

108TH CONGRESS  
1ST SESSION

# H. R. 2552

To improve the manner in which the Corporation for National and Community Service approves, and records obligations relating to, national service positions.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 19, 2003

Mr. VAN HOLLEN introduced the following bill; which was referred to the Committee on Education and the Workforce

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## A BILL

To improve the manner in which the Corporation for National and Community Service approves, and records obligations relating to, national service positions.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Strengthen  
5 AmeriCorps Program Act”.

6 **SEC. 2. PROCESS OF APPROVAL OF NATIONAL SERVICE PO-**  
7 **SITIONS.**

8 (a) DEFINITIONS.—In this Act, the terms “approved  
9 national service position” and “Corporation” have the

1 meanings given the terms in section 101 of the National  
2 and Community Service Act of 1990 (42 U.S.C. 12511).

3 (b) TIMING AND RECORDING REQUIREMENTS.—

4 (1) IN GENERAL.—Notwithstanding subtitles C  
5 and D of title I of the National and Community  
6 Service Act of 1990 (42 U.S.C. 12571 et seq.,  
7 12601 et seq.), and any other provision of law, in  
8 approving a position as an approved national service  
9 position, the Corporation—

10 (A) shall approve the position at the time  
11 the Corporation—

12 (i) enters into an enforceable agree-  
13 ment with an individual participant to  
14 serve in a program carried out under sub-  
15 title E of title I of that Act (42 U.S.C.  
16 12611 et seq.) or title I of the Domestic  
17 Volunteer Service Act of 1973 (42 U.S.C.  
18 4951 et seq.); or

19 (ii) except as provided in clause (i),  
20 awards a grant to (or enters into a con-  
21 tract or cooperative agreement with) an  
22 entity to carry out a program for which  
23 such a position may be approved under  
24 section 123 of the National and Commu-

1           nity Service Act of 1990 (42 U.S.C.  
2           12573); and

3           (B) shall record as an obligation an esti-  
4           mate of the net present value of the national  
5           service educational award associated with the  
6           position, based on a formula that takes into  
7           consideration historical rates of enrollment in  
8           such a program, and of earning and using na-  
9           tional service educational awards for such a  
10          program.

11          (2) FORMULA.—In determining the formula de-  
12          scribed in paragraph (1)(B), the Corporation shall  
13          consult with the Director of the Congressional Bud-  
14          get Office.

15          (3) CERTIFICATION REPORT.—The Chief Exec-  
16          utive Officer of the Corporation shall annually pre-  
17          pare and submit to Congress a report that contains  
18          a certification that the Corporation is in compliance  
19          with the requirements of paragraph (1).

20          (4) APPROVAL.—The requirements of this sub-  
21          section shall apply to each approved national service  
22          position that the Corporation approves—

23                  (A) during fiscal year 2003 (before or after  
24                  the date of enactment of this Act); and

25                  (B) during any subsequent fiscal year.

1 (c) RESERVE ACCOUNT.—

2 (1) ESTABLISHMENT AND CONTENTS.—

3 (A) ESTABLISHMENT.—Notwithstanding  
4 subtitles C and D of title I of the National and  
5 Community Service Act of 1990 (42 U.S.C.  
6 12571 et seq., 12601 et seq.), and any other  
7 provision of law, within the National Service  
8 Trust established under section 145 of the Na-  
9 tional and Community Service Act of 1990 (42  
10 U.S.C. 12601), the Corporation shall establish  
11 a reserve account.

12 (B) CONTENTS.—To ensure the avail-  
13 ability of adequate funds to support the awards  
14 of approved national service positions for each  
15 fiscal year, the Corporation shall place in the  
16 account—

17 (i) during fiscal year 2003, a portion  
18 of the funds that were appropriated for fis-  
19 cal year 2003 or a previous fiscal year  
20 under section 501(a)(2) (42 U.S.C.  
21 12681(a)(2)), and were made available to  
22 carry out subtitle C or D of title I of that  
23 Act, and remain available; and

24 (ii) during fiscal year 2004 or a sub-  
25 sequent fiscal year, a portion of the funds

1           that were appropriated for that fiscal year  
2           under section 501(a)(2) and were made  
3           available to carry out subtitle C or D of  
4           title I of that Act.

5           (2) OBLIGATION.—The Corporation shall not  
6           obligate the funds in the reserve account until the  
7           Corporation—

8                   (A) determines that the funds will not be  
9                   needed for the payment of national service edu-  
10                  cational awards associated with previously ap-  
11                  proved national service positions; or

12                   (B) obligates the funds for the payment of  
13                  such awards for such previously approved na-  
14                  tional service positions.

15           (d) AUDITS.—The accounts of the Corporation relat-  
16           ing to the appropriated funds for approved national serv-  
17           ice positions, and the records demonstrating the manner  
18           in which the Corporation has recorded estimates described  
19           in subsection (b)(1)(B) as obligations, shall be audited an-  
20           nually by independent certified public accountants or inde-  
21           pendent licensed public accountants, certified or licensed  
22           by a regulatory authority of a State or other political sub-  
23           division of the United States in accordance with generally  
24           accepted auditing standards. A report containing the re-

1 sults of each such independent audit shall be included in  
2 the annual report required by subsection (b)(3).

3 (e) AVAILABILITY OF AMOUNTS.—Except as provided  
4 in subsection (c), all amounts included in the National  
5 Service Trust under paragraphs (1), (2), and (3) of sec-  
6 tion 145(a) of the National and Community Service Act  
7 of 1990 (42 U.S.C. 12601(a)) shall be available for pay-  
8 ments of national service educational awards under section  
9 148 of that Act (42 U.S.C. 12604).

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