origin, sex, age, or political affiliation of such participant or member, or on the basis of disability, if the participant or member is a qualified individual with a disability.~~

~~''(2) DEFINITION.—As used in paragraph (1), the term 'qualified individual with a disability' has the meaning given the term in section 101(8) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12111(8)).~~

~~''(b) FEDERAL FINANCIAL ASSISTANCE.—Any assistance provided under this Act shall constitute Federal fi-~~

~~nancial assistance for purposes of title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), and the Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.).~~

~~''(c) RELIGIOUS DISCRIMINATION.—~~

~~''(1) IN GENERAL.—Except as provided in paragraph (2), an individual with responsibility for the operation of a program that receives assistance under this Act shall not discriminate on the basis of religion against a participant in such program or a member of the staff of such program who is paid with funds received under this Act.~~

~~''(2) EXCEPTION.—Paragraph (1) shall not apply to the employment, with assistance provided under this Act, of any member of the staff, of a program that receives assistance under this Act, who was employed with the organization operating the program on the date the grant under this Act was awarded.~~

~~''(d) RULES AND REGULATIONS.—The Director shall promulgate rules and regulations to provide for the enforcement of this section that shall include provisions for summary suspension of assistance for not more than 30~~

days, on an emergency basis, until notice and an opportunity to be heard can be provided.''.

SEC. 368. ELIMINATION OF SEPARATE REQUIREMENTS FOR SETTING REGULATIONS.

Section 420 (42 U.S.C. 5060) is repealed.

SEC. 369. CLARIFICATION OF ROLE OF INSPECTOR GENERAL.

Section 422 (42 U.S.C. 5062) is amended—

(1) in subsection (a), by inserting ''or the Inspector General'' after ''Director''; and

(2) in subsection (b), by inserting '', the Inspector General,'' after ''Director'' each place that such term appears.

SEC. 370. COPYRIGHT PROTECTION.

Title IV is amended by adding at the end, the following new section:

''SEC. 425. PROTECTION AGAINST IMPROPER USE.

''Whoever falsely—

''(1) advertises or represents; or

''(2) publishes or displays any sign, symbol, or advertisement, reasonably calculated to convey the impression,

that an entity is affiliated with, funded by, or operating under the authority of ACTION, VISTA, or any of the programs of the National Senior Volunteer Corps may be

~~enjoined under an action filed by the Attorney General, on a complaint by the Director.''.~~

~~SEC. 371. CENTER FOR RESEARCH AND TRAINING.~~

~~Title IV (as amended by section 370 of this Act) is further amended by adding at the end the following new section:~~

~~''SEC. 426. CENTER FOR RESEARCH AND TRAINING.~~

~~''The Director may establish, directly or by grant or contract, a Center for Research and Training on Volunteerism to carry out research concerning the impact of volunteerism on individuals, organizations, and communities, provide training to help improve programs across the United States, and carry out such other functions as the Director determines to be appropriate.''.~~

~~SEC. 372. DEPOSIT REQUIREMENT CREDIT FOR SERVICE AS A VOLUNTEER.~~

~~(a) CIVIL SERVICE RETIREMENT SYSTEM.—~~

~~(1) CREDITABLE SERVICE.—Section 8332(j) of title 5, United States Code, is amended—~~

~~(A) in paragraph (1)—~~

~~(i) in the first sentence, by inserting ''the period of an individual's services as a full-time volunteer enrolled in a program of at least 1 year in duration under part A, B, or C of title I of the Domestic Volun-~~

~~teer Service Act of 1973,'' after ''Economic Opportunity Act of 1964,'';~~

~~(ii) in the second sentence, by inserting '', as a full-time volunteer enrolled in a program of at least 1 year in duration under part A, B, or C of title I of the Domestic Volunteer Service Act of 1973,'' after ''Economic Opportunity Act of 1964,''; and~~

~~(iii) in the last sentence—~~

~~(I) by inserting ''or under the Domestic Volunteer Service Act of 1973'' after ''Economic Opportunity Act of 1964''; and~~

~~(II) by inserting ''or the Director of ACTION, as appropriate,'' after ''Director of the Office of Economic Opportunity''; and~~

~~(B) by adding at the end the following new paragraph:~~

~~''(3) The provisions of paragraph (1) relating to credit for service as a volunteer or volunteer leader under the Economic Opportunity Act of 1964 or the Domestic Volunteer Service Act of 1973 shall not apply to any period of service as a volunteer or vol-~~

~~unteer leader of an employee or Member with respect to which the employee or Member has made the deposit with interest, if any, required by section 8334(l).''.~~

~~(2) DEDUCTIONS, CONTRIBUTIONS, AND DEPOSITS.—~~

~~(A) IN GENERAL.—Section 8334 of title 5, United States Code, is amended by adding at the end the following new subsection:~~

~~''(l)(1) Each employee or Member who has performed service as a volunteer or volunteer leader under part A of title VIII of the Economic Opportunity Act of 1964, or as a full-time volunteer enrolled in a program of at least 1 year in duration under part A, B, or C of title I of the Domestic Volunteer Service Act of 1973, before the date of the separation from service on which the entitlement to any annuity under this subchapter is based may pay, in accordance with such regulations as the Office of Personnel Management shall issue, to the agency by which the employee is employed or, in the case of a Member or a congressional employee, to the Secretary of the Senate or the Clerk of the House of Representatives, as appropriate, an amount equal to 7 percent of the readjustment allowance paid to the employee or Member under title VIII of the Economic Opportunity Act of 1964 or title I of the~~

~~Domestic Volunteer Service Act of 1973 for each period of service as such a volunteer or volunteer leader.~~

~~''(2) Any deposit made under paragraph (1) more than 2 years after the later of—~~

~~''(A) the date of enactment of this subsection; or~~

~~''(B) the date on which the employee or Member making the deposit first becomes an employee or Member,~~

~~shall include interest on such amount, computed and compounded annually beginning on the date of the expiration of the 2-year period. The interest rate that is applicable in computing interest in any year under this paragraph shall be equal to the interest rate that is applicable for such year under subsection (e).~~

~~''(3) Any payment received by an agency, the Secretary of the Senate, or the Clerk of the House of Representatives under this subsection shall be immediately remitted to the Office of Personnel Management for deposit in the Treasury of the United States to the credit of the Fund.~~

~~''(4) The Director shall furnish such information to the Office of Personnel Management as the Office may determine to be necessary for the administration of this subsection.''.~~

~~(B) CONFORMING AMENDMENT.—Section 8334(e) of title 5, United States Code, is amended in paragraphs (1) and (2) by striking ''or (k)'' each place that such term appears and inserting ''(k), or (l)''.~~

~~(b) FEDERAL EMPLOYEES RETIREMENT SYSTEM.—~~

~~(1) CREDITABLE SERVICE.—Section 8411 of title 5, United States Code, is amended—~~

~~(A) in subsection (b)(3), by striking ''subsection (f)'' and inserting ''subsection (f) or (h)''; and~~

~~(B) by adding at the end the following new subsection:~~

~~''(h) An employee or Member shall be allowed credit for service as a volunteer or volunteer leader under part A of title VIII of the Economic Opportunity Act of 1964, or as a full-time volunteer enrolled in a program of at least 1 year in duration under part A, B, or C of title I of the Domestic Volunteer Service Act of 1973, performed at any time prior to the separation from service on which the entitlement to any annuity under this subchapter is based if the employee or Member has made a deposit with interest, if any, with respect to such service under section 8422(f).''.~~

~~(2) DEDUCTIONS, CONTRIBUTIONS.—Section 8422 of title 5, United States Code, is amended by adding at the end the following new subsection:~~

~~"(f)(1) Each employee or Member who has performed service as a volunteer or volunteer leader under part A of title VIII of the Economic Opportunity Act of 1964, or as a full-time volunteer enrolled in a program of at least 1 year in duration under part A, B, or C of title I of the Domestic Volunteer Service Act of 1973, before the date of the separation from service on which the entitlement to any annuity under this subchapter, or subchapter V of this chapter, is based may pay, in accordance with such regulations as the Office of Personnel Management shall issue, to the agency by which the employee is employed or, in the case of a Member or a congressional employee, to the Secretary of the Senate or the Clerk of the House of Representatives, as appropriate, an amount equal to 3 percent of the readjustment allowance paid to the employee or Member under title VIII of the Economic Opportunity Service Act of 1964 or title I of the Domestic Volunteer Service Act of 1973 for each period of service as such a volunteer or volunteer leader.~~

~~"(2) Any deposit made under paragraph (1) more than 2 years after the later of—~~

~~''(A) the date of enactment of this subsection, or~~

~~''(B) the date on which the employee or Member making the deposit first becomes an employee or Member,~~

~~shall include interest on such amount computed and compounded annually beginning on the date of the expiration of the 2-year period. The interest rate that is applicable in computing interest in any year under this paragraph shall be equal to the interest rate that is applicable for such year under section 8334(e).~~

~~''(3) Any payment received by an agency, the Secretary of the Senate, or the Clerk of the House of Representatives under this subsection shall be immediately remitted to the Office of Personnel Management for deposit in the Treasury of the United States to the credit of the Fund.~~

~~''(4) The Director shall furnish such information to the Office of Personnel Management as the Office may determine to be necessary for the administration of this subsection.''.~~

~~(c) APPLICABILITY AND OTHER PROVISIONS.—~~

~~(1) APPLICABILITY.—~~

~~(A) TIMING. The amendments made by subsections (a) and (b) shall apply with respect~~

~~to credit for service as a volunteer or volunteer leader under the Economic Opportunity Act of 1964 or the Domestic Volunteer Service Act of 1973 to individuals who are entitled to an annuity on the basis of a separation from service occurring before, on, or after the effective date of this Act.~~

~~(B) SEPARATION.—In the case of any individual whose entitlement to an annuity is based on a separation from service occurring before the date of enactment of this Act, any increase in such individual's annuity on the basis of a deposit made pursuant to section 8334(l) or section 8442(f) of title 5, United States Code, as amended by this Act, shall be effective only with respect to annuity payments payable for calendar months beginning after the date of enactment of this Act.~~

~~(2) ACTION TO INFORM INDIVIDUALS.—The Director of the Office of Personnel Management shall take such action as may be necessary and appropriate to inform individuals entitled to credit under this section for service as a volunteer or volunteer leader, or to have any annuity recomputed, or to~~

make a deposit under this section, of such entitlement.

CHAPTER 4—AUTHORIZATION OF APPROPRIATIONS AND OTHER AMENDMENTS

SEC. 381. AUTHORIZATION OF APPROPRIATIONS FOR TITLE I.

Section 501 (42 U.S.C. 5081) is amended to read as follows:

"SEC. 501. NATIONAL VOLUNTEER ANTIPOVERTY PROGRAMS.

"(a) AUTHORIZATIONS.—

"(1) VOLUNTEERS IN SERVICE TO AMERICA.—There are authorized to be appropriated to carry out part A of title I, excluding sections 104(e) and 109, $40,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 through 1998.

"(2) SUMMER PROGRAM.—There are authorized to be appropriated to carry out section 104(e), such sums as may be necessary for each of the fiscal years 1994 through 1998.

"(3) LITERACY ACTIVITIES.—There are authorized to be appropriated to carry out section 109, such sums as may be necessary for each of the fiscal years 1994 through 1998.

~~"(4) UNIVERSITY YEAR FOR VISTA.—There are authorized to be appropriated to carry out part B of title I, such sums as may be necessary for each of the fiscal years 1994 through 1998.~~

~~"(5) SPECIAL VOLUNTEER PROGRAMS.—There are authorized to be appropriated to carry out part C of title I, excluding section 125, such sums as may be necessary for each of the fiscal years 1994 through 1998.~~

~~"(6) LITERACY CHALLENGE GRANTS.—There are authorized to be appropriated to carry out section 125, such sums as may be necessary for each of the fiscal years 1994 through 1998.~~

~~"(b) SUBSISTENCE.—The minimum level of an allowance for subsistence required under section 105(b)(2), to be provided to each volunteer under title I, may not be reduced or limited in order to provide for an increase in the number of volunteer service years under part A of title I.~~

~~"(c) LIMITATION.—No part of the funds appropriated to carry out part A of title I may be used to provide volunteers or assistance to any program or project authorized under part B or C of title I, or under title II, unless the program or project meets the antipoverty criteria of part A of title I.~~

~~''(d) AVAILABILITY.—Amounts appropriated for part A of title I shall remain available for obligation until the end of the fiscal year following the fiscal year for which the amounts were appropriated.~~

~~''(e) VOLUNTEER SERVICE REQUIREMENT.—~~

~~''(1) VOLUNTEER SERVICE YEARS.—Of the amounts appropriated under this section for parts A, B, and C of title I, including section 125, there shall first be available for part A of title I, including sections 104(e) and 109, an amount not less than the amount necessary to provide 3,700 volunteer service years in fiscal year 1994, 4,000 volunteer service years in fiscal year 1995, 4,500 volunteer service years in fiscal year 1996, 5,500 volunteer service years in fiscal year 1997, and 7,500 volunteer service years in fiscal year 1998.~~

~~''(2) PLAN.—If the Director determines that funds appropriated to carry out part A, B, or C of title I are insufficient to provide for the years of volunteer service required by paragraph (1), the Director shall submit a plan to the relevant authorizing and appropriations committees of Congress that will detail what is necessary to fully meet this requirement.''.~~

~~SEC. 382. AUTHORIZATION OF APPROPRIATIONS FOR TITLE II.~~

~~Section 502 (42 U.S.C. 5082) is amended to read as follows:~~

~~"SEC. 502. NATIONAL SENIOR VOLUNTEER CORPS.~~

~~''(a) RETIRED AND SENIOR VOLUNTEER PROGRAM.—There are authorized to be appropriated to carry out part A of title II, $35,800,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 through 1998.~~

~~''(b) FOSTER GRANDPARENT PROGRAM.—There are authorized to be appropriated to carry out part B of title II, $68,800,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 through 1998.~~

~~''(c) SENIOR COMPANION PROGRAM.—There are authorized to be appropriated to carry out part C of title II, $31,700,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 through 1998.~~

~~''(d) DEMONSTRATION PROGRAMS.—There are authorized to be appropriated to carry out part E of title II, such sums as may be necessary for each of the fiscal years 1994 through 1998.''.~~

SEC. 383. AUTHORIZATION OF APPROPRIATIONS FOR TITLE IV.

Section 504 (42 U.S.C. 5084) is amended to read as follows:

"SEC. 504. ADMINISTRATION AND COORDINATION.

"(a) IN GENERAL.—For each of the fiscal years 1994 through 1998, there are authorized to be appropriated for the administration of this Act as provided for in title IV, 20 percent of the total amount appropriated under sections 501 and 502 with respect to such year.

"(b) EVALUATION AND CENTER FOR RESEARCH AND TRAINING.—For each of the fiscal years 1994 through 1998, the Director is authorized to expend not less than one-half of 1 percent, and not more than 1 percent, from the amounts appropriated under sections 501 and 502, for the purposes prescribed in sections 416 and 426.".

SEC. 384. CONFORMING AMENDMENTS; COMPENSATION FOR VISTA FECA CLAIMANTS.

Section 8143(b) of title 5, United States Code, is amended by striking "GS–7" and inserting "GS–5 of the General Schedule under section 5332 of title 5, United States Code".

SEC. 385. REPEAL OF AUTHORITY.

Title VII (42 U.S.C. 5091 et seq.) is repealed.

~~CHAPTER 5—GENERAL PROVISIONS~~

~~SEC. 391. TECHNICAL AND CONFORMING AMENDMENTS.~~

~~The Domestic Volunteer Service Act of 1973 (42 U.S.C. 4950 et seq.) is amended by striking ''That this Act'' and all that follows through the end of the table of contents and inserting the following:~~

~~''SECTION 1. SHORT TITLE; TABLE OF CONTENTS.~~

~~''(a) SHORT TITLE.—This Act may be cited as the 'Domestic Volunteer Service Act of 1973'.~~

~~''(b) TABLE OF CONTENTS.—The table of contents 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.~~

~~"PART C—SENIOR COMPANION PROGRAM~~

~~"Sec. 213. Grants and contracts for volunteer service projects.~~

~~"PART D—GENERAL PROVISIONS~~

~~"Sec. 221. Promotion of National Senior Volunteer Corps.~~
~~"Sec. 222. Payments.~~
~~"Sec. 223. Minority group participation.~~
~~"Sec. 224. Use of locally generated contributions in National Senior Volunteer Corps.~~
~~"Sec. 225. Programs of national significance.~~
~~"Sec. 226. Adjustments to Federal financial assistance.~~
~~"Sec. 227. Multiyear grants or contracts.~~

~~"PART E—DEMONSTRATION PROGRAMS~~

~~"Sec. 231. Authority of Director.~~
~~"Sec. 232. Prohibition.~~

~~"TITLE IV—ADMINISTRATION AND COORDINATION~~

~~"Sec. 403. Political activities.~~
~~"Sec. 404. Special limitations.~~
~~"Sec. 406. Labor standards.~~
~~"Sec. 408. Joint funding.~~
~~"Sec. 409. Prohibition of Federal control.~~
~~"Sec. 410. Coordination with other programs.~~
~~"Sec. 411. Prohibition.~~
~~"Sec. 412. Notice and hearing procedures for suspension and termination of financial assistance.~~
~~"Sec. 414. Distribution of benefits between rural and urban areas.~~
~~"Sec. 415. Application of Federal law.~~
~~"Sec. 416. Evaluation.~~
~~"Sec. 417. Nondiscrimination provisions.~~
~~"Sec. 418. Eligibility for other benefits.~~
~~"Sec. 419. Legal expenses.~~
~~"Sec. 421. Definitions.~~
~~"Sec. 422. Audit.~~
~~"Sec. 423. Reduction of paperwork.~~
~~"Sec. 424. Review of project renewals.~~
~~"Sec. 425. Protection against improper use.~~
~~"Sec. 426. Center for Research and Training.~~

~~"TITLE V—AUTHORIZATION OF APPROPRIATIONS~~

~~"Sec. 501. National volunteer antipoverty programs.~~

~~''Sec. 502. National Senior Volunteer Corps.~~
~~''Sec. 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.''.~~

~~SEC. 392. EFFECTIVE DATE.~~

~~This subtitle shall become effective on October 1, 1993.~~

~~TITLE IV—TECHNICAL AND CONFORMING AMENDMENTS~~

~~SEC. 401. DEFINITION OF DIRECTOR.~~

~~Section 421 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5061) is amended by striking paragraph (1) and inserting the following new paragraph:~~

~~''(1) the term 'Director' means the Chairperson and Director of the Corporation for National Service appointed under section 193 of the National and Community Services Act of 1990;''.~~

~~SEC. 402. REFERENCES TO ACTION AND THE ACTION AGENCY.~~

~~(a) DOMESTIC VOLUNTEER SERVICE ACT OF 1973.—~~

~~(1) Section 2(b) of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4950(b)) is amended—~~

~~(A) by striking ''ACTION, the Federal domestic volunteer agency,'' and inserting ''this Act''; and~~

~~(B) by striking ''ACTION'' and inserting ''the Corporation for National Service''.~~

~~(2) Section 125(b) of such Act (42 U.S.C. 4995(b)) is amended by striking ''the ACTION Agency'' and inserting ''the Corporation''.~~

~~(3) Section 225(e) of such Act (42 U.S.C. 5025(e)) is amended by striking ''the ACTION Agency'' and inserting ''the Corporation''.~~

~~(4) Section 403(a) of such Act (42 U.S.C. 5043(a) is amended—~~

~~(A) by striking ''the ACTION Agency'' the first place it appears and inserting ''the Corporation under this Act''; and~~

~~(B) by striking ''the ACTION Agency'' the second place it appears and inserting ''the Corporation''.~~

~~(5) Section 408 of such Act (42 U.S.C. 5048) is amended by striking ''the ACTION Agency'' and inserting ''the Corporation''.~~

~~(6) Section 421(11) of such Act (as added by section 403 of this Act) is further amended by striking ''ACTION'' and inserting ''the Corporation''.~~

~~(7) Section 425 of such Act (as added by section 370 of this Act) is further amended by striking ''ACTION'' and inserting ''the Corporation''.~~

~~(b) CIVIL SERVICE RETIREMENT SYSTEM.—Section 8332(j)(1) of title 5, United States Code (as amended by section 372(a)(1)(A)(iii)(II) of this Act) is amended by striking ''the Director of ACTION'' and inserting ''the Chairperson of the Corporation for National Service''.~~

~~(c) INSPECTOR GENERAL.—Section 8E(a)(2) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—~~

~~(1) by striking ''ACTION,''; and~~

~~(2) by inserting ''the Corporation for National Service (except as provided in section 194(b) of the National and Community Service Act of 1990),'' after ''the Consumer Product Safety Commission,''.~~

~~(d) PUBLIC HOUSING SECURITY.—Section 207(c) of the Public Housing Security Demonstration Act of 1978 (Public Law 95–557; 92 Stat. 2093; 12 U.S.C. 1701z–6 note) is amended—~~

~~(1) in paragraph (3)(ii), by striking ''ACTION'' and inserting ''the Corporation for National Service''; and~~

~~(2) in paragraph (4), by striking ''ACTION'' and inserting ''the Corporation for National Service''.~~

~~(e) NATIONAL FOREST VOLUNTEERS.—Section 1 of the Volunteers in the National Forests Act of 1972 (16 U.S.C. 558a) is amended by striking ''ACTION'' and inserting ''the Corporation for National Service''.~~

~~(f) PEACE CORPS.—Section 2A of the Peace Corps Act (22 U.S.C. 2501–1) is amended by inserting after ''the ACTION Agency'' the following: '', the successor to the ACTION Agency,''.~~

~~(g) INDIAN ECONOMIC DEVELOPMENT.—Section 502 of the Indian Financing Act of 1974 (25 U.S.C. 1542) is amended by striking ''ACTION Agency'' and inserting ''the Corporation for National Service''.~~

~~(h) OLDER AMERICANS.—The Older Americans Act of 1965 is amended—~~

~~(1) in section 202(c)(1) (42 U.S.C. 3012(c)(1)), by striking ''the Director of the ACTION Agency'' and inserting ''the Corporation for National Service'';~~

~~(2) in section 203(a)(1) (42 U.S.C. 3013(a)(1)), by striking ''the ACTION Agency'' and inserting ''the Corporation for National Service''; and~~

~~(3) in section 422(b)(12)(C) (42 U.S.C. 3035a(b)(12)(C)), by striking ''the ACTION Agency'' and inserting ''the Corporation for National Service''.~~

~~(i) VISTA SERVICE EXTENSION.—Section 101(c)(1) of the Domestic Volunteer Service Act Amendments of 1989 (Public Law 101–204; 103 Stat. 1810; 42 U.S.C. 4954 note) is amended by striking ''Director of the ACTION Agency'' and inserting ''Chairperson of the Corporation for National Service''.~~

~~(j) AGING RESOURCE SPECIALISTS.—Section 205(c) of the Older Americans Amendments of 1975 (Public Law 94–135; 89 Stat. 727; 42 U.S.C. 5001 note) is amended—~~

~~(1) in paragraph (1)—~~

~~(A) by striking ''the ACTION Agency,'' and inserting ''the Corporation for National Service,''; and~~

~~(B) by striking ''the Director of the ACTION Agency'' and inserting ''the Chairperson of the Corporation'';~~

~~(2) in paragraph (2)(A), by striking ''ACTION Agency'' and inserting ''Corporation''; and~~

~~(3) in paragraph (3), by striking subparagraph (A) and inserting the following new subparagraph:~~

~~''(A) the term 'Corporation' means the Corporation for National Service established by section 191 of the National and Community Service Act of 1990.''.~~

~~(k) PROMOTION OF PHOTOVOLTAIC ENERGY.—Section 11(a) of the Solar Photovoltaic Energy Research, Development, and Demonstration Act of 1978 (42 U.S.C. 5590) is amended by striking ''the Director of ACTION,''.~~

~~(l) COORDINATING COUNCIL ON JUVENILE JUSTICE.—Section 206(a)(1) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5616(a)(1)) is amended by striking ''the Director of the ACTION Agency'' and inserting ''the Chairperson of the Corporation for National Service''.~~

~~(m) ENERGY CONSERVATION.—Section 413(b)(1) of the Energy Conservation and Production Act (42 U.S.C. 6863(b)(1)) is amended by striking ''the Director of the ACTION Agency,''.~~

~~(n) INTERAGENCY COUNCIL ON THE HOMELESS.—Section 202(a) of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11312(a)) is amended by striking paragraph (12) and inserting the following new paragraph:~~

~~''(12) The Chairperson of the Corporation for National Service, or the designee of the Chairperson.''.~~

~~(o) ANTI-DRUG ABUSE.—Section 3601 of the Anti-Drug Abuse Act of 1988 (42 U.S.C. 11851) is amended by striking paragraph (6) and inserting the following new paragraph:~~

~~''(6) the term 'Director' means the Chairperson and Director of the Corporation for National Service,''.~~

~~(p) ADMINISTRATION ON CHILDREN, YOUTH, AND FAMILIES.—Section 916(b) of the Claude Pepper Young Americans Act of 1990 (42 U.S.C. 12312(b)) is amended by striking ''the Director of the ACTION Agency'' and inserting ''the Chairperson of the Corporation for National Service''.~~

~~SEC. 403. DEFINITIONS.~~

~~Section 421 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5061) is amended—~~

~~(1) by striking ''and'' at the end of paragraph (6);~~

~~(2) by striking the period at the end of paragraph (7) and inserting a semicolon; and~~

~~(3) by adding at the end the following new paragraphs:~~

~~"(8) the term 'Corporation' means the Corporation for National Service established under section 191 of the National and Community Service Act of 1990;~~

~~"(9) the term 'foster grandparent' means a volunteer in the Foster Grandparent Program;~~

~~"(10) the term 'Foster Grandparent Program' means the program established under part B of title II;~~

~~"(11) the term 'Inspector General' means the Inspector General of ACTION;~~

~~"(12) the term 'national senior volunteer' means a volunteer in the National Senior Volunteer Corps;~~

~~"(13) the term 'National Senior Volunteer Corps' means the programs established under parts A, B, C, and E of title II;~~

~~"(14) the term 'Retired and Senior Volunteer Program' means the program established under part A of title II;~~

~~"(15) the term 'retired or senior volunteer' means a volunteer in the Retired and Senior Volunteer Program;~~

~~"(16) the term 'senior companion' means a volunteer in the Senior Companion Program;~~

~~''(17) the term 'Senior Companion Program' means the program established under part C of title II;~~

~~''(18) the terms 'VISTA' and 'Volunteers in Service to America' mean the program established under part A of title I; and~~

~~''(19) the term 'VISTA volunteer' means a volunteer in VISTA.''.~~

~~SEC. 404. REFERENCES TO THE COMMISSION ON NATIONAL AND COMMUNITY SERVICE.~~

~~(a) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1993.—~~

~~(1) Section 1092(b) of the National Defense Authorization Act for Fiscal Year 1993 (42 U.S.C. 12653a note) is amended—~~

~~(A) in paragraph (1)—~~

~~(i) by striking ''Commission on National Community Service'' and inserting ''Corporation for National Service''; and~~

~~(ii) by striking ''Commission shall prepare'' and inserting ''Board of Directors of the Corporation shall prepare''; and~~

~~(B) in paragraph (2), by striking ''Board of Directors of the Commission on National and Community Service'' and inserting ''Board of~~

~~Directors of the Corporation for National Service''.~~

~~(2) Section 1093(a) of such Act (42 U.S.C. 12653a note) is amended by striking ''the Board of Directors and Executive Director of the Commission on National and Community Service'' and inserting ''the Board of Directors and Chairperson of the Corporation for National Service''.~~

~~(3) Section 1094 of such Act (Public Law 102–484; 106 Stat. 2535) is amended—~~

~~(A) in the title, by striking ''COMMISSION ON NATIONAL AND COMMUNITY SERVICE'' and inserting ''CORPORATION FOR NATIONAL SERVICE'';~~

~~(B) in subsection (a)—~~

~~(i) in the heading, by striking ''COMMISSION'' and inserting ''CORPORATION'';~~

~~(ii) in the first sentence, by striking ''Commission on National and Community Service'' and inserting ''Corporation for National Service''; and~~

~~(iii) in the second sentence, by striking ''The Commission'' and inserting ''The Chairperson of the Corporation''; and~~

~~(C) in subsection (b)—~~

~~(i) in paragraph (1), by striking ''Board of Directors of the Commission on National and Community Service'' and inserting ''Chairperson of the Corporation for National Service''; and~~

~~(ii) in paragraph (2), by striking ''the Commission'' and inserting ''the Chairperson of the Corporation for National Service''.~~

~~(4) Section 1095 of such Act (Public Law 102–484; 106 Stat. 2535) is amended in the heading for subsection (b) by striking ''COMMISSION ON NATIONAL AND COMMUNITY SERVICE'' and inserting ''CORPORATION FOR NATIONAL SERVICE''.~~

~~(5) Section 2(b) of such Act (Public Law 102–484; 106 Stat. 2315) is amended by striking the item relating to section 1094 of such Act and inserting the following:~~

~~''Sec. 1094. Other programs of the Corporation for National Service.''.~~

~~(b) NATIONAL AND COMMUNITY SERVICE ACT OF 1990.—~~

~~(1) Sections 159(b)(2) (as redesignated in section 104(b)(3) of this Act) and 165 (as redesignated in section 104(b)(3) of this Act), subsections (a) and (b) of section 172, sections 176(a) and 177(c), and subsections (a), (b), and (d) through (h) of section~~

~~179, of the National and Community Service Act of 1990 (42 U.S.C. 12653h(b)(2), 12653n, 12632 (a) and (b), 12636(a), 12637(c), and 12639 (a), (b), and (d) through (h)) are each amended by striking the term ''Commission'' each place the term appears and inserting ''Corporation''.~~

~~(2) Sections 152, 157(b)(2), 159(b), 162(a)(2)(C), 164, and 166(1) of such Act (in each case, as redesignated in section 104(b)(3) of this Act) (42 U.S.C. 12653a, 12653f(b)(2), 12653h(b), 12653k(a)(2)(C), 12653m, and 12653o(1)) are each amended by striking ''Commission on National and Community Service'' and inserting ''Corporation''.~~

~~(3) Section 163(b)(9) of such Act (as redesignated in section 104(b)(3) of this Act) (42 U.S.C. 12635l(b)(9)) is amended by striking ''Chair of the Commission on National and Community Service'' and inserting ''Chairperson''.~~

~~(4) Section 303(a) of such Act (42 U.S.C. 12662(a)) is amended—~~

~~(A) by striking ''The President'' and inserting ''The President, acting through the Corporation,'';~~

~~(B) by inserting ''in furtherance of activities under section 302'' after ''section 501(b)''; and~~

~~(C) by striking ''the President'' both places it appears and inserting ''the Corporation''.~~

~~**SEC. 405. REFERENCES TO DIRECTORS OF THE COMMISSION ON NATIONAL AND COMMUNITY SERVICE.**~~

~~(a) CHAIRPERSON.—~~

~~(1) Section 159(a) of such Act (as redesignated in section 104(b)(3) of this Act) (42 U.S.C. 12653h(b)) is amended—~~

~~(A) by striking ''BOARD.—The Board'' and inserting ''SUPERVISION.—The Chairperson'';~~

~~(B) by striking ''the Board'' in the matter preceding the paragraphs and in paragraph (1) and inserting ''the Chairperson''; and~~

~~(C) by striking ''the Director'' in paragraph (1) and inserting ''the Board''.~~

~~(2) Section 159(b) of such Act (as redesignated in section 104(b)(3) of this Act) (42 U.S.C. 12653h(b)) is amended by striking ''(b)'' and all that follows through ''Commission on National and~~

~~Community Service'' and inserting ''(b) MONITORING AND COORDINATION.—The Chairperson''.~~

~~(3) Section 159(c)(1) (as redesignated in section 104(b)(3) of this Act) (12653h(c)(1)) is amended—~~

~~(A) in subparagraph (A), by striking ''the Board, in consultation with the Executive Director,'' and inserting ''Chairperson''; and~~

~~(B) in subparagraph (B)(iii), by striking ''the Board through the Executive Director''.~~

~~(4) Section 166(6) (as redesignated in section 104(b)(3) of this Act) (42 U.S.C. 12653o(6)) is amended—~~

~~(A) by striking paragraph (6); and~~

~~(B) by redesignating paragraphs (7) through (11) as paragraphs (6) through (10), respectively.~~

~~(b) DIRECTOR OF CIVILIAN COMMUNITY CORPS.—Sections 155(a), 157(b)(1)(A), 158(a), 159(c)(1)(A), and 163(a) (in each case, as redesignated in section 104(b)(3) of this Act) of the National and Community Service Act of 1990 (42 U.S.C. 12653d(a), 12653f(b)(1)(A), 12653g(a), 12653h(c)(1)(A), and 12653l(a)) are amended by striking ''Director of Civilian Community Corps'' each place the term appears and inserting ''Director''.~~

~~**SEC. 406. EFFECTIVE DATE.**~~

~~(a) ACTION. The amendments made by sections 401 and 402 (except subsection (c)(2)) shall take effect on the effective date of section 203.~~

~~(b) COMMISSION. The amendments made by section 402(c)(2), and sections 403 through 405, will take effect on October 1, 1993.~~

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

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

(b) TABLE OF CONTENTS.—The table of contents is 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.

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

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

5 ***"SEC. 2. FINDINGS AND PURPOSE.***

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

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

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

"(3) The rising costs of postsecondary education are putting higher education out of reach for an increasing number of citizens.

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

"(5) Nonprofit organizations, local governments, States, and the Federal Government are already supporting a wide variety of national service programs that deliver needed services in a cost-effective manner.

"(6) Residents of low-income communities, especially youth and young adults, can be empowered through their service, and can help provide future community leadership.

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

"(1) meet the unmet human, educational, environmental, and public safety needs of the United States, without displacing existing workers;

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

"(3) expand educational opportunity by rewarding individuals who participate in national service with an increased ability to pursue higher education or job training;

"(4) encourage citizens of the United States, regardless of race, religion, gender, age, disability, region, income, or education, to engage in full-time or part-time national service;

"(5) reinvent government to eliminate duplication in national service programs, support locally established service initiatives, encourage private sector investment and involvement in national service programs, and require measurable goals for performance in such programs and offer flexibility in meeting those goals;

"(6) empower residents of low-income communities, especially youth and young adults, through their service, and help provide future community leadership;

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

"(8) provide tangible benefits to the communities in which national service is performed;

"(9) build ties among Americans that transcend race, religion, gender, age, disability, region, income, and education;

"(10) encourage educational reform by introducing service-learning into curricula in elementary schools, secondary schools, and institutions of higher education; and

"(11) enable service participants to gain personal, academic, and occupational skills through service-learning experiences.".

(b) TABLE OF CONTENTS.—Section 1(b) of the National and Community Service Act of 1990 (Public Law 101–610; 104 Stat. 3127) is amended by striking the item relating to section 2 and inserting the following new item:

"Sec. 2. Findings and purpose.".

TITLE I—PROGRAMS AND RELATED PROVISIONS

Subtitle A—Programs

SEC. 101. FEDERAL INVESTMENT IN SUPPORT OF NATIONAL SERVICE.

(a) ASSISTANCE PROGRAM AUTHORIZED.—Subtitle C of title I of the National and Community Service Act of 1990 (42 U.S.C. 12541 et seq.) is amended to read as follows:

"Subtitle C—National Service Trust Program

"PART I—INVESTMENT IN NATIONAL SERVICE

"SEC. 121. AUTHORITY TO PROVIDE ASSISTANCE AND APPROVED NATIONAL SERVICE POSITIONS.

"(a) PROVISION OF ASSISTANCE.—The Corporation for National and Community Service may make grants to States, subdivisions of States, Indian tribes, public and private not-for-profit organizations (including labor organizations and community action agencies), and institutions of higher education for the purpose of assisting the recipients of the grants by paying for the Federal share of—

"(1) carrying out full- or part-time national service programs, including summer programs, described in section 122(a); and

"(2) making grants in support of other national service programs described in section 122(a) that are carried out by other entities.

"(b) AGREEMENTS WITH FEDERAL AGENCIES.—

"(1) IN GENERAL.—The Corporation may enter into a contract or cooperative agreement with another Federal agency to support a national service program carried out by the agency. The support provided by the Corporation pursuant to the contract or cooperative agreement may include the transfer to the Fed-

eral agency of funds available to the Corporation under this subtitle.

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

"(A) shall consult with the State Commission serving the State to avoid duplication with any service program that is in existence in the State as of the date of the contract or cooperative agreement; and

"(B) shall, in an appropriate case, enter into a contract or cooperative agreement with an entity that is carrying out a service program described in subparagraph (A) that is of high quality, in order to support the national service program.

"(3) APPLICATION OF REQUIREMENTS.—A Federal agency receiving assistance under this subsection shall comply with the Federal share requirements of section 129(d)(2)(B). The supplementation requirements specified in section 173 shall apply with respect to the Federal national service programs supported with such assistance.

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

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

"(2) deposit in the National Service Trust established in section 145(a) an amount equal to the product of—

"(A) the value of a national service educational award under section 147; and

"(B) the total number of approved national service positions to be provided.

"(d) FIVE PERCENT LIMITATION ON ADMINISTRATIVE COSTS.—

"(1) LIMITATION.—Not more than 5 percent of the amount of assistance provided to the original recipient of a grant or transfer of assistance under subsection (a) or (b) for a fiscal year may be used to pay for administrative costs (including indirect costs) incurred by—

"(A) the recipient of the assistance; and

"(B) national service programs carried out or supported with the assistance.

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

"(A) assistance provided under subsection (a) or (b) may be used to cover administrative costs; and

"(B) that portion of the assistance available to cover administrative costs should be distributed between—

"(i) the original recipient of the grant or transfer of assistance under such subsection; and

"(ii) national service programs carried out or supported with the assistance.

"(e) MATCHING FUNDS REQUIREMENTS.—

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

"(2) CALCULATION.—In providing for the remaining share of the cost of carrying out a national service program, the program—

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

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

"(3) WAIVER.—The Corporation may waive in whole or in part the requirements of paragraph (1) with respect to a national service program in any fiscal year if the Corporation determines that such a waiver would be equitable due to a lack of available financial resources at the local level.

"SEC. 122. TYPES OF NATIONAL SERVICE PROGRAMS ELIGIBLE FOR PROGRAM ASSISTANCE.

"(a) ELIGIBLE NATIONAL SERVICE PROGRAMS.—The recipient of a grant under section 121(a) and each Federal agency receiving assistance under section 121(b) shall use the assistance, directly or through subgrants to other entities, to carry out full- or part-time national service programs, including summer programs, that address unmet human, educational, environmental, or public safety needs. Subject to subsection (b)(1), these national service programs may include the following types of national service programs:

"(1) A community corps program that meets unmet human, educational, environmental, or public safety needs and promotes greater community unity through the use of organized teams of participants of varied social and economic backgrounds, skill levels, capabilities, ages, ethnic backgrounds, or genders.

"(2) A full-time youth corps program, carried out during the summer or throughout the full calendar year, such as a conservation corps or youth service corps (including a conservation corps or youth service corps that performs service on Federal or other public lands or on Indian lands), that—

"(A) undertakes meaningful service projects with visible benefits to a community, including natural resource, urban renovation, rural development, or human services projects;

"(B) includes as participants youths and young adults between the ages of 16 and 25, inclusive, including out-of-school youths, other economically disadvantaged youths, and individuals with disabilities, who are between those ages; and

"(C) provides those participants who are youths and young adults with—

"(i) crew-based, highly structured, and adult-supervised work experience, life skills,

education, career guidance and counseling, employment training, and support services; and

"(ii) the opportunity to develop citizenship values and skills through service to their community and the United States.

"(3) A program that provides specialized training to individuals in service-learning and places the individuals after such training in positions, including positions as service-learning coordinators, to facilitate service-learning in programs eligible for funding under part I subtitle B.

"(4) A service program that is targeted at specific unmet human, educational, environmental, or public safety needs and that—

"(A) recruits individuals with special skills or provides specialized preservice training to enable participants to be placed individually or in teams in positions in which the participants can meet such unmet needs; and

"(B) brings participants together for additional training and other activities designed to foster civic responsibility, increase the skills of participants, and improve the quality of the service provided.

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

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

"(A) students who are attending an institution of higher education, including students participating in a work-study program assisted under part C of title IV of the Higher Education Act of 1965 (42 U.S.C. 2751 et seq.);

"(B) teams composed of such students; or

"(C) teams composed of a combination of such students and community residents.

"(7) A preprofessional training program in which students enrolled in an institution of higher education—

"(A) receive training in specified fields, which may include classes containing service-learning;

"(B) perform service related to such training outside the classroom during the school term and during summer or other vacation periods; and

"(C) agree to provide service upon graduation to meet unmet human, educational, environmental, or public safety needs related to such training.

"(8) A professional corps program that recruits and places qualified participants in positions—

"(A) as teachers, nurses and other health care providers, police officers, early childhood development staff, or other professionals providing service to meet educational, human, environmental, or public safety needs in communities with an inadequate number of such professionals;

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

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

"(9) A program in which economically disadvantaged individuals who are between the ages of 16 and 24 years of age, inclusive, are provided with opportunities to perform service that, while enabling such in-

dividuals to obtain the education and employment skills necessary to achieve economic self-sufficiency, will help their communities meet—

"(A) the housing needs of low-income families and the homeless; and

"(B) the need for community facilities in low-income areas.

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

"(11) An intergenerational program that combines students, out-of-school youths, and older adults as participants to provide needed community services, including an intergenerational component of a national service program described in any of paragraphs (1) through (10), or in paragraph (12) or (13).

"(12) A program, to be known as a 'Communities in Action program', carried out by not-for-profit organizations, including community action agencies or combinations of such agencies, to provide opportunities for individuals or teams of individuals to engage in local community projects that meet important unaddressed community and individual needs in

low-income areas served by such a not-for-profit organization, including service projects to meet the unaddressed needs of economically disadvantaged youth age 18 and younger (including providing safe locations for after-school programs that provide opportunities for learning and recreation).

"(13) Such other national service programs addressing unmet human, educational, environmental, or public safety needs as the Corporation may designate.

"(b) QUALIFICATION CRITERIA TO DETERMINE ELIGIBILITY.—

"(1) ESTABLISHMENT BY CORPORATION.—The Corporation shall establish qualification criteria for different types of national service programs for the purpose of determining whether a particular national service program should be considered to be a national service program eligible to receive assistance or approved national service positions under this subtitle.

"(2) CONSULTATION.—In establishing qualification criteria under paragraph (1), the Corporation shall consult with organizations and individuals that have extensive experience in developing and administering effective national service programs.

"(3) APPLICATION TO SUBGRANTS.—The qualification criteria established by the Corporation under paragraph (1) shall also be used by each recipient of assistance under section 121(a) that uses any portion of the assistance to conduct a grant program to support other national service programs.

"(4) ENCOURAGEMENT OF INTERGENERATIONAL COMPONENTS OF PROGRAMS.—The Corporation shall encourage national service programs eligible to receive assistance or approved national service positions under this subtitle to establish, if consistent with the purposes of the program, an intergenerational component of the program that combines students, out-of-school youths, and older adults as participants to provide services to address unmet human, education, environmental, or public safety needs.

"(c) NATIONAL SERVICE PRIORITIES.—

"(1) ESTABLISHMENT BY CORPORATION.—In order to concentrate national efforts on meeting certain unmet human, educational, environmental, or public safety needs and to achieve the other purposes of this Act, the Corporation, after consultation with the State Commissions, may establish, and periodically alter, priorities regarding the types of national

service programs to be assisted under section 121 and the purposes for which such assistance may be used.

"(2) NOTICE TO APPLICANTS.—

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

"(B) CONTENTS.—The notice shall specifically include—

"(i) a description of any alteration made in the priorities since the previous notice; and

"(ii) a description of the national service programs that are designated by the Corporation under section 133(d)(2) as eligible for priority consideration in the next competitive distribution of assistance under section 121(a).

"(C) REGULATIONS.—The Corporation shall by regulation establish procedures to ensure the equitable treatment of national service programs that—

"(i) receive funding under this subtitle for multiple years; and

"(ii) would be adversely affected by annual revisions in such national service priorities.

"(3) APPLICATION TO SUBGRANTS.—Any recipient of funds under section 121(a) that uses any portion of the assistance to conduct a grant program to support other national service programs shall, in conducting such a grant program, make reasonable efforts to use any national service priorities established by the Corporation under this subsection.

"SEC. 123. TYPES OF NATIONAL SERVICE POSITIONS ELIGIBLE FOR APPROVAL FOR NATIONAL SERVICE EDUCATIONAL AWARDS.

"The Corporation may approve of any of the following service positions as an approved national service position that includes the national service educational award described in subtitle D as one of the benefits to be provided for successful service in the position:

"(1) A position for a participant in a national service program described in section 122(a) that receives assistance under subsection (a) or (b) of section 121.

"(2) A position for a participant in a program that—

"(A) is carried out by a State, a subdivision of a State, an Indian tribe, a public or private not-for-profit organization (including a community action agency), an institution of higher education, or a Federal agency; and

"(B) would be eligible to receive assistance under section 121(a), based on criteria established by the Corporation, but has not applied for such assistance.

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

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

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

"(6) A position involving service as a crew leader in a youth corps program or a similar position supporting a national service program that receives an approved national service position.

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

"SEC. 124. TYPES OF PROGRAM ASSISTANCE.

"(a) PLANNING ASSISTANCE.—The Corporation may provide assistance under section 121 to a qualified applicant that submits an application under section 130 for the planning of a national service program. Assistance provided in accordance with this subsection may cover a period of not more than 1 year.

"(b) OPERATIONAL ASSISTANCE.—The Corporation may provide assistance under section 121 to a qualified applicant that submits an application under section 130 for the establishment, operation, or expansion of a national service program. Assistance provided in accordance with this subsection may cover a period of not more than 3 years, but may be renewed by the Corporation upon consideration of a new application under section 130.

"(c) REPLICATION ASSISTANCE.—The Corporation may provide assistance under section 121 to a qualified applicant that submits an application under section 130 for the expansion of a proven national service program to another geographical location. Assistance provided in accordance with this subsection may cover a period of not more than 3 years, but may be renewed by the Corporation upon consideration of a new application under section 130.

"(d) APPLICATION TO SUBGRANTS.—The requirements of this section shall apply to any State or other applicant receiving assistance under section 121 that proposes to con-

duct a grant program using the assistance to support other national service programs.

"SEC. 125. TRAINING AND TECHNICAL ASSISTANCE.

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

"(1) improve the ability of national service programs assisted under section 121 to meet human, educational, environmental, or public safety needs in communities—

"(A) where services are needed most; and

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

"(2) promote leadership development in such programs;

"(3) improve the instructional and programmatic quality of such programs to build an ethic of civic responsibility;

"(4) develop the management and budgetary skills of program operators; and

"(5) provide for or improve the training provided to the participants in such programs.

"(b) TECHNICAL ASSISTANCE.—The Corporation shall, where necessary, make appropriate technical assistance available to States, Indian tribes, labor organizations, organizations operated by young adults, organizations serving economically disadvantaged individuals, and other entities described in section 121 that desire—

"(1) to develop national service programs; or

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

"SEC. 126. OTHER SPECIAL ASSISTANCE.

"(a) SUPPORT FOR STATE COMMISSIONS.—

"(1) ASSISTANCE AUTHORIZED.—The Corporation may make assistance available to assist a State to establish or operate the State Commission on National and Community Service required to be established by the State under section 178.

"(2) AMOUNT OF ASSISTANCE.—The amount of assistance that may be provided to a State Commission under this subsection, together with other Federal funds available to establish or operate the State Commission, may not exceed—

"(A) 85 percent of the total cost to establish or operate the State Commission for the first

year for which the State Commission receives assistance under this subsection; and

"(B) such smaller percentage of such cost as the Corporation may establish for the second, third, and fourth years of such assistance in order to ensure that the Federal share does not exceed 50 percent of such costs for the fifth year, and any subsequent year, for which the State Commission receives assistance under this subsection.

"(b) DISASTER SERVICE.—The Corporation may undertake activities, including activities carried out through part A of title I of the Domestic Volunteer Service Act of 1973, to involve in disaster relief efforts youth corps programs described in section 122(a)(2) and other programs that receive assistance under the national service laws.

"(c) CHALLENGE GRANTS FOR NATIONAL SERVICE PROGRAMS.—

"(1) ASSISTANCE AUTHORIZED.—

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

"(B) CRITERIA.—The Corporation shall develop criteria for the selection of recipients of

such challenge grants, so as to make the grants widely available to a variety of programs that—

"(i) are high-quality national service programs; and

"(ii) are carried out by entities with demonstrated experience in establishing and implementing projects that provide benefits to participants and communities.

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

"PART II—APPLICATION AND APPROVAL PROCESS

"SEC. 129. PROVISION OF ASSISTANCE AND APPROVED NATIONAL SERVICE POSITIONS BY COMPETITIVE AND OTHER MEANS.

"(a) ALLOTMENTS OF ASSISTANCE AND APPROVED POSITIONS TO STATES AND INDIAN TRIBES.—

"(1) 33⅓ PERCENT ALLOTMENT OF ASSISTANCE.—Of the funds allocated by the Corporation for provision of assistance under subsections (a) and (b) of section 121 for a fiscal year, the Corporation shall make a grant under section 121(a) (and a corresponding allotment of approved national service positions) to each of the several States (through the State Commission of the State), the District of Columbia, and the Commonwealth of Puerto Rico that has an application approved by the Corporation under section 133. The amount allotted as a grant to each such State under this paragraph for a fiscal year shall be equal to the amount that bears the same ratio to 33⅓ percent of the allocated funds for that fiscal year as the population of the State bears to the total population of the several States, the District of Columbia, and the Commonwealth of Puerto Rico.

"(2) ONE PERCENT ALLOTMENT OF ASSISTANCE.—Of the funds allocated by the Corporation for provision of assistance under subsections (a) and (b) of section 121 for a fiscal year, the Corporation shall reserve 1 percent of the allocated funds for grants under section 121(a) to Indian tribes, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, to be allotted

by the Corporation on a competitive basis in accordance with their respective needs. Palau shall also be eligible for a grant under this paragraph from the 1 percent allotment until such time as the Compact of Free Association with Palau is ratified.

"(3) EFFECT OF FAILURE TO APPLY.—If a State or Indian tribe fails to apply for, or fails to give notice to the Corporation of its intent to apply for, an allotment under this subsection, the Corporation shall use the amount that would have been allotted under this subsection to the State or Indian tribe—

"(A) to make grants (and provide approved national service positions in connection with such grants) to other eligible entities under section 121 that propose to carry out national service programs in the State or on behalf of the Indian tribe; and

"(B) after making grants under paragraph (1), to make a reallotment to other States and Indian tribes with approved applications under section 130.

"(b) RESERVATION OF APPROVED POSITIONS.—

"(1) NUMBER RESERVED.—Except as provided in paragraph (2), the Corporation shall ensure that each individual selected during a fiscal year for as-

signment as a VISTA volunteer under title I of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.) or as a participant in the Civilian Community Corps Demonstration Program under subtitle E shall receive the national service educational award described in subtitle D if the individual satisfies the eligibility requirements for the award. Funds for approved national service positions required by this paragraph for a fiscal year shall be deducted from the total funding for approved national service positions to be available for distribution under subsections (a) and (d) for that fiscal year.

"(2) TRANSITION.—The Corporation shall determine an equitable procedure for providing post-service educational awards to individuals who are selected for assignment as described in paragraph (1) after the date of enactment of this subtitle and before the effective date of section 203(c)(2) of the National and Community Service Trust Act of 1993.

"(c) RESERVATION FOR SPECIAL ASSISTANCE.—Subject to section 501(a)(1), of the funds allocated by the Corporation for provision of assistance under subsections (a) and (b) of section 121 for a fiscal year, the Corporation may reserve such amount as the Corporation considers to be appropriate for the purpose of making assistance avail-

able under sections 125 and 126. The Corporation may not reserve more than $10,000,000 for a fiscal year for challenge grants under section 126(c).

"(d) COMPETITIVE DISTRIBUTION OF REMAINING FUNDS AND APPROVED POSITIONS.—

"(1) STATE COMPETITION.—Of the funds allocated by the Corporation for provision of assistance under subsections (a) and (b) of section 121 for a fiscal year, the Corporation shall use not less than 33⅓ percent of the allocated funds to make grants to States (through the State Commissions) on a competitive basis under section 121(a).

"(2) FEDERAL AGENCIES AND OTHER APPLICANTS.—

"(A) IN GENERAL.—The Corporation shall distribute on a competitive basis to subdivisions of States (through the State Commissions), Indian tribes, public and private not-for-profit organizations (including labor organizations and community action agencies), institutions of higher education, and Federal agencies the remainder of the funds allocated by the Corporation for provision of assistance under section 121 for a fiscal year, after operation of paragraph (1) and subsections (a) and (c).

"(B) FEDERAL SHARE.—Notwithstanding section 121(e), if a Federal agency proposes to carry out a national service program using funds made available under subparagraph (A), and the Federal agency is authorized to use funds made available under Federal law (other than the national service laws) to carry out such a program, the Federal share attributable to this paragraph of the cost of carrying out the national service program shall be 50 percent of such cost. The President may by regulation specify the sources that may be used by the Federal agency to provide for the remaining share of such cost.

"(C) FEDERAL AGENCIES.—The Corporation may not distribute more than 30 percent of such remainder to Federal agencies for a fiscal year under subparagraph (A).

"(D) LIMITATIONS.—The Corporation may limit the categories of eligible applicants for assistance under this paragraph consistent with the priorities established by the Corporation under section 133(d)(2).

"(3) PRIORITY.—In distributing the funds allocated by the Corporation for provision of assistance

under section 121 for a fiscal year, after operation of subsections (a) and (c) and after using 33⅓ percent of such funds to make grants under paragraph (1), in determining whether to—

"(A) use an additional portion of the funds to make a grant under paragraph (1) to a State applicant; or

"(B) distribute the portion of the funds to an applicant that is a private not-for-profit organization under paragraph (2),

the Corporation shall give preference to the private not-for-profit organization in any case in which the Corporation determines that the applicants have submitted applications of equal quality under section 130.

"(e) APPLICATION REQUIRED.—The allotment of assistance and approved national service positions to a State or Indian tribe under subsection (a), and the competitive distribution of assistance and approved national service positions under subsection (d), shall be made by the Corporation only pursuant to an application submitted by a State or other applicant under section 130 and approved by the Corporation under section 133.

"(f) DISTRIBUTION OF APPROVED POSITIONS SUBJECT TO AVAILABLE FUNDS.—The Corporation may not distrib-

ute approved national service positions under this section for a fiscal year in excess of the number of such positions for which the Corporation has sufficient available funds in the National Service Trust for that fiscal year to satisfy the maximum possible obligations to be incurred by the United States to provide the national service educational award corresponding to service in these positions.

"(g) SPONSORSHIP OF APPROVED NATIONAL SERVICE POSITIONS.—

"(1) SPONSORSHIP AUTHORIZED.—The Corporation may enter into agreements with persons or entities who offer to sponsor national service positions for which the person or entity will be responsible for supplying the funds necessary to provide a national service educational award. The distribution of these approved national service positions shall be made pursuant to the agreement, and the creation of these positions shall not be taken into consideration in determining the number of approved national service positions to be available for distribution under this section.

"(2) DEPOSIT OF CONTRIBUTION.—Funds provided pursuant to an agreement under paragraph (1) and any other funds contributed to the Corporation to support the activities of the Corporation under the

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

"SEC. 130. APPLICATION FOR ASSISTANCE AND APPROVED NATIONAL SERVICE POSITIONS.

"(a) TIME, MANNER, AND CONTENT OF APPLICATION.—To be eligible to receive assistance under section 121 and approved national service positions for participants who serve in the national service programs to be carried out using the assistance, a State, subdivision of a State, Indian tribe, public or private not-for-profit organization (including a community action agency), institution of higher education, or Federal agency shall prepare and submit to the Corporation an application at such time, in such manner, and containing such information as the Corporation may reasonably require.

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

"(1) A description of the national service programs proposed to be carried out directly by the applicant using assistance provided under section 121.

"(2) A description of the national service programs that are selected by the applicant to receive a grant from assistance requested under section 121 and a description of the process and criteria by which the programs were selected.

"(3) A description of other funding sources to be used, or sought to be used, for the national service programs referred to in paragraphs (1) and (2), and, if the application is submitted for the purpose of seeking a renewal of assistance, a description of the success of the programs in reducing their reliance on Federal funds.

"(4) A description of the extent to which the projects to be conducted using the assistance will address unmet human, educational, environmental, or public safety needs and produce a direct benefit for the community in which the projects are performed.

"(5) A description of the plan to be used to recruit participants, including economically disadvantaged youth, for the national service programs referred to in paragraphs (1) and (2).

"(6) A description of the manner in which the national service programs referred to in paragraphs (1) and (2) build on existing programs, including Federal programs.

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

"(A) in projects that build an ethic of civic responsibility and produce a positive change in the lives of participants through training and participation in meaningful service experiences and opportunities for reflection on such experiences; and

"(B) in leadership positions in implementing and evaluating the program.

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

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

"(B) the service experience to be provided to participants in the programs.

"(9) A description of the manner and extent to which the national service programs referred to in paragraphs (1) and (2) conform to the national service priorities established by the Corporation under section 122(c).

"(10) A description of the past experience of the applicant in operating a comparable program or in conducting a grant program in support of other comparable programs.

"(11) A description of the type and number of proposed service positions in which participants will receive the national service educational award described in subtitle D and a description of the manner in which approved national service positions will be apportioned by the applicant.

"(12) A description of the manner and extent to which participants, representatives of the community served, community-based agencies with a demonstrated record of experience in providing services, and labor organizations contributed to the development of the national service programs referred to in paragraphs (1) and (2), including the identity of the individual representing the labor organization who was consulted and the nature of the consultation.

"(13) A description of a plan to be used to encourage women to participate in programs referred to in paragraphs (1) and (2).

"(14) Such other information as the Corporation may reasonably require.

"(c) APPLICATION TO RECEIVE ONLY APPROVED NATIONAL SERVICE POSITIONS.—

"(1) APPLICABILITY OF SUBSECTION.—This subsection shall apply in the case of an application in which—

"(A) the applicant is not seeking assistance under subsection (a) or (b) of section 121, but requests national service educational awards for individuals serving in service positions described in section 123; or

"(B) the applicant requests national service educational awards for service positions described in section 123, but the positions are not positions in a national service program described in section 122(a) for which assistance may be provided under subsection (a) or (b) of section 121.

"(2) SPECIAL APPLICATION REQUIREMENTS.—For the applications described in paragraph (1), the Corporation shall establish special application requirements in order to determine—

"(A) whether the service positions meet unmet human, educational, environmental, or public safety needs and meet the criteria for assistance under this subtitle; and

"(B) whether the Corporation should approve the positions as approved national service positions that include the national service educational award described in subtitle D as one of the benefits to be provided for successful service in the position.

"(d) SPECIAL RULE FOR STATE APPLICANTS.—

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

"(2) COMPETITIVE SELECTION.—The application of a State shall contain an assurance that all assistance provided under section 121(a) to the State will be used to support national service programs that were selected by the State on a competitive basis.

"(3) ASSISTANCE TO NONSTATE ENTITIES.—The application of a State shall also contain an assurance that not less than 60 percent of the assistance will be used to make grants in support of national service programs other than national service programs carried out by a State agency. The Corporation may permit a State to deviate from the percentage specified by this subsection if the State has not received a

sufficient number of acceptable applications to comply with the percentage.

"(e) SPECIAL RULE FOR CERTAIN SERVICE SPONSORS.—In the case of a program applicant that proposes to serve as the service sponsor, the application shall include the written concurrence of any local labor organization representing employees of the applicant who are engaged in the same or substantially similar work as that proposed to be carried out.

"(f) LIMITATION ON SAME PROJECT IN MULTIPLE APPLICATIONS.—No applicant shall submit an application under this section, and the Corporation shall reject an application that is submitted under this section, if the application describes a project proposed to be conducted using assistance requested by the applicant and the project is already described in another application pending before the Corporation.

"SEC. 131. NATIONAL SERVICE PROGRAM ASSISTANCE REQUIREMENTS.

"(a) IMPACT ON COMMUNITIES.—An application submitted under section 130 shall include an assurance by the applicant that any national service program carried out by the applicant using assistance provided under section 121 and any national service program supported by a grant made by the applicant using such assistance will—

"(1) address unmet human, educational, environmental, or public safety needs through services that provide a direct benefit to the community in which the service is performed; and

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

"(b) IMPACT ON PARTICIPANTS.—An application submitted under section 130 shall also include an assurance by the applicant that any national service program carried out by the applicant using assistance provided under section 121 and any national service program supported by a grant made by the applicant using such assistance will—

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

"(2) provide support services to participants, such as the provision of appropriate information and support—

"(A) to those participants who are completing a term of service and making the transition to other educational and career opportunities; and

"(B) to those participants who are school dropouts in order to assist those participants in

earning the equivalent of a high school diploma; and

"(3) provide structured opportunities for participants to reflect on their service experiences.

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

"(1) provide in the design, recruitment, and operation of the program for broad-based input from the community served, individuals eligible to serve as participants in the program, community-based agencies (including community action agencies) with a demonstrated record of experience in providing services, and local labor organizations representing employees of service sponsors;

"(2) prior to the placement of participants, consult with any local labor organization representing employees in the area who are engaged in the same or similar work as that proposed to be carried out by such program to ensure compliance with the nondisplacement requirements specified in section 177; and

"(3) in the case of a program that is not funded through a State, consult with and coordinate activities with the State Commission for the State in which the program operates.

"(d) EVALUATION AND PERFORMANCE GOALS.—

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

"(A)(i) arrange for an independent evaluation of any national service program carried out using assistance provided to the applicant under section 121; or

"(ii) with the approval of the Corporation, conduct an internal evaluation of the program;

"(B) develop measurable performance goals and evaluation methods (such as the use of surveys of participants and persons served), which are to be used as part of such evaluation to determine the impact of the program—

"(i) on communities and persons served by the projects performed by the program;

"(ii) on participants who take part in the projects; and

"(iii) in such other areas as the Corporation may require; and

"(C) cooperate with any evaluation activities undertaken by the Corporation.

"(2) ALTERNATIVE EVALUATION REQUIREMENTS.—The Corporation may establish alternative evaluation requirements for national service programs based upon the amount of assistance received under section 121 or received by a grant made by a recipient of assistance under such section. The determination of whether a national service program is covered by this paragraph shall be made in such manner as the Corporation may prescribe.

"(e) LIVING ALLOWANCES AND OTHER INSERVICE BENEFITS.—Except as provided in section 140(c), an application submitted under section 130 shall also include an assurance by the applicant that the applicant will—

"(1) provide a living allowance and other benefits specified in section 140 to participants in any national service program carried out by the applicant using assistance provided under section 121; and

"(2) require that each national service program that receives a grant from the applicant using such assistance will also provide a living allowance and

other benefits specified in section 140 to participants in the program.

"(f) SELECTION OF PARTICIPANTS FROM INDIVIDUALS RECRUITED BY CORPORATION OR STATE COMMISSIONS.—The Corporation may also require an assurance by the applicant that any national service program carried out by the applicant using assistance provided under section 121 and any national service program supported by a grant made by the applicant using such assistance will select a portion of the participants for the program from among prospective participants recruited by the Corporation or State Commissions under section 138(d). The Corporation may specify a minimum percentage of participants to be selected from the national leadership pool established under section 138(e) and may vary the percentage for different types of national service programs.

"SEC. 132. INELIGIBLE SERVICE CATEGORIES.

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

"(1) business organized for profit;

"(2) labor union;

"(3) partisan political organization; or

"(4) organization engaged in religious activities, unless such service does not involve the use of assistance provided under section 121 or participants to give religious instruction, conduct worship services, or engage in any form of proselytization.

"SEC. 133. CONSIDERATION OF APPLICATIONS.

"(a) CORPORATION CONSIDERATION OF CERTAIN CRITERIA.—The Corporation shall apply the criteria described in subsections (c) and (d) in determining whether—

"(1) to approve an application submitted under section 130 and provide assistance under section 121 to the applicant; and

"(2) to approve service positions described in the application as national service positions that include the national service educational award described in subtitle D and provide such approved national service positions to the applicant.

"(b) APPLICATION TO SUBGRANTS.—A State or other entity that uses assistance provided under section 121(a) to support national service programs selected on a competitive basis to receive a share of the assistance shall use the criteria described in subsections (c) and (d) when considering an application submitted by a national service program to receive a portion of such assistance or an approved na-

tional service position. The application of the State or other entity under section 130 shall contain a certification that the State or other entity complied with these criteria in the selection of national service programs to receive assistance.

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

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

"(2) The innovative aspects of the national service program, and the feasibility of replicating the program.

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

"(A) of strong and broad-based community support for the program; and

"(B) of multiple funding sources or private funding for the program.

"(4) The quality of the leadership of the national service program, the past performance of the program, and the extent to which the program builds on existing programs.

"(5) The extent to which participants of the national service program are recruited from among resi-

dents of the communities in which projects are to be conducted, and the extent to which participants and community residents are involved in the design, leadership, and operation of the program.

''(6) The extent to which projects would be conducted in areas where such projects are needed most, such as—

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

''(B) areas that are environmentally distressed;

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

''(D) areas—

''(i) that have experienced a substantial reduction in population, as determined by the Corporation; and

''(ii) with high numbers or percentages of economically disadvantaged older adults.

''(7) In the case of applicants other than States, the extent to which the application is consistent with

the application under section 130 of the State in which the projects would be conducted.

"(8) Such other criteria as the Corporation considers to be appropriate.

"(d) OTHER CONSIDERATIONS.—

"(1) GEOGRAPHIC DIVERSITY.—The Corporation shall ensure that recipients of assistance provided under section 121 are geographically diverse and include projects to be conducted in those urban and rural areas in a State with the highest rates of poverty.

"(2) PRIORITIES.—

"(A) IN GENERAL.—The Corporation may designate, under such criteria as may be established by the Corporation, certain national service programs or types of national service programs described in section 122(a) for priority consideration in the competitive distribution of funds under section 129(d)(2).

"(B) PROGRAMS DESIGNATED TO RECEIVE PRIORITY.—In designating national service programs to receive priority, the Corporation may include—

"(i) national service programs carried out by another Federal agency;

"(ii) national service programs that conform to the national service priorities in effect under section 122(c);

"(iii) innovative national service programs;

"(iv) national service programs that are well established in one or more States at the time of the application and are proposed to be expanded to additional States using assistance provided under section 121;

"(v) grant programs in support of other national service programs if the grant programs are to be conducted by not-for-profit organizations (including community action agencies) with a demonstrated and extensive expertise in the provision of services to meet human, educational, environmental, or public safety needs; and

"(vi) professional corps programs described in section 122(a)(8).

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

"(i) proposed in an application submitted by a State Commission; and

"(ii) not one of the types of programs described in clauses (i) through (vi) of subparagraph (B),

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

"(3) REVIEW PANEL.—The President shall—

"(A) establish panels of experts for the purpose of securing recommendations on applications submitted under section 130 for more than $100,000 in assistance, or for national service positions that would require more than $100,000 in national service educational awards; and

"(B) consider the opinions of such panels prior to making such determinations.

"(e) EMPHASIS ON AREAS MOST IN NEED.—In making assistance available under section 121 and in providing approved national service positions under section 123, the Corporation shall ensure that not less than 50 percent of the total amount of assistance to be distributed to States under subsections (a) and (d)(1) of section 129 for a fiscal

year is provided to carry out or support national service programs and projects that—

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

"(2) place a priority on the recruitment of participants who are residents of areas described in any of subparagraphs (A) through (D) of subsection (c)(6) or Federal or other public lands.

"(f) REJECTION OF STATE APPLICATIONS.—

"(1) NOTIFICATION OF STATE APPLICANTS.—If the Corporation rejects an application submitted by a State Commission under section 130 for funds described in section 129(a)(1), the Corporation shall promptly notify the State Commission of the reasons for the rejection of the application.

"(2) RESUBMISSION AND RECONSIDERATION.—The Corporation shall provide a State Commission notified under paragraph (1) with a reasonable opportunity to revise and resubmit the application. At the request of the State Commission, the Corporation shall provide technical assistance to the State Commission as part of the resubmission process. The Cor-

poration shall promptly reconsider an application resubmitted under this paragraph.

"(3) REALLOTMENT.—The amount of any State's allotment under section 129(a) for a fiscal year that the Corporation determines will not be provided for that fiscal year shall be available for distribution by the Corporation as provided in paragraph (3) of such subsection.

"PART III—NATIONAL SERVICE PARTICIPANTS

"SEC. 137. DESCRIPTION OF PARTICIPANTS.

"(a) IN GENERAL.—For purposes of this subtitle, an individual shall be considered to be a participant in a national service program carried out using assistance provided under section 121 if the individual—

"(1) meets such eligibility requirements as may be established by the program;

"(2) is selected by the program to serve in a position with the program;

"(3) will serve in the program for a term of service specified in section 139 to be performed before, during, or after attendance at an institution of higher education;

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

"(5)(A)(i) has received a high school diploma or its equivalent; or

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

"(B)(i) is enrolled at an institution of higher education on the basis of meeting the standard described in paragraph (1) or (2) of section 484(d) of the Higher Education Act of 1965 (20 U.S.C. 1091(d)); and

"(ii) meets the requirements of section 484(a) of such Act; and

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

"(b) SPECIAL RULES FOR CERTAIN YOUTH PROGRAMS.—An individual shall be considered to be a participant in a youth corps program described in section 122(a)(2) or a program described in section 122(a)(9) that is carried out with assistance provided under section 121(a) if the individual—

"(1) satisfies the requirements specified in subsection (a), except paragraph (4) of such subsection; and

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

"(c) WAIVER.—The Corporation may waive the requirements of subsection (a)(5)(A) with respect to an individual if the program in which the individual seeks to become a participant conducts an independent evaluation demonstrating that the individual is incapable of obtaining a high school diploma or its equivalent.

"SEC. 138. SELECTION OF NATIONAL SERVICE PARTICIPANTS.

"(a) SELECTION PROCESS.—Subject to subsections (b) and (c) and section 131(f), the actual recruitment and selection of an individual to serve in a national service program receiving assistance under section 121 or to fill an approved national service position shall be conducted by the State, subdivision of a State, Indian tribe, public or private not-for-profit organization, institution of higher education, Federal agency, or other entity to which the assistance and approved national service positions are provided.

"(b) NONDISCRIMINATION AND NONPOLITICAL SELECTION OF PARTICIPANTS.—The recruitment and selection of individuals to serve in national service programs receiving assistance under section 121 or to fill approved national service positions shall be consistent with the requirements of section 175.

"(c) SECOND TERM.—Acceptance into a national service program to serve a second term of service under section 139 shall only be available to individuals who perform satisfactorily in their first term of service.

"(d) RECRUITMENT AND PLACEMENT.—The Corporation and each State Commission shall establish a system to recruit individuals who desire to perform national service and to assist the placement of these individuals in approved national service positions, including positions available under title I of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951). The Corporation and State Commissions shall disseminate information regarding available approved national service positions through cooperation with secondary schools, institutions of higher education, employment service offices, State vocational rehabilitation agencies within the meaning of the Rehabilitation Act of 1973 and other State agencies that primarily serve individuals with disabilities, and other appropriate entities, particularly those organizations that provide outreach to economically disadvantaged youths or youths who are individuals with disabilities.

"(e) NATIONAL LEADERSHIP POOL.—

"(1) SELECTION AND TRAINING.—From among individuals recruited under subsection (d), the Corporation may select individuals with significant lead-

ership potential, as determined by the Corporation, to receive special training to enhance their leadership ability. The leadership training shall be provided by the Corporation directly or through a grant or contract.

"(2) EMPHASIS ON CERTAIN INDIVIDUALS.—In selecting individuals to receive leadership training under this subsection, the Corporation shall make special efforts to select individuals who have served—

"(A) in the Peace Corps;

"(B) as VISTA volunteers;

"(C) as participants in national service programs receiving assistance under section 121; or

"(D) as participants in programs receiving assistance under subtitle D of the National and Community Service Act of 1990, as in effect on the day before the date of enactment of this subtitle.

"(3) ASSIGNMENT.—At the request of a program that receives assistance under the national service laws, the Corporation may assign an individual who receives leadership training under paragraph (1) to work with the program in a leadership position and carry out assignments not otherwise performed by

regular participants. An individual assigned to a program shall be considered to be a participant of the program.

"SEC. 139. TERMS OF SERVICE.

"(a) IN GENERAL.—As a condition of receiving a national service education award under subtitle D, a participant in an approved national service position shall be required to perform full- or part-time national service for at least one term of service specified in subsection (b).

"(b) TERM OF SERVICE.—

"(1) FULL-TIME SERVICE.—An individual performing full-time national service in an approved national service position shall agree to participate in the program sponsoring the position for not less than 1,700 hours during a period of not less than 9 months and not more than 1 year.

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

"(A) not less than 1 year and not more than 2 years; or

"(B) not less than 1 year and not more than 3 years if the individual is enrolled in an institution of higher education while performing all or a majority of the hours of such service.

"(3) REDUCTION IN HOURS OF PART-TIME SERVICE.—The Corporation may reduce the number of hours required to be served to successfully complete part-time national service to a level determined by the Corporation, except that any reduction in the required term of service shall include a corresponding reduction in the amount of any national service educational award that may be available under subtitle D with regard to that service.

"(c) RELEASE FROM COMPLETING TERM OF SERVICE.—

"(1) RELEASE AUTHORIZED.—A recipient of assistance under section 121 or a program sponsoring an approved national service position may release a participant from completing a term of service in the position—

"(A) for compelling personal circumstances as demonstrated by the participant; or

"(B) for cause.

"(2) EFFECT OF RELEASE.—If the released participant was serving in an approved national service

position, the participant may receive a portion of the national service educational award corresponding to that service in the manner provided in section 147(b), except that a participant released for cause may not receive any portion of the national service educational award.

"SEC. 140. LIVING ALLOWANCES FOR NATIONAL SERVICE PARTICIPANTS.

"(a) PROVISION OF LIVING ALLOWANCE.—

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

"(2) LIMITATION ON FEDERAL SHARE.—The amount of the annual living allowance provided under paragraph (1) that may be paid using assistance provided under section 121 and using any other Federal funds shall not exceed the lesser of—

"(A) 85 percent of the total average annual subsistence allowance provided to VISTA volunteers under section 105 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4955); and

"(B) 85 percent of the annual living allowance established by the national service program involved.

"(3) MAXIMUM LIVING ALLOWANCE.—Except as provided in subsection (c), the total amount of an annual living allowance that may be provided to a participant in a national service program shall not exceed 200 percent of the average annual subsistence allowance provided to VISTA volunteers under section 105 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4955).

"(4) PRORATION OF LIVING ALLOWANCE.—The amount provided as a living allowance under this subsection shall be prorated in the case of a participant who is authorized to serve a reduced term of service under section 139(b)(3).

"(b) COVERAGE OF CERTAIN EMPLOYMENT-RELATED TAXES.—To the extent a national service program that receives assistance under section 121 is subject, with respect to the participants in the program, to the taxes imposed on an employer under sections 3111 and 3301 of the Internal Revenue Code of 1986 (26 U.S.C. 3111, 3301) and taxes imposed on an employer under a workmen's compensation act, the assistance provided to the program under section

121 shall include an amount sufficient to cover 85 percent of such taxes based upon the lesser of—

"(1) the total average annual subsistence allowance provided to VISTA volunteers under section 105 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4955); and

"(2) the annual living allowance established by the program.

"(c) EXCEPTION FROM MAXIMUM LIVING ALLOWANCE FOR CERTAIN ASSISTANCE.—A professional corps program described in section 122(a)(8) that desires to provide a living allowance in excess of the maximum allowance authorized in subsection (a)(3) may still apply for such assistance, except that—

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

"(2) the applicant shall apply for such assistance only by submitting an application to the Corporation for assistance on a competitive basis; and

"(3) the national service program shall be operated directly by the applicant and shall meet urgent, unmet human, educational, environmental, or public safety needs, as determined by the Corporation.

"(d) HEALTH INSURANCE.—A State or other recipient of assistance under section 121 shall provide a basic health care policy for each full-time participant in a national service program carried out or supported using the assistance if the participant is not otherwise covered by a health care policy. Not more than 85 percent of the cost of a premium shall be provided by the Corporation, with the remaining cost paid by the entity receiving assistance under section 121. The Corporation shall establish minimum standards that all plans shall meet in order to qualify for payment under this part, any circumstances in which an alternative health care policy may be substituted for the basic health care policy, and mechanisms to prohibit participants from dropping existing coverage.

"(e) CHILD CARE.—

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

"(A) make child care available for children of each full-time participant who serves in a national service program carried out or supported by the recipient using the assistance, including individuals who need such child care in order to participate in the program; or

"(B) provide a child care allowance to each full-time participant in a national service pro-

gram who needs such assistance in order to participate in the program.

"(2) GUIDELINES.—The Corporation shall establish guidelines regarding the circumstances under which child care shall be made available under this subsection and the value of any allowance to be provided.

"(f) WAIVER OF LIMITATION ON FEDERAL SHARE.—The Corporation may waive in whole or in part the limitation on the Federal share specified in this section with respect to a particular national service program in any fiscal year if the Corporation determines that such a waiver would be equitable due to a lack of available financial resources at the local level.

"SEC. 141. NATIONAL SERVICE EDUCATIONAL AWARDS.

"(a) ELIGIBILITY GENERALLY.—A participant in a national service program carried out using assistance provided to an applicant under section 121 shall be eligible for the national service educational award described in subtitle D if the participant—

"(1) serves in an approved national service position; and

"(2) satisfies the eligibility requirements specified in section 146 with respect to service in that approved national service position.

"(b) SPECIAL RULE FOR VISTA VOLUNTEERS.—A VISTA volunteer who serves in an approved national service position shall be ineligible for a national service educational award if the VISTA volunteer accepts the stipend authorized under section 105(a)(1) of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4955(a)(1).".

(b) TABLE OF CONTENTS.—Section 1(b) of the National and Community Service Act of 1990 (Public Law 101–610; 104 Stat. 3127) is amended by striking the items relating to subtitle C of title I of such Act and inserting the following new items:

"Subtitle C—National Service Trust Program

"PART I—INVESTMENT IN NATIONAL SERVICE

"Sec. 121. Authority to provide assistance and approved national service positions.
"Sec. 122. Types of national service programs eligible for program assistance.
"Sec. 123. Types of national service positions eligible for approval for national service educational awards.
"Sec. 124. Types of program assistance.
"Sec. 125. Training and technical assistance.
"Sec. 126. Other special assistance.

"PART II—APPLICATION AND APPROVAL PROCESS

"Sec. 129. Provision of assistance and approved national service positions by competitive and other means.
"Sec. 130. Application for assistance and approved national service positions.
"Sec. 131. National service program assistance requirements.
"Sec. 132. Ineligible service categories.
"Sec. 133. Consideration of applications.

"PART III—NATIONAL SERVICE PARTICIPANTS

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

SEC. 102. NATIONAL SERVICE TRUST AND PROVISION OF NATIONAL SERVICE EDUCATIONAL AWARDS.

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

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

"SEC. 145. ESTABLISHMENT OF THE NATIONAL SERVICE TRUST.

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

"(1) from the amounts appropriated to the Corporation and made available to carry out this subtitle pursuant to section 501(a)(1), such amounts as the Corporation may designate to be available for the payment of—

"(A) national service educational awards; and

"(B) interest expenses pursuant to subsection 148(e);

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

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

"(b) INVESTMENT OF TRUST.—It shall be the duty of the Secretary of the Treasury to invest in full the amounts appropriated to the Trust. Except as otherwise expressly provided in instruments concerning a gift, bequest, devise, or other donation and agreed to by the Corporation, such investments may be made only in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States. For such purpose, such obligations may be acquired (1) on original issue at the issue price, or (2) by purchase of outstanding obligations at the marketplace. Any obligation acquired by the Trust may be sold by the Secretary at the market price.

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

"(d) REPORTS TO CONGRESS ON RECEIPTS AND EXPENDITURES.—The Corporation shall submit an annual report to the Congress on the financial status of the Trust. Such report shall—

"(1) specify the amount deposited to the Trust from the most recent appropriation to the Corporation, the amount received by the Corporation as gifts

or bequest during the period covered by the report, and any amounts obtained by the Trust pursuant to subsection (a)(3);

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

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

''(A) has been reduced pursuant to section 147(b); or

''(B) has lapsed pursuant to section 146(d); and

''(4) estimate the number of additional approved national service positions which the Corporation will be able to make available under subtitle C on the basis of any accumulated surplus in the Trust above the amount required to provide national service educational awards to individuals identified under paragraph (2), including any amounts available as a result of the circumstances referred to in paragraph (3).

"SEC. 146. INDIVIDUALS ELIGIBLE TO RECEIVE A NATIONAL SERVICE EDUCATIONAL AWARD FROM THE TRUST.

"(a) ELIGIBLE INDIVIDUALS.—An individual shall be eligible to receive a national service educational award from the National Service Trust if the individual—

"(1) successfully completes the required term of service described in subsection (b) in an approved national service position;

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

"(3) at the time the individual uses the national service educational award—

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

"(B)(i) is enrolled at an institution of higher education on the basis of meeting the standard described in paragraph (1) or (2) of section 484(d) of the Higher Education Act of 1965 (20 U.S.C. 1091(d)); and

"(ii) meets the requirements of section 484(a) of such Act; or

"(C) has received a waiver described in section 137(c); and

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

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

"(c) LIMITATION ON NUMBER OF TERMS OF SERVICE FOR AWARDS.—Although an individual may serve more than 2 terms of service described in subsection (b) in an approved national service position, the individual shall receive a national service educational award from the National Service Trust only on the basis of the first and second of such terms of service.

"(d) TIME FOR USE OF EDUCATIONAL AWARD.—

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

"(2) EXCEPTION.—The Corporation may extend the period within which an individual may use a na-

tional service educational award if the Corporation determines that the individual—

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

"(B) performed another term of service in an approved national service position during that period.

"SEC. 147. DETERMINATION OF THE AMOUNT OF THE NATIONAL SERVICE EDUCATIONAL AWARD.

"(a) AMOUNT GENERALLY.—Except as provided in subsection (b), an individual described in section 146(a) who successfully completes a required term of service in an approved national service position shall receive a national service educational award having a value equal to $5,000 for each of not more than 2 of such terms of service.

"(b) AWARD FOR PARTIAL COMPLETION OF SERVICE.—If an individual serving in an approved national service position is released in accordance with section 139(c)(1)(A) from completing the term of service agreed to by the individual, the Corporation may provide the individual with that portion of the national service educational award approved for the individual that corresponds to the quantity of the term of service actually completed by the individual.

"SEC. 148. DISBURSEMENT OF NATIONAL SERVICE EDUCATIONAL AWARDS.

"(a) IN GENERAL.—Amounts in the Trust shall be available—

"(1) to repay student loans in accordance with subsection (b);

"(2) to pay all or part of the cost of attendance at an institution of higher education in accordance with subsection (c);

"(3) to pay expenses incurred in participating in an approved school-to-work program in accordance with subsection (d); and

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

"(b) USE OF EDUCATIONAL AWARD TO REPAY OUTSTANDING STUDENT LOANS.—

"(1) APPLICATION BY ELIGIBLE INDIVIDUALS.—An eligible individual under section 146 who desires to apply the national service educational award of the individual to the repayment of qualified student loans shall submit, in a manner prescribed by the Corporation, an application to the Corporation that—

"(A) identifies, or permits the Corporation to identify readily, the holder or holders of such loans;

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

"(C) specifies the qualified student loan to which the individual desires to apply the national service educational award, in any case in which the total of the amounts described in subparagraph (B) is greater than the amount of the national service educational award to which the individual is entitled; and

"(D) contains or is accompanied by such other information as the Corporation may require.

"(2) DISBURSEMENT OF REPAYMENTS.—Upon receipt of an application from an eligible individual of an application that complies with paragraph (1), the Corporation shall, as promptly as practicable consistent with paragraph (5), disburse the amount of the national service educational award to which the eligible individual is entitled. Such disbursement shall be made by check or other means that is payable to the holder of the loan and requires the endorsement or other certification by the eligible individual.

"(3) APPLICATION OF DISBURSED AMOUNTS.—If the amount disbursed under paragraph (2) is less

than the principal and accrued interest on any qualified student loan, such amount shall first be applied to the repayment of principal. In a case described in paragraph (1)(C), such amount shall be applied to the loan described in paragraph (1)(C).

"(4) REPORTS BY HOLDERS.—Any holder receiving a loan payment pursuant to this subsection shall submit to the Corporation such information as the Corporation may require to verify that such payment was applied in accordance with this subsection and any regulations prescribed to carry out this subsection.

"(5) AUTHORITY TO AGGREGATE PAYMENTS.—The Corporation may, by regulation, provide for the aggregation of payments to holders under this subsection.

"(6) NOTIFICATION.—On disbursing a national service educational award to which an individual is entitled under paragraph (2) and applying the award to a loan, the Corporation shall notify the individual of the amount disbursed for each such loan and the date of the disbursal.

"(7) DEFINITIONS.—As used in this subsection:

"(A) QUALIFIED STUDENT LOAN.—The term 'qualified student loan' means—

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

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

"(B) HOLDER.—The term 'holder' with respect to any eligible loan means the original lender or, if the loan is subsequently sold, transferred, or assigned to some other person, and such other person acquires a legally enforceable right to receive payments from the borrower, such other person.

"(c) USE OF EDUCATIONAL AWARDS TO PAY CURRENT EDUCATIONAL EXPENSES.—

"(1) APPLICATION BY ELIGIBLE INDIVIDUAL.—An eligible individual under section 146 who desires to apply the national service educational award of the individual to the payment of full-time or part-time educational expenses, that have been incurred by the individual prior to the service of the individual under subtitle C, shall, on a form prescribed by the Corpora-

tion, submit an application to the institution of higher education in which the student will be enrolled that contains such information as the Corporation may require to verify the individual's eligibility.

"(2) SUBMISSION OF REQUESTS FOR PAYMENT BY INSTITUTIONS.—An institution of higher education that receives one or more applications that comply with paragraph (1) shall submit to the Corporation a statement, in a manner prescribed by the Corporation, that—

"(A) identifies each eligible individual filing an application under paragraph (1) for a disbursement of the individual's national service educational award under this subsection;

"(B) specifies the amounts for which such eligible individuals are, consistent with paragraph (6), qualified for disbursement under this subsection;

"(C) certifies that—

"(i) the institution of higher education has in effect a program participation agreement under section 487 of the Higher Education Act of 1965 (20 U.S.C. 1094); and

"(ii) the institution's eligibility to participate in any of the programs under title

IV of such Act (20 U.S.C. 1070 et seq.) has not been limited, suspended, or terminated; and

"(D) contains such provisions concerning financial compliance as the Corporation may require.

"(3) DISBURSEMENT OF PAYMENTS.—Upon receipt of a statement from an institution of higher education that complies with paragraph (2), the Corporation shall, subject to paragraph (4), disburse the total amount of the national service educational awards for which eligible individuals who have submitted applications to that institution under paragraph (1) are qualified. Such disbursement shall be made by check or other means that is payable to the institution and requires the endorsement or other certification by the eligible individual.

"(4) MULTIPLE DISBURSEMENTS REQUIRED.—The total amount required to be disbursed to an institution of higher education under paragraph (3) for any period of enrollment shall be disbursed by the Corporation in 2 or more installments, none of which exceeds ½ of such total amount. The interval between the first and second such installment shall not be less than ½ of such period of enrollment, except as nec-

essary to permit the second installment to be paid at the beginning of the second semester, quarter, or similar division of such period of enrollment.

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

"(6) MAXIMUM AWARD.—The portion of an eligible individual's total available national service educational award that may be disbursed under this subsection for any period of enrollment shall not exceed the difference between—

"(A) the eligible individual's cost of attendance for such period of enrollment, determined in

accordance with section 472 of the Higher Education Act of 1965 (20 U.S.C. 1087ll); and

"(B) the sum of—

"(i) the student's estimated financial assistance for such period under part A of title IV of such Act (20 U.S.C. 1070 et seq.); and

"(ii) the student's veterans' education benefits, determined in accordance with section 480(c) of such Act (20 U.S.C. 1087vv(c)).

"(d) USE OF EDUCATIONAL AWARD TO PARTICIPATE IN APPROVED SCHOOL-TO-WORK PROGRAMS.—The Corporation shall by regulation provide for the payment of national service educational awards to permit eligible individuals to participate in school-to-work programs approved by the Secretaries of Labor and Education.

"(e) INTEREST PAYMENTS DURING FORBEARANCE ON LOAN REPAYMENT.—The Corporation may provide by regulation for the payment on behalf of an eligible individual of interest that accrues during a period for which such individual has obtained forbearance in the repayment of a qualified student loan (as defined in subsection (b)(7)), if the eligible individual successfully completes the required term of service (as determined under section 146(b)) of the

individual. Such regulations shall be prescribed after consultation with the Secretary of Education.

"(f) EXCEPTION.—

"(1) OPTION.—With the approval of the President, a national service program that receives assistance under section 121 may offer to each participant in the program the option of—

"(A) waiving the right of the participant to receive a national service education award; and

"(B) receiving an alternative post-service benefit.

"(2) SOURCES OF FUNDING.—In providing for the alternative post-service benefit, the program may not use funds made available under this Act or any other Federal law.

"(g) DEFINITION OF INSTITUTION OF HIGHER EDUCATION.—Notwithstanding section 101 of this Act, for purposes of this section the term 'institution of higher education' has the meaning provided by section 481(a) of the Higher Education Act of 1965 (20 U.S.C. 1088(a)).".

(b) TABLE OF CONTENTS.—Section 1(b) of the National and Community Service Act of 1990 (Public Law 101–610; 104 Stat. 3127) is amended by striking the items relating to subtitle D of title I of such Act and inserting 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.''.

(c) CONFORMING AMENDMENTS.—

(1) ELIGIBILITY FOR SUBSIDIZED STAFFORD LOANS.—Section 428(a)(2)(C)(i) of the Higher Education Act of 1965 (20 U.S.C. 1078(a)(2)(C)(i)) is amended by inserting ''any national service educational award such student will receive under subtitle D of title I of the National and Community Service Act of 1990 (42 U.S.C. 12751 et seq.),'' after ''parts C and E of this title,''.

(2) FORBEARANCE IN THE COLLECTION OF STAFFORD LOANS.—Section 428 of the Higher Education Act of 1965 is amended—

(A) in subsection (b)(1)—

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

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

''(W)(i) provides that, upon written request, a lender shall grant a borrower forbearance on such terms as are otherwise consistent with the

regulations of the Secretary, during periods in which the borrower is serving in a national service position, for which the borrower receives a national service educational award under the National and Community Service Trust Act of 1993;

''(ii) provides that clauses (iii) and (iv) of subparagraph (V) shall also apply to a forbearance granted under this subparagraph; and

''(iii) provides that interest shall continue to accrue on a loan for which a borrower receives forbearance under this subparagraph and shall be capitalized or paid by the borrower;''; and

(B) in subsection (c)(3)(A), by striking ''subsection (b)(1)(V)'' and inserting ''subparagraphs (V) and (W) of subsection (b)(1)''.

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

(A) in subsection (b)(1), is amended by striking ''October 1, 1992'' and inserting ''October 1, 1989''; and

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

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

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

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

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

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

SEC. 103. SCHOOL-BASED AND COMMUNITY-BASED SERVICE-LEARNING PROGRAMS.

(a) AMENDMENTS TO SERVE-AMERICA PROGRAMS.—

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

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

(B) educate teachers, and faculty providing teacher training and retraining, about service-learning, and incorporate service-learning opportunities into classroom teaching to strengthen academic learning;

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

(D) work with employers in the communities to ensure that projects introduce the stu-

dents to various careers and expose the students to needed further education and training.

(2) PROGRAMS.—Subtitle B of title I of the National and Community Service Act of 1990 (42 U.S.C. 12501 et seq.) is amended by striking the subtitle heading and all that follows through the end of part I and inserting 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.

"(a) USE OF FUNDS.—The Corporation, in consultation with the Secretary of Education, may make grants under section 112(b)(1), and allotments under subsections (a) and (b)(2) of section 112, to States (through State educational agencies), and to Indian tribes, to pay for the Federal share of—

"(1) planning and building the capacity of the States or Indian tribes (which may be accomplished through grants or contracts with qualified organizations) to implement school-based service-learning programs, including—

"(A) providing training for teachers, supervisors, personnel from community-based agencies (particularly with regard to the utilization of participants), and trainers, to be conducted by qualified individuals or organizations that have experience with service-learning;

"(B) developing service-learning curricula to be integrated into academic programs, including the age-appropriate learning component described in section 114(d)(5)(B);

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

"(D) devising appropriate methods for research and evaluation of the educational value of service-learning and the effect of service-learning activities on communities; and

"(E) establishing effective outreach and dissemination of information to ensure the broadest possible involvement of community-based agencies with demonstrated effectiveness in working with school-age youth in their communities;

"(2) implementing, operating, or expanding school-based service-learning programs, which may

include paying for the cost of the recruitment, training, supervision, placement, salaries, and benefits of service-learning coordinators, through State distribution of Federal funds made available under this subpart to projects operated by local partnerships among—

"(A) local educational agencies; and

"(B) one or more community partners that—

"(i) shall include a public or private not-for-profit organization that—

"(I) has demonstrated expertise in the provision of services to meet human, educational, environmental, or public safety needs;

"(II) was in existence 1 year before the date on which the organization submitted an application under section 114; and

"(III) will make projects available for participants, who shall be students; and

"(ii) may include a private for-profit business or private elementary or secondary school;

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

"(A) the salaries and benefits of service-learning coordinators; or

"(B) the recruitment, training, supervision, and placement of service-learning coordinators who are participants in a program under subtitle C or receive a national service educational award under subtitle D,

who will identify the community partners described in paragraph (2)(B) and assist in the design and implementation of a program described in paragraph (2); and

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

"(A) local educational agencies; and

"(B) one or more—

"(i) public or private not-for-profit organizations;

"(ii) other educational agencies; or

"(iii) private for-profit businesses,

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

"(b) DUTIES OF SERVICE-LEARNING COORDINATOR.—A service-learning coordinator referred to in paragraph (2) or (3) of subsection (a) shall provide services to a local educational agency by—

"(1) expanding the awareness of teachers of the potential of service-learning in strengthening the educational achievement, leadership development, and substantive learning, of students;

"(2) providing technical assistance and information to, and facilitating the training of, teachers who want to use service-learning in their classrooms;

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

"(4) recruiting and supervising adult volunteers, or individuals who are participants in a program under subtitle C or receive a national service educational award under subtitle D, to expand service-learning opportunities; and

"(5) coordinating the activities of the service-learning coordinator with the activities of the committee described in section 114(d)(1), and, where appropriate, assisting the committee.

"(c) RELATED EXPENSES.—A partnership, local educational agency, or other qualified organization that receives financial assistance under this subpart may, in carrying out the activities described in subsection (a), use such assistance to pay for the Federal share of reasonable costs related to the supervision of participants, program administration, transportation, insurance, evaluations, and for other reasonable expenses related to the activities.

"SEC. 111A. AUTHORITY TO ASSIST LOCAL APPLICANTS IN NONPARTICIPATING STATES.

"In any fiscal year in which a State does not submit an application under section 113, for an allotment under subsection (a) or (b)(2) of section 112, that meets the requirements of section 113 and such other requirements as the President may determine to be appropriate, the Corporation may use the allotment of that State to make direct grants to pay for the Federal share of the cost of—

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

"(2) carrying out the activities described in paragraph (3) of such section, to an agency described in such paragraph,

that is located in the State.

"SEC. 111B. AUTHORITY TO ASSIST PUBLIC OR PRIVATE NOT-FOR-PROFIT ORGANIZATIONS.

"(a) IN GENERAL.—The Corporation may make a grant under section 112(b)(1) to a public or private not-for-profit organization that—

"(1) has experience with service-learning;

"(2) was in existence 1 year before the date on which the organization submitted an application under section 114(a); and

"(3) meets such other criteria as the President may establish.

"(b) USE OF FUNDS.—Such an organization may use a grant made under subsection (a) to make grants to partnerships described in paragraph (2) or (4) of section 111(a) to implement, operate, or expand school-based service-learning programs as described in such section and provide technical assistance and training to appropriate persons.

"SEC. 112. GRANTS AND ALLOTMENTS.

"(a) INDIAN TRIBES AND TERRITORIES.—Of the amounts appropriated to carry out this subpart for any fiscal year, the Corporation shall reserve an amount of not

more than 1 percent for payments to Indian tribes, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, to be allotted in accordance with their respective needs. The Corporation may also make payments from such amount to Palau, in accordance with its needs, until such time as the Compact of Free Association with Palau is ratified.

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

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

"(A) States and Indian tribes; or

"(B) as described in section 111B, to grantmaking entities.

"(2) ALLOTMENTS.—

"(A) SCHOOL-AGE YOUTH.—Except as provided in paragraph (3), from 37.5 percent of such funds, the Corporation shall allot to each State an amount that bears the same ratio to 37.5 percent of such funds as the number of school-age youth in the State bears to the total number of school-age youth of all States.

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

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

"(4) DEFINITION.—Notwithstanding section 101(27), for purposes of this subsection, the term 'State' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, and an Indian tribe.

"(c) REALLOTMENT.—If the Corporation determines that the allotment of a State or Indian tribe under this section will not be required for a fiscal year because the State or Indian tribe does not submit an application for the allotment under section 113 that meets the requirements of such section and such other requirements as the President may determine to be appropriate, the Corporation shall, after making any grants under section 111A to a partnership or agency described in such section, make any remainder of such allotment available for reallotment to such other States, and Indian tribes, with approved applications submitted under section 113, as the Corporation may determine to be appropriate.

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

"SEC. 113. STATE OR TRIBAL APPLICATIONS.

"(a) SUBMISSION.—To be eligible to receive a grant under section 112(b)(1), an allotment under subsection (a) or (b)(2) of section 112, a reallotment under section 112(c), or a grant under section 112(d), a State, acting through the State educational agency, or an Indian tribe, shall pre-

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

"(b) CONTENTS.—An application that is submitted under subsection (a) with respect to service-learning programs described in section 111 shall include—

"(1) a 3-year strategic plan, or a revision of a previously approved 3-year strategic plan, for promoting service-learning through the programs, which plan shall contain such information as the President may reasonably require, such as—

"(A) a description of the goals to be attained in promoting service-learning through such programs;

"(B) a description of the resources and organization needed to achieve the goals of such programs within elementary schools and secondary schools; and

"(C) a description of the manner in which—

"(i) such programs and the activities to be carried out under such programs relate to the goals described in subparagraph (A);

"(ii) the applicant will evaluate the success of the programs and the extent of community involvement in the programs, and measure the extent to which the programs meet the goals described in subparagraph (A);

"(iii) in reviewing applications that are submitted under section 114(c), the applicant will rank the applications according to the criteria described in section 115(b), will consider the factors described in section 115(a), and will review the applications in a manner that ensures the equitable treatment of all such applications;

"(iv) the programs will be coordinated with—

"(I) the education reform efforts of the applicant;

"(II) other efforts to meet the National Education Goals;

"(III) other service activities in the State or serving the Indian tribe; and

"(IV) other education programs, training programs, social service pro-

grams, and appropriate programs that serve school-age youth, that are authorized under Federal law;

"(v) the applicant will disseminate information, conduct outreach, and take other measures, to encourage cooperative efforts among the local educational agencies, local government agencies, community-based agencies, State agencies, and private for-profit businesses that will carry out the service-learning programs proposed by the applicant, to develop and provide projects, including those that involve the participation of urban, suburban, and rural students working together;

"(vi) the applicant will promote appropriate projects in such programs for economically disadvantaged students, students with limited basic skills, students in foster care who are becoming too old for foster care, students of limited-English proficiency, homeless students, and students who are individuals with disabilities;

"(vii) service-learning training and technical assistance will be provided through the programs—

"(I) to State and local educational agency personnel, federally assisted education specialists in the State or serving the Indian tribe, and local recipients of grants under this subpart, to raise the awareness of service-learning among such personnel, specialists, and recipients; and

"(II) by qualified and experienced individuals employed by the State or Indian tribe or through grants or contracts with such individuals;

"(viii) a service-learning network will be established for the State or Indian tribe, comprised of expert teachers and administrators who have carried out successful service-learning activities within the State or serving the Indian tribe; and

"(ix) the applicant will use payments from sources described in section 116(a)(2)(B) to expand projects for students

through the programs proposed by the applicant;

"(2) assurances that—

"(A) the applicant will keep such records and provide such information to the Corporation with respect to the programs as may be required for fiscal audits and program evaluation; and

"(B) the applicant will comply with the nonduplication and nondisplacement requirements of section 177 and the grievance procedure requirements of section 176(f); and

"(3) such additional information as the President may reasonably require.

"SEC. 114. LOCAL APPLICATIONS.

"(a) APPLICATION TO CORPORATION TO MAKE GRANTS FOR SCHOOL-BASED SERVICE-LEARNING PROGRAMS.—

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

"(2) SUBMISSION.—Such application shall be submitted at such time and in such manner, and

shall contain such information, as the President may reasonably require.

"(b) DIRECT APPLICATION TO CORPORATION TO CARRY OUT SCHOOL-BASED SERVICE-LEARNING PROGRAMS IN NONPARTICIPATING STATES.—To be eligible to receive a grant from the Corporation in the circumstances described in section 111A to carry out an activity described in such section, a partnership or agency described in such section shall prepare, submit to the Corporation, and obtain approval of, an application. Such application shall be submitted at such time and in such manner, and shall contain such information, as the President may reasonably require.

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

"(1) IN GENERAL.—Any—

"(A) qualified organization that desires to receive financial assistance under this subpart from a State or Indian tribe for an activity described in section 111(a)(1);

"(B) partnership described in section 111(a)(2) that desires to receive such assistance from a State, Indian tribe, or grantmaking entity for an activity described in section 111(a)(2);

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

"(D) partnership described in section 111(a)(4) that desires to receive such assistance from a State or Indian tribe for an activity described in such section,

to be carried out through a service-learning program described in section 111, shall prepare, submit to the State educational agency, Indian tribe, or grantmaking entity, and obtain approval of, an application for the program.

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

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

"(1) information specifying the membership and role of an established advisory committee, consisting of representatives of community-based agencies including service recipients, students, parents, teachers,

administrators, representatives of agencies that serve school-age youth or older adults, school board members, representatives of local labor organizations, and representatives of business, that will provide advice with respect to the program;

"(2) a description of—

"(A) the goals of the program which shall include goals that are quantifiable and demonstrate any benefits from the program to participants and the community;

"(B) service-learning projects to be provided under the program, and evidence that participants will make a sustained commitment to service in the projects;

"(C) the manner in which participants in the program were or will be involved in the design and operation of the program;

"(D) training for supervisors, teachers, service sponsors, and participants in the program;

"(E) the manner in which exemplary service will be recognized under the program; and

"(F) any resources that will permit continuation of the program, if needed, after the assistance received under this subpart for the program has ended;

"(3) information that shall include—

"(A) a disclosure of whether or not the participants will receive academic credit for participation in the program;

"(B) the expected number of participants in the program and the hours of service that such participants will provide individually and as a group;

"(C) the proportion of expected participants in the program who are economically disadvantaged, including participants who are individuals with disabilities; and

"(D) any role of adult volunteers in implementing the program, and the manner in which such volunteers will be recruited;

"(4) in the case of an application submitted by a local partnership, a written agreement, between the members of the local partnership, stating that the program was jointly developed by the members and that the program will be jointly executed by the members;

"(5) assurances that—

"(A) prior to the placement of a participant, the entity carrying out the program will consult with any local labor organization representing employees in the area who are engaged

in the same or similar work as that proposed to be carried out by such program, to prevent the displacement and protect the rights of such employees;

"(B) the entity carrying out the program will develop an age-appropriate learning component for participants in the program that shall include a chance for participants to analyze and apply their service experiences; and

"(C) the entity carrying out the program will comply with the nonduplication and nondisplacement requirements of section 177 and the grievance procedure requirements of section 176(f); and

"(6) in the case of an application submitted by a grantmaking entity, information demonstrating that the entity will make grants for a program to—

"(A) carry out activities described in section 111B(b) in two or more States, under circumstances in which the activities carried out under such program can be carried out more efficiently through one program than through two or more programs; and

"(B) carry out the same activities, such as training activities or activities related to ex-

changing information on service experiences, through each of the projects assisted through the program.

"(e) LIMITATION ON SAME PROJECT IN MULTIPLE APPLICATIONS.—No applicant shall submit an application under section 113 or this section, and the Corporation shall reject an application that is submitted under section 113 or this section, if the application describes a project proposed to be conducted using assistance requested by the applicant and the project is already described in another application pending before the Corporation.

"SEC. 115. CONSIDERATION OF APPLICATIONS.

"(a) CRITERIA FOR APPLICATIONS.—In approving applications for financial assistance under subsection (a), (b), (c), or (d) of section 112, the Corporation shall consider such criteria with respect to sustainability, replicability, innovation, and quality of programs under this subpart as the President may by regulation specify. In providing assistance under this subpart, a State educational agency, Indian tribe, or grantmaking entity shall consider such criteria.

"(b) PRIORITY FOR LOCAL APPLICATIONS.—

"(1) IN GENERAL.—In providing assistance under this subpart, a State educational agency or Indian tribe, or the Corporation if section 111A or

111B applies, shall give priority to entities that submit applications under section 114 with respect to service-learning programs described in section 111 that—

"(A) involve participants in the design and operation of the program;

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

"(C) involve—

"(i) students from public elementary or secondary schools, and students from private elementary or secondary schools, serving together; or

"(ii) students of different ages, races, sexes, ethnic groups, disabilities, or economic backgrounds, serving together; or

"(D) are integrated into the academic program of the participants.

"(c) REJECTION OF APPLICATIONS.—If the Corporation rejects an application submitted by a State under section 113 for an allotment under subsection (b)(2) of section 112, the Corporation shall promptly notify the State of the reasons for the rejection of the application. The Corporation shall provide the State with a reasonable opportunity to revise and resubmit the application and shall provide tech-

nical assistance, if needed, to the State as part of the resubmission process. The Corporation shall promptly reconsider such resubmitted application.

"SEC. 115A. PARTICIPATION OF STUDENTS AND TEACHERS FROM PRIVATE SCHOOLS.

"(a) IN GENERAL.—To the extent consistent with the number of students in the State or Indian tribe or in the school district of the local educational agency involved who are enrolled in private not-for-profit elementary and secondary schools, such State, Indian tribe, or agency shall (after consultation with appropriate private school representatives) make provision—

"(1) for the inclusion of services and arrangements for the benefit of such students so as to allow for the equitable participation of such students in the programs implemented to carry out the objectives and provide the benefits described in this subpart; and

"(2) for the training of the teachers of such students so as to allow for the equitable participation of such teachers in the programs implemented to carry out the objectives and provide the benefits described in this subpart.

"(b) WAIVER.—If a State, Indian tribe, or local educational agency is prohibited by law from providing for the participation of students or teachers from private not-for-

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

"SEC. 116. FEDERAL, STATE, AND LOCAL CONTRIBUTIONS.

"(a) SHARE.—

"(1) IN GENERAL.—The Federal share attributable to this subpart of the cost of carrying out a program for which a grant or allotment is made under this subpart may not exceed—

"(A) 90 percent of the total cost of the program for the first year for which the program receives assistance under this subpart;

"(B) 80 percent of the total cost of the program for the second year for which the program receives assistance under this subpart;

"(C) 70 percent of the total cost of the program for the third year for which the program receives assistance under this subpart; and

"(D) 50 percent of the total cost of the program for the fourth year, and for any subsequent year, for which the program receives assistance under this subpart.

"(2) CALCULATION.—In providing for the remaining share of the cost of carrying out such a program, each recipient of assistance under this subpart—

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

"(B) may provide for such share through State sources, local sources, or Federal sources (other than funds made available under the national service laws).

"(b) WAIVER.—The President may waive the requirements of subsection (a) in whole or in part with respect to any such program in any fiscal year if the Corporation determines that such a waiver would be equitable due to a lack of available financial resources at the local level.

"SEC. 116A. LIMITATIONS ON USES OF FUNDS.

"(a) ADMINISTRATIVE COSTS.—

"(1) LIMITATION.—Not more than 5 percent of the amount of assistance provided to a State educational agency, Indian tribe, or grantmaking entity

that is the original recipient of a grant or allotment under subsection (a), (b), (c), or (d) of section 112 for a fiscal year may be used to pay for administrative costs incurred by—

"(A) the original recipient; or

"(B) the entity carrying out the service-learning programs supported with the assistance.

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

"(A) such assistance may be used to cover administrative costs; and

"(B) that portion of the assistance available to cover administrative costs should be distributed between—

"(i) the original recipient; and

"(ii) the entity carrying out the service-learning programs supported with the assistance.

"(b) CAPACITY-BUILDING ACTIVITIES.—

"(1) IN GENERAL.—Except as provided in paragraph (2), not less than 10 percent and not more than 15 percent of the amount of assistance provided to a State educational agency or Indian tribe that is the original recipient of a grant or allotment under subsection (a), (b), (c), or (d) of section 112 for a fiscal

year may be used to build capacity through training, technical assistance, curriculum development, and coordination activities, described in section 111(a)(1).

"(2) WAIVER.—The President may waive the requirements of paragraph (1) in order to permit an agency or a tribe to use not less than 10 percent and not more than 25 percent of such amount to build capacity as provided in paragraph (1). To be eligible to receive such a waiver such an agency or tribe shall submit an application to the President at such time, in such manner, and containing such information as the President may require.

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

"SEC. 116B. DEFINITIONS.

"As used in this subpart:

"(1) GRANTMAKING ENTITY.—The term 'grantmaking entity' means an organization described in section 111B(a).

"(2) SCHOOL-BASED.—The term 'school-based' means based in an elementary school or a secondary school.

"(3) STUDENT.—Notwithstanding section 101(30), the term 'student' means an individual who is enrolled in an elementary or secondary school on a full- or part-time basis.

"Subpart B—Community-Based Service Programs for School-Age Youth

"SEC. 117. DEFINITIONS.

"As used in this subpart:

"(1) COMMUNITY-BASED SERVICE PROGRAM.—The term 'community-based service program' means a program described in section 117A(b)(1)(A).

"(2) GRANTMAKING ENTITY.—The term 'grantmaking entity' means a qualified organization that—

"(A) submits an application under section 117C(a) to make grants to qualified organizations;

"(B) was in existence 1 year before the date on which the organization submitted the application;

"(C) has experience with service-learning; and

"(D) meets such other criteria as the President shall establish.

"(3) QUALIFIED ORGANIZATION.—The term 'qualified organization' means a public or private not-for-profit organization with experience working with school-age youth that meets such criteria as the President may establish.

"SEC. 117A. GENERAL AUTHORITY.

"(a) GRANTS.—From the funds appropriated to carry out this subpart for a fiscal year, the Corporation may make grants to State Commissions, grantmaking entities, and qualified organizations to pay for the Federal share of the implementation, operation, expansion, or replication of community-based service programs.

"(b) USE OF FUNDS.—

"(1) STATE COMMISSIONS AND GRANTMAKING ENTITIES.—A State Commission or grantmaking entity may use a grant made under subsection (a)—

"(A) to make a grant to a qualified organization to implement, operate, expand, or replicate a community-based service program that provides for meaningful human, educational, environmental, or public safety service by participants, who shall be school-age youth; or

"(B) to provide training and technical assistance to such an organization.

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

"SEC. 117B. STATE APPLICATIONS.

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

"(b) SUBMISSION.—Such application shall be submitted to the Corporation at such time and in such manner, and shall contain such information, as the President may reasonably require.

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

"SEC. 117C. LOCAL APPLICATIONS.

"(a) APPLICATION TO CORPORATION TO MAKE GRANTS FOR COMMUNITY-BASED SERVICE PROGRAMS.—To be eligi-

ble to receive a grant from the Corporation under section 117A(a) to make grants under section 117A(b)(1), a grantmaking entity shall prepare, submit to the Corporation, and obtain approval of, an application that proposes a community-based service program to be carried out through grants made to qualified organizations. Such application shall be submitted at such time and in such manner, and shall contain such information, as the President may reasonably require.

"(b) DIRECT APPLICATION TO CORPORATION TO CARRY OUT COMMUNITY-BASED SERVICE PROGRAMS.—To be eligible to receive a grant from the Corporation under section 117A(a) to implement, operate, expand, or replicate a community service program, a qualified organization shall prepare, submit to the Corporation, and obtain approval of, an application that proposes a community-based service program to be carried out at multiple sites, or that proposes a model or an innovative community-based service program. Such application shall be submitted at such time and in such manner, and shall contain such information, as the President may reasonably require.

"(c) APPLICATION TO STATE COMMISSION OR GRANTMAKING ENTITY TO RECEIVE GRANTS TO CARRY OUT COMMUNITY-BASED SERVICE PROGRAMS.—To be eligible to receive a grant from a State Commission or

grantmaking entity under section 117A(b)(1), a qualified organization shall prepare, submit to the Commission or entity, and obtain approval of, an application. Such application shall be submitted at such time and in such manner, and shall contain such information, as the Commission or entity may reasonably require.

"(d) REQUIREMENTS OF APPLICATION.—An application submitted under subsection (a), (b), or (c) shall, at a minimum, contain—

"(1) a description of any community-based service program proposed to be implemented, operated, expanded, or replicated directly by the applicant using assistance provided under this subpart;

"(2) a description of any grant program proposed to be conducted by the applicant with assistance provided under this subpart to support a community-based service program;

"(3) a proposal for carrying out the community-based service program that describes the manner in which the entity carrying out the program will—

"(A) provide preservice and inservice training, for supervisors and participants, that will be conducted by qualified individuals, or qualified organizations, that have experience in community-based service programs;

"(B) include economically disadvantaged individuals as participants in the program proposed by the applicant;

"(C) provide an age-appropriate service-learning component described in section 114(d)(5)(B);

"(D) conduct an appropriate evaluation of the program;

"(E) provide for appropriate community involvement in the program;

"(F) provide service experiences that promote leadership abilities among participants in the program, including experiences that involve such participants in program design;

"(G) involve participants in projects approved by community-based agencies;

"(H) establish and measure progress toward the goals of the program; and

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

"(4) an assurance that the entity carrying out the program proposed by the applicant will comply

with the nonduplication and nondisplacement provisions of section 177 and the grievance procedure requirements of section 176(f);

"(5) an assurance that the entity carrying out the program will, prior to placing a participant in the program, consult with any local labor organization representing employees in the area in which the program will be carried out that are engaged in the same or similar work as the work proposed to be carried out by the program, to prevent the displacement of such employees; and

"(6) in the case of an application submitted by a grantmaking entity, information demonstrating that the entity will make grants for a program to—

"(A) carry out activities described in section 117A(b)(1) in two or more States, under circumstances in which the activities carried out under such program can be carried out more efficiently through one program than through two or more programs; and

"(B) carry out the same activities, such as training activities or activities related to exchanging information on service experiences, through each of the projects assisted through the program.

"(e) LIMITATION ON SAME PROJECT IN MULTIPLE APPLICATIONS.—No applicant shall submit an application under section 117B or this section, and the Corporation shall reject an application that is submitted under section 117B or this section, if the application describes a project proposed to be conducted using assistance requested by the applicant and the project is already described in another application pending before the Corporation.

"SEC. 117D. CONSIDERATION OF APPLICATIONS.

"(a) APPLICATION OF CRITERIA.—The Corporation shall apply the criteria described in subsection (b) in determining whether to approve an application submitted under section 117B or under subsection (a) or (b) of section 117C and to provide assistance under section 117A to the applicant on the basis of the application.

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

"(c) APPLICATION TO SUBGRANTS.—A State Commission or grantmaking entity shall apply the criteria described in subsection (b) in determining whether to approve an application under section 117C(c) and to make a grant under section 117A(b)(1) to the applicant on the basis of the application.

"SEC. 117E. FEDERAL, STATE, AND LOCAL CONTRIBUTIONS.

"(a) FEDERAL SHARE.—

"(1) IN GENERAL.—The Federal share attributable to this subpart of the cost of carrying out a program for which a grant is made under this subpart may not exceed the percentage specified in subparagraph (A), (B), (C), or (D) of section 116(a)(1), as appropriate.

"(2) CALCULATION.—Each recipient of assistance under this subpart shall comply with section 116(a)(2).

"(b) WAIVER.—The President may waive the requirements of subsection (a), in whole or in part, as provided in section 116(b).

"SEC. 117F. LIMITATIONS ON USES OF FUNDS.

"(a) ADMINISTRATIVE COSTS.—Not more than 5 percent of the amount of assistance provided to a State Commission, grantmaking entity, or qualified organization that is the original recipient of a grant under section 117A(a) for a fiscal year may be used to pay for administrative costs incurred by—

"(1) the original recipient; or

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

"(b) RULES ON USE.—The President may by rule prescribe the manner and extent to which—

"(1) such assistance may be used to cover administrative costs; and

"(2) that portion of the assistance available to cover administrative costs should be distributed between—

"(A) the original recipient; and

"(B) the entity carrying out the community-based service programs supported with the assistance.

"Subpart C—Clearinghouse

"SEC. 118. SERVICE-LEARNING CLEARINGHOUSE.

"(a) IN GENERAL.—The Corporation shall provide financial assistance, from funds appropriated to carry out subtitle H, to agencies described in subsection (b) to establish a clearinghouse, which shall carry out activities, either directly or by arrangement with another such entity, with respect to information about service-learning.

"(b) PUBLIC AND PRIVATE NOT-FOR-PROFIT AGENCIES.—Public and private not-for-profit agencies that have extensive experience with service-learning, including use of adult volunteers to foster service-learning, shall be eligible to receive assistance under subsection (a).

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

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

"(2) conduct research and evaluations concerning service-learning;

"(3)(A) provide leadership development and training to State and local service-learning program administrators, supervisors, service sponsors, and participants; and

"(B) provide training to persons who can provide the leadership development and training described in subparagraph (A);

"(4) facilitate communication among entities carrying out service-learning programs and participants in such programs;

"(5) provide information, curriculum materials, and technical assistance relating to planning and operation of service-learning programs, to States and local entities eligible to receive financial assistance under this title;

"(6)(A) gather and disseminate information on successful service-learning programs, components of such successful programs, innovative youth skills curricula related to service-learning, and service-learning projects; and

"(B) coordinate the activities of the Clearinghouse with appropriate entities to avoid duplication of effort;

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

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

"(9) carry out such other activities as the President determines to be appropriate.".

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

"PART II—HIGHER EDUCATION INNOVATIVE PROGRAMS FOR COMMUNITY SERVICE

"SEC. 119. HIGHER EDUCATION INNOVATIVE PROGRAMS FOR COMMUNITY SERVICE.

"(a) PURPOSE.—It is the purpose of this part to expand participation in community service by supporting innovative community service programs carried out through institutions of higher education, acting as civic institutions to meet the human, educational, environmental, or public safety needs of neighboring communities.

"(b) GENERAL AUTHORITY.—The Corporation, in consultation with the Secretary of Education, is authorized to make grants to, and enter into contracts with, institutions of higher education (including a combination of such institutions), and partnerships comprised of such institutions and of other public agencies or not-for-profit private organizations, to pay for the Federal share of the cost of—

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

"(A) engenders a sense of social responsibility and commitment to the community in which the institution is located; and

"(B) provides projects for participants, who shall be students, faculty, administration, or staff of the institution, or residents of the community;

"(2) supporting student-initiated and student-designed community service projects through the program;

"(3) strengthening the leadership and instructional capacity of teachers at the elementary, secondary, and post secondary levels, with respect to service-learning, by—

"(A) including service-learning as a key component of the preservice teacher education of the institution; and

"(B) encouraging the faculty of the institution to use service-learning methods throughout their curriculum;

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

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

"(6) strengthening the service infrastructure within institutions of higher education in the United States through the program; and

"(7) providing for the training of teachers, prospective teachers, related education personnel, and community leaders in the skills necessary to develop, supervise, and organize service-learning.

"(c) FEDERAL SHARE.—

"(1) SHARE.—

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

"(B) CALCULATION.—Each recipient of assistance under this part shall comply with section 116(a)(2).

"(2) WAIVER.—The President may waive the requirements of paragraph (1), in whole or in part, as provided in section 116(b).

"(d) APPLICATION FOR GRANT.—

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

"(2) CONTENTS.—An application submitted under paragraph (1) shall contain—

"(A) such information as the President may reasonably require, such as a description of—

"(i) the proposed program to be established with assistance provided under the grant or contract;

"(ii) the human, educational, environmental, or public safety service that participants will perform and the community need that will be addressed under such program;

"(iii) whether or not students will receive academic credit for community service projects under the program;

"(iv) the procedure for training supervisors and participants and for supervising and organizing participants in such program;

"(v) the procedures to ensure that the program provides an opportunity for participants to reflect on their service experiences and includes the age-appropriate learning component described in section 114(d)(5)(B);

"(vi) the roles played by students and community members, including service recipients, in the design and implementation of the program; and

"(vii) the budget for the program;

"(B) assurances that—

"(i) prior to the placement of a participant, the applicant will consult with any

local labor organization representing employees in the area who are engaged in the same or similar work as that proposed to be carried out by such program, to prevent the displacement and protect the rights of such employees; and

"(ii) the applicant will comply with the nonduplication and nondisplacement provisions of section 177 and the grievance procedure requirements of section 176(f); and

"(C) such other assurances as the President may reasonably require.

"(e) PRIORITY.—

"(1) IN GENERAL.—In making grants and entering into contracts under subsection (b), the Corporation shall give priority to applicants that submit applications containing proposals that—

"(A) demonstrate the commitment of the institution of higher education, other than by demonstrating the commitment of the students, to supporting the community service projects carried out under the program;

"(B) specify the manner in which the institution will promote faculty, administration, and

staff participation in the community service projects;

"(C) specify the manner in which the institution will provide service to the community through organized programs, including, where appropriate, clinical programs for students in professional schools;

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

"(i) the institution;

"(ii)(I) a community-based agency;

"(II) a local government agency; or

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

"(iii) a student organization;

"(E) demonstrate community involvement in the development of the proposal;

"(F) specify that the institution will use such assistance to strengthen the service infrastructure in institutions of higher education; or

"(G) with respect to projects involving delivery of service, specify projects that involve leadership development of school-age youth.

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

"(f) NATIONAL SERVICE EDUCATIONAL AWARD.—A participant in a program funded under this part shall be eligible for the national service educational award described in subtitle D, if the participant served in an approved national service position.

"(g) DEFINITION.—Notwithstanding section 101(30), as used in this part, the term 'student' means an individual who is enrolled in an institution of higher education on a full- or part-time basis.

"PART III—GENERAL PROVISIONS

"SEC. 120. AVAILABILITY OF APPROPRIATIONS.

"Of the aggregate amount appropriated to carry out this subtitle for each fiscal year—

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

"(A) 85 percent of such sum shall be available to carry out subpart A; and

"(B) 15 percent of such sum shall be available to carry out subpart B; and

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

(c) TABLE OF CONTENTS.—Section 1(b) of the National and Community Service Act of 1990 (Public Law 101–610; 104 Stat. 3127) is amended by striking the items relating to subtitle B of title I of such Act and inserting the following:

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

"PART I—SERVE-AMERICA PROGRAMS

"SUBPART A—SCHOOL-BASED PROGRAMS FOR STUDENTS

"Sec. 111. Authority to assist States and Indian tribes.
"Sec. 111A. Authority to assist local applicants in nonparticipating States.
"Sec. 111B. Authority to assist public or private not-for-profit organizations.
"Sec. 112. Grants and allotments.
"Sec. 113. State or tribal applications.
"Sec. 114. Local applications.
"Sec. 115. Consideration of applications.
"Sec. 115A. Participation of students and teachers from private schools.
"Sec. 116. Federal, State, and local contributions.
"Sec. 116A. Limitations on uses of funds.
"Sec. 116B. Definitions.

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

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

"SUBPART C—CLEARINGHOUSE

"Sec. 118. Service-learning clearinghouse.

"PART II—HIGHER EDUCATION INNOVATIVE PROGRAMS FOR COMMUNITY SERVICE

"Sec. 119. Higher education innovative programs for community service.

"PART III—GENERAL PROVISIONS

"Sec. 120. Availability of appropriations.".

SEC. 104. QUALITY AND INNOVATION ACTIVITIES.

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

(b) TRANSFER.—Title I of the National and Community Service Act of 1990 is amended—

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

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

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

(c) INVESTMENT FOR QUALITY AND INNOVATION.—Title I of the National and Community Service Act of 1990 (as amended by subsection (b) of this section) is amended by adding at the end the following new subtitle:

"Subtitle H—Investment for Quality and Innovation

"SEC. 198. ADDITIONAL CORPORATION ACTIVITIES TO SUPPORT NATIONAL SERVICE.

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

"(b) INNOVATION AND QUALITY IMPROVEMENT.—

"(1) ACTIVITIES.—The Corporation may undertake activities to improve the quality of national service programs and to support innovative and model programs, including—

"(A) programs, including programs for rural youth, under subtitle B or C;

"(B) employer-based retiree programs;

"(C) intergenerational programs;

"(D) programs involving individuals with disabilities as participants providing service; and

"(E) programs sponsored by Governors.

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

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

"(d) COMMUNITY-BASED AGENCIES.—The Corporation may provide training and technical assistance and other assistance to service sponsors and other community-

based agencies that provide volunteer placements in order to improve the ability of such agencies to use participants and other volunteers in a manner that results in high-quality service and a positive service experience for the participants and volunteers.

"(e) IMPROVE ABILITY TO APPLY FOR ASSISTANCE.—The Corporation shall provide training and technical assistance, where necessary, to individuals, programs, local labor organizations, State educational agencies, State Commissions, local educational agencies, local governments, community-based agencies, and other entities to enable them to apply for funding under one of the national service laws, to conduct high-quality programs, to evaluate such programs, and for other purposes.

"(f) NATIONAL SERVICE FELLOWSHIPS.—The Corporation may award national service fellowships.

"(g) CONFERENCES AND MATERIALS.—The Corporation may organize and hold conferences, and prepare and publish materials, to disseminate information and promote the sharing of information among programs for the purpose of improving the quality of programs and projects.

"(h) PEACE CORPS AND VISTA TRAINING.—The Corporation may provide training assistance to selected individuals who volunteer to serve in the Peace Corps or a program authorized under title I of the Domestic Volunteer

Service Act of 1973 (42 U.S.C. 4951 et seq.). The training shall be provided as part of the course of study of the individual at an institution of higher education, shall involve service-learning, and shall cover appropriate skills that the individual will use in the Peace Corps or VISTA.

"(i) PROMOTION AND RECRUITMENT.—The Corporation may conduct a campaign to solicit funds for the National Service Trust and other programs and activities authorized under the national service laws and to promote and recruit participants for programs that receive assistance under the national service laws.

"(j) TRAINING.—The Corporation may support national and regional participant and supervisor training, including leadership training and training in specific types of service and in building the ethic of civic responsibility.

"(k) RESEARCH.—The Corporation may support research on national service, including service-learning.

"(l) INTERGENERATIONAL SUPPORT.—The Corporation may assist programs in developing a service component that combines students, out-of-school youths, and older adults as participants to provide needed community services.

"(m) PLANNING COORDINATION.—The Corporation may coordinate community-wide planning among programs and projects.

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

"(o) NATIONAL PROGRAM IDENTITY.—The Corporation may support the development and dissemination of materials, including training materials, and arrange for uniforms and insignia, designed to promote unity and shared features among programs that receive assistance under the national service laws.

"(p) SERVICE-LEARNING.—The Corporation shall support innovative programs and activities that promote service-learning.

"(q) NATIONAL YOUTH SERVICE DAY.—

"(1) DESIGNATION.—April 19, 1994, and April 18, 1995 are each designated as 'National Youth Service Day'. The President of the United States is authorized and directed to issue a proclamation calling on the people of the United States to observe the day with appropriate ceremonies and activities.

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

"(3) ACTIVITIES.—The Corporation may make grants to not-for-profit organizations with dem-

onstrated ability to carry out appropriate activities, in order to support such activities on National Youth Service Day.

"SEC. 198A. CLEARINGHOUSES.

"(a) ASSISTANCE.—The Corporation shall provide assistance to appropriate entities to establish one or more clearinghouses, including the clearinghouse described in section 118.

"(b) APPLICATION.—To be eligible to receive assistance under subsection (a), an entity shall submit an application to the Corporation at such time, in such manner, and containing such information as the Corporation may require.

"(c) FUNCTION OF CLEARINGHOUSES.—An entity that receives assistance under subsection (a) may—

"(1) assist entities carrying out State or local community service programs with needs assessments and planning;

"(2) conduct research and evaluations concerning community service;

"(3)(A) provide leadership development and training to State and local community service program administrators, supervisors, and participants; and

"(B) provide training to persons who can provide the leadership development and training described in subparagraph (A);

"(4) facilitate communication among entities carrying out community service programs and participants;

"(5) provide information, curriculum materials, technical assistance relating to planning and operation of community service programs, to States and local entities eligible to receive funds under this title;

"(6)(A) gather and disseminate information on successful community service programs, components of such successful programs, innovative youth skills curriculum, and community service projects; and

"(B) coordinate the activities of the clearinghouse with appropriate entities to avoid duplication of effort;

"(7) make recommendations to State and local entities on quality controls to improve the delivery of community service programs and on changes in the programs under this title; and

"(8) carry out such other activities as the President determines to be appropriate.

"SEC. 198B. PRESIDENTIAL AWARDS FOR SERVICE.

"(a) PRESIDENTIAL AWARDS.—

"(1) IN GENERAL.—The President of the United States, acting through the Corporation, may make Presidential awards for service to individuals providing significant service, and to outstanding service programs.

"(2) INDIVIDUALS AND PROGRAMS.—Notwithstanding section 101(20)—

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

"(B) a program receiving an award under this subsection need not be a program authorized under this Act.

"(3) NATURE OF AWARD.—In making an award under this section to an individual or program, the President of the United States, acting through the Corporation—

"(A) is authorized to incur necessary expenses for the honorary recognition of the individual or program; and

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

"(b) INFORMATION.—The President of the United States, acting through the Corporation, shall ensure that

information concerning individuals and programs receiving awards under this section is widely disseminated.

"SEC. 198C. MILITARY INSTALLATION CONVERSION DEMONSTRATION PROGRAMS.

"(a) PURPOSES.—The purposes of this section are to—

"(1) provide meaningful training and paid employment to economically disadvantaged youth;

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

"(3) encourage communities affected by such closures or realignments to convert the installations to community use; and

"(4) foster a sense of community pride in the youth in the community.

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

"(1) AFFECTED MILITARY INSTALLATION.—The term 'affected military installation' means a military installation described in section 325(e)(1) of the Job Training Partnership Act (29 U.S.C. 1662d(e)(1)).

"(2) COMMUNITY.—The term 'community' includes a county.

"(3) CONVERT TO COMMUNITY USE.—The term 'convert to community use', used with respect to an affected military installation, includes—

"(A) conversion of the installation or a part of the installation to—

"(i) a park;

"(ii) a community center;

"(iii) a recreational facility; or

"(iv) a facility for a Head Start program under the Head Start Act (42 U.S.C. 9831 et seq.); and

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

"(i) the community in which the installation is located; or

"(ii) a community located within such distance of the installation as the President may determine by regulation to be appropriate.

"(4) DEMONSTRATION PROGRAM.—The term 'demonstration program' means a program described in subsection (c).

"(c) DEMONSTRATION PROGRAMS.—

"(1) GRANTS.—The Corporation may make grants to communities and community-based agencies to pay for the Federal share of establishing and car-

rying out military installation conversion demonstration programs, to assist in converting to community use affected military installations located—

"(A) within the community; or

"(B) within such distance from the community as the President may by regulation determine to be appropriate.

"(2) DURATION.—In carrying out such a demonstration program, the community or community-based agency may carry out—

"(A) a program of not less than 6 months in duration; or

"(B) a full-time summer program.

"(d) USE OF FUNDS.—

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

"(2) LIMITATION ON AMOUNT OF SALARY.—The amount of the salary provided to a participant under paragraph (1) that may be paid using assistance provided under this section and using any other Federal funds shall not exceed the lesser of—

"(A) 85 percent of the total average annual subsistence allowance provided to VISTA volunteers under section 105 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4955); and

"(B) 85 percent of the salary established by the demonstration program involved.

"(e) PARTICIPANTS.—

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

"(A) an economically disadvantaged individual; and

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

"(ii) a youth described in section 154(a); or

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

"(2) PARTICIPATION.—Persons desiring to participate in such a project shall enter into an agreement with the service sponsor of the project to participate—

"(A) on a full-time or a part-time basis; and

"(B) for the duration referred to in subsection (f)(2)(C).

"(f) APPLICATION.—

"(1) IN GENERAL.—To be eligible to receive a grant under subsection (c), a community or community-based agency shall submit an application to the President at such time, in such manner, and containing such information as the President may require.

"(2) CONTENTS.—At a minimum, such application shall contain—

"(A) a description of the demonstration program proposed to be conducted by the applicant;

"(B) a proposal for carrying out the program that describes the manner in which the applicant will—

"(i) provide preservice and inservice training, for supervisors and participants, that will be conducted by qualified individuals or qualified organizations;

"(ii) conduct an appropriate evaluation of the program; and

"(iii) provide for appropriate community involvement in the program;

"(C) information indicating the duration of the program; and

"(D) an assurance that the applicant will comply with the nonduplication and nondisplacement provisions of section 177 and the grievance procedure requirements of section 176(f).

"(g) LIMITATION ON GRANT.—In making a grant under subsection (c) with respect to a demonstration program to assist in converting an affected military installation, the Corporation shall not make a grant for more than 25 percent of the total cost of the conversion.".

(d) TABLE OF CONTENTS.—

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

"Subtitle E—Civilian Community Corps

"Sec. 151. Purpose.
"Sec. 152. Establishment of Civilian Community Corps Demonstration Program.
"Sec. 153. National service program.
"Sec. 154. Summer national service program.
"Sec. 155. Civilian Community Corps.
"Sec. 156. Training.
"Sec. 157. Service projects.
"Sec. 158. Authorized benefits for Corps personnel under Federal law.
"Sec. 159. Administrative provisions.
"Sec. 160. Status of Corps members and Corps personnel under Federal law.
"Sec. 161. Contract and grant authority.
"Sec. 162. Responsibilities of other departments.
"Sec. 163. Advisory board.
"Sec. 164. Annual evaluation.
"Sec. 165. Funding limitation.
"Sec. 166. Definitions.".

(2) QUALITY AND INNOVATION.—Section 1(b) of the National and Community Service Act of 1990 (Public Law 101–610; 104 Stat. 3127) is amended by striking the items relating to subtitle H of title 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. Military installation conversion demonstration programs.''.

(e) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1993.—

(A) Section 1091(f)(2) of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484) is amended by striking ''195G'' and inserting ''158''.

(B) Paragraphs (1) and (2) of section 1092(b), and sections 1092(c), 1093(a), and 1094(a) of such Act are amended by striking ''195A'' and inserting ''152''.

(C) Sections 1091(f)(2), 1092(b)(1), and 1094(a), and subsections (a) and (c) of section 1095 of such Act are amended by striking ''subtitle H'' and inserting ''subtitle E''.

(D) Section 1094(b)(1) and subsections (b) and (c)(1) of section 1095 of such Act are

amended by striking ''subtitles B, C, D, E, F, and G'' and inserting ''subtitles B, C, D, F, G, and H''.

(2) NATIONAL AND COMMUNITY SERVICE ACT OF 1990.—

(A) Section 153(a) of such Act (as redesignated in subsection (b)(3) of this section) (42 U.S.C. 12653b(a)) is amended by striking ''195A(a)'' and inserting ''152(a)''.

(B) Section 154(a) of such Act (as redesignated in subsection (b)(3) of this section) (42 U.S.C. 12653c(a)) is amended by striking ''195A(a)'' and inserting ''152(a)''.

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

(i) in subsection (a), by striking ''195H(c)(1)'' and inserting ''159(c)(1)'';

(ii) in subsection (c)(2), by striking ''195H(c)(2)'' and inserting ''159(c)(2)''; and

(iii) in subsection (d)(3), by striking ''195K(a)(3)'' and inserting ''162(a)(3)''.

(D) Section 156 of such Act (as redesignated in subsection (b)(3) of this section) (42 U.S.C. 12653e) is amended—

(i) in subsection (c)(1), by striking ''195H(c)(2)'' and inserting ''159(c)(2)''; and

(ii) in subsection (d), by striking ''195K(a)(3)'' and inserting ''162(a)(3)''.

(E) Section 159 of such Act (as redesignated in subsection (b)(3) of this section) (42 U.S.C. 12653h) is amended—

(i) in subsection (a)—

(I) by striking ''195A'' and inserting ''152''; and

(II) by striking ''195'' and inserting ''151''; and

(ii) in subsection (c)(2)(C)(i), by striking ''195K(a)(2)'' and inserting ''section 162(a)(2)''.

(F) Section 161(b)(1)(B) of such Act (as redesignated in subsection (b)(3) of this section) (42 U.S.C. 12653j(b)(1)(B)) is amended by striking ''195K(a)(3)'' and inserting ''162(a)(3)''.

(G) Section 162(a)(2)(A) of such Act (as redesignated in subsection (b)(3) of this section)

(42 U.S.C. 12653k(a)(2)(A)) is amended by striking ''195(3)'' and inserting ''151(3)''.

(H) Section 166 of such Act (as redesignated in subsection (b)(3) of this section) (42 U.S.C. 12653o) is amended—

(i) in paragraph (2), by striking ''195D'' and inserting ''155'';

(ii) in paragraph (8), by striking ''195A'' and inserting ''152'';

(iii) in paragraph (10), by striking ''195D(d)'' and inserting ''155(d)''; and

(iv) in paragraph (11), by striking ''195D(c)'' and inserting ''155(c)''.

(f) EXTENSION OF AUTHORITY TO CONDUCT CIVILIAN COMMUNITY CORPS.—Section 1092(c) of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 106 Stat. 2534), as amended by subsection (e)(1) of this section, is further amended by adding at the end the following new sentence: ''The amount made available for the Civilian Community Corps Demonstration Program pursuant to this subsection shall remain available for expenditure during fiscal years 1993 and 1994.''.

(g) ADDITIONAL AMENDMENT REGARDING CIVILIAN COMMUNITY CORPS.—Section 158 of the National and Community Service Act of 1990 (as redesignated in sub-

section (b)(3) of this section) (42 U.S.C. 12653g) is amended by striking subsections (f), (g), and (h) and inserting the following new subsections:

"(f) NATIONAL SERVICE EDUCATIONAL AWARDS.—A Corps member who successfully completes a period of agreed service in the Corps may receive the national service educational award described in subtitle D if the Corps member—

"(1) serves in an approved national service position; and

"(2) satisfies the eligibility requirements specified in section 146 with respect to service in that approved national service position.

"(g) ALTERNATIVE BENEFIT.—If a Corps member who successfully completes a period of agreed service in the Corps is ineligible for the national service educational award described in subtitle D, the Director may provide for the provision of a suitable alternative benefit for the Corps member.".

Subtitle B—Related Provisions

SEC. 111. DEFINITIONS.

(a) IN GENERAL.—Section 101 of the National and Community Service Act of 1990 (42 U.S.C. 12511) is amended to read as follows:

"SEC. 101. DEFINITIONS.

"For purposes of this title:

"(1) ADULT VOLUNTEER.—The term 'adult volunteer' means an individual, such as an older adult, an individual with a disability, a parent, or an employee of a business or public or private not-for-profit agency, who—

"(A) works without financial remuneration in an educational institution to assist students or out-of-school youth; and

"(B) is beyond the age of compulsory school attendance in the State in which the educational institution is located.

"(2) APPROVED NATIONAL SERVICE POSITION.—The term 'approved national service position' means a national service position designated by the Corporation as a position that includes a national service educational award described in section 147 as one of the benefits to be provided for successful service in the position.

"(3) CARRY OUT.—The term 'carry out', when used in connection with a national service program described in section 122, means the planning, establishment, operation, expansion, or replication of the program.

"(4) COMMUNITY ACTION AGENCY.—The term 'community action agency' means an entity or organization referred to in section 675(c)(2)(A) of the Community Services Block Grant Act (42 U.S.C. 9904(c)(2)(A)).

"(5) COMMUNITY-BASED AGENCY.—The term 'community-based agency' means a private not-for-profit organization that is representative of a community and that is engaged in meeting human, educational, environmental, or public safety community needs.

"(6) CORPORATION.—The term 'Corporation' means the Corporation for National and Community Service established under section 191.

"(7) ECONOMICALLY DISADVANTAGED.—The term 'economically disadvantaged' means, with respect to an individual, an individual who is determined by the President to be low-income according to the latest available data from the Department of Commerce.

"(8) ELEMENTARY SCHOOL.—The term 'elementary school' has the same meaning given such term in section 1471(8) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2891(8)).

"(9) INDIAN.—The term 'Indian' means a person who is a member of an Indian tribe.

"(10) INDIAN LANDS.—The term 'Indian lands' means any real property owned by an Indian tribe, any real property held in trust by the United States for an Indian or Indian tribe, and any real property held by an Indian or Indian tribe that is subject to restrictions on alienation imposed by the United States.

"(11) INDIAN TRIBE.—The term 'Indian tribe' means an Indian tribe, band, nation, or other organized group or community, including any Native village, Regional Corporation, or Village Corporation, as defined in subsection (c), (g), or (j), respectively, of section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602 (c), (g), or (j)), that is recognized as eligible for the special programs and services provided by the United States under Federal law to Indians because of their status as Indians.

"(12) INDIVIDUAL WITH A DISABILITY.—Except as provided in section 175(a), the term 'individual with a disability' has the meaning given the term in section 7(8) of the Rehabilitation Act of 1973 (29 U.S.C. 706(8)).

"(13) INSTITUTION OF HIGHER EDUCATION.—The term 'institution of higher education' has the same meaning given such term in section 1201(a) of

the Higher Education Act of 1965 (20 U.S.C. 1141(a)).

"(14) LOCAL EDUCATIONAL AGENCY.—The term 'local educational agency' has the same meaning given such term in section 1471(12) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2891(12)).

"(15) NATIONAL SERVICE LAWS.—The term 'national service laws' means this Act and the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4950 et seq.).

"(16) OUT-OF-SCHOOL YOUTH.—The term 'out-of-school youth' means an individual who—

"(A) has not attained the age of 27;

"(B) has not completed college or the equivalent thereof; and

"(C) is not enrolled in an elementary or secondary school or institution of higher education.

"(17) PARTICIPANT.—

"(A) IN GENERAL.—The term 'participant' means—

"(i) for purposes of subtitle C, an individual in an approved national service position; and

"(ii) for purposes of any other provision of this Act, an individual enrolled in a program that receives assistance under this title.

"(B) RULE.—A participant shall not be considered to be an employee of the program in which the participant is enrolled.

"(18) PARTNERSHIP PROGRAM.—The term 'partnership program' means a program through which an adult volunteer, a public or private not-for-profit agency, an institution of higher education, or a business assists a local educational agency.

"(19) PRESIDENT.—The term 'President', except when used as part of the term 'President of the United States' means the President of the Corporation appointed under section 193.

"(20) PROGRAM.—The term 'program', except when used as part of the term 'academic program', means a program described in section 111(a) (other than a program referred to in paragraph (3)(B) of such section), 117A(a), 119(b)(1), or 122(a), in paragraph (1) or (2) of section 152(b), or in section 198.

"(21) PROJECT.—The term 'project' means an activity, carried out through a program that receives assistance under this title, that results in a specific

identifiable service or improvement that otherwise would not be done with existing funds, and that does not duplicate the routine services or functions of the employer to whom participants are assigned.

"(22) SCHOOL-AGE YOUTH.—The term 'school-age youth' means—

"(A) individuals between the ages of 5 and 17, inclusive; and

"(B) children with disabilities, as defined in section 602(a)(1) of the Individuals with Disabilities Education Act, who receive services under part B of such Act.

"(23) SECONDARY SCHOOL.—The term 'secondary school' has the same meaning given such term in section 1471(21) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2891(21)).

"(24) SERVICE-LEARNING.—The term 'service-learning' means a method—

"(A) under which students or participants learn and develop through active participation in thoughtfully organized service that—

"(i) is conducted in and meets the needs of a community;

"(ii) is coordinated with an elementary school, secondary school, institution of

higher education, or community service program, and with the community; and

"(iii) helps foster civic responsibility; and

"(B) that—

"(i) is integrated into and enhances the academic curriculum of the students, or the educational components of the community service program in which the participants are enrolled; and

"(ii) provides structured time for the students or participants to reflect on the service experience.

"(25) SERVICE-LEARNING COORDINATOR.—The term 'service-learning coordinator' means an individual who provides services as described in subsection (a)(3) or (b) of section 111.

"(26) SERVICE SPONSOR.—The term 'service sponsor' means an organization, or other entity, that has been selected to provide a placement for a participant.

"(27) STATE.—The term 'State' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the

Northern Mariana Islands. The term also includes Palau, until such time as the Compact of Free Association is ratified.

"(28) STATE COMMISSION.—The term 'State Commission' means a State Commission on National and Community Service maintained by a State pursuant to section 178. Except when used in section 178, the term includes an alternative administrative entity for a State approved by the Corporation under such section to act in lieu of a State Commission.

"(29) STATE EDUCATIONAL AGENCY.—The term 'State educational agency' has the same meaning given such term in section 1471(23) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2891(23)).

"(30) STUDENT.—The term 'student' means an individual who is enrolled in an elementary or secondary school or institution of higher education on a full- or part-time basis.".

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) Section 182(a)(2) of the National and Community Service Act of 1990 (42 U.S.C 12642(a)(2)) is amended by striking "adult volunteer and partnership" each place the term appears and inserting "partnership".

(2) Section 182(a)(3) of the National and Community Service Act of 1990 (42 U.S.C 12642(a)(3)) is amended by striking ''adult volunteer and partnership'' and inserting ''partnership''.

(3) Section 441(c)(2) of the Higher Education Act of 1965 (42 U.S.C. 2751(c)(2)) is amended by striking ''service opportunities or youth corps as defined in section 101 of the National and Community Service Act of 1990, and service in the agencies, institutions and activities designated in section 124(a) of the National and Community Service Act of 1990'' and inserting ''a project, as defined in section 101(21) of the National and Community Service Act of 1990 (42 U.S.C. 12511(18))''.

(4) Section 1122(a)(2)(C) of the Higher Education Act of 1965 (20 U.S.C. 1137a(a)(2)(C)) is amended by striking ''youth corps as defined in section 101(30) of the National and Community Service Act of 1990'' and inserting ''youth corps programs, as described in section 122(a)(1) of the National and Community Service Act of 1990''.

(5) Section 1201(p) of the Higher Education Act of 1965 (20 U.S.C. 1141(p)) is amended by striking ''section 101(22) of the National and Community Service Act of 1990'' and inserting ''section 101(24)

of the National and Community Service Act of 1990 (42 U.S.C. 12511(21))''.

SEC. 112. AUTHORITY TO MAKE STATE GRANTS.

Section 102 of the National and Community Service Act of 1990 (42 U.S.C. 12512) is repealed.

SEC. 113. FAMILY AND MEDICAL LEAVE.

(a) IN GENERAL.—Section 171 of the National and Community Service Act of 1990 (42 U.S.C. 12631) is amended to read as follows:

''SEC. 171. FAMILY AND MEDICAL LEAVE.

''(a) PARTICIPANTS IN PRIVATE, STATE, AND LOCAL PROJECTS.—For purposes of title I of the Family and Medical Leave Act of 1993 (29 U.S.C. 2601 et seq.), if—

''(1) a participant has provided service for the period required by section 101(2)(A)(i) (29 U.S.C. 2611(2)(A)(i)), and has met the hours of service requirement of section 101(2)(A)(ii), of such Act with respect to a project; and

''(2) the service sponsor of the project is an employer described in section 101(4) of such Act (other than an employing agency within the meaning of subchapter V of chapter 63 of title 5, United States Code),

the participant shall be considered to be an eligible employee of the service sponsor.

''(b) PARTICIPANTS IN FEDERAL PROJECTS.—For purposes of subchapter V of chapter 63 of title 5, United States Code, if—

''(1) a participant has provided service for the period required by section 6381(1)(B) of such title with respect to a project; and

''(2) the service sponsor of the project is an employing agency within the meaning of such subchapter,

the participant shall be considered to be en employee of the service sponsor.''.

(b) TABLE OF CONTENTS.—Section 1(b) of the National and Community Service Act of 1990 (Public Law 101–610; 104 Stat. 3127) is amended by striking the item relating to section 171 of such Act and inserting the following:

''Sec. 171. Family and medical leave.''.

SEC. 114. REPORTS.

Section 172 of the National and Community Service Act of 1990 (42 U.S.C. 12632) is amended—

(1) in subsection (a)(3)(A), by striking ''sections 177 and 113(9)'' and inserting ''section 177''; and

(2) in subsection (b)(1), by striking ''this title'' and inserting ''the national service laws''.

SEC. 115. NONDISCRIMINATION.

Section 175 of the National and Community Service Act of 1990 (42 U.S.C. 12635) is amended to read as follows:

"SEC. 175. NONDISCRIMINATION.

"(a) IN GENERAL.—

"(1) BASIS.—An individual with responsibility for the operation of a project that receives assistance under this title shall not discriminate against a participant in, or member of the staff of, such project on the basis of race, color, national origin, sex, age, or political affiliation of such participant or member, or on the basis of disability, if the participant or member is a qualified individual with a disability.

"(2) DEFINITION.—As used in paragraph (1), the term 'qualified individual with a disability' has the meaning given the term in section 101(8) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12111(8)).

"(b) FEDERAL FINANCIAL ASSISTANCE.—Any assistance provided under this title shall constitute Federal financial assistance for purposes of title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), section 504 of the Rehabilitation Act of 1973 (29

U.S.C. 794), and the Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.).

"(c) RELIGIOUS DISCRIMINATION.—

"(1) IN GENERAL.—Except as provided in paragraph (2), an individual with responsibility for the operation of a project that receives assistance under this title shall not discriminate on the basis of religion against a participant in such project or a member of the staff of such project who is paid with funds received under this title.

"(2) EXCEPTION.—Paragraph (1) shall not apply to the employment, with assistance provided under this title, of any member of the staff, of a project that receives assistance under this title, who was employed with the organization operating the project on the date the grant under this title was awarded.

"(d) RULES AND REGULATIONS.—The President shall promulgate rules and regulations to provide for the enforcement of this section that shall include provisions for summary suspension of assistance for not more than 30 days, on an emergency basis, until notice and an opportunity to be heard can be provided.".

SEC. 116. NOTICE, HEARING, AND GRIEVANCE PROCEDURES.

(a) DECERTIFICATION OF POSITIONS.—Section 176(a) of the National and Community Service Act of 1990 (42 U.S.C. 12636(a)) is amended—

*(1) in paragraph (1), by inserting ''**,** or revoke the designation of positions, related to the grant or contract, as approved national service positions,'' before ''whenever the Commission''; and*

(2) in paragraph (2)(B), by inserting ''or revoked'' after ''terminated''.

*(b) CONSTRUCTION.—Section 176(e) of such Act (42 U.S.C. 12636(e)) is amended by adding before the period the following ''**,** other than assistance provided pursuant to this Act''.*

(c) GRIEVANCE PROCEDURE.—Section 176(f) of such Act is amended to read as follows:

''(f) GRIEVANCE PROCEDURE.—

''(1) IN GENERAL.—A State or local applicant that receives assistance under this title shall establish and maintain a procedure for the filing and adjudication of grievances from participants, labor organizations, and other interested individuals concerning projects that receive assistance under this title, including grievances regarding proposed placements of such participants in such projects.

"(2) DEADLINE FOR GRIEVANCES.—Except for a grievance that alleges fraud or criminal activity, a grievance shall be made not later than 1 year after the date of the alleged occurrence of the event that is the subject of the grievance.

"(3) DEADLINE FOR HEARING AND DECISION.—

"(A) HEARING.—A hearing on any grievance conducted under this subsection shall be conducted not later than 30 days after the filing of such grievance.

"(B) DECISION.—A decision on any such grievance shall be made not later than 60 days after the filing of such grievance.

"(4) ARBITRATION.—

"(A) IN GENERAL.—

"(i) JOINTLY SELECTED ARBITRATOR.—In the event of a decision on a grievance that is adverse to the party who filed such grievance, or 60 days after the filing of such grievance if no decision has been reached, such party shall be permitted to submit such grievance to binding arbitration before a qualified arbitrator who is jointly selected and independent of the interested parties.

"(ii) APPOINTED ARBITRATOR.—If the parties cannot agree on an arbitrator, the President shall appoint an arbitrator from a list of qualified arbitrators within 15 days after receiving a request for such appointment from one of the parties to the grievance.

"(B) DEADLINE FOR PROCEEDING.—An arbitration proceeding shall be held not later than 45 days after the request for such arbitration proceeding, or, if the arbitrator is appointed by the President in accordance with subparagraph (A)(ii), not later than 30 days after the appointment of such arbitrator.

"(C) DEADLINE FOR DECISION.—A decision concerning a grievance shall be made not later than 30 days after the date such arbitration proceeding begins.

"(D) COST.—

"(i) IN GENERAL.—Except as provided in clause (ii), the cost of an arbitration proceeding shall be divided evenly between the parties to the arbitration.

"(ii) EXCEPTION.—If a participant, labor organization, or other interested indi-

vidual described in paragraph (1) prevails under a binding arbitration proceeding, the State, local agency, public or private not-for-profit organization, or partnership of such agencies and organizations, that is a party to such grievance shall pay the total cost of such proceeding and the attorneys' fees of such participant, labor organization, or individual, as the case may be.

"(5) PROPOSED PLACEMENT.—If a grievance is filed regarding a proposed placement of a participant in a project that receives assistance under this title, such placement shall not be made unless the placement is consistent with the resolution of the grievance pursuant to this subsection.

"(6) REMEDIES.—Remedies for a grievance filed under this subsection include—

"(A) suspension of payments for assistance under this title;

"(B) termination of such payments;

"(C) prohibition of the placement described in paragraph (5); and

"(D) in a case in which the grievance involves a violation of subsection (a) or (b) of section 177 and the employer of the displaced em-

ployee is the recipient of assistance under this title—

"(i) reinstatement of the displaced employee to the position held by such employee prior to displacement;

"(ii) payment of lost wages and benefits of the displaced employee;

"(iii) reestablishment of other relevant terms, conditions, and privileges of employment of the displaced employee; and

"(iv) such equitable relief as is necessary to correct any violation of subsection (a) or (b) of section 177 or to make the displaced employee whole.

"(7) ENFORCEMENT.—Suits to enforce arbitration awards under this section may be brought in any district court of the United States having jurisdiction of the parties, without regard to the amount in controversy and without regard to the citizenship of the parties.".

SEC. 117. NONDISPLACEMENT.

Section 177(b)(3) of the National and Community Service Act of 1990 (42 U.S.C. 12637(b)(3)) is amended—

(1) in subparagraph (B), to read as follows:

''(B) SUPPLANTATION OF HIRING.—A participant in any program receiving assistance under this title shall not perform any services or duties, or engage in activities, that—

''(i) will supplant the hiring of employed workers; or

''(ii) are services, duties, or activities with respect to which an individual has recall rights pursuant to a collective bargaining agreement or applicable personnel procedures.''; and

(2) in subparagraph (C)(iii), to read as follows:

''(iii) employee who—

''(I) is subject to a reduction in force; or

''(II) has recall rights pursuant to a collective bargaining agreement or applicable personnel procedures;''.

SEC. 118. EVALUATION.

Section 179 of the National and Community Service Act of 1990 (42 U.S.C 12639) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking ''this title'' and inserting ''the national service laws''; and

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking ''for purposes of the reports required by subsection (j),'' and inserting ''with respect to the programs authorized under subtitle C''; and

(ii) in subparagraph (A), by striking ''older American volunteer programs'' and inserting ''National Senior Volunteer Corps programs'';

(2) in subsection (g)—

(A) in the matter preceding paragraph (1), by striking ''subtitle D'' and inserting ''subtitle C''; and

(B) in paragraphs (3) and (9), by striking ''older American volunteer programs'' and inserting ''National Senior Volunteer Corps programs'';

(3) by striking subsections (i) and (j); and

(4) by adding at the end the following:

''(i) INDEPENDENT EVALUATION AND REPORT OF DEMOGRAPHICS OF NATIONAL SERVICE PARTICIPANTS AND COMMUNITIES.—

''(1) INDEPENDENT EVALUATION.—

"(A) IN GENERAL.—The Corporation shall, on an annual basis, arrange for an independent evaluation of the programs assisted under subtitle C.

"(B) PARTICIPANTS.—

"(i) IN GENERAL.—The entity conducting such evaluation shall determine the demographic characteristics of the participants in such programs.

"(ii) CHARACTERISTICS.—The entity shall determine, for the year covered by the evaluation, the total number of participants in the programs, and the number of participants within the programs in each State, by sex, age, economic background, education level, ethnic group, disability classification, and geographic region.

"(iii) CATEGORIES.—The Corporation shall determine appropriate categories for analysis of each of the characteristics referred to in clause (ii) for purposes of such an evaluation.

"(C) COMMUNITIES.—In conducting the evaluation, the entity shall determine the amount of assistance provided under section 121

during the year that has been expended for projects conducted under the programs in areas described in section 133(c)(6).

''(2) REPORT.—The entity conducting the evaluation shall submit a report to the President, Congress, the Corporation, and each State Commission containing the results of the evaluation—

''(A) with respect to the evaluation covering the year beginning on the date of enactment of this subsection, not later than 18 months after such date; and

''(B) with respect to the evaluation covering each subsequent year, not later than 18 months after the first day of each such year.''.

SEC. 119. ENGAGEMENT OF PARTICIPANTS.

Section 180 of the National and Community Service Act of 1990 (42 U.S.C. 12640) is amended by striking ''post-service benefits'' and inserting ''national service educational awards''.

SEC. 120. CONTINGENT EXTENSION.

(a) IN GENERAL.—Section 181 of the National and Community Service Act of 1990 (42 U.S.C. 12641) is amended to read as follows:

"SEC. 181. CONTINGENT EXTENSION.

''Section 414 of the General Education Provisions Act (20 U.S.C. 1226a) shall apply to this Act.''.

(b) TABLE OF CONTENTS.—Section 1(b) of the National and Community Service Act of 1990 (Public Law 101–610; 104 Stat. 3127) is amended by striking the item relating to sections 181 of such Act and inserting the following:

''Sec. 181. Contingent extension.''.

SEC. 121. AUDITS.

(a) IN GENERAL.—Section 183 of the National and Community Service Act of 1990 (42 U.S.C. 12643) is amended to read as follows:

"SEC. 183. AUDITS.

''For purposes of the application of chapter 75 of title 31, United States Code (commonly known as the 'Single Audit Act of 1984') to State and local governments that receive financial assistance under this Act—

''(1) each program through which the State or local government receives such assistance shall be deemed to be a major Federal assistance program;

''(2) each audit conducted under such chapter with respect to a program shall be conducted annually;

''(3) each audit conducted under such chapter shall be conducted in accordance with the require-

ments of such chapter and the requirements of the regulations prescribed pursuant to section 7505 of such title, and with such requirements as the Comptroller General may specify; and

''(4) the provisions of section 422 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5062) shall apply with respect to maintenance of books, documents, papers, and records for such audits, in the same manner and to the same extent as such provisions apply to books, documents, papers, and records maintained for audits under such Act.''.

(b) TABLE OF CONTENTS.—Section 1(b) of the National and Community Service Act of 1990 (Public Law 101–610; 104 Stat. 3127) is amended by striking the items relating to section 183 of such Act and inserting the following:

''Sec. 183. Audits.''.

SEC. 122. REPEALS.

(a) IN GENERAL.—Subtitle F of title I of the National and Community Service Act of 1990 (42 U.S.C. 12631 et seq.) is amended by repealing sections 185 and 186.

(b) TABLE OF CONTENTS.—Section 1(b) of the National and Community Service Act of 1990 (Public Law 101–610; 104 Stat. 3127) is amended by striking the items relating to sections 185 and 186 of such Act.

TITLE II—ORGANIZATION

SEC. 201. STATE COMMISSIONS ON NATIONAL AND COMMUNITY SERVICE.

(a) COMPOSITION AND DUTIES OF STATE COMMISSIONS.—Subtitle F of title I of the National and Community Service Act of 1990 is amended by striking section 178 (42 U.S.C. 12638) and inserting the following new section:

"SEC. 178. STATE COMMISSIONS ON NATIONAL AND COMMUNITY SERVICE.

"(a) EXISTENCE REQUIRED.—

"(1) STATE COMMISSION.—Except as provided in paragraph (2), to be eligible to receive a grant or allotment under subtitle B or C or to receive a distribution of approved national service positions under subtitle C, a State shall maintain a State Commission on National and Community Service that satisfies the requirements of this section.

"(2) ALTERNATIVE ADMINISTRATIVE ENTITY.—The chief executive officer of a State may apply to the Corporation for approval to use an alternative administrative entity to carry out the duties otherwise entrusted to a State Commission under this Act. The chief executive officer shall ensure that any alternative administrative entity used in lieu of a State Commission still provides for the individuals de-

scribed in paragraph (1), and some of the individuals described in paragraph (2), of subsection (c) to play a significant policymaking role in carrying out the duties otherwise entrusted to a State Commission, including the submission of applications on behalf of the State under sections 117B and 130.

"(b) APPOINTMENT AND SIZE.—Except as provided in subsection (c)(3), the members of a State Commission for a State shall be appointed by the chief executive officer of the State. A State Commission shall consist of not less than 7 voting members and not more than 25 voting members.

"(c) COMPOSITION AND MEMBERSHIP.—

"(1) REQUIRED MEMBERS.—The State Commission for a State shall include as voting members at least one representative from each of the following categories:

"(A) Individuals between the ages of 16 and 25 who are participants or supervisors in programs.

"(B) National service programs, such as youth corps programs.

"(C) School-based or community-based programs for school-age youth.

"(D) Programs in which older adults are participants.

"(E) Local and State governmental entities in the State, including the State educational agency (from which at least one such member shall be appointed).

"(F) Local labor organizations.

"(2) SOURCES OF OTHER MEMBERS.—The State Commission for a State may include as voting members the following:

"(A) Representatives of community-based organizations or community-based agencies, including community action agencies.

"(B) Members selected from among participants in service programs who are youths.

"(C) Members selected from among local educators.

"(D) Members selected from among experts in the delivery of human, educational, environmental, or public safety services to communities and persons.

"(E) Representatives of businesses and business groups.

"(F) Representatives of Indian tribes.

"(G) Representatives of groups serving economically disadvantaged individuals.

"(H) Members selected from among out-of-school youth or other at-risk youth.

"(I) Members selected from among older adults who are volunteers or participants in national service programs.

"(3) CORPORATION REPRESENTATIVE.—The representative of the Corporation designated under section 195(b) for a State shall be a voting member of the State Commission or alternative administrative entity for that State.

"(4) EX OFFICIO STATE REPRESENTATIVES.—The chief executive officer of a State shall appoint, as an ex officio nonvoting member of the State Commission for the State, the Corporation employee responsible for volunteer service programs in the State, if such employee is not the representative described in paragraph (3). The chief executive officer may appoint, as ex officio nonvoting members of the State Commission for the State, representatives selected from among officers and employees of State agencies operating community service, youth service, education, social service, senior service, and job training programs.

"(5) LIMITATION ON NUMBER OF STATE EMPLOYEES AS MEMBERS.—The number of voting members of a State Commission selected under paragraph (1) or (2) who are officers or employees of the State may not exceed 25 percent (reduced to the nearest whole number) of the total membership of the State Commission.

"(d) MISCELLANEOUS MATTERS.—

"(1) MEMBERSHIP BALANCE.—The chief executive officer of a State shall ensure, to the maximum extent practicable, that the membership of the State Commission for the State is diverse with respect to race, ethnicity, age, gender, and disability characteristics. Not more than 50 percent of the voting members of a State Commission, plus one additional member, may be from the same political party.

"(2) TERMS.—Each member of the State Commission for a State shall serve for a term of 3 years, except that the chief executive officer of a State shall initially appoint a portion of the members to terms of 1 year and 2 years.

"(3) VACANCIES.—As vacancies occur on a State Commission, new members shall be appointed by the chief executive of the State and serve for the remainder of the term for which the predecessor of such member was appointed. The vacancy shall not affect the

power of the remaining members to execute the duties of the State Commission.

"(4) COMPENSATION.—A member of a State Commission or alternative administrative entity shall not receive any additional compensation by reason of service on the State Commission or alternative administrative entity, except that the State may authorize the reimbursement of travel expenses, including a per diem in lieu of subsistence, in the same manner as other employees serving intermittently in the service of the State.

"(5) CHAIRPERSON.—The voting members of a State Commission shall elect one of the voting members to serve as chairperson of the State Commission.

"(e) DUTIES OF A STATE COMMISSION.—The State Commission or alternative administrative entity for a State shall be responsible for the following duties:

"(1) Preparation of a national service plan for the State that—

"(A) covers a 3-year period;

"(B) is updated annually;

"(C) contains such information as the State Commission or alternative administrative entity considers to be appropriate or as the Corporation may require; and

"(D) ensures outreach to diverse community-based agencies that serve underrepresented populations, by—

"(i) using established networks, and registries, at the State level; or

"(ii) establishing such networks and registries.

"(2) Preparation of the applications of the State under sections 117B and 130 for financial assistance, in such a manner as to ensure that any decision regarding whether to include a program in the application shall be made on the basis of the criteria described in section 133(c), applied in a fair and equitable manner by an impartial decisionmaker.

"(3) Assistance in the preparation of the application of the State educational agency for assistance under section 113.

"(4) Preparation of the application of the State under section 130 for the approval of service positions that include the national service educational award described in subtitle D.

"(5) Assistance in the provision of health care and child care benefits under section 140 to participants in national service programs that receive assistance under section 121.

"(6) Development of a State system for the recruitment and placement of participants in national service programs that receive assistance under section 121 and dissemination of information concerning national service programs that receive assistance and approved national service positions.

"(7) Administration of the grant program in support of national service programs that is conducted by the State using assistance provided to the State under section 121, including selection, oversight, and evaluation of grant recipients.

"(8) Development of projects, training methods, curriculum materials, and other materials and activities related to national service programs that receive assistance directly from the Corporation (to be made available in a case in which such a program requests such a project, method, material, or activity) or from the State using assistance provided under section 121, for use by programs that request such projects, methods, materials, and activities.

"(f) ACTIVITY INELIGIBLE FOR ASSISTANCE.—A State Commission or alternative administrative entity may not directly carry out any national service program that receives assistance under section 121.

"(g) DELEGATION.—Subject to such requirements as the Corporation may prescribe, a State Commission may delegate nonpolicymaking duties to a State agency or public or private not-for-profit organization.

"(h) APPROVAL OF STATE COMMISSION OR ALTERNATIVE.—

"(1) SUBMISSION TO CORPORATION.—The chief executive officer for a State shall notify the Corporation of the establishment or designation of the State Commission or use of an alternative administrative entity for the State. The notification shall include a description of—

"(A) the composition and membership of the State Commission or alternative administrative entity; and

"(B) the authority of the State Commission or alternative administrative entity regarding national service activities carried out by the State.

"(2) APPROVAL OF ALTERNATIVE ADMINISTRATIVE ENTITY.—Any designation of a State Commission or use of an alternative administrative entity to carry out the duties of a State Commission shall be subject to the approval of the Corporation.

"(3) REJECTION.—The Corporation may reject a State Commission if the Corporation determines that the composition, membership, or duties of the State Commission do not comply with the requirements of this section. The Corporation shall reject a request to use an alternative administrative entity in lieu of a State Commission if the Corporation determines that use of the alternative administrative entity does not allow the individuals described in paragraph (1), and some of the individuals described in paragraph (2), of subsection (c) to play a significant policymaking role in carrying out the duties otherwise entrusted to a State Commission. If the Corporation rejects a State Commission or alternative administrative entity under this paragraph, the Corporation shall promptly notify the State of the reasons for the rejection.

"(4) RESUBMISSION AND RECONSIDERATION.—The Corporation shall provide a State notified under paragraph (3) with a reasonable opportunity to revise the rejected State Commission or alternative administrative entity. At the request of the State, the Corporation shall provide technical assistance to the State as part of the revision process. The Corporation shall promptly reconsider any resubmission of a notification under paragraph (1) or application to use an

alternative administrative entity under paragraph (2).

"(5) SUBSEQUENT CHANGES.—This subsection shall also apply to any change in the composition or duties of a State Commission or an alternative administrative entity made after approval of the State Commission or the alternative administrative entity.

"(i) COORDINATION.—

"(1) COORDINATION WITH OTHER STATE AGENCIES.—The State Commission or alternative administrative entity for a State shall coordinate the activities of the Commission or entity under this Act with the activities of other State agencies that administer Federal financial assistance programs under the Community Services Block Grant Act (42 U.S.C. 9901 et seq.) or other appropriate Federal financial assistance programs.

"(2) COORDINATION WITH VOLUNTEER SERVICE PROGRAMS.—

"(A) IN GENERAL.—The State Commission or alternative administrative entity for a State shall coordinate functions of the Commission or entity (including recruitment, public awareness, and training activities) with such functions of any division of ACTION, or of the Corporation,

that carries out volunteer service programs in the State.

"(B) AGREEMENT.—In coordinating functions under this paragraph, such Commission or entity, and such division, may enter into an agreement to—

"(i) carry out such a function jointly;

"(ii) to assign responsibility for such a function to the Commission or entity; or

"(iii) to assign responsibility for such a function to the division.

"(C) INFORMATION.—The State Commission or alternative entity for a State, and the head of any such division, shall exchange information about—

"(i) the programs carried out in the State by the Commission, entity, or division, as appropriate; and

"(ii) opportunities to coordinate activities.

"(j) LIABILITY.—

"(1) LIABILITY OF STATE.—Except as provided in paragraph (2)(B), a State shall agree to assume liability with respect to any claim arising out of or resulting from any act or omission by a member of the

State Commission or alternative administrative entity of the State, within the scope of the service of the member on the State Commission or alternative administrative entity.

"(2) OTHER CLAIMS.—

"(A) IN GENERAL.—A member of the State Commission or alternative administrative entity shall have no personal liability with respect to any claim arising out of or resulting from any act or omission by such person, within the scope of the service of the member on the State Commission or alternative administrative entity.

"(B) LIMITATION.—This paragraph shall not be construed to limit personal liability for criminal acts or omissions, willful or malicious misconduct, acts or omissions for private gain, or any other act or omission outside the scope of the service of such member on the State Commission or alternative administrative entity.

"(3) EFFECT ON OTHER LAW.—This subsection shall not be construed—

"(A) to affect any other immunities and protections that may be available to such member under applicable law with respect to such service;

"(B) to affect any other right or remedy against the State under applicable law, or against any person other than a member of the State Commission or alternative administrative entity; or

"(C) to limit or alter in any way the immunities that are available under applicable law for State officials and employees not described in this subsection.".

(b) TABLE OF CONTENTS.—Section 1(b) of the National and Community Service Act of 1990 (Public Law 101–610; 104 Stat. 3127) is amended by striking the item relating to section 178 and inserting the following new item:

"Sec. 178. State Commissions on National and Community Service.".

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

(d) TRANSITIONAL PROVISIONS.—

(1) USE OF ALTERNATIVES TO STATE COMMISSION.—If a State does not have a State Commission on National and Community Service that satisfies the requirements specified in section 178 of the National and Community Service Act of 1990, as amended by subsection (a), the Corporation for National and Community Service may authorize the chief executive

of the State to use an existing agency of the State to perform the duties otherwise reserved to a State Commission under subsection (e) of such section.

(2) APPLICATION OF SUBSECTION.—This subsection shall apply only during the 1-year period beginning on the date of the enactment of this Act.

SEC. 202. INTERIM AUTHORITIES OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE AND ACTION AGENCY.

(a) NATIONAL AND COMMUNITY SERVICE ACT OF 1990.—Subtitle G of title I of the National and Community Service Act of 1990 (42 U.S.C. 12651) is amended to read as follows:

"Subtitle G—Corporation for National and Community Service

"SEC. 191. CORPORATION FOR NATIONAL AND COMMUNITY SERVICE.

''There is established a Corporation for National and Community Service that shall administer the programs established under this Act. The Corporation shall be a Government corporation, as defined in section 103 of title 5, United States Code.

"SEC. 192. BOARD OF DIRECTORS.

''(a) COMPOSITION.—

"(1) IN GENERAL.—There shall be in the Corporation a Board of Directors (referred to in this subtitle as the 'Board') that shall be composed of—

"(A) 15 members, including an individual between the ages of 16 and 25 who—

"(i) has served in a school-based or community-based service-learning program; or

"(ii) is a participant or a supervisor in a program,

to be appointed by the President of the United States, by and with the advice and consent of the Senate;

"(B) the President of the Corporation, who shall serve as an ex officio nonvoting member; and

"(C) the ex officio nonvoting members described in paragraph (3).

"(2) QUALIFICATIONS.—To the maximum extent practicable, the President of the United States shall appoint members—

"(A) who have extensive experience in volunteer or service activities, such as—

"(i) activities funded under the national service laws; and

"(ii) Federal financial assistance activities, such as—

"(I) activities under the Head Start Act (42 U.S.C. 9831 et seq.);

"(II) activities under the Community Services Block Grant Act (42 U.S.C. 9901 et seq.); or

"(III) antipoverty activities under other Federal law;

that have a volunteer or service focus;

"(B) who represent a broad range of viewpoints;

"(C) who are experts in the delivery of human, educational, environmental, or public safety services;

"(D) that include at least one representative of local educators and at least one representative of community-based agencies;

"(E) so that the Board shall be diverse with respect to race, ethnicity, age, gender, and disability characteristics; and

"(F) so that no more than 8 appointed members of the Board are from a single political party.

"(3) EX OFFICIO MEMBERS.—The Secretary of Education, the Secretary of Health and Human Services, the Secretary of Labor, the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Housing and Urban Development, the Secretary of Defense, the Attorney General, the Director of the Peace Corps, and the Administrator of the Environmental Protection Agency shall serve as ex officio nonvoting members of the Board.

"(b) OFFICERS.—

"(1) CHAIRPERSON AND VICE CHAIRPERSON.—The Board shall elect a Chairperson and a Vice Chairperson from among its membership.

"(2) OTHER OFFICERS.—The Board may elect from among its membership such additional officers of the Board as the Board determines to be appropriate.

"(c) TERMS.—Each appointed member of the Board shall serve for a term of 3 years, except that 5 of the members first appointed to the Board after the date of enactment of this section shall serve for a term of 1 year and 5 shall serve for a term of 2 years, as designated by the President of the United States.

"(d) VACANCIES.—As vacancies occur on the Board, new members shall be appointed by the President of the

United States, by and with the advice and consent of the Senate, and serve for the remainder of the term for which the predecessor of such member was appointed. The vacancy shall not affect the power of the remaining members to execute the duties of the Board.

"SEC. 192A. AUTHORITIES AND DUTIES OF THE BOARD OF DIRECTORS.

"(a) MEETINGS.—The Board shall meet not less than 3 times each year. The Board shall hold additional meetings at the call of the Chairperson of the Board, or if 6 members of the Board request such meetings in writing.

"(b) QUORUM.—A majority of the appointed members of the Board shall constitute a quorum.

"(c) AUTHORITIES OF OFFICERS.—

"(1) CHAIRPERSON.—The Chairperson of the Board may call and conduct meetings of the Board.

"(2) VICE CHAIRPERSON.—The Vice Chairperson of the Board may conduct meetings of the Board in the absence of the Chairperson.

"(d) EXPENSES.—While away from their homes or regular places of business on the business of the Board, members of such Board shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of

title 5, United States Code, for persons employed intermittently in the Government service.

"(e) SPECIAL GOVERNMENT EMPLOYEES.—For purposes of the provisions of chapter 11 of part I of title 18, United States Code, and any other provision of Federal law, a member of the Board (to whom such provisions would not otherwise apply except for this subsection) shall be a special Government employee.

"(f) STATUS OF MEMBERS.—

"(1) TORT CLAIMS.—For the purposes of the tort claims provisions of chapter 171 of title 28, United States Code, a member of the Board shall be considered to be a Federal employee.

"(2) OTHER CLAIMS.—A member of the Board shall have no personal liability under Federal law with respect to any claim arising out of or resulting from any act or omission by such person, within the scope of the service of the member on the Board, in connection with any transaction involving the provision of financial assistance by the Corporation. This paragraph shall not be construed to limit personal liability for criminal acts or omissions, willful or malicious misconduct, acts or omissions for private gain, or any other act or omission outside the scope of the service of such member on the Board.

"(3) EFFECT ON OTHER LAW.—This subsection shall not be construed—

"(A) to affect any other immunities and protections that may be available to such member under applicable law with respect to such transactions;

"(B) to affect any other right or remedy against the Corporation, against the United States under applicable law, or against any person other than a member of the Board participating in such transactions; or

"(C) to limit or alter in any way the immunities that are available under applicable law for Federal officials and employees not described in this subsection.

"(g) DUTIES.—The Board shall—

"(1) review and approve the strategic plan described in section 193A(b)(1), and annual updates of the plan;

"(2) review and approve the proposal described in section 193A(b)(2)(A), with respect to the grants, allotments, contracts, financial assistance, payment, and positions referred to in such section;

"(3) review and approve the proposal described in section 193A(b)(3)(A), regarding the regulations,

standards, policies, procedures, programs, and initiatives referred to in such section;

"(4) review and approve the evaluation plan described in section 193A(b)(4)(A);

"(5)(A) review, and advise the President regarding, the actions of the President with respect to the personnel of the Corporation, and with respect to such standards, policies, procedures, programs, and initiatives as are necessary or appropriate to carry out this Act; and

"(B) inform the President of any aspects of the actions of the President that are not in compliance with the annual strategic plan referred to in paragraph (1), the proposals referred to in paragraphs (2) and (3), or the plan referred to in paragraph (4), or are not consistent with the objectives of this Act;

"(6) receive, and act on, the reports issued by the Inspector General of the Corporation;

"(7) make recommendations relating to a program of research for the Corporation with respect to national and community service programs, including service-learning programs;

"(8) advise the President of the United States and the Congress concerning developments in national

and community service that merit the attention of the President of the United States and the Congress; and

"(9) ensure effective dissemination of information regarding the programs and initiatives of the Corporation.

"(h) ADMINISTRATION.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply with respect to the Board.

"SEC. 193. PRESIDENT.

"(a) APPOINTMENT.—The Corporation shall be headed by an individual who shall serve as President of the Corporation, and who shall be appointed by the President of the United States, by and with the advice and consent of the Senate.

"(b) COMPENSATION.—The President shall be compensated at the rate provided for level III of the Executive Schedule under section 5314 of title 5, United States Code.

"(c) REGULATIONS.—The President shall prescribe such rules and regulations as are necessary or appropriate to carry out this Act.

"SEC. 193A. AUTHORITIES AND DUTIES OF THE PRESIDENT.

"(a) GENERAL POWERS AND DUTIES.—The President shall be responsible for the exercise of the powers and the discharge of the duties of the Corporation that are not reserved to the Board, and shall have authority and control

over all personnel of the Corporation, except as provided in section 194(b)(4).

"(b) DUTIES.—In addition to the duties conferred on the President under any other provision of this Act, the President shall—

"(1) prepare and submit to the Board a strategic plan every 3 years, and annual updates of the plan, for the Corporation with respect to the major functions and operations of the Corporation;

"(2)(A) prepare and submit to the Board a proposal with respect to such grants and allotments, contracts, other financial assistance, and designation of positions as approved national service positions, as are necessary or appropriate to carry out this Act; and

"(B) after receiving and reviewing an approved proposal under section 192A(g)(2), make such grants and allotments, enter into such contracts, award such other financial assistance, make such payments (in lump sum or installments, and in advance or by way of reimbursement, and in the case of financial assistance otherwise authorized under this Act, with necessary adjustments on account of overpayments and underpayments), and designate such positions as ap-

proved national service positions as are necessary or appropriate to carry out this Act;

"(3)(A) prepare and submit to the Board a proposal regarding, the regulations established under section 195(a)(4)(B)(i), and such other standards, policies, procedures, programs, and initiatives as are necessary or appropriate to carry out this Act; and

"(B) after receiving and reviewing an approved proposal under section 192A(g)(3)—

"(i) establish such standards, policies, and procedures as are necessary or appropriate to carry out this Act; and

"(ii) establish and administer such programs and initiatives as are necessary or appropriate to carry out this Act;

"(4)(A) prepare and submit to the Board a plan for the evaluation of programs established under this Act, in accordance with section 179; and

"(B) after receiving an approved proposal under section 192A(g)(4)—

"(i) establish measurable performance goals and objectives for such programs, in accordance with section 179; and

"(ii) provide for periodic evaluation of such programs to assess the manner and extent to

which the programs achieve the goals and objectives, in accordance with such section;

"(5) consult with appropriate Federal agencies in administering the programs and initiatives;

"(6) suspend or terminate payments and positions described in paragraph (2)(B), in accordance with section 176;

"(7) prepare and submit to the Board an annual report, and such interim reports as may be necessary, describing the major actions of the President with respect to the personnel of the Corporation, and with respect to such standards, policies, procedures, programs, and initiatives;

"(8) inform the Board of, and provide an explanation to the Board regarding, any substantial differences between—

"(A) the actions of the President; and

"(B)(i) the strategic plan approved by the Board under section 192A(g)(1);

"(ii) the proposals approved by the Board under paragraph (2) or (3) of section 192A(g); or

"(iii) the evaluation plan approved by the Board under section 192A(g)(4); and

"(9) prepare and submit to the appropriate committees of Congress an annual report, and such interim reports as may be necessary, describing—

"(A) the services referred to in paragraph (1), and the money and property referred to in paragraph (2), of section 196(a) that have been accepted by the Corporation;

"(B) the manner in which the Corporation used or disposed of such services, money, and property; and

"(C) information on the results achieved by the programs funded under this Act during the year preceding the year in which the report is prepared.

"(c) POWERS.—In addition to the authority conferred on the President under any other provision of this Act, the President may—

"(1) establish, alter, consolidate, or discontinue such organizational units or components within the Corporation as the President considers necessary or appropriate, consistent with Federal law, and shall, to the maximum extent practicable, consolidate such units or components of the division of the Corporation that carries out volunteer service programs and the division of the Corporation that carries out financial

assistance programs as may be appropriate to enable the two divisions to coordinate common support functions, such as recruiting, public awareness, or training functions;

"(2) with the approval of the President of the United States, arrange with and reimburse the heads of other Federal agencies for the performance of any of the provisions of this Act;

"(3) with their consent, utilize the services and facilities of Federal agencies with or without reimbursement, and, with the consent of any State, or political subdivision of a State, accept and utilize the services and facilities of the agencies of such State or subdivisions without reimbursement;

"(4) allocate and expend, or transfer to other Federal agencies for expenditure, funds made available under this Act, including expenditure for construction, repairs, and capital improvements;

"(5) disseminate, without regard to the provisions of section 3204 of title 39, United States Code, data and information, in such form as the President shall determine to be appropriate to public agencies, private organizations, and the general public;

"(6) collect or compromise all obligations to or held by the President and all legal or equitable rights

accruing to the President in connection with the payment of obligations in accordance with chapter 37 of title 31, United States Code (commonly known as the 'Federal Claims Collection Act of 1966');

''(7) expend funds made available for purposes of this Act, without regard to any other law or regulation, for rent of buildings and space in buildings and for repair, alteration, and improvement of buildings and space in buildings rented by the President;

''(8) file a civil action in any court of record of a State having general jurisdiction or in any district court of the United States, with respect to a claim arising under this Act;

''(9) exercise the authorities of the Corporation under section 196; and

''(10) consolidate the reports to Congress required under this Act, and the report required under section 9106 of title 31, United States Code, into a single report, and submit the report to Congress on an annual basis;

''(11) generally perform such functions and take such steps consistent with the objectives and provisions of this Act, as the President determines to be necessary or appropriate to carry out such provisions.

''(d) DELEGATION.—

"(1) DEFINITION.—As used in this subsection, the term 'function' means any duty, obligation, power, authority, responsibility, right, privilege, activity, or program.

"(2) IN GENERAL.—Except as otherwise prohibited by law or provided in this Act, the President may delegate any function under this Act, and authorize such successive redelegations of such function as may be necessary or appropriate. No delegation of a function by the President under this subsection or under any other provision of this Act shall relieve such President of responsibility for the administration of such function.

"(3) FUNCTION OF BOARD.—The President may not delegate a function of the Board without the permission of the Board.

"(e) ACTIONS.—In an action described in subsection (c)(8)—

"(1) a district court referred to in such subsection shall have jurisdiction of such a civil action without regard to the amount in controversy;

"(2) such an action brought by the President shall survive notwithstanding any change in the person occupying the office of President or any vacancy in that office;

"(3) no attachment, injunction, garnishment, or other similar process, mesne or final, shall be issued against the President or the Board or property under the control of the President or the Board; and

"(4) nothing in this section shall be construed to except litigation arising out of activities under this Act from the application of sections 509, 517, 547, and 2679 of title 28, United States Code.

"SEC. 194. OFFICERS.

"(a) MANAGING DIRECTORS.—

"(1) IN GENERAL.—There shall be in the Corporation 2 Managing Directors, who shall be appointed by the President of the United States, by and with the advice and consent of the Senate, and who shall report to the President.

"(2) COMPENSATION.—The Managing Directors shall be compensated at the rate provided for level IV of the Executive Schedule under section 5315 of title 5, United States Code.

"(3) DUTIES.—

"(A) VOLUNTEER SERVICE PROGRAMS.—One of the Managing Directors shall be primarily responsible for the volunteer service programs carried out by the Corporation.

"(B) INVESTMENT PROGRAMS.—The other Managing Director shall be primarily responsible for the financial assistance programs carried out by the Corporation.

"(b) INSPECTOR GENERAL.—

"(1) OFFICE.—There shall be in the Corporation an Office of the Inspector General.

"(2) APPOINTMENT.—The Office shall be headed by an Inspector General, appointed in accordance with the Inspector General Act of 1978.

"(3) COMPENSATION.—The Inspector General shall be compensated at the rate provided for level IV of the Executive Schedule under section 5315 of title 5, United States Code.

"(4) PERSONNEL.—Notwithstanding paragraphs (7) and (8) of section 6(a) of the Inspector General Act of 1978, the Inspector General may—

"(A) appoint and determine the compensation of such officers and employees in accordance with section 195(a)(4); and

"(B) procure the temporary and intermittent services of and compensate such experts and consultants, in accordance with section 3109(b) of title 5, United States Code,

as may be necessary to carry out the functions, powers, and duties of the Inspector General.

"(c) CHIEF FINANCIAL OFFICER.—

"(1) OFFICE.—There shall be in the Corporation a Chief Financial Officer, who shall be appointed by the President of the United States, by and with the advice and consent of the Senate.

"(2) COMPENSATION.—The Chief Financial Officer shall be compensated at the rate provided for level IV of the Executive Schedule under section 5315 of title 5, United States Code.

"(3) DUTIES.—The Chief Financial Officer shall—

"(A) report directly to the President regarding financial management matters;

"(B) oversee all financial management activities relating to the programs and operations of the Corporation;

"(C) develop and maintain an integrated accounting and financial management system for the Corporation, including financial reporting and internal controls;

"(D) develop and maintain any joint financial management systems with the Department

of Education necessary to carry out the programs of the Corporation; and

"(E) direct, manage, and provide policy guidance and oversight of the financial management personnel, activities, and operations of the Corporation.

"(4) ACCESS.—The Chief Financial Officer shall have access to all records, reports, audits, reviews, documents, papers, recommendations, or other material that are the property of the Corporation or that are available to the Corporation, and that relate to the duties of the Chief Financial Officer with respect to the Corporation.

"SEC. 195. EMPLOYEES, CONSULTANTS, AND OTHER PERSONNEL.

"(a) EMPLOYEES.—

"(1) IN GENERAL.—The President may appoint and determine the compensation of such employees as the President determines to be necessary to carry out the duties of the Corporation.

"(2) CIVIL SERVICE PROTECTIONS.—The provisions of title 5, United States Code, shall apply with respect to the Corporation and the employees of the Corporation, except that the President may appoint and determine the compensation of employees under

this subsection without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates (other than the provisions described in clauses (iii) and (iv) of paragraph (4)(B)).

"(3) APPOINTMENT IN THE COMPETITIVE SERVICE AFTER EMPLOYMENT IN THE CORPORATION.—

"(A) EMPLOYEES WITH NOT LESS THAN 3 YEARS OF EMPLOYMENT.—If an employee, other than a representative described in subsection (b), is separated from the Corporation (other than by removal for cause), and has been continuously employed by the Corporation for a period of not less than 3 years, such period shall be treated as a period of service in the competitive service for purposes of chapter 33 of title 5, United States Code.

"(B) EMPLOYEES WITH NOT LESS THAN 1 BUT LESS THAN 3 YEARS OF EMPLOYMENT.—If an employee, other than a representative described in subsection (b), is separated from the Corporation (other than by removal for cause), and has been continuously employed by the Cor-

poration for a period of not less than 1 year, but less than 3 years, such period shall be treated as a period of service in the competitive service for purposes of chapter 33 of title 5, United States Code, until the date that is 3 years after the date of separation.

"(C) DEFINITION.—As used in this paragraph, the term 'competitive service' has the meaning given the term in section 2102 of title 5, United States Code.

"(4) APPOINTMENT AND COMPENSATION.—

"(A) IN GENERAL.—The Chairperson shall appoint and determine the compensation of employees referred to in paragraph (1), in accordance with the appointment and compensation systems referred to in subparagraph (B).

"(B) CORPORATION APPOINTMENT AND COMPENSATION SYSTEMS.—

"(i) ESTABLISHMENT OF SYSTEM.—The President, after reviewing the approved proposal of the Board under section 192A(g)(3) and after obtaining the approval of the Director of the Office of Personnel Management, shall issue regulations estab-

lishing appointment and compensation systems for the Corporation.

"(ii) CONTENT AND CONSIDERATIONS.—In issuing such regulations, the President shall—

"(I) establish appropriate appointment and compensation mechanisms for the representatives described in subsection (b); and

"(II) take into consideration the need for flexibility in such a system.

"(iii) APPOINTMENT SYSTEM.—The appointment system shall require that the appointment of such an employee be—

"(I) on the basis of the qualifications of applicants and the requirements of the position, in accordance with the merit system principles set forth in section 2301(b) of title 5, United States Code; and

"(II) through a competitive process.

"(iv) COMPENSATION SYSTEM.—

"(I) IN GENERAL.—The compensation system shall include a

scheme for the classification of positions in the Corporation. The system shall require that the compensation of such an employee be determined based in part on the job performance of the employee, and in a manner consistent with the principles described in section 5301 of title 5, United States Code.

"(II) LIMITATION ON EMPLOYEE COMPENSATION.—The rate of compensation for each employee compensated through the system shall not exceed the annual rate of basic pay payable for level IV of the Executive Schedule under section 5315 of title 5, United States Code.

"(III) LIMITATION ON COMPENSATION OF REPRESENTATIVE.—The rate of pay for a representative described in subsection (b) shall not exceed the maximum rate of basic pay payable for grade GS–13 of the General Schedule under section 5332 of title 5, United States Code.

"(5) RETENTION OF CIVIL SERVICE RIGHTS.—

"(A) RETENTION OF COMPETITIVE SERVICE RIGHTS.—An individual who—

"(i) was an employee of ACTION or the Commission on National and Community Service who served under a permanent appointment on the day before the date of enactment of this subtitle in—

"(I) a position in the competitive service; or

"(II) a career appointee position in the Senior Executive Service;

"(ii) is transferred to the Corporation under section 202(c) or 203(c) of the National and Community Service Trust Act of 1993; and

"(iii) accepts a position established under paragraph (4) in the Corporation,

shall be appointed to a position in the competitive service of the Corporation.

"(B) DURATION OF POSITION IN COMPETITIVE SERVICE.—During the period of employment of such an employee in a position, the position shall be a position in the competitive service. After such period of employment, the position shall be a position in the excepted service

unless the President appoints an individual to such position in accordance with the provisions described in subsection (a)(2).

"(C) ESTABLISHMENT OF POSITIONS.—With respect to a position vacancy or a position to be established in the Corporation, the President—

"(i) shall select the individual to be appointed to such position in accordance with the regulations promulgated under paragraph (4);

"(ii) if the individual to be appointed to the position is an individual described in subparagraph (A), shall establish the position as a position in the competitive service; and

"(iii) if the individual to be so appointed is not an individual described in subparagraph (A)—

"(I) may establish the position as a position in the excepted service; and

"(II) in an exceptional case in which the individual, immediately prior to accepting the position, served under a permanent appointment in a position described in subclause (I) or

(II) of subparagraph (A)(i), may establish the position as a position in the competitive service,

in any case in which an individual described in subparagraph (A) is an employee of the Corporation and is eligible to be appointed to such position.

"(D) DEFINITIONS.—As used in this paragraph:

"(i) COMPETITIVE SERVICE.—The term 'competitive service' has the meaning given the term in section 2102 of title 5, United States Code.

"(ii) EXCEPTED SERVICE.—The term 'excepted service' has the meaning given the term in section 2103 of title 5, United States Code.

"(iii) SENIOR EXECUTIVE SERVICE.—The term 'Senior Executive Service' has the meaning given the term in section 2101a of title 5, United States Code.

"(b) CORPORATION REPRESENTATIVE IN EACH STATE.—

"(1) DESIGNATION OF REPRESENTATIVE.—The Corporation shall designate 1 employee of the Cor-

poration for each State or group of States to serve as the representative of the Corporation in the State or States and to assist the Corporation in carrying out the activities described in this Act in the State or States.

"(2) DUTIES.—The representative designated under this subsection for a State or group of States shall serve as the liaison between—

"(A) the Corporation and the State Commission that is established in the State or States;

"(B) the Corporation and any subdivision of a State, Indian tribe, public or private nonprofit organization, or institution of higher education, in the State or States, that is awarded a grant under section 121 directly from the Corporation; and

"(C) the State Commission and the Corporation employee responsible for volunteer service programs in the State, if the employee is not the representative described in paragraph (1) for the State.

"(3) MEMBER OF STATE COMMISSION.—The representative designated under this subsection for a State or group of States shall also serve as a voting

member of the State Commission established in the State or States.

"(c) CONSULTANTS.—The President may procure the temporary and intermittent services of experts and consultants and compensate the experts and consultants in accordance with section 3109(b) of title 5, United States Code.

"(d) DETAILS OF PERSONNEL.—The head of any Federal department or agency may detail on a reimbursable basis, or on a nonreimbursable basis for not to exceed 180 calendar days during any fiscal year, as agreed upon by the President and the head of the Federal agency, any of the personnel of that department or agency to the Corporation to assist the Corporation in carrying out the duties of the Corporation under this Act. Any detail shall not interrupt or otherwise affect the civil service status or privileges of the Federal employee.

"(e) ADVISORY COMMITTEES.—

"(1) ESTABLISHMENT.—The President, acting upon the recommendation of the Board, may establish advisory committees in the Corporation to advise the Board with respect to national service issues, such as the type of programs to be established or assisted under the national service laws, priorities and criteria for such programs, and methods of conducting outreach for, and evaluation of, such programs.

"(2) COMPOSITION.—Such an advisory committee shall be composed of members appointed by the President, with such qualifications as the President may specify.

"(3) EXPENSES.—Members of such an advisory committee may be allowed travel expenses as described in section 192A(d).

"(4) STAFF.—The President is authorized to appoint and fix the compensation of such staff as the President determines to be necessary to carry out the functions of the advisory committee, in accordance with subsection (a)(2), and without regard to the selection and compensation systems described in subsection (a)(4)(B). Such compensation shall not exceed the rate described in subsection (a)(4)(B)(iv)(III).

"SEC. 196. ADMINISTRATION.

"(a) DONATIONS.—

"(1) SERVICES.—

"(A) VOLUNTEERS.—Notwithstanding section 1342 of title 31, United States Code, the Corporation may solicit and accept the voluntary services of individuals to assist the Corporation in carrying out the duties of the Corporation under this Act, and may provide to

such individuals the travel expenses described in section 192A(d).

"(B) LIMITATION.—Such a volunteer shall not be considered to be a Federal employee and shall not be subject to the provisions of law relating to Federal employment, including those relating to hours of work, rates of compensation, leave, unemployment compensation, and Federal employee benefits, except that—

"(i) for the purposes of the tort claims provisions of chapter 171 of title 28, United States Code, a volunteer under this subtitle shall be considered to be a Federal employee; and

"(ii) for the purposes of subchapter I of chapter 81 of title 5, United States Code, relating to compensation to Federal employees for work injuries, volunteers under this subtitle shall be considered to be employees, as defined in section 8101(1)(B) of title 5, United States Code, and the provisions of such subchapter shall apply.

"(C) INHERENTLY GOVERNMENTAL FUNCTION.—

"(i) IN GENERAL.—Such a volunteer shall not carry out an inherently governmental function.

"(ii) REGULATIONS.—The President shall promulgate regulations to carry out this subparagraph.

"(iii) INHERENTLY GOVERNMENTAL FUNCTION.—As used in this subparagraph, the term 'inherently governmental function' means any activity that is so intimately related to the public interest as to mandate performance by an officer or employee of the Federal Government, including an activity that requires either the exercise of discretion in applying the authority of the Government or the use of value judgment in making a decision for the Government.

"(2) PROPERTY.—

"(A) IN GENERAL.—The Corporation may solicit, accept, hold, administer, use, and dispose of, in furtherance of the purposes of this Act, donations of any money or property, real, personal, or mixed, tangible or intangible, received by gift, devise, bequest, or otherwise. Donations accepted under this subparagraph shall be used

as nearly as possible in accordance with the terms, if any, of such donation.

"(B) TAX.—For purposes of Federal income, estate, and gift taxes, money or property accepted under subparagraph (A) shall be considered to be a gift, devise, or bequest to, or for the use of, the United States.

"(C) RULES.—The President shall establish written rules to ensure that the solicitation, acceptance, holding, administration, and use of property described in subparagraph (A)—

"(i) will not reflect unfavorably upon the ability of the Corporation, or of any officer or employee of the Corporation, to carry out the responsibilities or official duties of the Corporation in a fair and objective manner; and

"(ii) will not compromise the integrity of the programs of the Corporation or any official or employee of the Corporation involved in such programs.

"(D) DISPOSITION.—Upon completion of the use by the Corporation of any property accepted pursuant to subparagraph (A) (other than money or monetary proceeds from sales of prop-

erty so accepted), such completion shall be reported to the General Services Administration and such property shall be disposed of in accordance with title II of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 481 et seq.).

''(3) VOLUNTEER.—As used in this subsection, the term 'volunteer' does not include a participant.

''(b) CONTRACTS.—Subject to the Federal Property and Administrative Services Act of 1949, the Corporation may enter into contracts, and cooperative and interagency agreements, with Federal and State agencies, private firms, institutions, and individuals to conduct activities necessary to assist the Corporation in carrying out the duties of the Corporation under this Act.

''(c) OFFICE OF MANAGEMENT AND BUDGET.—Appropriate circulars of the Office of Management and Budget shall apply to the Corporation.''.

(b) DOMESTIC VOLUNTEER SERVICE ACT OF 1973.—Section 401 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5041) is amended by inserting after the second sentence the following: ''The Director shall report directly to the President of the Corporation for National and Community Service.''.

(c) TRANSFER OF FUNCTIONS OF COMMISSION ON NATIONAL AND COMMUNITY SERVICE.—

(1) DEFINITIONS.—For purposes of this subsection, unless otherwise provided or indicated by the context, each term specified in section 203(c)(1) shall have the meaning given the term in such section.

(2) TRANSFER OF FUNCTIONS.—There are transferred to the Corporation the functions that the Board of Directors or Executive Director of the Commission on National and Community Service exercised before the effective date of this subsection (including all related functions of any officer or employee of the Commission).

(3) APPLICATION.—The provisions of paragraphs (3) through (10) of section 203(c) shall apply with respect to the transfer described in paragraph (2), except that—

(A) for purposes of such application, references to the term ''ACTION Agency'' shall be deemed to be references to the Commission on National and Community Service; and

(B) paragraph (10) of such section shall not preclude the transfer of the members of the Board of Directors of the Commission to the Corporation if, on the effective date of this subsection, the

Board of Directors of the Corporation has not been confirmed.

(d) CONTINUING PERFORMANCE OF CERTAIN FUNCTIONS.—The individuals who, on the day before the date of enactment of this Act, are performing any of the functions required by section 190 of the National and Community Service Act of 1990 (42 U.S.C. 12651), as in effect on such date, to be performed by the members of the Board of Directors of the Commission on National and Community Service may, subject to section 193A of the National and Community Service Act of 1990, as added by subsection (a) of this section, continue to perform such functions until the date on the Board of Directors of the Corporation for National and Community Service conducts the first meeting of the Board. The service of such individuals as members of the Board of Directors of such Commission, and the employment of such individuals as special government employees, shall terminate on such date.

(e) JOB SEARCH ASSISTANCE.—The President of the Corporation shall establish a program to provide, or shall seek to enter into a memorandum of understanding with the Director of the Office of Personnel Management to provide, job search and related assistance to employees of the ACTION agency who are not transferred to the Corporation for National and Community Service under section 203(c).

The President of the Corporation shall make available funds appropriated under section 501(a)(2) of the National and Community Service Act of 1990 in order to provide such assistance.

(f) GOVERNMENT CORPORATION CONTROL.—

(1) WHOLLY OWNED GOVERNMENT CORPORATION.—Section 9101(3) of title 31, United States Code, is amended by inserting after subparagraph (D) the following:

''(E) the Corporation for National and Community Service.''.

(2) AUDITS.—Section 9105(a)(1) of title 31, United States Code, is amended by inserting '', or under other Federal law,'' before ''or by an independent''.

(g) DISPOSAL OF PROPERTY.—Section 203(k) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 484(k)) is amended by adding at the end the following:

''(5)(A) Under such regulations as the Administrator may prescribe, the Administrator is authorized, in the discretion of the Administrator, to assign to the President of the Corporation for National and Community Service for disposal such surplus property as is recommended by the President as being needed for national service activities.

''(B) Subject to the disapproval of the Administrator, within 30 days after notice to the Administrator by the President of the Corporation for National and Community Service of a proposed transfer of property for such activities, the President, through such officers or employees of the Corporation as the President may designate, may sell, lease, or donate such property to any entity that receives financial assistance under the National and Community Service Act of 1990 for such activities.

''(C) In fixing the sale or lease value of such property, the President of the Corporation for National and Community Service shall comply with the requirements of paragraph (1)(C).''.

(h) INSPECTOR GENERAL.—Section 11 of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in paragraph (1), by inserting ''; the Board of Directors of the Corporation for National and Community Service;'' after ''Thrift Depositor Protection Oversight Board''; and

(2) in paragraph (2), by inserting '', the Corporation for National and Community Service,'' after ''United States Information Agency''.

(i) TABLE OF CONTENTS.—Section 1(b) of the National and Community Service Act of 1990 (Public Law 101–610; 104 Stat. 3127) is amended by striking the items

relating to subtitle G of title I of such Act and inserting the following:

''Subtitle G—Corporation for National and Community Service

''Sec. 191. Corporation for National and Community Service.
''Sec. 192. Board of Directors.
''Sec. 192A. Authorities and duties of the Board of Directors.
''Sec. 193. President.
''Sec. 193A. Authorities and duties of the President.
''Sec. 194. Officers.
''Sec. 195. Employees, consultants, and other personnel.
''Sec. 196. Administration.''.

(j) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall take effect on October 1, 1993.

(2) ESTABLISHMENT AND APPOINTMENT AUTHORITIES.—Sections 191, 192, and 193 of the National and Community Service Act of 1990, as added by subsection (a), shall take effect on the date of enactment of this Act.

SEC. 203. FINAL AUTHORITIES OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE.

(a) NATIONAL AND COMMUNITY SERVICE ACT OF 1990.—

(1) APPLICATION.—Subtitle I of the National and Community Service Act of 1990 (as amended by section 202 of this Act) is amended in section 191, section 192A(g)(5), section 193(c), subsections (b), (c) (other than paragraph (8)), and (d) of section 193A, subsections (b) and (d) of section 195, and subsections

(a) and (b) of section 196, by striking ''this Act'' each place the term appears and inserting ''the national service laws''.

(2) GRANTS.—Section 192A(g) of the National and Community Service Act of 1990 (as added by section 202 of this Act) is amended—

(A) by striking ''and'' at the end of paragraph (9);

(B) by redesignating paragraph (10) as paragraph (11); and

(C) by inserting after paragraph (9) the following:

''(10) notwithstanding any other provision of law, make grants to or contracts with Federal or other public departments or agencies and private nonprofit organizations for the assignment or referral of volunteers under the provisions of the Domestic Volunteer Service Act of 1973 (except as provided in section 108 of the Domestic Volunteer Service Act of 1973), which may provide that the agency or organization shall pay all or a part of the costs of the program; and''.

(3) ASSISTANT DIRECTORS.—Section 194 of the National and Community Service Act of 1990 (as

added by section 202 of this Act) is amended by adding at the end the following:

"(d) ASSISTANT DIRECTORS.—

"(1) IN GENERAL.—There shall be in the Corporation four Assistant Directors, each of whom shall be appointed by the President, and who shall report directly to the Managing Director described in subsection (a)(3)(A).

"(2) DUTIES.—

"(A) VISTA AND OTHER ANTIPOVERTY PROGRAMS.—One of the Assistant Directors shall be primarily responsible for the VISTA and other antipoverty programs under title I of the Domestic Volunteer Service Act of 1973.

"(B) RETIRED AND SENIOR VOLUNTEER PROGRAMS.—One of the Assistant Directors shall be primarily responsible for the Retired and Senior Volunteer Program established under part A of title II of such Act.

"(C) FOSTER GRANDPARENT PROGRAM.—One of the Assistant Directors shall be primarily responsible for the Foster Grandparent Program established under part B of title II of such Act.

"(D) SENIOR COMPANION PROGRAM.—One of the Assistant Directors shall be primarily re-

sponsible for the Senior Companion Program established under part C of title II of such Act.''.

(b) AUTHORITIES OF ACTION AGENCY.—Sections 401 and 402 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5041 and 5042) are repealed.

(c) TRANSFER OF FUNCTIONS FROM ACTION AGENCY.—

(1) DEFINITIONS.—For purposes of this subsection, unless otherwise provided or indicated by the context—

(A) the term ''Corporation'' means the Corporation for National and Community Service, established under section 191 of the National and Community Service Act of 1990;

(B) the term ''Federal agency'' has the meaning given to the term ''agency'' by section 551(1) of title 5, United States Code;

(C) the term ''function'' means any duty, obligation, power, authority, responsibility, right, privilege, activity, or program;

(D) the term ''office'' includes any office, administration, agency, institute, unit, organizational entity, or component thereof; and

(E) the term ''President'', except as used as part of the term ''President of the United States'', means the President of the Corporation.

(2) TRANSFER OF FUNCTIONS.—There are transferred to the Corporation such functions as the President of the United States determines to be appropriate that the Director of the ACTION Agency exercised before the effective date of this subsection (including all related functions of any officer or employee of the ACTION Agency).

(3) DETERMINATIONS OF CERTAIN FUNCTIONS BY THE OFFICE OF MANAGEMENT AND BUDGET.—The President of the United States may delegate to the Director of the Office of Management and Budget the authority to make any determination of the functions that are transferred under paragraph (2), if the President determines that such a delegation would be appropriate.

(4) REORGANIZATION.—The President is authorized to allocate or reallocate any function transferred under paragraph (2) among the officers of the Corporation, after providing notice of the allocation or reallocation to Congress.

(5) TRANSFER AND ALLOCATIONS OF APPROPRIATIONS AND PERSONNEL.—Except as otherwise pro-

vided in this subsection, the personnel employed in connection with, and the assets, liabilities, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds employed, used, held, arising from, available to, or to be made available in connection with the functions transferred by this subsection, subject to section 1531 of title 31, United States Code, shall be transferred to the Corporation. Unexpended funds transferred pursuant to this paragraph shall be used only for the purposes for which the funds were originally authorized and appropriated.

(6) INCIDENTAL TRANSFER.—The Director of the Office of Management and Budget is authorized to make such additional incidental dispositions of personnel, assets, liabilities, grants, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds held, used, arising from, available to, or to be made available in connection with such functions, as may be necessary to carry out the provisions of this subsection. The Director of the Office of Management and Budget shall provide for the termination of the affairs of all entities terminated by this subsection and for

such further measures and dispositions as may be necessary to effectuate the purposes of this subsection.

(7) EFFECT ON PERSONNEL.—

(A) IN GENERAL.—Except as otherwise provided by this subsection, the transfer pursuant to this subsection of full-time personnel (except special Government employees) and part-time personnel holding permanent positions shall not cause any such employee to be separated or reduced in grade or compensation, or to have the benefits of the employee reduced, for 1 year after the date of transfer of such employee under this subsection.

(B) EXECUTIVE SCHEDULE POSITIONS.—Except as otherwise provided in this subsection, any person who, on the day preceding the effective date of this subsection, held a position compensated in accordance with the Executive Schedule prescribed in chapter 53 of title 5, United States Code, and who, without a break in service, is appointed in the Corporation to a position having duties comparable to the duties performed immediately preceding such appointment shall continue to be compensated in such new position at not less than the rate provided

for such previous position, for the duration of the service of such person in such new position.

(C) TERMINATION OF CERTAIN POSITIONS.—Positions whose incumbents are appointed by the President of the United States, by and with the advice and consent of the Senate, the functions of which are transferred by this subsection, shall terminate on the effective date of this subsection.

(8) SAVINGS PROVISIONS.—

(A) CONTINUING EFFECT OF LEGAL DOCUMENTS.—All orders, determinations, rules, regulations, permits, agreements, grants, contracts, certificates, licenses, registrations, privileges, and other administrative actions—

(i) that have been issued, made, granted, or allowed to become effective by the President of the United States, any Federal agency or official thereof, or by a court of competent jurisdiction, in the performance of functions that are transferred under this subsection; and

(ii) that are in effect at the time this subsection takes effect, or were final before the effective date of this subsection and are

to become effective on or after the effective date of this subsection,

shall continue in effect according to their terms until modified, terminated, superseded, set aside, or revoked in accordance with law by the President of the United States, the President of the Corporation, or other authorized official, a court of competent jurisdiction, or by operation of law.

(B) PROCEEDINGS NOT AFFECTED.—The provisions of this subsection shall not affect any proceedings, including notices of proposed rulemaking, or any application for any license, permit, certificate, or financial assistance pending before the ACTION Agency at the time this subsection takes effect, with respect to functions transferred by this subsection. Such proceedings and applications shall be continued. Orders shall be issued in such proceedings, appeals shall be taken therefrom, and payments shall be made pursuant to such orders, as if this subsection had not been enacted, and orders issued in any such proceedings shall continue in effect until modified, terminated, superseded, or revoked by a duly authorized official, by a court of competent jurisdiction, or by operation of law. Nothing in

this subparagraph shall be deemed to prohibit the discontinuance or modification of any such proceeding under the same terms and conditions and to the same extent that such proceeding could have been discontinued or modified if this subsection had not been enacted.

(C) SUITS NOT AFFECTED.—The provisions of this subsection shall not affect suits commenced before the effective date of this subsection, and in all such suits, proceedings shall be had, appeals taken, and judgments rendered in the same manner and with the same effect as if this subsection had not been enacted.

(D) NONABATEMENT OF ACTIONS.—No suit, action, or other proceeding commenced by or against the ACTION Agency, or by or against any individual in the official capacity of such individual as an officer of the ACTION Agency, shall abate by reason of the enactment of this subsection.

(E) ADMINISTRATIVE ACTIONS RELATING TO PROMULGATION OF REGULATIONS.—Any administrative action relating to the preparation or promulgation of a regulation by the ACTION Agency relating to a function transferred under

this subsection may be continued by the Corporation with the same effect as if this subsection had not been enacted.

(9) SEVERABILITY.—If a provision of this subsection or its application to any person or circumstance is held invalid, neither the remainder of this subsection nor the application of the provision to other persons or circumstances shall be affected.

(10) TRANSITION.—Prior to, or after, any transfer of a function under this subsection, the President is authorized to utilize—

(A) the services of such officers, employees, and other personnel of the ACTION Agency with respect to functions that will be or have been transferred to the Corporation by this subsection; and

(B) funds appropriated to such functions for such period of time as may reasonably be needed to facilitate the orderly implementation of this subsection.

(d) DEVELOPMENT OF TRANSFER SCHEDULE.—The President of the Corporation for National and Community Service, in consultation with the Director of ACTION, shall, not later than 9 months after the date of enactment of this

Act, prepare a schedule that specifies the date on which the employees of ACTION will be notified about—

(1) whether their functions will be transferred to the Corporation; and

(2) if such functions will be transferred, the date on which the transfer will occur.

(e) APPOINTMENT OF ACTION EMPLOYEES.—During the period beginning on October 1, 1993 and ending on the effective date of subsection (c)(2), in making appointments to the Corporation under the appointment system described in section 195(a)(4)(B)(iii) of the National and Community Service Act of 1990, the President of the Corporation for National and Community Service shall ensure that individuals who are employees of ACTION shall receive fair and equitable treatment.

(f) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), this section, and the amendments made by this section, shall take effect—

(A) 18 months after the date of enactment of this Act; or

(B) on such earlier date (which shall be not earlier than 12 months after the date of the enactment of this Act) as the President of the United States shall determine to be appropriate

and announce by proclamation published in the Federal Register.

(2) TRANSITION.—Subsections (c)(10), (d), and (e) shall take effect on the date of enactment of this Act.

TITLE III—REAUTHORIZATION

Subtitle A—National and Community Service Act of 1990

SEC. 301. AUTHORIZATION OF APPROPRIATIONS.

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

"SEC. 501. AUTHORIZATION OF APPROPRIATIONS.

"(a) TITLE I.—

"(1) SUBTITLES B, C, D, AND H.—

"(A) IN GENERAL.—There are authorized to be appropriated to provide financial assistance under subtitles B, C, and H of title I, and to provide national service educational awards under subtitle D of title I, $434,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 through 1998.

"(B) SPECIFIC ACTIVITIES.—Of the funds appropriated under this paragraph for a fiscal year—

"(i) not less than a sum equal to the greater of—

"(I) 11 percent of such funds; and

"(I) the amount appropriated to carry out subtitle B of title I for fiscal year 1993,

shall be made available to provide financial assistance under subtitle B of title I; and

"(ii) of the amount remaining after the sum described in clause (i) is made available as described in clause (i), not more than 15 percent of such remainder may be made available to provide financial assistance for activities in subtitle H of title I, section 125, or section 126.

"(2) ADMINISTRATION.—There are authorized to be appropriated for the administration of this Act such sums as may be necessary for each of the fiscal years 1994 through 1998.

"(b) TITLE III.—There are authorized to be appropriated to carry out title III $5,000,000 for each of the fiscal years 1994 through 1998.

''(c) AVAILABILITY OF APPROPRIATIONS.—Funds appropriated under this section shall remain available until expended.''.

Subtitle B—Domestic Volunteer Service Act of 1973

SEC. 311. SHORT TITLE; REFERENCES.

(a) SHORT TITLE.—This subtitle may be cited as the ''Domestic Volunteer Service Act Amendments of 1993''.

(b) REFERENCES.—Except as otherwise specifically provided, whenever in this subtitle an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4950 et seq.).

CHAPTER 1—VISTA AND OTHER ANTI-POVERTY PROGRAMS

SEC. 321. PURPOSE OF THE VISTA PROGRAM.

The last sentence of section 101 (42 U.S.C. 4951) is amended to read as follows: ''In addition, the objectives of this part are to generate the commitment of private sector resources, to encourage volunteer service at the local level, and to strengthen local agencies and organizations to carry out the purpose of this part.''.

SEC. 322. SELECTION AND ASSIGNMENT OF VISTA VOLUNTEERS.

(a) VOLUNTEER ASSIGNMENTS.—Section 103(a) (42 U.S.C. 4953(a)) is amended—

(1) in the matter preceding paragraph (1), by striking ''a public'' and inserting ''public'';

(2) in paragraph (2), by striking ''and'' at the end;

(3) in paragraph (3), by striking ''illiterate or functionally illiterate youth and other individuals,'';

(4) in paragraph (5), by striking ''and'' at the end;

(5) in paragraph (6)—

(A) by striking ''or the Community Economic'' and inserting ''the Community Economic'';

(B) by inserting ''or other similar Acts,'' after ''1981,''; and

(C) by striking the period and inserting ''; and''; and

(6) by adding at the end the following new paragraph:

''(7) in strengthening, supplementing, and expanding efforts to address the problem of illiteracy throughout the United States.''.

(b) RECRUITMENT PROCEDURES.—Section 103(b) (42 U.S.C. 4953(b)) is amended—

(1) by striking paragraphs (2), (4), (5) and (6);

(2) by redesignating paragraphs (3) and (7) as paragraphs (2) and (3), respectively;

(3) in paragraph (2) (as redesignated in paragraph (2) of this subsection), by striking ''paragraph (7)'' and inserting ''paragraph (3)''; and

(4) in paragraph (3) (as redesignated in paragraph (2) of this subsection)—

(A) in subparagraph (A), by striking ''paragraph (4)'' and inserting ''paragraph (2)'';

(B) by striking subparagraphs (B), (C), and (E);

(C) by redesignating subparagraphs (D) and (F) as subparagraphs (C) and (D), respectively; and

(D) by inserting after subparagraph (A) the following new subparagraph:

''(B) A sponsoring organization may recruit volunteers for service under this part, subject to final approval by the Director.''.

(c) PUBLIC AWARENESS AND RECRUITMENT.—Subsection (c) of section 103 (42 U.S.C. 4953(c)) is amended—

(1) in paragraph (1), to read as follows:

"(1)(A) The Director shall conduct national and local public awareness and recruitment activities in order to meet the volunteer goals of the program. In conducting such activities, the Director shall place special emphasis on recruiting volunteers for local, community-based programs that serve underrepresented populations, in situations in which volunteers might not otherwise learn about the programs. Such activities shall be coordinated with recruitment authorized under subtitle C or E of the National and Community Service Act of 1990 and may include public service announcements, advertisements, publicity on loan deferments, repayments, and cancellations available to VISTA volunteers, maintenance of a toll-free telephone system, and provision of technical assistance for the recruitment of volunteers to programs and projects receiving assistance under this part.

"(B) The Director shall take steps to recruit individuals 18 through 27 years of age, 55 years of age and older, recent graduates of institutions of higher education, and special skilled volunteers and to promote diverse participation in the program.";

(2) in paragraph (3), by adding at the end the following new sentence: "In addition, the Director shall take steps to provide opportunities for returned

Peace Corps volunteers to serve in the VISTA program.'';

(3) by striking paragraphs (4), (5), and (6); and

(4) by adding at the end the following new paragraph:

''(4) From the amounts appropriated under section 501(a) for fiscal year 1994 and each subsequent fiscal year, the Director shall obligate such sums as may be necessary for the purpose of carrying out this subsection in such fiscal year.''.

(d) COORDINATION WITH OTHER FEDERAL AGENCIES.—Section 103 (42 U.S.C. 4953) is amended by adding at the end the following new subsection:

''(h) The Director is encouraged to enter into agreements with other Federal agencies to use VISTA volunteers in furtherance of program objectives that are consistent with the purposes described in section 101.''.

SEC. 323. TERMS AND PERIODS OF SERVICE.

(a) CLARIFICATION AND PERIODS OF SERVICE.—Subsection (b) of section 104 (42 U.S.C. 4954(b)) is amended to read as follows:

''(b)(1) Volunteers serving under this part may be enrolled initially for periods of service of not less than 1 year, nor more than 2 years, except as provided in paragraph (2) or subsection (e).

''(2) Volunteers serving under this part may be enrolled for periods of service of less than 1 year if the Director determines, on an individual basis, that a period of service of less than 1 year is necessary to meet a critical scarce skill need.

''(3) Volunteers serving under this part may be reenrolled for periods of service in a manner to be determined by the Director. No volunteer shall serve for more than a total of 5 years under this part.''.

(b) SUMMER PROGRAM.—Section 104 (42 U.S.C. 4954) is amended by adding at the end the following new subsection:

''(e)(1) Notwithstanding any other provision of this part, the Director may enroll full-time VISTA summer associates in a program for the summer months only, under such terms and conditions as the Director shall determine to be appropriate. Such individuals shall be assigned to projects that meet the criteria set forth in section 103(a).

''(2) In preparing reports relating to programs under this Act, the Director shall report on participants, costs, and accomplishments under the summer program separately.

''(3) The limitation on funds appropriated for grants and contracts, as contained in section 108, shall not apply to the summer program.''.

SEC. 324. SUPPORT FOR VISTA VOLUNTEERS.

(a) POSTSERVICE STIPEND.—Section 105(a)(1) (42 U.S.C. 4955(a)(1)) is amended—

(1) by inserting ''(A)'' after ''(a)(1)''; and

(2) by striking the second sentence and inserting the following:

''(B) Such stipend shall not exceed $95 per month in fiscal year 1994, but shall be set at a minimum of $125 per month during the service of the volunteer after October 1, 1994, assuming the availability of funds to accomplish this increase. The Director may provide a stipend of a minimum of $200 per month in the case of persons who have served as volunteers under this part for at least 1 year and who, in accordance with standards established in such regulations as the Director shall prescribe, have been designated volunteer leaders on the basis of experience and special skills and a demonstrated leadership among volunteers.

''(C) The Director shall not provide a stipend under this subsection to an individual who elects to receive a national service education award under subtitle D of title I of the National and Community Service Act of 1990.''.

(b) SUBSISTENCE ALLOWANCE.—Section 105(b) (42 U.S.C. 4955(b)) is amended—

(1) in paragraph (3)—

(A) by striking subparagraph (A);

(B) in subparagraph (B), by striking the subparagraph designation; and

(C) by adding at the end the following new sentence: ''The Director shall review such adjustments on an annual basis to ensure that the adjustments are current.''; and

(2) by striking paragraph (4).

(c) CHILD CARE.—Section 105 (42 U.S.C. 4955) is amended by adding at the end the following:

''(c)(1) The Director shall—

''(A) make child care available for children of each volunteer enrolled under this part, including volunteers who need such child care in order to participate as volunteers; or

''(B) provide a child care allowance to each such volunteer who needs such assistance in order to participate as volunteers.

''(2) The Corporation shall establish guidelines regarding the circumstances under which child care shall be made available under this subsection and the value of any child care allowance to be provided.''.

SEC. 325. PARTICIPATION OF YOUNGER AND OLDER PERSONS.

Section 107 (42 U.S.C. 4957) is amended to read as follows:

"SEC. 107. PARTICIPATION OF YOUNGER AND OLDER PERSONS.

''In carrying out this part and part C, the Director shall take necessary steps, including the development of special projects, where appropriate, to encourage the fullest participation of individuals 18 through 27 years of age, and individuals 55 years of age and older, in the various programs and activities authorized under such parts.''.

SEC. 326. LITERACY ACTIVITIES.

Section 109 (42 U.S.C. 4959) is amended—

(1) in subsection (g)—

(A) by striking paragraph (1); and

(B) by striking the paragraph designation of paragraph (2); and

(2) in subsection (h), by striking paragraph (3).

SEC. 327. APPLICATIONS FOR ASSISTANCE.

Section 110 (42 U.S.C. 4960) is amended to read as follows:

"SEC. 110. APPLICATIONS FOR ASSISTANCE.

''In reviewing an application for assistance under this part, the Director shall not deny such assistance to any project or program, or any public or private nonprofit organization, solely on the basis of the duration of the assistance such project, program, or organization has received under this part prior to the date of submission of the application. The Director shall grant assistance under this part on the

basis of merit and to accomplish the goals of the VISTA program, and shall consider the needs and requirements of projects in existence on such date as well as potential new projects.''.

SEC. 328. REPEAL OF AUTHORITY FOR STUDENT COMMUNITY SERVICE PROGRAMS.

Section 114 (42 U.S.C. 4974) is repealed.

SEC. 329. UNIVERSITY YEAR FOR VISTA.

(a) PROGRAM TITLE.—Part B of title I (42 U.S.C. 4971 et seq.) is amended—

(1) in the part heading, to read as follows:

''PART B—UNIVERSITY YEAR FOR VISTA'';

(2) by striking ''University Year for ACTION'' each place that such term appears in such part and inserting ''University Year for VISTA'';

(3) by striking ''UYA'' each place that such term appears in such part and inserting ''UYV''; and

(4) in section 112 (42 U.S.C. 4972) by striking the section heading and inserting the following new section heading:

''AUTHORITY TO OPERATE UNIVERSITY YEAR FOR VISTA PROGRAM''.

(b) SPECIAL CONDITIONS.—Section 113(a) (42 U.S.C. 4973(a)) is amended—

(1) by striking ''of not less than the duration of an academic year'' and inserting ''of not less than the

duration of an academic semester or its equivalent''; and

(2) by adding at the end the following new sentence: ''Volunteers may receive a living allowance and such other support or allowances as the Director determines to be appropriate.''.

SEC. 330. AUTHORITY TO ESTABLISH AND OPERATE SPECIAL VOLUNTEER AND DEMONSTRATION PROGRAMS.

Section 122 (42 U.S.C. 4992) is amended to read as follows:

''SEC. 122. AUTHORITY TO ESTABLISH AND OPERATE SPECIAL VOLUNTEER AND DEMONSTRATION PROGRAMS.

''(a) IN GENERAL.—The Director is authorized to conduct special volunteer programs for demonstration programs, or award grants to or enter into contracts with public or nonprofit organizations to carry out such programs. Such programs shall encourage wider volunteer participation on a full-time, part-time, or short-term basis to further the purpose of this part, and identify particular segments of the poverty community that could benefit from volunteer and other antipoverty efforts.

''(b) ASSIGNMENT AND SUPPORT OF VOLUNTEERS.—The assignment of volunteers under this section, and the

provision of support for such volunteers, including any subsistence allowances and stipends, shall be on such terms and conditions as the Director shall determine to be appropriate, but shall not exceed the level of support provided under section 105. Projects using volunteers who do not receive stipends may also be supported under this section.

''(c) CRITERIA AND PRIORITIES.—In carrying out this section and section 123, the Director shall establish criteria and priorities for awarding grants and entering into contracts under this part in each fiscal year. No grant or contract exceeding $100,000 shall be made under this part unless the recipient of the grant or contractor has been selected by a competitive process that includes public announcement of the availability of funds for such grant or contract, general criteria for the selection of recipients or contractors, and a description of the application process and application review process.''.

SEC. 331. TECHNICAL AND FINANCIAL ASSISTANCE.

Section 123 (42 U.S.C. 4993) is amended to read as follows:

''SEC. 123. TECHNICAL AND FINANCIAL ASSISTANCE.

''The Director may provide technical and financial assistance to Federal agencies, State and local governments and agencies, private nonprofit organizations, employers,

and other private organizations that utilize or desire to utilize volunteers in carrying out the purpose of this part.''.

SEC. 332. ELIMINATION OF SEPARATE AUTHORITY FOR DRUG ABUSE PROGRAMS.

Section 124 (42 U.S.C. 4994) is repealed.

CHAPTER 2—NATIONAL SENIOR VOLUNTEER CORPS

SEC. 341. NATIONAL SENIOR VOLUNTEER CORPS.

(a) TITLE HEADING.—The heading for title II is amended to read as follows:

''TITLE II—NATIONAL SENIOR VOLUNTEER CORPS''.

(b) REFERENCES.—

(1) Section 200(1) (42 U.S.C. 5000(1)) is amended by striking ''Older America Volunteer Programs'' and inserting ''National Senior Volunteer Corps''.

(2) The heading for section 221 (42 U.S.C. 5021) is amended by striking ''OLDER AMERICAN VOLUNTEER PROGRAMS'' and inserting ''NATIONAL SENIOR VOLUNTEER CORPS''.

(3) Section 224 (42 U.S.C. 5024) is amended—

(A) in the section heading by striking ''OLDER AMERICAN VOLUNTEER PROGRAMS'' and

inserting ''NATIONAL SENIOR VOLUNTEER CORPS''; and

(B) by striking ''volunteer projects for Older Americans'' and inserting ''National Senior Volunteer Corps projects''.

(4) Section 205(c) of the Older Americans Amendments of 1975 (Public Law 94–135; 89 Stat. 727; 42 U.S.C. 5001 note) is amended by striking ''national older American volunteer programs'' each place the term appears and inserting ''National Senior Volunteer Corps programs''.

SEC. 342. THE RETIRED AND SENIOR VOLUNTEER PROGRAM.

(a) PART HEADING.—The heading for part A of title II is amended by striking ''RETIRED SENIOR VOLUNTEER PROGRAM'' and inserting ''RETIRED AND SENIOR VOLUNTEER PROGRAM''.

(b) REFERENCES.—Section 200 (42 U.S.C. 5000) is amended by striking ''retired senior volunteer program'' each place that such term appears in such section and inserting ''Retired and Senior Volunteer Program''.

SEC. 343. OPERATION OF THE RETIRED AND SENIOR VOLUNTEER PROGRAM.

(a) ELIGIBILITY FOR PARTICIPANTS IN THE PROGRAM.—Section 201(a) (42 U.S.C. 5001(a)) is amended—

(1) in the matter preceding paragraph (1), by inserting ''and older working persons'' after ''retired persons''; and

(2) in paragraph (2), by striking ''aged sixty'' and inserting ''age 55''.

(b) DELETION OF REQUIREMENT FOR STATE AGENCY REVIEW.—Section 201 (42 U.S.C. 5001) is amended—

(1) by striking subsection (c); and

(2) by redesignating subsection (d) as subsection (c).

SEC. 344. SERVICES UNDER THE FOSTER GRANDPARENT PROGRAM.

Section 211(a) (42 U.S.C. 5011(a)) is amended by striking '', including services'' and all that follows through ''with special needs.'' and inserting a period and the following: ''Such services may include services by individuals serving as foster grandparents to children who are individuals with disabilities, who have chronic health conditions, who are receiving care in hospitals, who are residing in homes for dependent and neglected children, or who are receiving services provided by day care centers, schools, early intervention programs under part H of the Individuals with Disabilities Education Act (20 U.S.C. 1471 et seq.), Head Start agencies under the Head Start Act, or any of a variety of other programs, establishments, and institu-

tions providing services for children with special or exceptional needs. Individual foster grandparents may provide person-to-person services to one or more children, depending on the needs of the project and local site.''.

SEC. 345. STIPENDS FOR LOW-INCOME VOLUNTEERS.

The second sentence of section 211(d) (42 U.S.C. 5011(d)) is amended by striking ''Any stipend or allowance provided under this subsection shall not be less than $2.20 per hour until October 1, 1990, $2.35 per hour during fiscal year 1991, and $2.50 per hour on and after October 1, 1992,'' and inserting ''Any stipend or allowance provided under this section shall not be less than $2.45 per hour on and after October 1, 1993, and shall be adjusted once prior to December 31, 1997, to account for inflation, as determined by the Director and rounded to the nearest five cents,''.

SEC. 346. PARTICIPATION OF NON-LOW-INCOME PERSONS UNDER PARTS B AND C.

Subsection (f) of section 211(f) (42 U.S.C. 5011(f)) is amended to read as follows:

''(f) Individuals who are not low-income persons may serve as volunteers under parts B and C, in accordance with such regulations as the Director shall issue, at the discretion of the local project. Such individuals shall not receive any allowance, stipend, or other financial support for such serv-

ice except reimbursement for transportation, meals, and out-of-pocket expenses related to such service.''.

SEC. 347. CONDITIONS OF GRANTS AND CONTRACTS.

Section 212 (42 U.S.C. 5012) is repealed.

SEC. 348. EVALUATION OF THE SENIOR COMPANION PROGRAM.

Section 213(c) (42 U.S.C. 5013(c)) is amended by striking paragraph (3).

SEC. 349. AGREEMENTS WITH OTHER FEDERAL AGENCIES.

Section 221(a) (42 U.S.C. 5021(a)) is amended—

(1) by striking ''(a)'' and inserting ''(a)(1)''; and

(2) by adding at the end the following:

''(2) The Director is encouraged to enter into agreements with—

''(A) the Department of Health and Human Services to—

''(i) involve retired or senior volunteers and foster grandparents in Head Start projects; and

''(ii) promote in-home care in cooperation with the Administration on Aging;

''(B) the Department of Education to promote intergenerational tutoring and mentoring for at-risk children; and

''(C) the Environmental Protection Agency to support conservation efforts.''.

SEC. 350. PROGRAMS OF NATIONAL SIGNIFICANCE.

Section 225 (42 U.S.C. 5025) is amended—

(1) in subsection (a)—

(A) by striking paragraph (1) and inserting the following new paragraph:

''(1) The Director is authorized to make grants under parts A, B, and C to support programs that address national problems that are also of local concern. The Director may, in any fiscal year, determine which programs of national significance will receive priority in that year. In determining the priority of programs to address problems of local concern in a particular area, the Director shall solicit and consider the views of representatives of local groups serving the area.'';

(B) in paragraph (2)(B), by striking ''paragraph (10)'' and inserting ''paragraphs (10) and (12)''; and

(C) in paragraph (2)(C), by striking ''and (10)'' and inserting ''(10), (12), (15), and (16)'';

(2) in subsection (b), by adding at the end the following new paragraphs:

''(12) Programs that address environmental needs.

''(13) Programs that reach out to organizations not previously involved in addressing local needs,

such as labor unions and profit-making organizations.

''(14) Programs that provide for ethnic outreach.

''(15) Programs that support criminal justice activities.

''(16) Programs that involve older volunteers working with young people in apprenticeship programs.

''(17) Programs that support the integration of individuals with disabilities into the community.''; and

(3) in subsection (d), by striking paragraph (1) and inserting the following new paragraph:

''(1) Except as provided in paragraph (2), from the amounts appropriated under subsection (a), (b), (c), or (d) of section 502, for each fiscal year there shall be available to the Director such sums as may be necessary to make grants under subsection (a).''.

SEC. 351. ADJUSTMENTS TO FEDERAL FINANCIAL ASSISTANCE.

Section 226 (42 U.S.C. 5026) is amended—

(1) in subsection (a)(1)—

(A) in subparagraph (A), by striking ''(A)''; and

(B) by striking subparagraph (B); and

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking ''(1)''; and

(ii) by striking ''annually'' and inserting '', once every 2 years''; and

(B) by striking paragraph (2).

SEC. 352. DEMONSTRATION PROGRAMS.

Title II (42 U.S.C. 5000 et seq.) is amended by adding at the end the following new part:

''PART E—DEMONSTRATION PROGRAMS

''SEC. 231. AUTHORITY OF DIRECTOR.

''(a) IN GENERAL.—The Director is authorized to make grants to or enter into contracts with public or nonprofit organizations, including organizations funded under part A, B, or C, for the purposes of demonstrating innovative activities involving older Americans as volunteers. The Director may support under this part both volunteers receiving stipends and volunteers not receiving stipends.

''(b) ACTIVITIES.—An organization that receives a grant or enters into a contract under subsection (a) may use funds made available through the grant or contract for activities such as—

''(1) linking youth groups and older American organizations in volunteer activities;

''(2) involving older volunteers in programs and activities different from programs and activities supported in the community; and

''(3) testing whether older American volunteer programs may contribute to new objectives or certain national priorities.

''SEC. 232. PROHIBITION.

''The Director may not reduce the activities, projects, or volunteers funded under the other parts of this title in order to support projects under this part.''.

CHAPTER 3—ADMINISTRATION

SEC. 361. PURPOSE OF AGENCY.

Section 401 (42 U.S.C. 5041) is amended—

(1) by inserting after the first sentence the following: ''Such Agency shall also promote the coordination of volunteer efforts among Federal, State, and local agencies and organizations, exchange technical assistance information among such agencies and organizations, and provide technical assistance to other nations concerning domestic volunteer programs within their countries.''; and

(2) by striking ''Older American Volunteer Programs'' each place the term appears and inserting ''National Senior Volunteer Corps''.

SEC. 362. AUTHORITY OF THE DIRECTOR.

Section 402 (42 U.S.C. 5042) is amended in paragraphs (5) and (6) by inserting ''solicit and'' before ''accept'' each place the term appears.

SEC. 363. COMPENSATION FOR VOLUNTEERS.

Section 404 (42 U.S.C. 5044) is amended—

(1) in subsection (c), by inserting ''from such volunteers or from beneficiaries'' after ''compensation'';

(2) by striking subsection (f); and

(3) by redesignating subsection (g) as subsection (f).

SEC. 364. REPEAL OF REPORT.

Section 407 (42 U.S.C. 5047) is repealed.

SEC. 365. APPLICATION OF FEDERAL LAW.

Section 415(b)(4)(A) (42 U.S.C. 5055(b)(4)(A)) is amended by striking ''a grade GS–7 employee'' and inserting ''an employee at grade GS–5 of the General Schedule under section 5332 of title 5, United States Code''.

SEC. 366. EVALUATION OF PROGRAMS.

Section 416 (42 U.S.C. 5056) is amended—

(1) in subsection (a)—

(A) in the first sentence, by striking ''(including the VISTA Literacy Corps which shall be evaluated as a separate program at least once every 3 years)''; and

(B) in the second sentence, by striking ''at least once every 3 years'' and inserting ''periodically'';

(2) in subsection (b) to read as follows:

''(b) In carrying out evaluations of programs under this Act, the Director shall create appropriate management information systems that will summarize information on volunteer activities and accomplishments across the programs supported under this Act. The Director shall periodically prepare and submit to the appropriate committees of Congress a report containing such information.''; and

(3) by striking subsections (d), (e), (f), and (g).

SEC. 367. NONDISCRIMINATION PROVISIONS.

Section 417 (42 U.S.C. 5057) is amended to read as follows:

''SEC. 417. NONDISCRIMINATION PROVISIONS.

''(a) IN GENERAL.—

''(1) BASIS.—An individual with responsibility for the operation of a program that receives assistance under this Act shall not discriminate against a participant in, or member of the staff of, such program on the basis of race, color, national origin, sex, age, or political affiliation of such participant or member, or on the basis of disability, if the participant or member is a qualified individual with a disability.

"(2) DEFINITION.—As used in paragraph (1), the term 'qualified individual with a disability' has the meaning given the term in section 101(8) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12111(8)).

"(b) FEDERAL FINANCIAL ASSISTANCE.—Any assistance provided under this Act shall constitute Federal financial assistance for purposes of title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), and the Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.).

"(c) RELIGIOUS DISCRIMINATION.—

"(1) IN GENERAL.—Except as provided in paragraph (2), an individual with responsibility for the operation of a program that receives assistance under this Act shall not discriminate on the basis of religion against a participant in such program or a member of the staff of such program who is paid with funds received under this Act.

"(2) EXCEPTION.—Paragraph (1) shall not apply to the employment, with assistance provided under this Act, of any member of the staff, of a program that receives assistance under this Act, who was

employed with the organization operating the program on the date the grant under this Act was awarded.

''(d) RULES AND REGULATIONS.—The Director shall promulgate rules and regulations to provide for the enforcement of this section that shall include provisions for summary suspension of assistance for not more than 30 days, on an emergency basis, until notice and an opportunity to be heard can be provided.''.

SEC. 368. ELIMINATION OF SEPARATE REQUIREMENTS FOR SETTING REGULATIONS.

Section 420 (42 U.S.C. 5060) is repealed.

SEC. 369. CLARIFICATION OF ROLE OF INSPECTOR GENERAL.

Section 422 (42 U.S.C. 5062) is amended—

(1) in subsection (a), by inserting ''or the Inspector General'' after ''Director''; and

(2) in subsection (b), by inserting '', the Inspector General,'' after ''Director'' each place that such term appears.

SEC. 370. COPYRIGHT PROTECTION.

Title IV (42 U.S.C. 5041 et seq.) is amended by adding at the end the following new section:

''SEC. 425. PROTECTION AGAINST IMPROPER USE.

''Whoever falsely—

''(1) advertises or represents; or

''(2) publishes or displays any sign, symbol, or advertisement, reasonably calculated to convey the impression,

that an entity is affiliated with, funded by, or operating under the authority of ACTION, VISTA, or any of the programs of the National Senior Volunteer Corps may be enjoined under an action filed by the Attorney General, on a complaint by the Director.''.

SEC. 371. CENTER FOR RESEARCH AND TRAINING.

Title IV (42 U.S.C. 5041 et seq.) (as amended by section 370 of this Act) is further amended by adding at the end the following new section:

''SEC. 426. CENTER FOR RESEARCH AND TRAINING.

''The Director may establish, directly or by grant or contract, a Center for Research and Training on Volunteerism to carry out research concerning the impact of volunteerism on individuals, organizations, and communities, provide training at a State, regional, or local level to help improve programs across the United States, and carry out such other functions as the Director determines to be appropriate.''.

SEC. 372. DEPOSIT REQUIREMENT CREDIT FOR SERVICE AS A VOLUNTEER.

(a) CIVIL SERVICE RETIREMENT SYSTEM.—

(1) CREDITABLE SERVICE.—Section 8332(j) of title 5, United States Code, is amended—

(A) in paragraph (1)—

(i) in the first sentence, by inserting ''the period of an individual's services as a full-time volunteer enrolled in a program of at least 1 year in duration under part A, B, or C of title I of the Domestic Volunteer Service Act of 1973,'' after ''Economic Opportunity Act of 1964,'';

(ii) in the second sentence, by inserting '', as a full-time volunteer enrolled in a program of at least 1 year in duration under part A, B, or C of title I of the Domestic Volunteer Service Act of 1973,'' after ''Economic Opportunity Act of 1964,''; and

(iii) in the last sentence—

(I) by inserting ''or under the Domestic Volunteer Service Act of 1973'' after ''Economic Opportunity Act of 1964''; and

(II) by inserting ''or the Director of ACTION, as appropriate,'' after ''Director of the Office of Economic Opportunity''; and

(B) by adding at the end the following new paragraph:

"(3) The provisions of paragraph (1) relating to credit for service as a volunteer or volunteer leader under the Economic Opportunity Act of 1964 or the Domestic Volunteer Service Act of 1973 shall not apply to any period of service as a volunteer or volunteer leader of an employee or Member with respect to which the employee or Member has made the deposit with interest, if any, required by section 8334(l).".

(2) DEDUCTIONS, CONTRIBUTIONS, AND DEPOSITS.—

(A) IN GENERAL.—Section 8334 of title 5, United States Code, is amended by adding at the end the following new subsection:

"(l)(1) Each employee or Member who has performed service as a volunteer or volunteer leader under part A of title VIII of the Economic Opportunity Act of 1964, or as a full-time volunteer enrolled in a program of at least 1 year in duration under part A, B, or C of title I of the Domestic Volunteer Service Act of 1973, before the date of the separation from service on which the entitlement to any annuity under this subchapter is based may pay, in accordance with such regulations as the Office of Personnel Man-

agement shall issue, to the agency by which the employee is employed or, in the case of a Member or a congressional employee, to the Secretary of the Senate or the Clerk of the House of Representatives, as appropriate, an amount equal to 7 percent of the readjustment allowance paid to the employee or Member under title VIII of the Economic Opportunity Act of 1964 or title I of the Domestic Volunteer Service Act of 1973 for each period of service as such a volunteer or volunteer leader.

''(2) Any deposit made under paragraph (1) more than 2 years after the later of—

''(A) the date of enactment of this subsection; or

''(B) the date on which the employee or Member making the deposit first becomes an employee or Member,

shall include interest on such amount, computed and compounded annually beginning on the date of the expiration of the 2-year period. The interest rate that is applicable in computing interest in any year under this paragraph shall be equal to the interest rate that is applicable for such year under subsection (e).

''(3) Any payment received by an agency, the Secretary of the Senate, or the Clerk of the House of Representatives under this subsection shall be immediately remitted

to the Office of Personnel Management for deposit in the Treasury of the United States to the credit of the Fund.

''(4) The Director shall furnish such information to the Office of Personnel Management as the Office may determine to be necessary for the administration of this subsection.''.

(B) CONFORMING AMENDMENT.—Section 8334(e) of title 5, United States Code, is amended in paragraphs (1) and (2) by striking ''or (k)'' each place that such term appears and inserting ''(k), or (l)''.

(b) FEDERAL EMPLOYEES RETIREMENT SYSTEM.—

(1) CREDITABLE SERVICE.—Section 8411 of title 5, United States Code, is amended—

(A) in subsection (b)(3), by striking ''subsection (f)'' and inserting ''subsection (f) or (h)''; and

(B) by adding at the end the following new subsection:

''(h) An employee or Member shall be allowed credit for service as a volunteer or volunteer leader under part A of title VIII of the Economic Opportunity Act of 1964, or as a full-time volunteer enrolled in a program of at least 1 year in duration under part A, B, or C of title I of the Domestic Volunteer Service Act of 1973, performed at any

time prior to the separation from service on which the entitlement to any annuity under this subchapter is based if the employee or Member has made a deposit with interest, if any, with respect to such service under section 8422(f).''.

(2) DEDUCTIONS, CONTRIBUTIONS.—Section 8422 of title 5, United States Code, is amended by adding at the end the following new subsection:

''(f)(1) Each employee or Member who has performed service as a volunteer or volunteer leader under part A of title VIII of the Economic Opportunity Act of 1964, or as a full-time volunteer enrolled in a program of at least 1 year in duration under part A, B, or C of title I of the Domestic Volunteer Service Act of 1973, before the date of the separation from service on which the entitlement to any annuity under this subchapter, or subchapter V of this chapter, is based may pay, in accordance with such regulations as the Office of Personnel Management shall issue, to the agency by which the employee is employed or, in the case of a Member or a congressional employee, to the Secretary of the Senate or the Clerk of the House of Representatives, as appropriate, an amount equal to 3 percent of the readjustment allowance paid to the employee or Member under title VIII of the Economic Opportunity Service Act of 1964 or title I of the Domestic Volunteer Service Act of

1973 for each period of service as such a volunteer or volunteer leader.

''(2) Any deposit made under paragraph (1) more than 2 years after the later of—

''(A) the date of enactment of this subsection, or

''(B) the date on which the employee or Member making the deposit first becomes an employee or Member,

shall include interest on such amount computed and compounded annually beginning on the date of the expiration of the 2-year period. The interest rate that is applicable in computing interest in any year under this paragraph shall be equal to the interest rate that is applicable for such year under section 8334(e).

''(3) Any payment received by an agency, the Secretary of the Senate, or the Clerk of the House of Representatives under this subsection shall be immediately remitted to the Office of Personnel Management for deposit in the Treasury of the United States to the credit of the Fund.

''(4) The Director shall furnish such information to the Office of Personnel Management as the Office may determine to be necessary for the administration of this subsection.''.

(c) APPLICABILITY AND OTHER PROVISIONS.—

(1) APPLICABILITY.—

(A) TIMING.—The amendments made by subsections (a) and (b) shall apply with respect to credit for service as a volunteer or volunteer leader under the Economic Opportunity Act of 1964 or the Domestic Volunteer Service Act of 1973 to individuals who are entitled to an annuity on the basis of a separation from service occurring before, on, or after the effective date of this Act.

(B) SEPARATION.—In the case of any individual whose entitlement to an annuity is based on a separation from service occurring before the date of enactment of this Act, any increase in such individual's annuity on the basis of a deposit made pursuant to section 8334(l) or section 8442(f) of title 5, United States Code, as amended by this Act, shall be effective only with respect to annuity payments payable for calendar months beginning after the date of enactment of this Act.

(2) ACTION TO INFORM INDIVIDUALS.—The Director of the Office of Personnel Management shall take such action as may be necessary and appropriate to inform individuals entitled to credit under this section for service as a volunteer or volunteer leader, or

to have any annuity recomputed, or to make a deposit under this section, of such entitlement.

CHAPTER 4—AUTHORIZATION OF APPROPRIATIONS AND OTHER AMENDMENTS

SEC. 381. AUTHORIZATION OF APPROPRIATIONS FOR TITLE I.

Section 501 (42 U.S.C. 5081) is amended to read as follows:

"SEC. 501. NATIONAL VOLUNTEER ANTIPOVERTY PROGRAMS.

"(a) AUTHORIZATIONS.—

"(1) VOLUNTEERS IN SERVICE TO AMERICA.—There are authorized to be appropriated to carry out part A of title I, excluding sections 104(e) and 109, $45,800,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 through 1998.

"(2) SUMMER PROGRAM.—There are authorized to be appropriated to carry out section 104(e), such sums as may be necessary for each of the fiscal years 1994 through 1998.

"(3) LITERACY ACTIVITIES.—There are authorized to be appropriated to carry out section 109, $5,600,000 for fiscal year 1994, and such sums as

may be necessary for each of the fiscal years 1995 through 1998.

"(4) UNIVERSITY YEAR FOR VISTA.—There are authorized to be appropriated to carry out part B of title I, such sums as may be necessary for each of the fiscal years 1994 through 1998.

"(5) SPECIAL VOLUNTEER PROGRAMS.—There are authorized to be appropriated to carry out part C of title I, excluding section 125, such sums as may be necessary for each of the fiscal years 1994 through 1998.

"(6) LITERACY CHALLENGE GRANTS.—There are authorized to be appropriated to carry out section 125, such sums as may be necessary for each of the fiscal years 1994 through 1998.

"(b) SUBSISTENCE.—The minimum level of an allowance for subsistence required under section 105(b)(2), to be provided to each volunteer under title I, may not be reduced or limited in order to provide for an increase in the number of volunteer service years under part A of title I.

"(c) LIMITATION.—No part of the funds appropriated to carry out part A of title I may be used to provide volunteers or assistance to any program or project authorized under part B or C of title I, or under title II, unless the

program or project meets the antipoverty criteria of part A of title I.

"(d) AVAILABILITY.—Amounts appropriated for part A of title I shall remain available for obligation until the end of the fiscal year following the fiscal year for which the amounts were appropriated.

"(e) VOLUNTEER SERVICE REQUIREMENT.—

"(1) VOLUNTEER SERVICE YEARS.—Of the amounts appropriated under this section for parts A, B, and C of title I, including section 125, there shall first be available for part A of title I, including sections 104(e) and 109, an amount not less than the amount necessary to provide 3,700 volunteer service years in fiscal year 1994, 4,000 volunteer service years in fiscal year 1995, 4,500 volunteer service years in fiscal year 1996, 5,500 volunteer service years in fiscal year 1997, and 7,500 volunteer service years in fiscal year 1998.

"(2) PLAN.—If the Director determines that funds appropriated to carry out part A, B, or C of title I are insufficient to provide for the years of volunteer service required by paragraph (1), the Director shall submit a plan to the relevant authorizing and appropriations committees of Congress that will de-

tail what is necessary to fully meet this requirement.''.

SEC. 382. AUTHORIZATION OF APPROPRIATIONS FOR TITLE II.

Section 502 (42 U.S.C. 5082) is amended to read as follows:

''SEC. 502. NATIONAL SENIOR VOLUNTEER CORPS.

''(a) RETIRED AND SENIOR VOLUNTEER PROGRAM.—There are authorized to be appropriated to carry out part A of title II, $37,054,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 through 1998.

''(b) FOSTER GRANDPARENT PROGRAM.—There are authorized to be appropriated to carry out part B of title II, $71,284,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 through 1998.

''(c) SENIOR COMPANION PROGRAM.—There are authorized to be appropriated to carry out part C of title II, $32,509,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 through 1998.

''(d) DEMONSTRATION PROGRAMS.—There are authorized to be appropriated to carry out part E of title II, such sums as may be necessary for each of the fiscal years 1994 through 1998.''.

SEC. 383. AUTHORIZATION OF APPROPRIATIONS FOR TITLE IV.

Section 504 (42 U.S.C. 5084) is amended to read as follows:

"SEC. 504. ADMINISTRATION AND COORDINATION.

"(a) IN GENERAL.—For each of the fiscal years 1994 through 1998, there are authorized to be appropriated for the administration of this Act as provided for in title IV, 20 percent of the total amount appropriated under sections 501 and 502 with respect to such year.

"(b) EVALUATION AND CENTER FOR RESEARCH AND TRAINING.—For each of the fiscal years 1994 through 1998, the Director is authorized to expend not less than one-half of 1 percent, and not more than 1 percent, from the amounts appropriated under sections 501 and 502, for the purposes prescribed in sections 416 and 426.".

SEC. 384. CONFORMING AMENDMENTS; COMPENSATION FOR VISTA FECA CLAIMANTS.

Section 8143(b) of title 5, United States Code, is amended by striking "GS–7" and inserting "GS–5 of the General Schedule under section 5332 of title 5, United States Code".

SEC. 385. REPEAL OF AUTHORITY.

Title VII (42 U.S.C. 5091 et seq.) is repealed.

CHAPTER 5—GENERAL PROVISIONS

SEC. 391. TECHNICAL AND CONFORMING AMENDMENTS.

The Domestic Volunteer Service Act of 1973 (42 U.S.C. 4950 et seq.) is amended by striking ''That this Act'' and all that follows through the end of the table of contents and inserting the following:

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

''(a) SHORT TITLE.—This Act may be cited as the 'Domestic Volunteer Service Act of 1973'.

''(b) TABLE OF CONTENTS.—The table of contents 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.

"PART C—SENIOR COMPANION PROGRAM

"Sec. 213. Grants and contracts for volunteer service projects.

"PART D—GENERAL PROVISIONS

"Sec. 221. Promotion of National Senior Volunteer Corps.
"Sec. 222. Payments.
"Sec. 223. Minority group participation.
"Sec. 224. Use of locally generated contributions in National Senior Volunteer Corps.
"Sec. 225. Programs of national significance.
"Sec. 226. Adjustments to Federal financial assistance.
"Sec. 227. Multiyear grants or contracts.

"PART E—DEMONSTRATION PROGRAMS

"Sec. 231. Authority of Director.
"Sec. 232. Prohibition.

"TITLE IV—ADMINISTRATION AND COORDINATION

"Sec. 403. Political activities.
"Sec. 404. Special limitations.
"Sec. 406. Labor standards.
"Sec. 408. Joint funding.
"Sec. 409. Prohibition of Federal control.
"Sec. 410. Coordination with other programs.
"Sec. 411. Prohibition.
"Sec. 412. Notice and hearing procedures for suspension and termination of financial assistance.
"Sec. 414. Distribution of benefits between rural and urban areas.
"Sec. 415. Application of Federal law.
"Sec. 416. Evaluation.
"Sec. 417. Nondiscrimination provisions.
"Sec. 418. Eligibility for other benefits.
"Sec. 419. Legal expenses.
"Sec. 421. Definitions.
"Sec. 422. Audit.
"Sec. 423. Reduction of paperwork.
"Sec. 424. Review of project renewals.
"Sec. 425. Protection against improper use.
"Sec. 426. Center for Research and Training.

"TITLE V—AUTHORIZATION OF APPROPRIATIONS

"Sec. 501. National volunteer antipoverty programs.

''Sec. 502. National Senior Volunteer Corps.
''Sec. 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.''.

SEC. 392. EFFECTIVE DATE.

This subtitle shall become effective on October 1, 1993.

Subtitle C—Youth Conservation Corps Act of 1970

SEC. 399. PUBLIC LANDS CORPS.

Public Law 91–378 (16 U.S.C. 1701–1706; commonly known as the ''Youth Conservation Corps Act of 1970'') is amended—

(1) by inserting before section 1 the following:

''TITLE I—YOUTH CONSERVATION CORPS'';

(2) by striking ''Act'' each place such term appears and inserting ''title'';

(3) by redesignating sections 1 through 6 as sections 101 through 106, respectively;

(4) in subsection (a) of section 102 (as redesignated by paragraph (3)), by inserting ''in this title'' after ''hereinafter'';

(5) in subsection (d) of section 104 (as redesignated by paragraph (3)), by striking ''section 6'' and inserting ''section 106''; and

(6) by adding at the end the following new title:

"TITLE II—PUBLIC LANDS CORPS

"SEC. 201. SHORT TITLE.

"This title may be cited as the 'Public Lands Corps Act of 1993'.

"SEC. 202. CONGRESSIONAL FINDINGS AND PURPOSE.

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

"(1) Conserving or developing natural and cultural resources and enhancing and maintaining environmentally important lands and waters through the use of the Nation's young men and women in a Public Lands Corps can benefit those men and women by providing such men and women with education and work opportunities, furthering their understanding and appreciation of the natural and cultural resources, and providing a means to pay for higher education or to repay indebtedness such men and women have incurred to obtain higher education while at the same time benefiting the Nation's economy and environment.

"(2) Many facilities and natural resources located on public lands and on Indian lands are in disrepair or degraded and in need of labor intensive rehabilitation, restoration, and enhancement work that

cannot be carried out by Federal agencies at existing personnel levels.

''(3) Youth conservation corps have established a good record of restoring and maintaining these kinds of facilities and resources in a cost effective and efficient manner, especially when the corps have worked in partnership arrangements with government land management agencies.

''(b) PURPOSE.—It is the purpose of this title to—

''(1) perform, in a cost-effective manner, appropriate conservation projects on public lands and Indian lands where such projects will not be performed by existing employees;

''(2) assist governments and Indian tribes in performing research and public education tasks associated with natural and cultural resources on public lands and Indian lands;

''(3) expose young men and women to public service while furthering their understanding and appreciation of the Nation's natural and cultural resources;

''(4) expand educational opportunities by rewarding individuals who participate in national service with an increased ability to pursue higher education or job training; and

''(5) stimulate interest among the Nation's young men and women in conservation careers by exposing such men and women to conservation professionals in land managing agencies.

''SEC. 203. DEFINITIONS.

''For purposes of this title:

''(1) APPROPRIATE CONSERVATION PROJECT.—The term 'appropriate conservation project' means any project for the conservation, restoration, construction, or rehabilitation of natural, cultural, historic, archaeological, recreational, or scenic resources.

''(2) CORPS AND PUBLIC LANDS CORPS.—The terms 'Corps' and 'Public Lands Corps' mean the Public Lands Corps established under section 204.

''(3) INDIAN TRIBE.—The term 'Indian tribe' means an Indian tribe, band, nation, or other organized group or community, including any Native village, Regional Corporation, or Village Corporation, as defined in subsection (c), (g), or (j), respectively, of section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602 (c), (g), or (j)), that is recognized as eligible for the special programs and services provided by the United States under Federal law to Indians because of their status as Indians.

"(4) INDIAN.—The term 'Indian' means a person who is a member of an Indian tribe.

"(5) INDIAN LANDS.—The term 'Indian lands' means—

"(A) any Indian reservation;

"(B) any public domain Indian allotments;

"(C) any former Indian reservation in the State of Oklahoma;

"(D) any land held by incorporated Native groups, regional corporations, and village corporations under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.); and

"(E) any land held by dependent Indian communities within the borders of the United States whether within the original or subsequently acquired territory thereof, and whether within or without the limits of a State.

"(6) PUBLIC LANDS.—The term 'public lands' means any lands or waters (or interest therein) owned or administered by the United States, except that such term does not include any Indian lands.

"(7) QUALIFIED YOUTH OR CONSERVATION CORPS.—The term 'qualified youth or conservation corps' means any program established by a State or

local government, by the governing body of any Indian tribe, or by a nonprofit organization, that—

"(A) is capable of offering meaningful, full-time, productive work for individuals between the ages of 16 and 25, inclusive, in a natural or cultural resource setting;

"(B) gives participants a mix of work experience, basic and life skills, education, training, and support services; and

"(C) provides participants with the opportunity to develop citizenship values and skills through service to their community and the United States.

"(8) RESOURCE ASSISTANT.—The term 'resource assistant' means a resource assistant selected under section 206.

"(9) STATE.—The term 'State' means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, American Samoa, and the Commonwealth of the Northern Mariana Islands.

"SEC. 204. PUBLIC LANDS CORPS PROGRAM.

"(a) ESTABLISHMENT OF PUBLIC LANDS CORPS.—There is hereby established in the Department of the Inte-

rior and the Department of Agriculture a Public Lands Corps.

"(b) PARTICIPANTS.—The Corps shall consist of individuals between the ages of 16 and 25, inclusive, who are enrolled as participants in the Corps by the Secretary of the Interior or the Secretary of Agriculture. To be eligible for enrollment in the Corps, an individual shall satisfy the criteria specified in section 137(b) of the National and Community Service Act of 1990. The Secretaries may enroll such individuals in the Corps without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates. The Secretaries may establish a preference for the enrollment in the Corps of individuals who are economically, physically, or educationally disadvantaged.

"(c) QUALIFIED YOUTH OR CONSERVATION CORPS.—The Secretary of the Interior and the Secretary of Agriculture are authorized to enter into contracts and cooperative agreements with any qualified youth or conservation corps to perform appropriate conservation projects referred to in subsection (d).

"(d) PROJECTS TO BE CARRIED OUT.—The Secretary of the Interior and the Secretary of Agriculture may each

utilize the Corps or any qualified youth or conservation corps to carry out appropriate conservation projects that such Secretary is authorized to carry out under other authority of law on public lands. Appropriate conservation projects may also be carried out under this title on Indian lands with the approval of the Indian tribe involved.

''(e) PREFERENCE FOR CERTAIN PROJECTS.—In selecting appropriate conservation projects to be carried out under this title, the Secretary of the Interior and the Secretary of Agriculture shall give preference to those projects that—

''(1) will provide long-term benefits to the public;

''(2) will instill in the enrollee involved a work ethic and a sense of public service;

''(3) will be labor intensive;

''(4) can be planned and initiated promptly; and

''(5) will provide academic, experiential, or environmental education opportunities.

''(f) CONSISTENCY.—Each appropriate conservation project carried out under this title on any public lands or Indian lands shall be consistent with the provisions of law and policies relating to the management and administration of such lands, with all other applicable provisions of law, and with all management, operational, and other

plans and documents that govern the administration of the area.

"SEC. 205. CONSERVATION CENTERS.

"(a) ESTABLISHMENT AND USE.—The Secretary of the Interior and the Secretary of Agriculture are each authorized to provide such quarters, board, medical care, transportation, and other services, facilities, supplies, and equipment as such Secretary determines to be necessary in connection with the Public Lands Corps and appropriate conservation projects carried out under this title and to establish and use conservation centers owned and operated by such Secretary for purposes of the Corps and such projects. The Secretaries shall establish basic standards of health, nutrition, sanitation, and safety for all conservation centers established under this section and shall assure that such standards are enforced. Where necessary or appropriate, the Secretaries may enter into contracts and other appropriate arrangements with State and local government agencies and private organizations for the management of such conservation centers.

"(b) LOGISTICAL SUPPORT.—The Secretary of the Interior and the Secretary of Agriculture may make arrangements with the Secretary of Defense to have logistical support provided by the Armed Forces to the Corps and any conservation center established under this section, where

feasible. Logistical support may include the provision of temporary tent shelters where needed, transportation, and residential supervision.

"(c) USE OF MILITARY INSTALLATIONS.—The Secretary of the Interior and the Secretary of Agriculture may make arrangements with the Secretary of Defense to identify military installations and other facilities of the Department of Defense and, in consultation with the adjutant generals of the State National Guards, National Guard facilities that may be used, in whole or in part, by the Corps for training or housing Corps participants.

"SEC. 206. RESOURCE ASSISTANTS.

"(a) AUTHORIZATION.—The Secretary of the Interior and the Secretary of Agriculture are each authorized to provide individual placements of resource assistants with any Federal land managing agency under the jurisdiction of such Secretary to carry out research or resource protection activities on behalf of the agency. To be eligible for selection as a resource assistant, an individual shall be at least 17 years of age. The Secretaries may select resource assistants without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates. The Secretaries shall

give a preference to the selection of individuals who are enrolled in an institution of higher education or are recent graduates from an institution of higher education, as defined in section 1201(a) of the Higher Education Act of 1965 (20 U.S.C. 1141(a)) with particular attention given to ensure the full representation of women and participants from historically black, Hispanic, and Native American schools.

"(b) USE OF EXISTING NONPROFIT ORGANIZATIONS.—Whenever one or more existing nonprofit organizations can provide, in the judgment of the Secretary of the Interior or the Secretary of Agriculture, appropriate recruitment and placement services to fulfill the requirements of this section, the Secretary may implement this section through such existing organizations. Participating nonprofit organizations shall contribute to the expenses of providing and supporting the resource assistants, through private sources of funding, at a level equal to 25 percent of the total costs of each participant in the Resource Assistant program who has been recruited and placed through that organization. Any such participating nonprofit conservation service organization shall be required, by the respective land managing agency, to submit an annual report evaluating the scope, size, and quality of the program, including the value of

work contributed by the Resource Assistants, to the mission of the agency.

"SEC. 207. LIVING ALLOWANCES AND TERMS OF SERVICE.

"(a) LIVING ALLOWANCES.—The Secretary of the Interior and the Secretary of Agriculture shall provide each participant in the Public Lands Corps and each resource assistant with a living allowance in an amount not to exceed the maximum living allowance authorized by section 140(a)(3) of the National and Community Service Act of 1990 for participants in a national service program assisted under subtitle C of title I of such Act.

"(b) TERMS OF SERVICE.—Each participant in the Corps and each resource assistant shall agree to participate in the Corps or serve as a resource assistant, as the case may be, for such term of service as may be established by the Secretary enrolling or selecting the individual.

"SEC. 208. NATIONAL SERVICE EDUCATIONAL AWARDS.

"(a) EDUCATIONAL BENEFITS AND AWARDS.—If a participant in the Public Lands Corps or a resource assistant also serves in an approved national service position designated under subtitle C of title I of the National and Community Service Act of 1990, the participant or resource assistant shall be eligible for a national service educational award in the manner prescribed in subtitle D of such title upon successfully complying with the requirements for the

award. The period during which the national service educational award may be used, the purposes for which the award may be used, and the amount of the award shall be determined as provided under such subtitle.

''(b) FORBEARANCE IN THE COLLECTION OF STAFFORD LOANS.—For purposes of section 428 of the Higher Education Act of 1965, in the case of borrowers who are either participants in the Corps or resource assistants, upon written request, a lender shall grant a borrower forbearance on such terms as are otherwise consistent with the regulations of the Secretary of Education, during periods in which the borrower is serving as such a participant or a resource assistant.

''SEC. 209. NONDISPLACEMENT.

''The nondisplacement requirements of section 177 of the National and Community Service Act of 1990 shall be applicable to all activities carried out by the Public Lands Corps, to all activities carried out under this title by a qualified youth or conservation corps, and to the selection and service of resource assistants.

''SEC. 210. FUNDING.

''(a) COST SHARING.—

''(1) PROJECTS BY QUALIFIED YOUTH OR CONSERVATION CORPS.—The Secretary of the Interior and the Secretary of Agriculture are each authorized to

pay not more than 75 percent, and shall collectively pay 75 percent, of the costs of any appropriate conservation project carried out pursuant to this title on public lands by a qualified youth or conservation corps. The remaining 25 percent of the costs of such a project may be provided from non-Federal sources in the form of funds, services, facilities, materials, equipment, or any combination of the foregoing. No cost sharing shall be required in the case of any appropriate conservation project carried out on Indian lands under this title.

"(2) PUBLIC LANDS CORPS PROJECTS.—The Secretary of the Interior and the Secretary of Agriculture are each authorized to accept donations of funds, services, facilities, materials, or equipment for the purposes of operating the Public Lands Corps and carrying out appropriate conservation projects by the Corps. The Department of Agriculture and the Department of the Interior shall comply with the Federal share requirements of section 129(d)(2)(B) of the National and Community Service Act of 1990.

"(b) FUNDS AVAILABLE UNDER NATIONAL AND COMMUNITY SERVICE ACT.—In order to carry out the Public Lands Corps or to support resource assistants and qualified youth or conservation corps under this title, the Secretary

of the Interior and the Secretary of Agriculture shall be eligible to apply for and receive assistance described in section 121(b) of the National and Community Service Act of 1990, from funds available under section 129(d)(2).''.

TITLE IV—TECHNICAL AND CONFORMING AMENDMENTS

SEC. 401. DEFINITION OF DIRECTOR.

Section 421 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5061) is amended by striking paragraph (1) and inserting the following new paragraph:

''(1) the term 'Director' means the President of the Corporation for National and Community Service appointed under section 193 of the National and Community Service Act of 1990;''.

SEC. 402. REFERENCES TO ACTION AND THE ACTION AGENCY.

(a) DOMESTIC VOLUNTEER SERVICE ACT OF 1973.—

(1) Section 2(b) of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4950(b)) is amended—

(A) by striking ''ACTION, the Federal domestic volunteer agency,'' and inserting ''this Act''; and

(B) by striking ''ACTION'' and inserting ''the Corporation for National and Community Service''.

(2) Section 125(b) of such Act (42 U.S.C. 4995(b)) is amended by striking ''the ACTION Agency'' and inserting ''the Corporation''.

(3) Section 225(e) of such Act (42 U.S.C. 5025(e)) is amended by striking ''the ACTION Agency'' and inserting ''the Corporation''.

(4) Section 403(a) of such Act (42 U.S.C. 5043(a) is amended—

(A) by striking ''the ACTION Agency'' the first place such term appears and inserting ''the Corporation under this Act''; and

(B) by striking ''the ACTION Agency'' the second place such term appears and inserting ''the Corporation''.

(5) Section 408 of such Act (42 U.S.C. 5048) is amended by striking ''the ACTION Agency'' and inserting ''the Corporation''.

(6) Section 421(12) of such Act (as added by section 403 of this Act) is further amended by striking ''ACTION'' and inserting ''the Corporation''.

(7) Section 425 of such Act (as added by section 370 of this Act) is further amended by striking ''ACTION'' and inserting ''the Corporation''.

(b) CIVIL SERVICE RETIREMENT SYSTEM.—Section 8332(j)(1) of title 5, United States Code (as amended by

section 372(a)(1)(A)(iii)(II) of this Act) is amended by striking ''the Director of ACTION'' and inserting ''the President of the Corporation for National and Community Service''.

(c) INSPECTOR GENERAL.—

(1) TERMINATION OF STATUS AS DESIGNATED FEDERAL ENTITY.—Section 8E(a)(2) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by striking ''ACTION,''.

(2) TRANSFER.—Section 9(a)(1) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(A) in subparagraph (T), by striking ''and'' at the end; and

(B) by adding at the end the following:

''(V) of the Corporation for National and Community Service, the Office of Inspector General of ACTION; and''.

(d) PUBLIC HOUSING SECURITY.—Section 207(c) of the Public Housing Security Demonstration Act of 1978 (Public Law 95–557; 92 Stat. 2093; 12 U.S.C. 1701z–6 note) is amended—

(1) in paragraph (3)(ii), by striking ''ACTION'' and inserting ''the Corporation for National and Community Service''; and

(2) in paragraph (4), by striking ''ACTION'' and inserting ''the Corporation for National and Community Service''.

(e) NATIONAL FOREST VOLUNTEERS.—Section 1 of the Volunteers in the National Forests Act of 1972 (16 U.S.C. 558a) is amended by striking ''ACTION'' and inserting ''the Corporation for National and Community Service''.

(f) PEACE CORPS.—Section 2A of the Peace Corps Act (22 U.S.C. 2501–1) is amended by inserting after ''the ACTION Agency'' the following: '', the successor to the ACTION Agency,''.

(g) INDIAN ECONOMIC DEVELOPMENT.—Section 502 of the Indian Financing Act of 1974 (25 U.S.C. 1542) is amended by striking ''ACTION Agency'' and inserting ''the Corporation for National and Community Service''.

(h) OLDER AMERICANS.—The Older Americans Act of 1965 is amended—

(1) in section 202(c)(1) (42 U.S.C. 3012(c)(1)), by striking ''the Director of the ACTION Agency'' and inserting ''the Corporation for National and Community Service'';

(2) in section 203(a)(1) (42 U.S.C. 3013(a)(1)), by striking ''the ACTION Agency'' and inserting ''the Corporation for National and Community Service''; and

(3) in section 422(b)(12)(C) (42 U.S.C. 3035a(b)(12)(C)), by striking ''the ACTION Agency'' and inserting ''the Corporation for National and Community Service''.

(i) VISTA SERVICE EXTENSION.—Section 101(c)(1) of the Domestic Volunteer Service Act Amendments of 1989 (Public Law 101–204; 103 Stat. 1810; 42 U.S.C. 4954 note) is amended by striking ''Director of the ACTION Agency'' and inserting ''President of the Corporation for National and Community Service''.

(j) AGING RESOURCE SPECIALISTS.—Section 205(c) of the Older Americans Amendments of 1975 (Public Law 94–135; 89 Stat. 727; 42 U.S.C. 5001 note) is amended—

(1) in paragraph (1)—

(A) by striking ''the ACTION Agency,'' and inserting ''the Corporation for National and Community Service,''; and

(B) by striking ''the Director of the ACTION Agency'' and inserting ''the President of the Corporation'';

(2) in paragraph (2)(A), by striking ''ACTION Agency'' and inserting ''Corporation''; and

(3) in paragraph (3), by striking subparagraph (A) and inserting the following new subparagraph:

''(A) the term 'Corporation' means the Corporation for National and Community Service established by section 191 of the National and Community Service Act of 1990.''.

(k) PROMOTION OF PHOTOVOLTAIC ENERGY.—Section 11(a) of the Solar Photovoltaic Energy Research, Development, and Demonstration Act of 1978 (42 U.S.C. 5590) is amended by striking ''the Director of ACTION,''.

(l) COORDINATING COUNCIL ON JUVENILE JUSTICE.—Section 206(a)(1) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5616(a)(1)) is amended by striking ''the Director of the ACTION Agency'' and inserting ''the President of the Corporation for National and Community Service''.

(m) ENERGY CONSERVATION.—Section 413(b)(1) of the Energy Conservation and Production Act (42 U.S.C. 6863(b)(1)) is amended by striking ''the Director of the ACTION Agency,''.

(n) INTERAGENCY COUNCIL ON THE HOMELESS.—Section 202(a) of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11312(a)) is amended by striking paragraph (12) and inserting the following new paragraph:

''(12) The President of the Corporation for National and Community Service, or the designee of the President.''.

(o) ANTI-DRUG ABUSE.—Section 3601 of the Anti-Drug Abuse Act of 1988 (42 U.S.C. 11851) is amended by striking paragraph (5) and inserting the following new paragraph:

''(5) the term 'Director' means the President of the Corporation for National and Community Service,''.

(p) ADMINISTRATION ON CHILDREN, YOUTH, AND FAMILIES.—Section 916(b) of the Claude Pepper Young Americans Act of 1990 (42 U.S.C. 12312(b)) is amended by striking ''the Director of the ACTION Agency'' and inserting ''the President of the Corporation for National and Community Service''.

SEC. 403. DEFINITIONS.

Section 421 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5061) is amended—

(1) by striking ''and'' at the end of paragraph (6);

(2) by striking the period at the end of paragraph (7) and inserting a semicolon; and

(3) by adding at the end the following new paragraphs:

''(8) the term 'Corporation' means the Corporation for National and Community Service established

under section 191 of the National and Community Service Act of 1990;

"(9) the term 'foster grandparent' means a volunteer in the Foster Grandparent Program;

"(10) the term 'Foster Grandparent Program' means the program established under part B of title II;

"(11) except as provided in section 417, the term 'individual with a disability' has the meaning given the term in section 7(8) of the Rehabilitation Act of 1973 (29 U.S.C. 706(8));

"(12) the term 'Inspector General' means the Inspector General of ACTION;

"(13) the term 'national senior volunteer' means a volunteer in the National Senior Volunteer Corps;

"(14) the term 'National Senior Volunteer Corps' means the programs established under parts A, B, C, and E of title II;

"(15) the term 'Retired and Senior Volunteer Program' means the program established under part A of title II;

"(16) the term 'retired or senior volunteer' means a volunteer in the Retired and Senior Volunteer Program;

''(17) the term 'senior companion' means a volunteer in the Senior Companion Program;

''(18) the term 'Senior Companion Program' means the program established under part C of title II;

''(19) the terms 'VISTA' and 'Volunteers in Service to America' mean the program established under part A of title I; and

''(20) the term 'VISTA volunteer' means a volunteer in VISTA.''.

SEC. 404. REFERENCES TO THE COMMISSION ON NATIONAL AND COMMUNITY SERVICE.

(a) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1993.—

(1) Section 1092(b) of the National Defense Authorization Act for Fiscal Year 1993 (42 U.S.C. 12653a note) is amended—

(A) in paragraph (1)—

(i) by striking ''Commission on National Community Service'' and inserting ''Corporation for National and Community Service''; and

(ii) by striking ''Commission shall prepare'' and inserting ''Board of Directors of the Corporation shall prepare''; and

(B) in paragraph (2), by striking ''Board of Directors of the Commission on National and Community Service'' and inserting ''Board of Directors of the Corporation for National and Community Service''.

(2) Section 1093(a) of such Act (42 U.S.C. 12653a note) is amended by striking ''the Board of Directors and Executive Director of the Commission on National and Community Service'' and inserting ''the Board of Directors and President of the Corporation for National and Community Service''.

(3) Section 1094 of such Act (Public Law 102–484; 106 Stat. 2535) is amended—

*(A) in the title, by striking ''**COMMISSION ON NATIONAL AND COMMUNITY SERVICE**'' and inserting ''**CORPORATION FOR NATIONAL AND COMMUNITY SERVICE**'';*

(B) in subsection (a)—

(i) in the heading, by striking ''COMMISSION'' and inserting ''CORPORATION'';

(ii) in the first sentence, by striking ''Commission on National and Community Service'' and inserting ''Corporation for National and Community Service''; and

(iii) in the second sentence, by striking ''The Commission'' and inserting ''The President of the Corporation''; and

(C) in subsection (b)—

(i) in paragraph (1), by striking ''Board of Directors of the Commission on National and Community Service'' and inserting ''President of the Corporation for National and Community Service''; and

(ii) in paragraph (2), by striking ''the Commission'' and inserting ''the President of the Corporation for National and Community Service''.

(4) Section 1095 of such Act (Public Law 102–484; 106 Stat. 2535) is amended in the heading for subsection (b) by striking ''COMMISSION ON NATIONAL AND COMMUNITY SERVICE'' and inserting ''CORPORATION FOR NATIONAL AND COMMUNITY SERVICE''.

(5) Section 2(b) of such Act (Public Law 102–484; 106 Stat. 2315) is amended by striking the item relating to section 1094 of such Act and inserting the following:

''Sec. 1094. Other programs of the Corporation for National and Community Service.''.

(b) NATIONAL AND COMMUNITY SERVICE ACT OF 1990.—

(1) Sections 159(b)(2) (as redesignated in section 104(b)(3) of this Act) and 165 (as redesignated in section 104(b)(3) of this Act), subsections (a) and (b) of section 172, sections 176(a) and 177(c), and subsections (a), (b), and (d) through (h) of section 179, of the National and Community Service Act of 1990 (42 U.S.C. 12653h(b)(2), 12653n, 12632 (a) and (b), 12636(a), 12637(c), and 12639 (a), (b), and (d) through (h)) are each amended by striking the term ''Commission'' each place the term appears and inserting ''Corporation''.

(2) Sections 152, 157(b)(2), 159(b), 162(a)(2)(C), 164, and 166(1) of such Act (in each case, as redesignated in section 104(b)(3) of this Act) (42 U.S.C. 12653a, 12653f(b)(2), 12653h(b), 12653k(a)(2)(C), 12653m, and 12653o(1)) are each amended by striking ''Commission on National and Community Service'' and inserting ''Corporation''.

(3) Section 163(b)(9) of such Act (as redesignated in section 104(b)(3) of this Act) (42 U.S.C. 12635l(b)(9)) is amended by striking ''Chair of the Commission on National and Community Service'' and inserting ''President''.

(4) Section 303(a) of such Act (42 U.S.C. 12662(a)) is amended—

(A) by striking ''The President'' and inserting ''The President of the United States, acting through the Corporation,'';

(B) by inserting ''in furtherance of activities under section 302'' after ''section 501(b)''; and

(C) by striking ''the President'' both places it appears and inserting ''the Corporation''.

SEC. 405. REFERENCES TO DIRECTORS OF THE COMMISSION ON NATIONAL AND COMMUNITY SERVICE.

(a) PRESIDENT.—

(1) Section 159(a) of such Act (as redesignated in section 104(b)(3) of this Act) (42 U.S.C. 12653h(b)) is amended—

(A) by striking ''BOARD.—The Board'' and inserting ''SUPERVISION.—The President'';

(B) by striking ''the Board'' in the matter preceding the paragraphs and in paragraph (1) and inserting ''the President''; and

(C) by striking ''the Director'' in paragraph (1) and inserting ''the Board''.

(2) Section 159(b) of such Act (as redesignated in section 104(b)(3) of this Act) (42 U.S.C. 12653h(b)) is amended by striking ''(b)'' and all that

follows through ''Commission on National and Community Service'' and inserting ''(b) MONITORING AND COORDINATION.—The President''.

(3) Section 159(c)(1) (as redesignated in section 104(b)(3) of this Act) (12653h(c)(1)) is amended—

(A) in subparagraph (A), by striking ''the Board, in consultation with the Executive Director,'' and inserting ''President''; and

(B) in subparagraph (B)(iii), by striking ''the Board through the Executive Director'' and inserting ''the President''.

(4) Section 166(6) (as redesignated in section 104(b)(3) of this Act) (42 U.S.C. 12653o(6)) is amended—

(A) by striking paragraph (6); and

(B) by redesignating paragraphs (7) through (11) as paragraphs (6) through (10), respectively.

(b) DIRECTOR OF CIVILIAN COMMUNITY CORPS.—Sections 155(a), 157(b)(1)(A), 158(a), 159(c)(1)(A), and 163(a) (in each case, as redesignated in section 104(b)(3) of this Act) of the National and Community Service Act of 1990 (42 U.S.C. 12653d(a), 12653f(b)(1)(A), 12653g(a), 12653h(c)(1)(A), and 12653l(a)) are amended by striking

''Director of Civilian Community Corps'' each place the term appears and inserting ''Director''.

SEC. 406. EFFECTIVE DATE.

(a) ACTION.—The amendments made by sections 401 and 402 shall take effect on the effective date of section 203(c)(2).

(b) COMMISSION.—The amendments made by sections 403 through 405 will take effect on October 1, 1993.

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S 919 RS——6

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