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REPORT
110–420

GENERATIONS INVIGORATING VOLUNTEERISM AND EDUCATION ACT OR THE "GIVE ACT"

NOVEMBER 1, 2007.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. GEORGE MILLER of California, from the Committee on Education and Labor, submitted the following

R E P O R T

together with

MINORITY VIEWS

[To accompany H.R. 2857]

[Including cost estimate of the Congressional Budget Office]

The Committee on Education and Labor, to whom was referred the bill (H.R. 2857) to reauthorize and reform the national service laws, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Generations Invigorating Volunteerism and Education Act" or the "GIVE Act".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—AMENDMENTS TO NATIONAL AND COMMUNITY SERVICE ACT OF 1990

Sec. 1001. References.

Subtitle A—Amendments to Subtitle A (General Provisions)

Sec. 1101. Purposes; sense of Congress.
Sec. 1102. Definitions.

Subtitle B—Amendments to Subtitle B (Service-Learning)

Sec. 1201. School-based allotments.
Sec. 1202. Higher education provisions.
Sec. 1203. Innovative programs and research.

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Subtitle C—Amendments to Subtitle C (National Service Trust Program)

Sec. 1301. Prohibition on grants to Federal agencies; limits on Corporation costs.
Sec. 1302. E–Corps and technical amendments to types of programs.
Sec. 1303. Types of positions.
Sec. 1304. Conforming repeal relating to training and technical assistance.
Sec. 1305. Assistance to State Commissions; challenge grants.
Sec. 1306. Allocation of assistance to States and other eligible entities.
Sec. 1307. Additional authority.
Sec. 1308. State selection of programs.
Sec. 1309. Consideration of applications.
Sec. 1310. Description of participants.
Sec. 1311. Selection of national service participants.
Sec. 1312. Terms of service.
Sec. 1313. Adjustments to living allowance.

Subtitle D—Amendments to Subtitle D (National Service Trust and Provision of National Service Educational Awards)

Sec. 1401. Availability of funds in the National Service Trust.
Sec. 1402. Individuals eligible to receive a national service educational award from the Trust.
Sec. 1403. Determination of the amount of national service educational awards.
Sec. 1404. Disbursement of educational awards.
Sec. 1405. Process of approval of national service positions.

Subtitle E—Amendments to Subtitle E (National Civilian Community Corps)

Sec. 1501. Purpose.
Sec. 1502. Program components.
Sec. 1503. Eligible participants.
Sec. 1504. Summer national service program.
Sec. 1505. Team leaders.
Sec. 1506. Training.
Sec. 1507. Consultation with State Commissions.
Sec. 1508. Authorized benefits for Corps members.
Sec. 1509. Permanent cadre.
Sec. 1510. Contract and grant authority.
Sec. 1511. Other departments.
Sec. 1512. Advisory Board.
Sec. 1513. Annual evaluation.
Sec. 1514. Repeal of funding limitation.
Sec. 1515. Definitions.
Sec. 1516. Terminology.

Subtitle F—Amendments to Subtitle F (Administrative Provisions)

Sec. 1601. Family and medical leave.
Sec. 1602. Additional prohibitions on use of funds.
Sec. 1603. Notice, hearing, and grievance procedures.
Sec. 1604. Resolution of displacement complaints.
Sec. 1605. State Commissions on National and Community Service.
Sec. 1606. Evaluation and accountability.
Sec. 1607. Technical amendment.
Sec. 1608. Partnerships with schools.
Sec. 1609. Rights of access, examination, and copying.
Sec. 1610. Additional administrative provisions.

Subtitle G—Amendments to Subtitle G (Corporation for National and Community Service)

Sec. 1701. Terms of office.
Sec. 1702. Board of Directors authorities and duties.
Sec. 1703. Authorities and duties of the Chief Executive Officer.
Sec. 1704. Nonvoting members; personal services contracts.
Sec. 1705. Donated services.
Sec. 1706. Office of Outreach and Recruitment.
Sec. 1707. Study to examine and increase service programs for veterans and veterans participation in Service Corps and Community Service and to develop pilot program.

Subtitle H—Amendments to Subtitle H

Sec. 1801. Technical amendments to subtitle H.
Sec. 1802. Repeals.
Sec. 1803. Innovative and model program support.
Sec. 1804. Clearinghouses.

Subtitle I—American Conservation and Youth Service Corps

Sec. 1811. State application.

Subtitle J—Training and Technical Assistance

Sec. 1821. Training and technical assistance.

Subtitle K—Repeal of Title III (Points of Light Foundation)

Sec. 1831. Repeal.

Subtitle L—Amendments to Title V (Authorization of Appropriations)

Sec. 1841. Authorization of appropriations.

TITLE II—AMENDMENTS TO THE DOMESTIC VOLUNTEER SERVICE ACT OF 1973

Sec. 2001. References.

Subtitle A—Amendments to Title I (National Volunteer Antipoverty Programs)

Sec. 2101. Purpose.

Sec. 2102. Purpose of the VISTA program.
Sec. 2103. Applications.
Sec. 2104. VISTA programs of national significance.
Sec. 2105. Terms and periods of service.
Sec. 2106. Support Service.
Sec. 2107. Sections repealed.
Sec. 2108. Conforming amendment.
Sec. 2109. Financial assistance.

Subtitle B—Amendments to Title II (National Senior Volunteer Corps)

Sec. 2201. Change in name.
Sec. 2202. Purpose.
Sec. 2203. Grants and contracts for volunteer service projects.
Sec. 2204. Foster Grandparent Program grants.
Sec. 2205. Senior Companion Program grants.
Sec. 2206. Promotion of National Senior Service Corps.
Sec. 2207. Technical amendments.
Sec. 2208. Programs of national significance.
Sec. 2209. Additional provisions.
Sec. 2210. Authority of Director.

Subtitle C—Amendments to Title IV (Administration and Coordination)

Sec. 2301. Nondisplacement.
Sec. 2302. Notice and hearing procedures.
Sec. 2303. Definitions.
Sec. 2304. Protection against improper use.

Subtitle D—Amendments to Title V (Authorization of Appropriations)

Sec. 2401. Authorization of appropriations for VISTA and other purposes.
Sec. 2402. Authorization of appropriations for National Senior Service Corps.
Sec. 2403. Administration and coordination.

TITLE III—AMENDMENTS TO OTHER LAWS

Sec. 3101. Inspector General Act of 1978.

TITLE IV—TECHNICAL AMENDMENTS TO TABLES OF CONTENTS

Sec. 4101. Table of contents for the National and Community Service Act of 1990.
Sec. 4102. Table of contents for the Domestic Volunteer Service Act of 1973.

TITLE V—EFFECTIVE DATE

Sec. 5101. Effective date.
Sec. 5102. Service assignments and agreements.

TITLE I—AMENDMENTS TO NATIONAL AND COMMUNITY SERVICE ACT OF 1990

SEC. 1001. REFERENCES.

Except as otherwise specifically provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a provision, the reference shall be considered to be made to a provision of the National and Community Service Act of 1990 (42 U.S.C. 12501 et seq.).

Subtitle A—Amendments to Subtitle A (General Provisions)

SEC. 1101. PURPOSES; SENSE OF CONGRESS.

(a) PURPOSES.—Section 2(b) (42 U.S.C. 12501(b)) is amended—

(1) in paragraph (2), by striking "community throughout" and inserting "community and service throughout the varied and diverse communities of";

(2) in paragraph (4), by inserting after "income," the following: "geographic location,";

(3) in paragraph (6), by inserting after "existing" the following: "national";

(4) in paragraph (7)—

(A) by striking "programs and agencies" and inserting "programs, agencies, and communities"; and

(B) by striking "and" at the end;

(5) in paragraph (8), by striking the period and inserting a semicolon; and

(6) by adding at the end the following:

"(9) expand and strengthen service-learning programs through year-round opportunities, including during the summer months, to improve the education of children and youth and to maximize the benefits of national and community service, in order to renew the ethic of civic responsibility and the spirit of community to children and youth throughout the United States;

"(10) assist in coordinating and strengthening Federal and other citizen service opportunities, including opportunities for participation in emergency and disaster preparedness, relief, and recovery;

"(11) increase service opportunities for our Nation's retiring professionals, including such opportunities for those retiring from the science, technical, engineering, and mathematics professions to improve the education of our Nation's youth and keep America competitive in the global knowledge economy, and to further utilize the experience, knowledge, and skills of older Americans;

"(12) encourage the continued service of the alumni of the national service programs, including service in times of national need; and

"(13) encourage members of the Baby Boom generation to partake in service opportunities.".

(b) SENSE OF CONGRESS.—The Act is amended by inserting after section 2 the following:

"SEC. 3. SENSE OF CONGRESS.

"It is the sense of Congress that the number of participants in the AmeriCorps programs, including the Volunteers in Service to America (VISTA) and the National Civilian Community Corps (NCCC), should grow to reach 100,000 participants by 2012.".

SEC. 1102. DEFINITIONS.

Section 101 (42 U.S.C. 12511) is amended—

(1) by redesignating—

(A) paragraphs (21) through (29) as paragraphs (28) through (36), respectively;

(B) paragraphs (9) through (20) as paragraphs (15) through (26), respectively; and

(C) paragraphs (7) and (8) as paragraphs (10) and (11), respectively; and

(D) paragraphs (3) through (6) as paragraphs (5) through (8), respectively;

(2) by inserting after paragraph (2) the following:

"(3) APPROVED SUMMER OF SERVICE POSITION.—The term 'approved summer of service position' means a position in a program described under section 111(a)(5) for which the Corporation has approved the provision of a summer of service educational award as one of the benefits to be provided for successful service in the position.

"(4) BABY BOOM GENERATION.—The term 'Baby Boom generation' means the generation that consists of individuals born during the period beginning with 1946 and ending with 1964.";

(3) in paragraph (5) (as so redesignated), by striking "described in section 122";

(4) in paragraph (7) (as so redesignated), by striking "church or other";

(5) by inserting after paragraph (8) (as so redesignated) the following:

"(9) DISADVANTAGED YOUTH.—The term 'disadvantaged youth' includes those youth who are economically disadvantaged and one or more of the following:

"(A) Who are out-of-school youth, including out-of-school youth who are unemployed.

"(B) Who are in or aging out of foster care.

"(C) Who have limited English proficiency.

"(D) Who are homeless or who have run away from home.

"(E) Who are at-risk to leave school without a diploma.

"(F) Who are former juvenile offenders or at risk of delinquency.";

(6) by inserting after paragraph (11) (as so redesignated) the following:

"(12) GRANTMAKING ENTITY.—The term 'grantmaking entity' means a public or private nonprofit organization that—

"(A) has experience with service-learning or with meeting unmet human, educational, environmental, or public safety needs;

"(B) was in existence at least one year before the date on which the organization submitted an application under the national service laws; and

"(C) meets other such criteria as the Chief Executive Officer may establish.

"(13) HISPANIC-SERVING INSTITUTION.—The term 'Hispanic-serving institution' has the meaning given the term in section 502(a) of the Higher Education Act of 1965 (20 U.S.C. 1101a(a)).

"(14) HISTORICALLY BLACK COLLEGE OR UNIVERSITY.—The term 'historically black college or university' means a part B institution, as defined in section 322 of the Higher Education Act of 1965 (20 U.S.C. 1101a(a)).";

(7) in paragraph (19) (as so redesignated), by striking "section 101(a) of the Higher Education Act of 1965" and inserting "sections 101(a) and 102(a)(1) of the Higher Education Act of 1965";

(8) in paragraph (23)(B) (as so redesignated), by striking "program in which the participant is enrolled" and inserting "organization receiving assistance under the national service laws through which the participant is enrolled in an approved national service position";

(9) by inserting after paragraph (26) (as so redesignated) the following:

"(27) QUALIFIED ORGANIZATION.—The term 'qualified organization' means a public or private nonprofit organization with experience working with school-age youth that meets such criteria as the Chief Executive Officer may establish."; and

(10) by adding at the end the following:

"(37) TRIBALLY CONTROLLED COLLEGE OR UNIVERSITY.—The term 'tribally controlled college or university' has the meaning given in section 2 of the Tribally Controlled College or University Assistance Act of 1978 (25 U.S.C. 1801).".

Subtitle B—Amendments to Subtitle B (Service-Learning)

SEC. 1201. SCHOOL-BASED ALLOTMENTS.

Part I of subtitle B of title I (42 U.S.C. 12521 et seq.) is amended to read as follows:

"PART I—PROGRAMS FOR ELEMENTARY AND SECONDARY STUDENTS

"SEC. 111. ASSISTANCE TO STATES, TERRITORIES, AND INDIAN TRIBES.

"(a) ALLOTMENTS TO STATES, TERRITORIES, AND INDIAN TRIBES.—The Corporation, in consultation with the Secretary of Education, may make allotments to State educational agencies, Territories, and Indian tribes to pay for the Federal share of—

"(1) planning and building the capacity within the State, Territory, or Indian tribe to implement service-learning programs that are based principally in elementary and secondary schools, including—

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

"(B) developing service-learning curricula, consistent with State or local academic content standards, to be integrated into academic programs, including an age-appropriate learning component that provides participants an opportunity to analyze and apply their service experiences;

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

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

"(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; and

"(F) establishing effective outreach and dissemination of information to ensure the broadest possible participation of schools throughout the State, with particular attention to schools identified for school improvement under title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.);

"(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 distribution of Federal funds by State educational agencies, Territories, and Indian tribes made available under this part to projects operated by local partnerships among—

"(A) local educational agencies; and

"(B) 1 or more community partners that—

"(i) shall include a public or private nonprofit organization that—

"(I) has a demonstrated expertise in the provision of services to meet unmet human, education, environmental, or public safety needs;

"(II) will make projects available for participants, who shall be students; and

"(III) was in existence at least 1 year before the date on which the organization submitted an application under section 113; and

"(ii) may include a private for-profit business, private elementary or secondary school, or Indian tribe (except that an Indian tribe distributing funds to a project under this paragraph is not eligible to be part of the partnership operating that project);

"(3) planning of school-based service-learning programs, through distribution by State educational agencies, Territories, and Indian tribes of Federal funds made available under this part to local educational agencies and Indian tribes, 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 may be participants in a program under subtitle C or receive a national service educational award under subtitle D, who may be participants in a project under section 201 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5001), or who may participate in a Youthbuild program under section 173A of the Workforce Investment Act of 1998 (29 U.S.C. 2918a),

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);

"(4) implementing, operating, or expanding school-based service-learning programs to utilize adult volunteers in service-learning to improve the education of students, through distribution by State educational agencies, Territories, and Indian tribes of Federal funds made available under this part to—

"(A) local educational agencies;

"(B) Indian tribes (except that an Indian tribe distributing funds under this paragraph is not eligible to be a recipient of those funds);

"(C) public or private nonprofit organizations; or

"(D) partnerships or combinations of local educational agencies and entities described in subparagraph (B) or (C); and

"(5) establishing or implementing summer of service programs during the summer months, including the cost of recruitment, training, and placement of service-learning coordinators—

"(A) for youth who will be enrolled in any grade from grade 6 through grade 12 at the end of the summer concerned;

"(B) for community-based service-learning projects that—

"(i) shall—

"(I) meet unmet human, educational, environmental (including energy conservation and stewardship), emergency and disaster preparedness, and public service needs; and

"(II) be intensive, structured, supervised, and designed to produce identifiable improvements to the community; and

"(ii) may include the extension of academic year service-learning programs into the summer months;

"(C) through the distribution of Federal funds made available under this part to projects operated by local partnerships that consist of local educational agencies and—

"(i) public or private elementary schools or secondary schools;

"(ii) institutions of higher education;

"(iii) public or private non-profit organizations that—

"(I) have a demonstrated expertise in providing services to meet unmet human, educational, environmental, or public safety needs; and

"(II) have been in existence for at least 1 year before the date on which the organization submitted an application under section 113;

"(iv) for-profit businesses; or

"(v) a consortia of such entities;

"(D) under which any student who completes 100 hours of service in an approved summer of service position, as certified through a process determined by the Corporation through regulations consistent with section 139(f), shall be eligible for a summer of service educational award of not more than $500 (or, at the discretion of the Chief Executive Officer, not more than $1,000 in the case of a participant who is economically disadvantaged) from funds deposited in the National Service Trust and distributed by the Corporation as described in section 148; and

"(E) subject to the limitation that a student may not receive more than 2 summer of service educational awards from funds deposited in the National Service Trust.

"(b) PROGRAMS TO ENCOURAGE CIVIC ENGAGEMENT IN SERVICE LEARNING.—

"(1) IN GENERAL.—From funds appropriated under section 501(a)(1), and without regard to section 112(b), the Corporation shall reserve up to 3 percent for competitive grants to partnerships described in subsection (a)(2) for the development of service-learning programs that promote greater civic engagement among elementary and secondary school students.

"(2) APPLICATION.—To be eligible to receive a grant under this subsection, a partnership shall submit an application at such time, in such manner, and containing such information as the Corporation may require.

"(3) ACTIVITIES.—Partnerships receiving grants under this subsection shall use funds to develop service-learning curricula that—

"(A) promote a better understanding of the principles of the Constitution of the United States, the heroes of American history (including military heroes), and the meaning of the Oath of Allegiance;

"(B) promote a better understanding of how the Nation's government functions; and

"(C) promote a better understanding of the importance of service in the Nation's character.

"(c) DUTIES OF SERVICE-LEARNING COORDINATOR.—A service-learning coordinator referred to in paragraph (2), (3), or (5) of subsection (a) shall provide services that may include—

"(1) providing technical assistance and information to, and facilitating the training of, teachers and assisting in the planning, development, execution, and evaluation of service-learning in their classrooms;

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

"(3) carrying out such other duties as the recipient of assistance under this part may determine to be appropriate.

"(d) RELATED EXPENSES.—An entity that receives financial assistance under this part 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, and evaluations and for other reasonable expenses related to the activities.

"SEC. 112. ALLOTMENTS.

"(a) INDIAN TRIBES AND TERRITORIES.—Of the amounts appropriated to carry out this part for any fiscal year, the Corporation shall reserve an amount of not less than 2 percent and not more than 3 percent for payments to Indian tribes, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, to be allotted in accordance with their respective needs.

"(b) ALLOTMENTS THROUGH STATES.—After reserving the amount under subsection (a), the Corporation shall use the remainder of the funds appropriated to carry out this part for any fiscal year as follows:

"(1) ALLOTMENTS.—

"(A) SCHOOL-AGE YOUTH.—From 50 percent of such remainder, the Corporation shall allot to each State an amount that bears the same ratio to 50 percent of such remainder 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.—From 50 percent of such remainder, the Corporation shall allot to each State an amount that bears the same ratio to 50 percent of such remainder as the allocation to the State for the previous fiscal year under title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.) or its successor authority bears to such allocations to all States.

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

"(c) REALLOTMENT.—If the Corporation determines that the allotment of a State, Territory, or Indian tribe under this section will not be required for a fiscal year because the State, Territory, or Indian tribe did not submit and receive approval of an application for the allotment under section 113, the Corporation shall make the allotment for such State, Territory, or Indian tribe available for grants to grantmaking entities to carry out service-learning programs as described in section

111(a) in such State, Territory, or Indian tribe. After grantmaking entities apply for the allotment with an application at such time and in such manner as the Corporation requires and receive approval, the remainder of such allotment shall be available for reallotment to such other States, Territories, or Indian tribes with approved applications submitted under section 113 as the Corporation may determine to be appropriate.

"SEC. 113. APPLICATIONS.

"(a) IN GENERAL.—To be eligible to receive an allotment under section 112 or an allotment of approved summer of service positions under section 111(a)(5)(D), a State, acting through the State educational agency, Territory, or Indian tribe shall prepare, submit to the Corporation, and obtain approval of, an application at such time and in such manner as the Chief Executive Officer may reasonably require.

"(b) CONTENTS.—An application for an allotment under this part shall include—

"(1) a proposal for a 3-year plan promoting service-learning, which shall contain such information as the Chief Executive Officer may reasonably require, including how the applicant will integrate service opportunities into the academic program of the participants;

"(2) information about the applicant's efforts to—

"(A) ensure that students of different ages, races, sexes, ethnic groups, disabilities, and economic backgrounds have opportunities to serve together;

"(B) include any opportunities for students enrolled in schools or other programs of education providing elementary or secondary education to participate in service-learning programs and ensure that such service-learning programs include opportunities for such students to serve together;

"(C) involve participants in the design and operation of the program;

"(D) promote service-learning in areas of greatest need, including low-income or rural areas; and

"(E) otherwise integrate service opportunities into the academic program of the participants; and

"(3) assurances that the applicant will comply with the nonduplication and nondisplacement requirements of section 177 and the grievance procedures required by section 176.

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

"(1) IN GENERAL.—Any—

"(A) qualified organization, Indian tribe, Territory, local educational agency, for-profit business, private elementary, middle, or secondary school, or institution of higher education that desires to receive financial assistance under this subpart from a State, Territory, 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, Territory, or Indian tribe or grantmaking entity described in section 111(a)(2);

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

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

"(E) agency or partnership described in section 111(a)(5) that desires to receive such assistance, or approved summer of service positions, from a State, Territory, 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, Territory, grantmaking entity, or Indian tribe, 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, Territory, Indian tribe, or entity may reasonably require.

"(d) EXCEPTION.—Notwithstanding subsections (a) and (b) of section 112, if less than $20,000,000 is appropriated for any fiscal year to carry out this part, the Corporation shall award grants to States, Territories, 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. 114. CONSIDERATION OF APPLICATIONS.

"(a) PRIORITY.—In considering competitive applications under this part, the Corporation shall give priority to innovation, sustainability, capacity building, involvement of disadvantaged youth, and quality of programs, as well as other criteria approved by the Chief Executive Officer.

"(b) REJECTION OF APPLICATIONS.—If the Corporation rejects an application submitted by a State under section 113 for an allotment, 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 technical assistance, if needed, to the State as part of the resubmission process. The Corporation shall promptly reconsider such resubmitted application.

"SEC. 115. PARTICIPATION OF STUDENTS AND TEACHERS FROM PRIVATE SCHOOLS.

"(a) IN GENERAL.—To the extent consistent with the number of students in the State, Territory, or Indian tribe or in the school district of the local educational agency involved who are enrolled in private nonprofit elementary and secondary schools, such State, Territory, 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 part; 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 part.

"(b) WAIVER.—If a State, Territory, Indian tribe, or local educational agency is prohibited by law from providing for the participation of students or teachers from private nonprofit schools as required by subsection (a), or if the Corporation determines that a State, Territory, Indian tribe, or local educational agency substantially fails or is unwilling to provide for such participation on an equitable basis, the Chief Executive Officer shall waive such requirements and shall arrange for the provision of services to such students and teachers. Such waivers shall be subject to the requirements of sections 9503 and 9504 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7883 and 7884).

"SEC. 116. FEDERAL, STATE, AND LOCAL CONTRIBUTIONS.

"(a) FEDERAL SHARE.—

"(1) IN GENERAL.—The Federal share of the cost of carrying out a program for which assistance is provided under this part may not exceed 50 percent of the total cost of the program.

"(2) NON-FEDERAL CONTRIBUTION.—In providing for the remaining share of the cost of carrying out such a program, each recipient of assistance under this part—

"(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 or local sources, including private funds or donated services.

"(b) WAIVER.—The Chief Executive Officer may waive the requirements of subsection (a) in whole or in part with respect to any such program for 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.

"Not more than 6 percent of the amount of assistance received by an applicant in a fiscal year may be used to pay, in accordance with such standards as the Corporation may issue, for administrative costs, incurred by—

"(1) the original recipient; or

"(2) the entity carrying out the service-learning program supported with the assistance.".

SEC. 1202. HIGHER EDUCATION PROVISIONS.

Section 119 (42 U.S.C. 12561) is redesignated as section 117 and amended—

(1) in subsection (a), by inserting after "community service programs" the following: "through service-learning";

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking "combination" and inserting "consortia";

(B) in paragraph (1)—

(i) in subparagraph (A), by striking "and" at the end;

(ii) in subparagraph (B), by adding "and" at the end; and

(iii) by adding at the end the following:

"(C) may coordinate with service-learning curricula being offered in the academic curricula at the institution of higher education or at one or more members of the consortia;";

(3) in subsection (b)(3)—

(A) in the matter preceding subparagraph (A), by striking "teachers at the elementary, secondary, and postsecondary levels" and inserting "institutions of higher education and their faculty";

(B) in subparagraph (A), by striking "education of the institution; and" and inserting "curricula of the institution to strengthen the instructional capacity of service-learning at the elementary and secondary levels;" ;

(C) by redesignating subparagraph (B) as subparagraph (E); and

(D) by inserting after subparagraph (A) the following:

"(B) including service-learning as a key component of the health professionals curricula, including nursing, pre-medicine, medicine, and dentistry curricula of the institution;

"(C) including service-learning as a key component of the criminal justice professionals curricula of the institution;

"(D) including service-learning as a key component of the public policy and public administration curricula of the institution; and";

(4) by striking subsections (c), (d), (e), and (g);

(5) by redesignating subsection (f) as (i); and

(6) by inserting after subsection (b) the following:

"(c) SPECIAL CONSIDERATION.—To the extent practicable, the Corporation shall give special consideration to applications submitted by predominantly Black institutions, Historically Black Colleges and Universities, Hispanic-serving institutions, and Tribal Colleges and Universities.

"(d) FEDERAL, STATE, AND LOCAL CONTRIBUTIONS.—

"(1) FEDERAL SHARE.—

"(A) IN GENERAL.—The Federal share of the cost of carrying out a program for which a grant is made under this part may not exceed 50 percent of the total cost of the program.

"(B) NON-FEDERAL CONTRIBUTION.—In providing for the remaining share of the cost of carrying out such a program, each recipient of a grant under this part—

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

"(ii) may provide for such share through State sources or local sources, including private funds or donated services.

"(2) WAIVER.—The Chief Executive Officer may waive the requirements of paragraph (1) in whole or in part with respect to any such program for 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.

"(e) APPLICATION FOR GRANT.—

"(1) SUBMISSION.—To receive a grant or enter into a contract under this part, an applicant shall prepare, submit to the Corporation, and obtain approval of, an application at such time, in such manner, and containing such information and assurances as the Corporation may reasonably require. In requesting applications for assistance under this part, the Corporation shall specify such required information and assurances.

"(2) CONTENTS.—An application submitted under paragraph (1) shall contain, at a minimum—

"(A) assurances that—

"(i) prior to the placement of a participant, the applicant will consult with the appropriate local labor organization, if any, 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 procedures required by section 176; and

"(B) such other assurances as the Chief Executive Officer may reasonably require.

"(f) PRIORITY.—In making grants and entering into contracts under subsection (b), the Corporation shall give priority to applicants or institutions that submit applications containing proposals that—

"(1) 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;

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

"(3) 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 and colleges;

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

"(A) the institution;

"(B)(i) a community-based agency;

"(ii) a local government agency; or

"(iii) a non-profit entity that serves or involves school-age youth, older adults, or low-income communities; and

"(C)(i) a student organization;

"(ii) a department of the institution; or

"(iii) a group of faculty comprised of different departments, schools, or colleges at the institution;

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

"(6) describe research on effective strategies and methods to improve service utilized in the design of the project;

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

"(8) with respect to projects involving delivery of services, specify projects that involve leadership development of school aged youth.

"(g) DEFINITION.—Notwithstanding section 101, 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.

"(h) FEDERAL WORK-STUDY.—To be eligible for assistance under this part, an institution of higher education must demonstrate that it meets the minimum requirements under section 443(b)(2)(B) of the Higher Education Act of 1965 (42 U.S.C. 2753(b)(2)(B)) relating to the participation of Federal Work-Study students in community service activities, or has received a waiver of those requirements from the Secretary of Education.".

SEC. 1203. INNOVATIVE PROGRAMS AND RESEARCH.

Subtitle B of title I (42 U.S.C. 12521 et seq.) is further amended by adding after part II the following new part:

"PART III—INNOVATIVE SERVICE–LEARNING PROGRAMS AND RESEARCH

"SEC. 118. INNOVATIVE DEMONSTRATION SERVICE-LEARNING PROGRAMS AND RESEARCH.

"(a) IN GENERAL.—From the amounts appropriated to carry out this part for a fiscal year, the Corporation may make grants and fixed amount grants under subsection (f) with eligible entities for activities described in subsection (c).

"(b) ELIGIBLE ENTITIES DEFINED.—For purposes of this part, the term 'eligible entity' means a State education agency, a State commission, a Territory, an Indian tribe, an institution of higher education, a public or private nonprofit organization, or a consortia of such entities, where a consortia of two or more such entities may also include a for-profit organization.

"(c) AUTHORIZED ACTIVITIES.—Funds under this part may be used to—

"(1) integrate service-learning programs into the science, technology, engineering, and mathematics (STEM) curricula at the elementary, secondary, or post-secondary and post-baccalaureate levels in coordination with practicing or retired STEM professionals;

"(2) involve students in service-learning programs focusing on energy conservation in their community, including conducting educational outreach on energy conservation and working to improve energy efficiency in low income housing and in public spaces;

"(3) involve students in service-learning projects in emergency and disaster preparedness;

"(4) involve students in service-learning projects aimed at improving access to and obtaining the benefits from computers and other emerging technologies, including in low income or rural communities, senior centers and communities, schools, libraries, and other public spaces;

"(5) involve high school age youth in the mentoring of middle school youth while involving all participants in service-learning to seek to meet unmet human, educational, environmental, public safety, or emergency disaster preparedness needs in their community;

"(6) conduct research and evaluations on service-learning, including service-learning in middle schools, and disseminate such research and evaluations widely;

"(7) conduct innovative and creative activities as described in section 111(a); and

"(8) carry out any other innovative service-learning programs or research that the Corporation considers appropriate.

"(d) PRIORITY.—Priority shall be given to programs that—

"(1) involve students and community stakeholders in the design and implementation of the service-learning program;

"(2) implement service-learning programs in low-income or rural communities; and

"(3) utilize adult volunteers, including tapping the resource of retired and retiring adults, in the planning and implementation of the service-learning programs.

"(e) REQUIREMENTS.—

"(1) THREE-YEAR TERM.—Each program funded under this part shall be carried out over a period of three years, including one planning year and two additional grant years, with a 1-year extension possible, if the program meets performance measures developed in accordance with section 179(a) and any other criteria determined by the Corporation.

"(2) ENCOURAGEMENT.—Each program funded under this part is encouraged to collaborate with other Learn and Serve programs, AmeriCorps, VISTA, and the National Senior Service Corps.

"(3) EVALUATION.—Upon completion of the program, the Corporation shall conduct an independent evaluation of the program and widely disseminate the results to the service community through multiple channels, including the Corporation's Resource Center or a clearinghouse of effective strategies and recommendations for improvement.

"(f) FIXED AMOUNT GRANTS.—

"(1) GENERAL.—For purposes of subsection (a), and subject to the limitations in this subsection, the Corporation may, upon making a determination described in paragraph (2), approve a fixed amount grant that is not subject to the Office of Management and Budget cost principles and related financial recordkeeping requirements.

"(2) DETERMINATION.—Before approving a fixed amount grant, the Corporation must determine that—

"(A) the reasonable and necessary costs of carrying out the terms of the grant significantly exceed the amount of assistance provided by the Corporation; or

"(B) based on the nature or design of the grant, any assistance provided by the Corporation can be reasonably presumed to be expended on reasonable and necessary costs.

"(3) MATCHING FUNDS.—

"(A) IN GENERAL.—The Federal share of the cost of carrying out a program for which a grant is made under this part may not exceed 50 percent of the total cost of the program.

"(B) NON-FEDERAL CONTRIBUTION.—In providing for the remaining share of the cost of carrying out such a program, each recipient of a grant under this part—

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

"(ii) may provide for such share through State sources or local sources, including private funds or donated services.

"(g) APPLICATIONS.—To be eligible to carry out a program under this part, an entity shall prepare, submit to the Corporation, and obtain approval of, an application at such time and in such manner as the Chief Executive Officer may reasonably require.".

Subtitle C—Amendments to Subtitle C (National Service Trust Program)

SEC. 1301. PROHIBITION ON GRANTS TO FEDERAL AGENCIES; LIMITS ON CORPORATION COSTS.

Section 121 (42 U.S.C. 12571) is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by inserting after "subdivisions of States," the following: "Territories,";

(2) in subsection (b)—

(A) in the heading, by striking "AGREEMENTS WITH FEDERAL AGENCIES" and inserting "RESTRICTIONS ON AGREEMENTS WITH FEDERAL AGENCIES";

(B) in paragraph (1)—

(i) in the first sentence by striking "by the agency." and inserting "by the agency, including programs under the Public Lands Corps and Urban Youth Corps as described in section 122(a)(2).."; and

(ii) by striking the second sentence;

(C) by striking paragraph (2) and inserting the following:

"(2) PROHIBITION ON GRANTS.—The Corporation may not provide a grant under this section to a Federal agency."; and

(D) in paragraph (3)—

(i) by striking "receiving assistance under this subsection" and inserting "operating a national service program"; and

(ii) by striking "using such assistance";

(3) in subsection (c)(2)(B), by striking "to be provided" and inserting "to be provided or otherwise approved";

(4) in subsection (d)—

(A) in the subsection heading, by striking "FIVE" and inserting "SIX"; and

(B) in paragraph (1), by striking "5 percent" and inserting "6 percent"; and

(5) in subsection (e)—

(A) in paragraph (1)—

(i) by striking "section 140" and inserting "paragraph (2)";

(ii) by striking "Federal share" and inserting "Corporation share";

(iii) by inserting after "cost" the following: ", including member living allowances, employment-related taxes, health care coverage, and worker's compensation,"

(iv) by striking "may not exceed 75 percent of such cost." and inserting "may not exceed—"; and

(v) by adding at the end the following:

"(A) for the first three years in which the recipient receives such assistance, 76 percent of such cost;

"(B) for the fourth through ninth years in which the recipient receives such assistance, a decreasing share of such cost between 76 percent and 50 percent, as established by the Corporation in regulation; and

"(C) for the tenth year (and each year thereafter) in which the recipient receives such assistance, 50 percent of such cost.";

(B) by striking paragraph (3);

(C) by redesignating paragraph (2) as paragraph (3); and

(D) by inserting after paragraph (1) the following:

"(2) ALTERNATIVE CORPORATION SHARE FOR PROGRAMS IN RURAL OR SEVERELY ECONOMICALLY DISTRESSED COMMUNITIES.—Upon approval by the Corporation, the Corporation share of the cost, including member living allowances, employment-related taxes, health care coverage, and worker's compensation, of carrying out a national service program that receives assistance under subsection (a) and that is located in a rural or severely economically distressed community may not exceed—

"(A) for the first six years in which the recipient receives such assistance, 76 percent of such cost;

"(B) for the seventh through ninth years in which the recipient receives such assistance, a decreasing share of such cost between 76 and 65 percent as established by the Corporation in regulation; and

"(C) for the tenth year (and each year thereafter) in which the recipient receives such assistance, 65 percent of such cost.";

(E) in paragraph (3) (as so redesignated), in subparagraph (B), by inserting after "other Federal sources" the following: "including funds authorized under Youthbuild (section 173A of the Workforce Investment Act of 1998 (29 U.S.C. 2918a))"; and

(F) by adding at the end the following:

"(5) OTHER FEDERAL FUNDS.—

"(A) RECIPIENT REPORT.—A recipient of assistance under section 121 shall report to the Corporation the amount and source of any Federal funds used to carry out the program other than those provided by the Corporation.

"(B) CORPORATION REPORT.—The Corporation shall report to the Congress on an annual basis information regarding each recipient that uses Federal funds other than those provided by the Corporation to carry out the program, including amounts and sources of other Federal funds.".

SEC. 1302. E–CORPS AND TECHNICAL AMENDMENTS TO TYPES OF PROGRAMS.

Section 122 (42 U.S.C. 12572) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking "subsection (b)(1)" and inserting "subsection (c)(1)";

(B) in paragraph (2)—

(i) in subparagraph (A), by striking "including" and all that follows through the semicolon at the end and inserting "including projects involving urban renewal, sustaining natural resources, or improving human services;";

(ii) in subparagraph (B), by striking "including" and inserting "and at least 50 percent of whom are"; and

(iii) in subparagraph (C)(i), by inserting ", including mentoring" before the semicolon;

(C) in paragraph (6)—

(i) in subparagraph (B), by striking "; or" and inserting a semicolon;

(ii) in subparagraph (C), by striking the period and inserting "; or"; and

(iii) by adding at the end the following:

"(D) students participating in service-learning programs at an institution of higher education.";

(D) in paragraph (7)(A), by inserting ", including elementary and secondary education, and other professions such as those in health care, criminal justice, environmental stewardship and conservation, or public safety" before the semicolon;

(E) in paragraph (8)(C), by striking "nonprofit";

(F) in paragraph (9), by striking "between the ages of 16 and 24" and inserting "between the ages of 16 and 25";

(G) in paragraph (10), by striking "gifted young adults" and all that follows through the period at the end and inserting "school-age youth and young adults of all backgrounds, including gifted youth, along with established successful entrepreneurs of all backgrounds and professions from the community in which the program exists to—

"(A) train the participants in utilizing problem-solving, entrepreneurship, and communication skills to design solutions to community problems; and

"(B) collaborate with stakeholders in the communities to implement the solutions devised by the participants in subparagraph (A).";

(H) in paragraph (12)(A), by striking "learning and recreation" and inserting "learning, recreation, and mentoring";

(I) in paragraph (13), by striking "and to combat rural poverty, including" and inserting ", including the issues of rural poverty,";

(J) by redesignating paragraph (15) as paragraph (19); and

(K) by inserting after paragraph (14) the following:

"(15) An E–Corps program that involves participants who provide services in a community by developing and assisting in carrying out technology programs which seek to increase access to technology and the benefits thereof in such community.

"(16) A program that engages citizens in public safety, public health, and emergency and disaster preparedness, and may include the recruitment and placing of qualified participants in positions to be trainees as law enforcement officers, firefighters, search and rescue personnel, and emergency medical service workers, and may engage Federal, State, and local stakeholders in collaboration to organize more effective responses to issues of public safety and public health, emergencies, and disasters.

"(17) A program, initiative, or partnership that seeks to expand the number of mentors for youths (including by recruiting high-school and college-aged individuals to enter into mentoring relationships), including mentors for disadvantaged youths, either through provision of direct mentoring services through the creative utilization of current and emerging technologies to connect youth with mentors.

"(18) A program that has the primary purpose of re-engaging court-involved youth and adults with the goal of reducing recidivism.";

(2) by redesignating subsections (b) and (c) as (c) and (d), respectively;

(3) by inserting after subsection (a) the following:

"(b) INNOVATIVE PROGRAMS TO MEET THE NEEDS OF VETERANS.—

"(1) IN GENERAL.—From funds appropriated under section 501(a)(2), the Corporation shall reserve up to 3 percent for competitive grants to eligible recipients under subsection (a) for the development, either directly or through subgrants to other entities, of innovative initiatives to address the unique needs of veterans.

"(2) APPLICATION.—To be eligible to receive a grant under this subsection, an entity described in paragraph (1) shall submit an application at such time, in such manner, and containing such information as the Corporation may require.

"(3) ACTIVITIES.—Entities receiving grants under this subsection shall use funds to develop initiatives that—

"(A) recruit veterans, particularly returning veterans, into service opportunities;

"(B) promote community-based efforts to meet the unique needs of military families while a member of the family is deployed; and

"(C) promote community-based efforts to meet the unique needs of military families when a member of the family returns from a deployment.";

(4) in subsection (c) (as so redesignated), in paragraph (4), by inserting after "out-of-school youths," the following: "disadvantaged youths,";

(5) in subsection (d) (as so redesignated), in paragraph (1)(A), by striking "subsection (b) or (d) of"; and

(6) by adding at the end the following:

"(e) REQUIREMENTS FOR TUTORS.—

"(1) IN GENERAL.—Except as provided in paragraph (2), the Corporation shall require that each recipient of assistance under the national service laws that operates a tutoring program involving elementary or secondary school students certifies that individuals serving in approved national service positions as tutors in such program have—

"(A) either—

"(i) obtained their high school diploma; or

"(ii) passed a proficiency test demonstrating that such individuals have the skills necessary to achieve program goals; and

"(B) have successfully completed pre- and in-service training for tutors.

"(2) EXCEPTION.—The requirements in paragraph (1) do not apply to an individual serving in an approved national service position who is enrolled in an elementary or secondary school and is providing tutoring services through a structured, school-managed cross-grade tutoring program.

"(f) REQUIREMENTS FOR TUTORING PROGRAMS.—Each tutoring program that receives assistance under the national service laws shall—

"(1) offer a curriculum that is high quality, research-based, and consistent with the State academic content standards required by section 1111 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311) and the instructional program of the local educational agency; and

"(2) offer high quality, research-based pre- and in-service training for tutors.

"(g) CITIZENSHIP TRAINING.—The Corporation shall establish requirements for recipients of assistance under the national service laws relating to the promotion of citizenship and civic engagement, that are consistent with the principles on which citizenship programs administered by U.S. Citizenship and Immigration Services are based, among individuals enrolled in approved national service positions and approved summer of service positions.".

SEC. 1303. TYPES OF POSITIONS.

Section 123 (42 U.S.C. 12573) is amended—

(1) in paragraph (2)(A) by inserting after "subdivision of a State," the following: "a Territory,"; and

(2) in paragraph (5) by inserting "National" before "Civilian Community Corps".

SEC. 1304. CONFORMING REPEAL RELATING TO TRAINING AND TECHNICAL ASSISTANCE.

Section 125 (42 U.S.C. 1257) is repealed.

SEC. 1305. ASSISTANCE TO STATE COMMISSIONS; CHALLENGE GRANTS.

Section 126 (42 U.S.C. 12576) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking "$125,000 and $750,000" and inserting "$200,000 and $825,000"; and

(B) by striking paragraph (2) and inserting the following:

"(2) MATCHING REQUIREMENT.—In making grants to a State under this subsection, the Corporation shall require the State to provide matching funds in the following amounts:

"(A) FIRST $100,000.—For the first $100,000 of grant amounts provided by the Corporation, a State shall not be required to provide matching funds.

"(B) AMOUNTS GREATER THAN $100,000.—For grant amounts of more than $100,000 and not exceeding $200,000 provided by the Corporation, a State shall provide $1 from non-Federal sources for every $2 provided by the Corporation.

"(C) AMOUNTS GREATER THAN $200,000.—For grant amounts of more than $200,000 provided by the Corporation, a State shall provide $1 from non-Federal sources for every $1 provided by the Corporation."; and

(2) in subsection (c)—

(A) in paragraph (1), by striking "to national service programs that receive assistance under section 121" and inserting "to programs supported under the national service laws"; and

(B) by striking paragraph (3) and inserting the following:

"(3) AMOUNT OF ASSISTANCE.—A challenge grant under this subsection may provide, for an initial 3-year grant period, not more than $1 of assistance under this subsection for each $1 in cash raised from private sources by the program supported under the national service laws in excess of amounts required to be provided by the program to satisfy matching funds requirements. After an initial 3-year grant period, grants under this subsection may provide not more than $1 of assistance for each $2 in cash raised from private sources by the program in excess of amounts required to be provided by the program to satisfy matching funds requirements. The Corporation may permit the use of local or State funds as matching funds if the Corporation determines that such use would be equitable due to a lack of available private funds at the local level. The Corporation shall establish a ceiling on the amount of assistance that may be provided to a national service program under this subsection.".

SEC. 1306. ALLOCATION OF ASSISTANCE TO STATES AND OTHER ELIGIBLE ENTITIES.

Section 129 (42 U.S.C. 12581) is amended to read as follows:

"SEC. 129. PROVISION OF ASSISTANCE AND APPROVED NATIONAL SERVICE POSITIONS.

"(a) 1-PERCENT ALLOTMENT FOR CERTAIN TERRITORIES.—Of the funds allocated by the Corporation for provision of assistance under section 121(a) for a fiscal year, the Corporation shall reserve 1 percent for grants to the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands upon approval by the Corporation of an application submitted under section 130. The amount allotted as a grant to each such Territory under this subsection for a fiscal year shall be equal to the amount that bears the same ratio to 1 percent of the allocated funds for that fiscal year as the population of the Territory bears to the total population of such Territories.

"(b) ALLOTMENT FOR INDIAN TRIBES.—Of the funds allocated by the Corporation for provision of assistance under section 121(a) for a fiscal year, the Corporation shall reserve at least 1 percent for grants to Indian tribes, to be allotted by the Corporation on a competitive basis.

"(c) ALLOTMENT FOR NATIONAL GRANTS.—Of the funds allocated by the Corporation for provision of assistance under section 121(a) for a fiscal year, the Corporation shall reserve 23 percent for grants to nonprofit organizations to operate a program in 2 or more States.

"(d) ALLOTMENT FOR STATE COMPETITIVE GRANTS.—Of the funds allocated by the Corporation for provision of assistance under subsection (a) of section 121 for a fiscal year, the Corporation shall reserve 37.5 percent for innovative grants to States on a competitive basis.

"(e) ALLOTMENT TO CERTAIN STATES ON FORMULA BASIS.—

"(1) GRANTS.—Of the funds allocated by the Corporation for provision of assistance under subsection (a) of section 121 for a fiscal year, the Corporation shall make a grant to each of the several States, the District of Columbia, and the Commonwealth of Puerto Rico that submits an application under section 130 that is approved by the Corporation.

"(2) ALLOTMENTS.—The amount allotted as a grant to each such State under this subsection for a fiscal year shall be equal to the amount that bears the same ratio to 37.5 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, in compliance with paragraph (3).

"(3) MINIMUM AMOUNT.—Notwithstanding paragraph (2), the minimum grant made available to each State approved by the Corporation under paragraph (1) for each fiscal year must be at least $600,000.

"(f) EFFECT OF FAILURE TO APPLY.—If a State or Territory fails to apply for, or fails to give notice to the Corporation of its intent to apply for an allotment under this section, or the Corporation does not approve the application consistent with section 133, the Corporation may use the amount that would have been allotted under this section to the State or Territory to—

"(1) make grants (and provide approved national service positions in connection with such grants) to other grantmaking entities under section 121 that propose to carry out national service programs in such State or Territory; and

"(2) make a reallotment to other States or Territories with approved applications submitted under section 130, to the extent grant-making entities do not apply as described in paragraph (1).

"(g) APPLICATION REQUIRED.—The allotment of assistance and approved national service positions to a recipient under this section shall be made by the Corporation only pursuant to an application submitted by a State or other applicant under section 130.

"(h) APPROVAL OF POSITIONS SUBJECT TO AVAILABLE FUNDS.—The Corporation may not approve positions as approved national service positions under this subtitle 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, taking into consideration funding needs for national service educational awards under subtitle D based on completed service. If appropriations are insufficient to provide the maximum allowable national service educational awards under subtitle D for all eligible participants, the Corporation is authorized to make necessary and reasonable adjustments to program rules.

"(i) 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) shall be deposited in the National Service Trust established in section 145 until such time as the funds are needed.

"(j) RESERVATION OF FUNDS FOR SPECIAL ASSISTANCE.—From amounts appropriated for a fiscal year pursuant to the authorization of appropriations in section 501(a)(2) and subject to the limitation in such section, the Corporation may reserve such amount as the Corporation considers to be appropriate for the purpose of making assistance available under section 126.

"(k) RESERVATION OF FUNDS TO INCREASE THE PARTICIPATION OF INDIVIDUALS WITH DISABILITIES.—From amounts appropriated for a fiscal year pursuant to the authorization of appropriations in section 501(a)(2) and subject to the limitation in such section, the Chief Executive Officer shall reserve an amount that is not less than 1 percent of such amount (except that the amount reserved may not exceed $10,000,000), in order to make grants to public or private nonprofit organizations to increase the participation of individuals with disabilities in national service and for demonstration activities in furtherance of this purpose.".

SEC. 1307. ADDITIONAL AUTHORITY.

Part II of subtitle C of title I is amended by inserting after section 129 (42 U.S.C. 12581) the following:

"SEC. 129A. EDUCATION AWARDS ONLY PROGRAM.

"(a) IN GENERAL.—From amounts appropriated for a fiscal year to provide financial assistance under this subtitle and consistent with the restriction in subsection (b), the Corporation may, through fixed amount grants under subsection (d), provide operational assistance to programs that receive approved national service positions but do not receive funds under section 121(a).

"(b) LIMIT ON CORPORATION GRANT FUNDS.—Operational support under this section may not exceed $600 per individual enrolled in an approved national service position and may reach $800 per individual if the program supports at least 50 percent disadvantaged youth.

"(c) INAPPLICABLE PROVISIONS.—The following provisions shall not apply to programs funded under this section:

"(1) The limitation on administrative costs under section 121(d).

"(2) The matching funds requirements under section 121(e).

"(3) The living allowance and other benefits under sections 131(e) and section 140 (other than individualized support services for disabled members under section 140(f)).

"(d) FIXED AMOUNT GRANTS.—

"(1) GENERAL.—For purposes of subsection (a), and subject to the limitations in this subsection, the Corporation may, upon making a determination described in paragraph (2), approve a fixed amount grant that is not subject to the Office of Management and Budget cost principles and related financial recordkeeping requirements.

"(2) DETERMINATION.—Before approving a fixed amount grant, the Corporation must determine that—

"(A) the reasonable and necessary costs of carrying out the terms of the grant significantly exceed the amount of assistance provided by the Corporation; or

"(B) based on the nature or design of the grant, any assistance provided by the Corporation can be reasonably presumed to be expended on reasonable and necessary costs.".

SEC. 1308. STATE SELECTION OF PROGRAMS.

Section 130 (42 U.S.C. 12582) is amended—

(1) in subsection (a)—

(A) by inserting after "State," the following: "Territory,"; and

(B) by striking "institution of higher education, or Federal agency" and inserting "or institution of higher education";

(2) in subsection (b)(9) by striking "section 122(c)" and inserting "section 122(d)";

(3) in subsection (c)—

(A) in paragraph (1)—

(i) by striking "jobs or positions" and inserting "proposed positions"; and

(ii) by striking ", including" and all that follows through the period at the end and inserting a period; and

(B) in paragraph (2) by inserting "proposed" before "minimum";

(4) in subsection (e)(2) by striking "were selected" and inserting "were or will be selected";

(5) in subsection (f)—

(A) in paragraph (1), by striking "a program applicant" and inserting "an applicant"; and

(B) in paragraph (2)—

(i) in the heading, by striking "PROGRAM APPLICANT" and inserting "APPLICANT";

(ii) in the matter preceding subparagraph (A), by striking "program applicant" and inserting "applicant";

(iii) in subparagraph (A)—

(I) by inserting after "subdivision of a State," the following: "Territory,"; and

(II) by striking "institution of higher education, or Federal agency" and inserting "or institution of higher education"; and

(iv) in subparagraph (B)—

(I) by inserting after "subdivision of a State," the following: "Territory,"; and

(II) by striking "institution of higher education, or Federal agency" and inserting "or institution of higher education"; and

(6) in subsection (g), by striking the period and inserting "or is already receiving financial assistance from the Corporation.".

SEC. 1309. CONSIDERATION OF APPLICATIONS.

Section 133 (42 U.S.C. 12585) is amended—

(1) in subsection (b)(2)(B), by striking "jobs or";

(2) in subsection (c), by redesignating paragraph (8) as paragraph (9) and inserting after paragraph (7) the following:

"(8) The extent to which the program generates the involvement of volunteers."; and

(3) in subsection (d)(2)—

(A) by striking subparagraphs (A) and (G), and redesignating subparagraphs (B) through (F) as subparagraphs (A) through (E), respectively;

(B) in subparagraph (A) (as so redesignated), by striking "section 122(c)" and inserting "section 122(d)";

(C) in subparagraph (D) (as so redesignated), by adding "and" at the end; and

(D) in subparagraph (E) (as so redesignated), by striking "; and" and inserting a period.

SEC. 1310. DESCRIPTION OF PARTICIPANTS.

Section 137 (42 U.S.C. 12591) is amended—

(1) in subsection (a)—

(A) by striking paragraph (3); and

(B) by redesignating paragraphs (4), (5), and (6) as paragraphs (3), (4), and (5), respectively;

(2) in subsection (b)—

(A) in paragraph (1), by striking "paragraph (4)" and inserting "paragraph (3)"; and

(B) in paragraph (2), by striking "between the ages of 16 and 25" and inserting "a 16-year-old out of school youth or an individual between the ages of 17 and 25"; and

(3) in subsection (c), by striking "(a)(5)" and inserting "(a)(4)".

SEC. 1311. SELECTION OF NATIONAL SERVICE PARTICIPANTS.

Section 138 (42 U.S.C. 12592) is amended—

(1) in subsection (a) by striking "conducted by the State" and all that follows through "or other entity" and inserting "conducted by the entity"; and

(2) in subsection (e)(2)(C) by inserting before the semicolon at the end the following: ", particularly those who were considered at the time of their service disadvantaged youth".

SEC. 1312. TERMS OF SERVICE.

Section 139 (42 U.S.C. 12593) is amended—

(1) in subsection (b)(1), by striking "not less than 9 months and";

(2) in subsection (b)(2), by striking "during a period of—" and all that follows through the period at the end and inserting "during a period of not more than 2 years."; and

(3) in subsection (c)—

(A) in paragraph (1)(A), by striking "as demonstrated by the participant" and inserting "as determined by the organization responsible for granting a release, if the participant has otherwise performed satisfactorily and has completed at least 15 percent of the original term of service";

(B) in paragraph (2)(A), by striking "provide to the participant that portion of the national service educational award" and inserting "certify the participant's eligibility for that portion of the national service educational award"; and

(C) in paragraph (2)(B), by striking "to allow return to the program with which the individual was serving in order".

SEC. 1313. ADJUSTMENTS TO LIVING ALLOWANCE.

Section 140 (42 U.S.C. 12594) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking "paragraph (3)" and inserting "paragraphs (2) and (3)";

(B) by striking paragraph (2);

(C) by redesignating paragraph (3) as (2);

(D) by inserting after paragraph (2) (as so redesignated) the following:

"(3) FEDERAL WORK-STUDY STUDENTS.—The living allowance that may be provided to an individual whose term of service includes hours for which the individual receives Federal work study wages shall be reduced by the amount of the individual's Federal work study award.";

(E) in paragraph (4), by striking "a reduced term of service under section 139(b)(3)" and inserting "a term of service that is less than 12 months";

(2) in subsection (b), by striking "shall include an amount sufficient to cover 85 percent of such taxes" and all that follows through the period at the end and inserting "may be used to pay such taxes.";

(3) in subsection (c)—

(A) in paragraph (1) by adding "and" at the end;

(B) by striking paragraph (2); and

(C) by redesignating paragraph (3) as (2);

(4) in subsection (d)(1), by striking the second sentence; and

(5) by striking subsections (g) and (h).

Subtitle D—Amendments to Subtitle D (National Service Trust and Provision of National Service Educational Awards)

SEC. 1401. AVAILABILITY OF FUNDS IN THE NATIONAL SERVICE TRUST.

Section 145 (42 U.S.C. 12601) is amended—

(1) in subsection (a)—

(A) in paragraph (1)(B), by striking "section 148(e)" and inserting "section 148(f)"; and

(B) in paragraph (2), by striking "pursuant to section 196(a)(2)" and inserting "pursuant to section 196(a)(2), if the terms of such donations direct that they be deposited in the National Service Trust"; and

(2) in subsection (c), by striking "for payments of national service educational awards in accordance with section 148." and inserting "for—

"(1) payments of summer of service educational awards and national service educational awards in accordance with section 148; and

"(2) payments of interest in accordance with section 148(f).".

SEC. 1402. INDIVIDUALS ELIGIBLE TO RECEIVE A NATIONAL SERVICE EDUCATIONAL AWARD FROM THE TRUST.

Section 146 (42 U.S.C. 12602) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking "if the individual" and inserting "if the organization responsible for an individual's supervision certifies that the individual";

(B) by striking paragraphs (1), (2), and (3) and inserting the following:

"(1) met the applicable eligibility requirements for the position; and

"(2)(A) successfully completed the required term of service described in subsection (b) in an approved national service position; or

"(B)(i) satisfactorily performed prior to being granted a release for compelling personal circumstances under section 139(c); and

"(ii) served at least 15 percent of the required term of service described in subsection (b); and"; and

(C) by redesignating paragraph (4) as paragraph (3);

(2) by striking subsection (c) and inserting the following:

"(c) LIMITATION ON RECEIPT OF NATIONAL SERVICE EDUCATIONAL AWARDS.—An individual may not receive, in national service educational awards, more than an amount equal to the aggregate value of 2 such awards for full-time service. The aggregate value of summer of service educational awards that an individual receives shall have no effect on the aggregate value of national service educational awards the individual may receive.";

(3) in subsection (d)—

(A) in paragraph (1) by inserting after "national service educational award" the following: "or a summer of service educational award"; and

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), and in subparagraph (A), by inserting after "national service educational award" the following: "or a summer of service educational award";

(ii) in subparagraph (A) by striking "or" at the end;

(iii) in subparagraph (B) by striking the period at the end and inserting "; or";

(iv) by adding at the end the following:

"(C) in the case of a summer of service educational award, is enrolled at an eligible institution of higher education under section 148(c) or an educational institution described under section 148(a)(4) and failed to expend the full amount of that award during the original 7-year period."; and

(4) in subsection (e)(1)—

(A) by inserting after "qualifying under this section" the following: "or under section 111(a)(5)"; and

(B) by inserting after "to receive a national service educational award" the following: "or a summer of service educational award".

SEC. 1403. DETERMINATION OF THE AMOUNT OF NATIONAL SERVICE EDUCATIONAL AWARDS.

Section 147(a) (42 U.S.C. 12603(a)) is amended—

(1) by striking "a value, for each of not more than 2 of such terms of service, equal to 90 percent of—" and inserting "a value of—" ; and

(2) by striking paragraphs (1) and (2) and inserting the following:

"(1) $4,825, for fiscal year 2008;

"(2) $4,925, for fiscal year 2009;

"(3) $5,025, for fiscal year 2010;

"(4) $5,125, for fiscal year 2011; and

"(5) $5,225, for fiscal year 2012 and each fiscal year thereafter.".

SEC. 1404. DISBURSEMENT OF EDUCATIONAL AWARDS.

Section 148 (42 U.S.C. 12604) is amended—

(1) in subsection (a)—

(A) in paragraph (2), by striking "cost of attendance" and inserting "cost of attendance or other educational expenses";

(B) in paragraph (3), by striking "and";

(C) by redesignating paragraph (4) as paragraph (6);

(D) by inserting after paragraph (3) the following:

"(4) to pay expenses incurred in enrolling in an educational institution or training establishment that meets the requirements of chapter 36 of title 38, United States Code (38 U.S.C. 3451 et seq.);

"(5) for a recipient of a summer of service educational award under section 111(a)(5)(D), to pay expenses incurred in enrolling in a college preparatory program in accordance with subsection (e); and"; and

(E) in paragraph (6) (as so redesignated) by striking "subsection (e)" and inserting "subsection (f)";

(2) in subsection (b)(1) by inserting after "the national service educational award of the individual" the following: ", or an eligible individual under section 111(a)(5) who received a summer of service educational award for a project that began after the individual completed grade 10 and desires to apply that summer of service educational award,";

(3) in subsection (b)(2) by inserting after "the national service educational award" the following: "or the summer of service educational award, as applicable,";

(4) in subsection (b)(5) by inserting after "the national service educational award" the following: "or the summer of service educational award, as applicable";

(5) in subsection (b)(7)—

(A) in subparagraph (A), by striking ", other than a loan to a parent of a student pursuant to section 428B of such Act (20 U.S.C. 1078–2); and" and inserting a semicolon;

(B) in subparagraph (B), by striking the period and inserting "; and"; and

(C) by adding at the end the following:

"(C) any loan (other than a loan described in subparagraph (A) or (B)) determined by an institution of higher education to be necessary to cover a student's educational expenses and made, insured, or guaranteed by—

"(i) an eligible lender, as defined in section 435 of the Higher Education Act of 1965 (20 U.S.C. 1085);

"(ii) the direct student loan program under part D of title IV of such Act;

"(iii) a State agency; or

"(iv) a lender otherwise determined by the Corporation to be eligible to receive disbursements from the National Service Trust.";

(6) in subsection (c)(1), by inserting after "national service educational award" the following: ", or an eligible individual under section 111(a)(5) who desires to apply the individual's summer of service educational award,";

(7) in subsection (c)(2)(A), by inserting after "national service educational award" the following: "or summer of service educational award, as applicable,";

(8) in subsection (c)(2)(C)(iii), by inserting after "national service educational awards received under this subtitle" the following: "or summer of service educational awards received under section 111(a)(5)";

(9) in subsection (c)(3), by inserting after "national service educational awards" the following: "and summer of service educational awards";

(10) in subsection (c)(5)—

(A) by inserting after "national service educational award" the following: ", or summer of service educational award, as applicable,"; and

(B) by inserting after "additional" the following: "summer of service educational awards and additional";

(11) in subsection (c)(6), by inserting after "national service educational award" the following: "and summer of service educational award";

(12) in subsection (d), by inserting after "national service educational awards" the following: "and summer of service educational awards";

(13) by redesignating subsections (e), (f), and (g) as (f), (g), and (h), respectively;

(14) by inserting after subsection (d) the following:

"(e) USE OF SUMMER OF SERVICE EDUCATIONAL AWARD TO PAY COLLEGE PREPARATORY EXPENSES.—

"(1) APPLICATION OF ELIGIBLE INDIVIDUALS.—An eligible individual under section 111(a)(5), or the parents or legal guardian of such an individual, who desires to apply the summer of service educational award of the individual to the payment of expenses incurred in enrolling in a college preparatory program shall, on a form prescribed by the Corporation, submit an application to the college preparatory program in which the individual 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 PROGRAM.—A college preparatory program that receives one or more applications under 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 summer of service educational award under this subsection;

"(B) specifies the amounts for which such eligible individuals are qualified for disbursement; and

"(C) certifies that—

"(i) the college preparatory program is operated by a for-profit or nonprofit organization with a track record of success in implementing college preparatory programs that collaborate with local educational agencies and adequately prepare secondary school students for admission to an institution of higher education without need for remediation;

"(ii) the college preparatory program has been in existence for at least one year prior to an eligible individual's submission of the application under paragraph (1); and

"(iii) individuals using summer of service educational awards received under section 111(a)(5) to pay the cost of enrolling in the college preparatory program do not comprise more than 15 percent of the total number of individuals enrolled in the program; and

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

"(3) DISBURSEMENT OF PAYMENTS.—Upon receipt of a statement from a college preparatory program that complies with paragraph (2), the Corporation shall, subject to paragraph (4), disburse the total amount of the summer of service educational awards for which eligible individuals who have submitted applications to that program under paragraph (1) are scheduled to receive. Such disbursement shall be made by check or other means that is payable to the program and requires the endorsement or other certification by the eligible individual.

"(4) MULTIPLE DISBURSEMENTS.—The total amount required to be disbursed to a college preparatory program under paragraph (3) for any period of enrollment may be disbursed by the Corporation in two or more installments consistent with appropriate divisions 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 summer of service educational award of an eligible individual) of amounts disbursed to programs for the benefit of eligible individuals who withdraw or otherwise fail to complete the period of enrollment for which the assistance was provided. Amounts refunded to the Trust pursuant to this paragraph may be used by the Corporation to fund additional approved summer of service positions under section 111(a)(5).

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

(15) in subsection (f) (as so redesignated), by striking "subsection (b)(6)" and inserting "subsection (b)(7)"; and

(16) in subsection (g) (as so redesignated), by striking "Director" and inserting "Chief Executive Officer".

SEC. 1405. PROCESS OF APPROVAL OF NATIONAL SERVICE POSITIONS.

(a) IN GENERAL.—Subtitle D of title I (42 U.S.C. 12601 et seq.) is further amended by adding at the end the following new section:

"SEC. 149. PROCESS OF APPROVAL OF NATIONAL SERVICE POSITIONS.

"(a) TIMING AND RECORDING REQUIREMENTS.—

"(1) IN GENERAL.—Notwithstanding subtitles C and D, and any other provision of law, in approving a position as an approved national service position, the Corporation—

"(A) shall approve the position at the time the Corporation—

"(i) enters into an enforceable agreement with an individual participant to serve in a program carried out under subtitle E of title I of this Act or under title I of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.), or a summer of service educational award; or

"(ii) except as provided in clause (i), awards a grant to (or enters into a contract or cooperative agreement with) an entity to carry out a program for which such a position is approved under section 123; and

"(B) shall record as an obligation an estimate of the net present value of the national service educational award associated with the position, based

on a formula that takes into consideration historical rates of enrollment in such a program, and of earning and using national service educational awards for such a program and remain available.

"(2) FORMULA.—In determining the formula described in paragraph (1)(B), the Corporation shall consult with the Director of the Congressional Budget Office.

"(3) CERTIFICATION REPORT.—The Chief Executive Officer of the Corporation shall annually prepare and submit to Congress a report that contains a certification that the Corporation is in compliance with the requirements of paragraph (1).

"(4) APPROVAL.—The requirements of this subsection shall apply to each approved national service position that the Corporation approves—

"(A) during fiscal year 2008; and

"(B) during any subsequent fiscal year.

"(b) RESERVE ACCOUNT.—

"(1) ESTABLISHMENT AND CONTENTS.—

"(A) ESTABLISHMENT.—Notwithstanding subtitles C and D, and any other provision of law, within the National Service Trust established under section 145, the Corporation shall establish a reserve account.

"(B) CONTENTS.—To ensure the availability of adequate funds to support the awards of approved national service positions for each fiscal year, the Corporation shall place in the account—

"(i) during fiscal year 2008, a portion of the funds that were appropriated for fiscal year 2008 or a previous fiscal year under section 501(a)(2), were made available to carry out subtitle C, D, or E of this title, subtitle A of title I of the Domestic Volunteer Service Act of 1973, or summer of service under section 111(a)(5), and remain available; and

"(ii) during fiscal year 2009 or a subsequent fiscal year, a portion of the funds that were appropriated for that fiscal year under section 501(a)(2) and were made available to carry out subtitle C, D, or E of this title, subtitle A of title I of the Domestic Volunteer Service Act of 1973, or summer of service under section 111(a)(5), and remain available.

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

"(A) determines that the funds will not be needed for the payment of national service educational awards associated with previously approved national service positions and summer of service educational awards; or

"(B) obligates the funds for the payment of national service educational awards for such previously approved national service positions or summer of service educational awards, as applicable.

"(c) AUDITS.—The accounts of the Corporation relating to the appropriated funds for approved national service positions, and the records demonstrating the manner in which the Corporation has recorded estimates described in subsection (a)(1)(B) as obligations, shall be audited annually by independent certified public accountants or independent licensed public accountants certified or licensed by a regulatory authority of a State or other political subdivision of the United States in accordance with generally accepted auditing standards. A report containing the results of each such independent audit shall be included in the annual report required by subsection (a)(3).

"(d) AVAILABILITY OF AMOUNTS.—Except as provided in subsection (b), all amounts included in the National Service Trust under paragraphs (1), (2), and (3) of section 145(a) shall be available for payments of national service educational awards or summer of service educational awards under section 148.".

(b) CONFORMING REPEAL.—Section 2 of the Strengthen AmeriCorps Program Act (Public Law 108–145; 117 Stat. 844; 42 U.S.C. 12605) is repealed.

Subtitle E—Amendments to Subtitle E (National Civilian Community Corps)

SEC. 1501. PURPOSE.

Section 151 (42 U.S.C. 12611) is amended to read as follows:

"SEC. 151. PURPOSE.

"It is the purpose of this subtitle to authorize the operation of, and support for, residential and other service programs that combine the best practices of civilian service with the best aspects of military service, including leadership and team

building, to meet national and community needs. Such needs to be met under such programs include those related to—

"(1) natural and other disasters;

"(2) infrastructure improvement;

"(3) environmental stewardship and conservation;

"(4) energy conservation; and

"(5) urban and rural development.".

SEC. 1502. PROGRAM COMPONENTS.

Section 152 (42 U.S.C. 12612) is amended—

(1) by amending the section heading to read as follows:

"SEC. 152. ESTABLISHMENT OF NATIONAL CIVILIAN COMMUNITY CORPS PROGRAM.".

(2) in subsection (a), by striking "Civilian Community Corps Demonstration Program" and inserting "National Civilian Community Corps Program";

(3) in subsection (b)—

(A) by striking "Civilian Community Corps Demonstration Program" and inserting "National Civilian Community Corps Program"; and

(B) by striking "a Civilian Community Corps" and inserting "a National Civilian Community Corps";

(4) in the heading of subsection (c), by striking "PROGRAMS" and inserting "COMPONENTS"; and

(5) in subsection (c), by striking "program components are residential programs" and all that follows and inserting "programs referred to in subsection (b) may include a residential component.".

SEC. 1503. ELIGIBLE PARTICIPANTS.

Section 153 (42 U.S.C. 12613) is amended—

(1) in subsection (a)—

(A) by striking "Civilian Community Corps Demonstration Program" and inserting "National Civilian Community Corps Program"; and

(B) by striking "on Civilian Community Corps" and inserting "on National Civilian Community Corps";

(2) in subsection (b), by striking "if the person" and all that follows through the period at the end and inserting "if the person will be at least 18 years of age on or before December 31 in the calendar year in which the individual enrolls in the program.";

(3) in subsection (c)—

(A) by striking "BACKROUNDS" and inserting "BACKGROUNDS"; and

(B) by adding at the end the following: "The Director shall ensure that at least 50 percent of the participants in the program are disadvantaged youth by year 2010. The Director shall report to the Committee on Education and Labor in the United States House of Representatives and the Committee on Health, Education, Labor, and Pensions in the United States Senate annually on progress towards this goal."; and

(4) by striking subsection (e).

SEC. 1504. SUMMER NATIONAL SERVICE PROGRAM.

Section 154 (42 U.S.C. 12614) is amended—

(1) in subsection (a)—

(A) by striking "Civilian Community Corps Demonstration Program" and inserting "National Civilian Community Corps Demonstration Program"; and

(B) by striking "on Civilian Community Corps" and inserting "on National Civilian Community Corps";

(2) in subsection (b), by striking "shall be" and all that follows through the period at the end and inserting "shall be from economically and ethnically diverse backgrounds, including youth who are in foster care.".

SEC. 1505. TEAM LEADERS.

Section 155 (42 U.S.C. 12615) is amended—

(1) by amending the section heading to read as follows:

"SEC. 155. NATIONAL CIVILIAN COMMUNITY CORPS.";

(2) in subsection (a)—

(A) by striking "Civilian Community Corps Demonstration Program" and inserting "National Civilian Community Corps Demonstration Program"; and

(B) by striking "the Civilian Community Corps shall" and inserting "the National Civilian Community Corps shall";

(3) in subsection (b)—

(A) by amending the subsection heading to read as follows:

"(b) MEMBERSHIP IN NATIONAL CIVILIAN COMMUNITY CORPS.—";

(B) in paragraph (1), by inserting "National" before "Civilian Community Corps";

(C) in paragraph (3)—

(i) by striking "superintendent" and inserting "campus director"; and

(ii) by striking "camp" and inserting "campus"; and

(D) by adding at the end the following:

"(4) TEAM LEADERS.—The Director may select from Corps members individuals with prior supervisory or service experience to be team leaders within units in the National Civilian Community Corps to perform service that includes leading and supervising teams of Corps members. Team leaders shall—

"(A) be selected without regard to the age limitation under section 153(b);

"(B) be members of the National Civilian Community Corps; and

"(C) be provided the rights and benefits applicable to Corps members, except that the limitation on the amount of living allowance shall not exceed 10 percent more than the amount established under section 158(b).";

(4) in subsection (d)—

(A) by amending the subsection heading to read as follows:

"(d) CAMPUSES.—";

(B) in paragraph (1)—

(i) by amending the paragraph heading to read as follows:

"(1) UNITS TO BE ASSIGNED TO CAMPUSES.—";

(ii) by striking "in camps" and inserting "in campuses";

(iii) by striking "camp" and inserting "campus"; and

(iv) by striking "in the camps" and inserting "in the campuses";

(C) by amending paragraph (2) to read as follows:

"(2) CAMPUS DIRECTOR.—There shall be a campus director for each campus. The campus director is the head of the campus.";

(D) in paragraph (3)—

(i) by amending the paragraph heading to read as follows:

"(3) ELIGIBLE SITE FOR CAMPUS.—";

(ii) by striking "A camp may be located" and inserting "A campus must be cost-effective and may, upon the completion of a feasibility study, be located";

(5) in subsection (e)—

(A) by amending the paragraph heading to read as follows:

"(e) DISTRIBUTION OF UNITS AND CAMPUSES.—";

(B) by striking "camps are distributed" and inserting "campuses are cost-effective and are distributed"; and

(C) by striking "rural areas" and all that follows through the period at the end and inserting "rural areas such that each Corps unit in a region can be easily deployed for disaster and emergency response to such region."; and

(6) in subsection (f)—

(A) in paragraph (1)—

(i) by striking by striking "superintendent" and inserting "campus director"; and

(ii) by striking "camp" both places such term appears and inserting "campus";

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking "superintendent of a camp" and inserting "campus director of a campus";

(ii) in subparagraph (A)—

(I) by striking "superintendent" and inserting "campus director";

(II) by striking "superintendent's" and inserting "campus director's"; and

(III) by striking "camp" each place such term appears and inserting "campus"; and

(iii) in subparagraph (B), by striking "superintendent" and inserting "campus director"; and

(C) in paragraph (3), by striking "camp superintendent" and inserting "campus director".

SEC. 1506. TRAINING.

Section 156 (42 U.S.C. 12616) is amended—

(1) in subsection (a)—

(A) by inserting "National" before "Civilian Community Corps"; and

(B) by adding at the end the following: "The Director shall ensure that to the extent practicable, each member of the Corps is trained in CPR, first aid, and other skills related to disaster preparedness and response.";

(2) in subsection (b)(1), by inserting before the period at the end the following: ", including a focus on energy conservation, environmental stewardship or conservation, infrastructure improvement, urban and rural development, or disaster preparedness needs"; and

(3) in subsection (c)(2), by adding at the end the following: "The Corporation may provide such training through grants, contracts, or cooperative agreements with organizations who have established expertise in working with disadvantaged youth in similar programs.".

SEC. 1507. CONSULTATION WITH STATE COMMISSIONS.

Section 157 (42 U.S.C. 12617) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by inserting "National" before "Civilian Community Corps";

(B) in paragraph (1), by inserting before the semicolon the following: "with specific emphasis on projects in support of infrastructure improvement, disaster relief and recovery, the environment, energy conservation and urban and rural development"; and

(C) in paragraph (2) by striking "service learning" and inserting "service-learning";

(2) in subsection (b)—

(A) in paragraph (1)(A), by striking "and the Secretary of Housing and Urban Development" and inserting "the Secretary of Housing and Urban Development, the Administrator of the Environmental Protection Agency, the Administrator of the Federal Emergency Management Agency, the Secretary of Energy, the Secretary of Transportation, and the Chief of the United States Forest Service";

(B) in paragraph (1)(B)—

(i) by inserting "community-based organizations and" before "representatives of local communities"; and

(ii) by striking "camp" both places such term appears and inserting "campus";

(C) in paragraph (2), by inserting "State Commissions," before "and persons involved in other youth service programs."; and

(3) in subsection (c)—

(A) in paragraph (1)—

(i) by striking "superintendent" both places such term appears and inserting "campus director"; and

(ii) by striking "camp" both places such term appears and inserting "campus";

(B) in paragraph (2), by striking "camp superintendents" and inserting "campus directors".

SEC. 1508. AUTHORIZED BENEFITS FOR CORPS MEMBERS.

Section 158 (42 U.S.C. 12618) is amended—

(1) in subsection (a) by inserting "National" before "Civilian Community Corps"; and

(2) in subsection (c)—

(A) in the matter preceding paragraph (1)—

(i) by inserting "National" before "Civilian Community Corps"; and

(ii) by inserting before the colon the following: ", as the Director determines appropriate";

(B) in paragraph (6), by striking "Clothing" and inserting "Uniforms";

(C) in paragraph (7), by striking "Recreational services and supplies" and inserting "Supplies".

SEC. 1509. PERMANENT CADRE.

Section 159 (42 U.S.C. 12619) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking "Civilian Community Corps Demonstration Program" and inserting "National Civilian Community Corps Program"; and

(B) in paragraph (1)—

(i) by inserting "including those" before "recommended"; and

(ii) by inserting "National" before "Civilian Community Corps";

(2) in subsection (b)(1), by inserting "National" before "Civilian Community Corps";

(3) in subsection (c)—

(A) in paragraph (1)(B)(i), by inserting "National" before "Civilian Community Corps"; and

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) by striking "The Director shall establish a permanent cadre of" and inserting "The Chief Executive Officer shall establish a permanent cadre that includes the Director and other appointed"; and

(II) by inserting "National" before "Civilian Community Corps";

(ii) in subparagraph (B), by striking "The Director shall appoint the members" and inserting "The Chief Executive Officer shall consider the recommendations of the Director in appointing the other members";

(iii) in subparagraph (C), by striking "the Director" and inserting "the Chief Executive Officer"; and

(iv) in subparagraph (E)—

(I) by inserting after "techniques" the following: ", including techniques for working with and enhancing the development of disadvantaged youth,"; and

(II) by striking "service learning" and inserting "service-learning"; and

(C) in the first sentence of paragraph (3), by striking "the members" and inserting "other members".

SEC. 1510. CONTRACT AND GRANT AUTHORITY.

Section 161 (42 U.S.C. 12621) is amended—

(1) in subsection (a), by striking "perform any program function under this subtitle" and inserting "carry out the National Civilian Community Corps program"; and

(2) in subsection (b)(2), by inserting "National" before "Civilian Community Corps".

SEC. 1511. OTHER DEPARTMENTS.

Section 162 (42 U.S.C. 12622) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in subparagraph (A), by inserting "National" before "Civilian Community Corps";

(ii) in subparagraph (B)(i), by striking "the registry established by" and all that follows through the semicolon and inserting "the registry established by section 1143a of title 10, United States Code;";

(B) in paragraph (2)(A), by striking "to be recommended for appointment" and inserting "from which individuals may be selected for appointment by the Director"; and

(C) in paragraph (3), by inserting "National" before "Civilian Community Corps"; and

(2) by striking subsection (b).

SEC. 1512. ADVISORY BOARD.

Section 163 (42 U.S.C. 12623) is amended—

(1) in subsection (a)—

(A) by striking "Upon the establishment of the Program, there shall also be" and inserting "There shall be";

(B) by inserting "National" before "Civilian Community Corps Advisory Board"; and

(C) by striking "to assist" and all that follows through the period at the end and inserting "to assist the Corps in responding rapidly and efficiently in times of natural and other disasters. Consistent with the needs outlined in section 151, the Advisory Board members shall help coordinate activities with the Corps as appropriate, including the mobilization of volunteers and coordination of volunteer centers to help local communities recover from the effects of natural and other disasters.";

(2) in subsection (b)—

(A) by redesignating paragraphs (8) and (9) as paragraphs (13) and (14), respectively;

(B) by inserting after paragraph (7) the following:

"(8) The Administrator of the Federal Emergency Management Agency.

"(9) The Secretary of Transportation.

"(10) The Chief of the United States Forest Service.

"(11) The Administrator of the Environmental Protection Agency.

"(12) The Secretary of Energy."; and

(C) in paragraph (13), as so redesignated, by striking "industry," and inserting "public and private organizations,".

SEC. 1513. ANNUAL EVALUATION.

Section 164 (42 U.S.C. 12624) is amended—

(1) by inserting "National" before "Civilian Community Corps"; and

(2) by adding at the end the following: "Upon completing each such evaluation, the Corporation shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and Labor of the House of Representatives a report on the evaluation.".

SEC. 1514. REPEAL OF FUNDING LIMITATION.

Section 165 (42 U.S.C. 12625) is repealed.

SEC. 1515. DEFINITIONS.

Section 166 (42 U.S.C. 12626) is amended—

(1) by striking paragraphs (2), (3), and (9);

(2) by redesignating paragraphs (4) through (8) as paragraphs (5) through (9), respectively;

(3) by inserting after paragraph (1) the following:

"(2) CAMPUS DIRECTOR.—The term 'campus director', with respect to a Corps campus, means the head of the campus under section 155(d).

"(3) CORPS.—The term 'Corps' means the National Civilian Community Corps required under section 155 as part of the Civilian Community Corps Program.

"(4) CORPS CAMPUS.—The term 'Corps campus' means the facility or central location established as the operational headquarters and boarding place for particular Corps units.";

(4) in paragraph (5) (as so redesignated), by striking "Civilian Community Corps Demonstration Program" and inserting "National Civilian Community Corps Program";

(5) in paragraph (6) (as so redesignated), by inserting "National" before "Civilian Community Corps";

(6) in paragraph (8) (as so redesignated), by striking "The terms" and all that follows through "Demonstration Program" and inserting "The term 'Program' means the National Civilian Community Corps Program"; and

(7) in paragraph (9) (as so redesignated)—

(A) in the heading by striking "SERVICE LEARNING" and inserting "SERVICE-LEARNING"; and

(B) in the matter preceding subparagraph (A) by striking "service learning" and inserting "service-learning".

SEC. 1516. TERMINOLOGY.

Subtitle E of title I (42 U.S.C. 12611 et seq.) is amended—

(1) by striking the subtitle heading and inserting the following:

"Subtitle E—National Civilian Community Corps"; and

(2) in section 160(a) (42 U.S.C. 12620(a)) by inserting "National" before "Civilian Community Corps".

Subtitle F—Amendments to Subtitle F (Administrative Provisions)

SEC. 1601. FAMILY AND MEDICAL LEAVE.

Section 171(a)(1) (42 U.S.C. 12631(a)(1)) is amended by striking "with respect to a project" and inserting "with respect to a project authorized under the national service laws".

SEC. 1602. ADDITIONAL PROHIBITIONS ON USE OF FUNDS.

Section 174 (42 U.S.C. 12634) is amended by adding at the end the following:

"(d) REFERRALS FOR FEDERAL ASSISTANCE.—A program may not receive assistance under the national service laws for the sole purpose of referring individuals to Federal assistance programs or State assistance programs funded in part by the Federal government.".

SEC. 1603. NOTICE, HEARING, AND GRIEVANCE PROCEDURES.

Section 176 (42 U.S.C. 12636) is amended—

(1) by striking "this title" each place it appears and inserting "the national service laws";

(2) in subsection (a)(2)(A), by striking "30 days" and inserting "1 or more periods of 30 days not to exceed 90 days in total"; and

(3) in subsection (f)—

(A) in paragraph (1), by striking "A State or local applicant" and inserting "An entity"; and

(B) in paragraph (6)—

(i) in subparagraph (C), by striking "and";

(ii) by redesignating subparagraph (D) as subparagraph (E); and

(iii) by inserting after subparagraph (C) the following:

"(D) in a grievance filed by an individual applicant or participant—

"(i) the applicant's selection or the participant's reinstatement, as the case may be; and

"(ii) other changes in the terms and conditions of service; and".

SEC. 1604. RESOLUTION OF DISPLACEMENT COMPLAINTS.

Section 177 (42 U.S.C. 12637) is amended—

(1) in subsections (a) and (b), by striking "under this title" each place it appears and inserting "under the national service laws";

(2) in subsection (b)(1), by striking "employee or position" and inserting "employee, position, or volunteer (other than a participant under the national service laws)"; and

(3) by adding at the end the following:

"(f) PARENTAL INVOLVEMENT.—

"(1) IN GENERAL.—Programs that receive assistance under the national service laws shall consult with the parents or legal guardians of children in developing and operating programs that include and serve children.

"(2) PARENTAL PERMISSION.—Programs that receive assistance under the national service laws shall, consistent with State law, before transporting minor children, provide the reason for and obtain written permission of the children's parents.".

SEC. 1605. STATE COMMISSIONS ON NATIONAL AND COMMUNITY SERVICE.

Section 178 (42 U.S.C. 12638) is amended—

(1) in subsection (c)(1), by adding at the end the following:

"(J) A representative of the volunteer sector.";

(2) in subsection (c)(3), by striking ", unless the State permits the representative to serve as a voting member of the State Commission or alternative administrative entity";

(3) by striking subsection (e)(1) and inserting the following:

"(1) Preparation of a national service plan for the State that—

"(A) is developed through an open and public process (such as through regional forums, hearings, and other means) that provides for maximum participation and input from companies, organizations, and public agencies using service and volunteerism as a strategy to meet critical community needs, including programs funded under the national service laws;

"(B) covers a 3-year period, the beginning of which may be set by the State;

"(C) is subject to approval by the chief executive officer of the State;

"(D) includes measurable goals and outcomes for the State consistent with those for national service programs as described in section 179(a)(1)(A);

"(E) ensures outreach to diverse community-based agencies that serve underrepresented populations, by—

"(i) using established networks and registries at the State level, or establishing such networks and registries; and

"(ii) coordinating with the Corporation's Office of Outreach and Recruitment;

"(F) provides for effective coordination of funding applications submitted by the State and others within the State under the national service laws;

"(G) is updated annually, reflecting changes in practices and policies that will improve the coordination and effectiveness of Federal, State, and local resources for service and volunteerism within the State; and

"(H) contains such information as the State Commission considers to be appropriate or as the Corporation may require.";

(4) by redesignating subsections (f) through (j) as subsections (g) through (k), respectively;

(5) by inserting after subsection (e) the following:

"(f) RELIEF FROM ADMINISTRATIVE REQUIREMENTS.—Upon approval of a State plan submitted under subsection (e)(1), the Chief Executive Officer may waive, or specify alternatives to, administrative requirements (other than statutory provisions) otherwise applicable to grants made to States under the national service laws, including those requirements identified by a State as impeding the coordination and effectiveness of Federal, State, and local resources for service and volunteerism within a State.";

(6) in subsection (j)(1) (as redesignated by this section), by striking the period at the end and inserting ", consistent with section 174(d)."; and

(7) by adding at the end the following:

"(l) STATE PLAN FOR BABY BOOMER AND OLDER ADULT VOLUNTEER AND PAID SERVICE.—

"(1) IN GENERAL.—Notwithstanding any other provision of this section, 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 must work with appropriate State agencies and private entities to develop a comprehensive State plan for volunteer and paid service by members of the Baby Boom generation and older adults.

"(2) MATTERS INCLUDED.—The State plan shall include—

"(A) recommendations for public policy initiatives, including how to best tap the population of members the Baby Boom generation and older adults as sources of social capital and as ways to address community needs;

"(B) recommendations to the State unit on aging on—

"(i) a marketing outreach plan to businesses;

"(ii) outreach to non-profit-organizations;

"(iii) the State's Department of Education; and

"(iv) other State agencies; and

"(C) recommendations for civic engagement and multigenerational activities, such as—

"(i) early childhood education, family literacy, and after school programs;

"(ii) respite services for older adults and caregivers; and

"(iii) transitions for members of the Baby Boom generation and older adults to purposeful work in their post career lives.

"(3) KNOWLEDGE INCORPORATED.—The State plan shall incorporate the current knowledge base regarding—

"(A) the economic impact of older workers' roles in the economy;

"(B) the social impact of older workers' roles in the community; and

"(C) the health and social benefits of active engagement for members of the Baby Boom generation and older adults.

"(4) PUBLICATION.—The State plan must be made public and be transmitted to the Chief Executive Officer.".

SEC. 1606. EVALUATION AND ACCOUNTABILITY.

Section 179 (42 U.S.C. 12639) is amended—

(1) by amending subsection (a) to read as follows:

"(a) IN GENERAL.—The Corporation shall provide, directly or through grants or contracts, for the continuing evaluation of programs that receive assistance under the national service laws, including evaluations that measure the impact of such programs, to determine—

"(1) the effectiveness of various programs receiving assistance under the national service laws in achieving stated goals and the costs associated with such, including—

"(A) an evaluation of performance measures, as established by the Corporation in consultation with grantees receiving assistance under the national service laws, which may include—

"(i) number of participants enrolled and completing terms of service compared to the stated goals of the program;

"(ii) number of volunteers recruited from the community in which the program was implemented;

"(iii) if applicable based on the program design, the number of individuals receiving or benefitting from the service conducted;

"(iv) number of disadvantaged and underrepresented youth participants;

"(v) sustainability of project or program, including measures to ascertain the level of community support for the project or program;

"(vi) measures to ascertain the change in attitude toward civic engagement among the participants and the beneficiaries of the service; and

"(vii) other quantitative and qualitative measures as determined to be appropriate by the recipient of assistance; and

"(B) review of the implementation plan for reaching such measures described in subparagraph (A); and

"(2) the effectiveness of the structure and mechanisms for delivery of services, such as the effective utilization of the participants' time, the management of the participants, and the ease to which recipients were able to receive services to maximize the cost-effectiveness of the program and its impact, for such programs.";

(2) in subsection (g)—

(A) in paragraph (3), by striking "National Senior Volunteer Corps" and inserting "National Senior Service Corps"; and

(B) in paragraph (9), by striking "to public service" and all that follows through the period at the end and inserting "to engage in service that benefits the community."; and

(3) by adding at the end the following:

"(j) RESERVED PROGRAM FUNDS FOR ACCOUNTABILITY.—In addition to amounts appropriated to carry out this section, the Corporation may reserve up to 1 percent of total program funds appropriated for a fiscal year under the national service laws to support program accountability activities.

"(k) CORRECTIVE PLANS.—

"(1) IN GENERAL.—A grantee that fails to reach the performance measures in subsection (a)(1)(A) as determined by the Corporation, shall reach an agreement with the Corporation on a corrective action plan to achieve the agreed upon performance measures.

"(2) ASSISTANCE.—

"(A) NEW PROGRAM.—For a program that has received assistance for less than 3 years and is failing to achieve the performance measures agreed upon under subsection (a)(1)(A), the Corporation shall—

"(i) provide technical assistance to the grantee to address targeted performance problems relating to the performance measures in subsection (a)(1)(A); and

"(ii) require quarterly reports from the grantee on the program's progress toward achieving the performance measures in subsection (a)(1)(A) to the appropriate State, Territory, or Indian tribe and the Corporation.

"(B) ESTABLISHED PROGRAMS.—For a program that has received assistance for 3 years or more and is failing to achieve the performance measures agreed upon under subsection (a)(1)(A), the Corporation shall require quarterly reports from the grantee on the program's progress towards achieving performance measures in subsection (a)(1)(A) to the appropriate State, Territory, or Indian tribe and the Corporation.

"(l) FAILURE TO MEET PERFORMANCE LEVELS.—If, after a period for correction as approved by the Corporation, a grantee or subgrantee fails to achieve the established levels of performance, the Corporation shall—

"(1) reduce the annual amount of the grant award attributable to the underperforming grantee or subgrantee by at least 25 percent; or

"(2) terminate assistance to the underperforming grantee or subgrantee, consistent with section 176(a).

"(m) REPORTS.—The Corporation shall submit to Congress not later than two years after the date of the enactment of this subsection, and annually thereafter, a report containing information on the number of—

"(1) grantees implementing corrective action plans;

"(2) grantees for which the Corporation offers technical assistance under subsection (k);

"(3) grantees for which the Corporation terminates assistance for a program under subsection (l); and

"(4) grantees meeting or exceeding their performance measures in subsection (a).".

SEC. 1607. TECHNICAL AMENDMENT.

Section 181 (42 U.S.C. 12641) is amended by striking "Section 414" and inserting "Section 422".

SEC. 1608. PARTNERSHIPS WITH SCHOOLS.

Section 182(b) (42 U.S.C. 12642(b)) is amended to read as follows:

"(b) ANNUAL REPORT.—On an annual basis, the head of each Federal agency and department shall prepare and submit, to Congress and the committees of jurisdiction, a report concerning the implementation of this section, including an evaluation of the performance goals and benchmarks of the partnership programs.".

SEC. 1609. RIGHTS OF ACCESS, EXAMINATION, AND COPYING.

Section 183 (42 U.S.C. 12643) is amended—

(1) in each of subsections (a)(1) and (b)(1) by inserting after "local government," the following: "Territory,"; and

(2) by adding at the end the following:

"(c) INSPECTOR GENERAL.—The Inspector General of the Corporation shall have access to, and the right to examine and copy, any books, documents, papers, records, and other recorded information in any form—

"(1) within the possession or control of the Corporation or any State or local government, Territory, Indian tribe, or public or private nonprofit organization receiving assistance directly or indirectly under this Act; and

"(2) that relates to the duties of the Inspector General under the Inspector General Act of 1978.".

SEC. 1610. ADDITIONAL ADMINISTRATIVE PROVISIONS.

Subtitle F of title I (42 U.S.C. 12631 et seq.) is amended by adding at the end the following:

"SEC. 185. CONSOLIDATED APPLICATION AND REPORTING REQUIREMENTS.

"(a) IN GENERAL.—To promote efficiency and eliminate duplicative requirements, the Corporation shall consolidate or modify application procedures and reporting requirements for programs and activities funded under the national service laws.

"(b) REPORTS TO CONGRESS.—Not later than 1 year after the date of the enactment of this section, and annually thereafter, the Corporation shall submit to Congress a report containing information on the actions taken to modify the application procedures and reporting requirements for programs and activities funded under the national service laws, including a description of the consultation procedures with grantees, entities that expressed interest in applying for assistance under a national service law but did not apply, those entities whose application was rejected, and applications whose assistance was terminated due to failure to meet performance measures for the year covered by the report.

"SEC. 186. SUSTAINABILITY.

"(a) GOALS.—To ensure that recipients of assistance under the national service laws are carrying out sustainable projects or programs, the Corporation, after collaboration with State Commissions and consultation with recipients of assistance under the national service laws, may set sustainability goals supported by policies and procedures to—

"(1) build the capacity of the projects that receive assistance under the national service laws to meet community needs and to work to lessen the dependence on Federal dollars to do so;

"(2) provide technical assistance to assist the recipients of assistance under the national service laws in acquiring non-Federal funds for the projects that could replace assistance received under the national service laws; and

"(3) implement measures to ascertain whether the projects are generating sufficient community support.

"(b) ENFORCEMENT.—If a recipient does not meet the sustainability goals in subsection (a) for a project, the Corporation may take action as described in sections 176 and 179.

"SEC. 187. USE OF RECOVERED FUNDS.

"(a) FACTORS CONSIDERED IN APPROVING REPAYMENT.—After the date of enactment of this section, whenever the Corporation recovers funds paid to a recipient under a grant or cooperative agreement made under the national service laws because the recipient made an expenditure of funds that was not allowable, or otherwise failed to discharge its responsibility to account properly for funds, the Corporation may consider those funds to be additional funds available and may arrange to repay to the recipient affected by that action an amount not to exceed 75 percent of the recovered funds if the Corporation determines that—

"(1) the practices or procedures of the recipient that resulted in the recovery of funds have been corrected, and that the recipient is in all other respects in compliance with the requirements of the grant or cooperative agreement, if the recipient was notified of any noncompliance with such requirements and given a reasonable period of time to remedy such noncompliance;

"(2) the recipient has submitted to the Corporation a plan for the use of those funds consistent with the national service laws and, to the extent possible, for the benefit of the community affected by the recovery of funds; and

"(3) the use of those funds in accordance with that plan would serve to achieve the objectives of the grant or cooperative agreement under which the funds were originally paid.

"(b) TERMS AND CONDITIONS OF REPAYMENT.—Any payments by the Corporation under this section shall be subject to other terms and conditions as the Corporation considers necessary to accomplish the purposes of the grant or cooperative agreement, including—

"(1) the submission of periodic reports on the use of funds provided under this section; and

"(2) consultation by the recipient with members of the community that will benefit from the payments.

"(c) AVAILABILITY OF FUNDS.—Notwithstanding any other provision of law, the funds made available under this section shall remain available for expenditure for a period of time considered reasonable by the Corporation, but in no case to exceed more than 3 fiscal years following the later of—

"(1) the fiscal year in which final agency action regarding the disallowance of funds is taken; or

"(2) if such recipient files a petition for judicial review regarding the disallowance of funds, the fiscal year in which final judicial action is taken on such a petition.

"(d) PUBLICATION IN FEDERAL REGISTER.—At least 60 days prior to entering into an arrangement under this section, the Corporation shall publish in the Federal Register a notice of intent to enter into such an arrangement and the terms and conditions under which payments will be made. Interested persons shall have an opportunity for at least 30 days to submit comments to the Corporation regarding the proposed arrangement.

"SEC. 188. EXPENSES OF ATTENDING MEETINGS.

"Notwithstanding section 1345 of title 31, United States Code, funds authorized under the national service laws shall be available for expenses of attendance of meetings that are concerned with the functions or activities for which the funds are appropriated or which will contribute to improved conduct, supervision, or management of those functions or activities.

"SEC. 189. GRANT PERIODS.

"Unless otherwise specifically provided, the Corporation has authority to make a grant under the national service laws for a period of 3 years.

"SEC. 189A. GENERATION OF VOLUNTEERS.

"In making decisions on applications for assistance or approved national service positions under the national service laws, the Corporation shall take into consideration the extent to which the applicant's proposal will increase the involvement of volunteers in meeting community needs.

"SEC. 189B. LIMITATION ON PROGRAM GRANT COSTS.

"(a) LIMITATION ON GRANT AMOUNTS.—Except as otherwise provided by this section, the amount of funds approved by the Corporation in a grant to operate a program authorized under the national service laws supporting individuals serving in approved national service positions may not exceed $16,000 per full-time equivalent position.

"(b) COSTS SUBJECT TO LIMITATION.—The limitation in subsection (a) applies to the Corporation's share of member support costs, staff costs, and other costs borne by the grantee or subgrantee to operate a program.

"(c) COSTS NOT SUBJECT TO LIMITATION.—The limitation in subsection (a) and (e)(1) shall not apply to expenses that are not included in the program operating grant award.

"(d) ADJUSTMENTS FOR INFLATION.—The amount specified in subsections (a) and (e)(1) shall be adjusted each year after 2008 for inflation as measured by the Consumer Price Index for All Urban Consumers published by the Secretary of Labor.

"(e) WAIVER AUTHORITY AND REPORTING REQUIREMENT.—

"(1) WAIVER.—The Chief Executive Officer may waive the requirements of this section, up to a maximum of $18,000, if necessary to meet the compelling needs of a particular program, such as exceptional training needs for a program serving disadvantaged youth, increased costs relating to the participation of individuals with disabilities, and start-up costs associated with a first-time grantee.

"(2) REPORTS.—The Chief Executive Officer shall report to Congress annually on all waivers granted under this section, with an explanation of the compelling needs justifying such waivers.

"SEC. 189C. AUDITS AND REPORTS.

"The Corporation shall comply with applicable audit and reporting requirements as provided in the Chief Financial Officers Act of 1990 (31 U.S.C. 501 et seq.) and the Government Corporation Control Act of 1945 (31 U.S.C. 9101 et seq.). The Corporation shall report to the Congress any failure to comply with the requirements of such audits.".

Subtitle G—Amendments to Subtitle G (Corporation for National and Community Service)

SEC. 1701. TERMS OF OFFICE.

Section 192 (42 U.S.C. 12651a) is amended—

(1) by striking subsection (c) and inserting the following:

"(c) TERMS.—Subject to subsection (e), each appointed member shall serve for a term of 5 years.";

(2) by adding at the end the following:

"(e) SERVICE UNTIL APPOINTMENT OF SUCCESSOR.—A voting member of the Board whose term has expired may continue to serve for one year beyond expiration of the term if no successor is appointed or until the date on which a successor has taken office.".

SEC. 1702. BOARD OF DIRECTORS AUTHORITIES AND DUTIES.

Section 192A(g) (42 U.S.C. 12651b(g)) is amended—

(1) in the matter preceding paragraph (1) by striking "shall—" and inserting "shall have responsibility for setting overall policy for the Corporation and shall—";

(2) in paragraph (1), by inserting before the semicolon at the end the following: ", and review the budget proposal in advance of submission to the Office of Management and Budget and to Congress";

(3) in paragraph (5)—

(A) in subparagraph (A) by striking "and" at the end;

(B) in subparagraph (B) by inserting "and" at the end; and

(C) by adding at the end the following:

"(C) review the performance of the Chief Executive Officer annually and forward a report on that review to the President;";

(4) in paragraph (9), by inserting "and" after "Corporation;";

(5) in paragraph (10), by striking "program; and" and inserting "program under a cost share agreement, as determined by the Corporation, in which the funds advanced or received as reimbursement shall be credited directly to a current appropriation; and"; and

(6) in paragraph (11), by striking "September 30, 1995" and inserting "January 1, 2011".

SEC. 1703. AUTHORITIES AND DUTIES OF THE CHIEF EXECUTIVE OFFICER.

Section 193A (42 U.S.C. 12651d) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by inserting after "a strategic plan" the following: ", including a plan for achieving 50 percent full-time approved national service positions by 2010,";

(B) by redesignating paragraphs (7) through (11) as paragraphs (8) through (12), respectively;

(C) by inserting after paragraph (6) the following:

"(7) prepare and submit to the Committee on Education and Labor in the United States House of Representatives and the Committee on Health, Education, Labor, and Pensions in the United States Senate, and the Board an annual report on actions taken to achieve the goal of 50 percent full-time approved national service positions as described in paragraph (1), including an assessment of the progress made toward achieving that goal and the actions to be taken in the coming year toward achieving that goal;"; and

(D) in paragraph (11) (as so redesignated)—

(i) in the matter preceding subparagraph (A), by striking "June 30, 1995," and inserting "June 30 of each even-numbered year,"; and

(ii) in subparagraph (A)(i), by striking "section 122(c)(1)" and inserting "section 122(d)(1)"; and

(2) in subsection (c)—

(A) in paragraph (9), by striking "and" at the end;

(B) by redesignating paragraph (10) as paragraph (11); and

(C) by inserting after paragraph (9) the following:

"(10) obtain the opinions of peer reviewers in evaluating applications to the Corporation for assistance under this title; and".

SEC. 1704. NONVOTING MEMBERS; PERSONAL SERVICES CONTRACTS.

Section 195 (42 U.S.C. 12651f) is amended—

(1) in subsection (c)—

(A) in paragraph (2)(B), by inserting after "subdivision of a State," the following: "Territory,"; and

(B) in paragraph (3)—

(i) in the heading, by striking "MEMBER" and inserting "NON-VOTING MEMBER"; and

(ii) by inserting "non-voting" before "member"; and

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

"(g) PERSONAL SERVICES CONTRACTS.—The Corporation may enter into personal services contracts to carry out research, evaluation, and public awareness related to the national service laws.".

SEC. 1705. DONATED SERVICES.

Section 196(a) (42 U.S.C. 12651g(a)) is amended—

(1) in paragraph (1)—

(A) by striking subparagraph (A) and inserting the following:

"(A) ORGANIZATIONS AND INDIVIDUALS.—Notwithstanding section 1342 of title 31, United States Code, the Corporation may solicit and accept the services of organizations and individuals (other than participants) to assist the Corporation in carrying out the duties of the Corporation under the national service laws, and may provide to such individuals the travel expenses described in section 192A(d).";

(B) in subparagraph (B)—

(i) in the matter preceding clause (i), by striking "Such a volunteer" and inserting "A person who is a member of an organization or is an individual covered by subparagraph (A)";

(ii) in clause (i), by striking "a volunteer" and inserting "such a person";

(iii) in clause (ii), by striking "volunteers" and inserting "such a person"; and

(iv) in clause (iii), by striking "such a volunteer" and inserting "such a person"; and

(C) in subparagraph (C)(i), by striking "Such a volunteer" and inserting "Such a person"; and

(2) by striking paragraph (3).

SEC. 1706. OFFICE OF OUTREACH AND RECRUITMENT.

Subtitle G of title I is further amended by adding at the end the following:

"SEC. 196B. OFFICE OF OUTREACH AND RECRUITMENT.

"(a) ESTABLISHMENT.—There is established in the Corporation an office to be known as the Office of Outreach and Recruitment (in this section referred to as the 'Office'), headed by a Director.

"(b) DUTIES.—The duties of the Office, carried out directly or through grants, contracts, or cooperative agreements, shall be—

"(1) to increase the public awareness of the wide range of service opportunities for citizens of all ages, regardless of socioeconomic status or geographic location, through a variety of methods, including—

"(A) print media;

"(B) the Internet and related emerging technologies;

"(C) television;

"(D) radio;

"(E) presentations at public or private forums;

"(F) other innovative methods of communication; and

"(G) outreach to offices of economic development, State employment security agencies, labor unions and trade associations, local education agencies, agencies and organizations serving veterans and people with disabilities, and other institutions or organizations from which participants for programs receiving assistance from the national service laws can be recruited;

"(2) to identify and implement methods of recruitment to increase the diversity of participants in the programs receiving assistance under the national service laws;

"(3) to identify and implement recruitment strategies and training programs for bilingual volunteers in the National Senior Service Corps under title II of the Domestic Volunteer Service Act of 1973;

"(4) to identify and implement methods of recruitment to increase the diversity of service sponsors of programs desiring to receive assistance under the national service laws;

"(5) to collaborate with organizations which have established volunteer recruitment programs, including those on the Internet, to increase the recruitment capacity of the Corporation;

"(6) where practicable, to provide application materials in languages other than English for those with limited English proficiency who wish to participate in a national service program;

"(7) to coordinate with organizations of former participants of national service programs for service opportunities that may include capacity building, outreach, and recruitment for programs receiving assistance under the national service laws;

"(8) to collaborate with the training and technical assistance programs described in subtitle J and in appropriate paragraphs of section 198E(b);

"(9) to coordinate the clearinghouses described in section 198E; and

"(10) to coordinate with entities receiving funds under section 198E(b)(11) in establishing the Reserve Corps for alumni of the national service programs to serve in emergencies, disasters, and other times of national need.

"(c) COLLABORATION.—The duties described in subsection (b) shall be carried out in collaboration with the State Commissions.

"(d) AUTHORITY TO CONTRACT WITH A BUSINESS.—The Corporation may, through contracts or cooperative agreements, carry out the marketing duties described in subsection (b)(1), with priority given to those entities who have established expertise in the recruitment of disadvantaged youth, members of Indian tribes, and members of the Baby Boom generation.

"(e) CAMPAIGN TO SOLICIT FUNDS.—The Corporation, through the Director of the Office, may conduct a campaign to solicit funds for itself to conduct outreach and recruitment campaigns to recruit a diverse population of service sponsors of and participants in programs and projects receiving assistance under the national service laws.

"(f) REPORTING.—The Director of the Office shall complete a report annually to the Chief Executive Officer and the Board of Directors on its activities and results.".

SEC. 1707. STUDY TO EXAMINE AND INCREASE SERVICE PROGRAMS FOR VETERANS AND VETERANS PARTICIPATION IN SERVICE CORPS AND COMMUNITY SERVICE AND TO DEVELOP PILOT PROGRAM.

(a) PLANNING STUDY.—The Corporation for National and Community Service shall conduct a study to identify—

(1) specific areas of need for veterans;

(2) how existing programs and activities carried out under the national service laws could better serve veterans and veterans service organizations;

(3) gaps in service to veterans;

(4) prospects for better coordination of services;

(5) prospects for better utilization of veterans as resources and volunteers; and

(6) methods for ensuring the efficient financial organization of services directed towards veterans.

(b) CONSULTATION.—The study shall be carried out in consultation with veterans' service organizations, the Department of Veterans Affairs, State veterans agencies, the Department of Defense, and other individuals and entities the Corporation considers appropriate.

(c) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Corporation shall submit to Congress a report on the results of the planning study required by subsection (a), together with a plan for implementation of a pilot program using promising strategies and approaches for better targeting and serving veterans.

(d) PILOT PROGRAM.—From amounts made available to carry out this subsection, the Corporation shall develop and carry out a pilot program based on the findings in the report submitted under subsection (c).

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of fiscal years 2008 through 2012.

Subtitle H—Amendments to Subtitle H

SEC. 1801. TECHNICAL AMENDMENTS TO SUBTITLE H.

(a) ADDITIONAL CORPORATION ACTIVITIES TO SUPPORT NATIONAL SERVICE.—Subtitle H is amended by inserting after the subtitle heading and before section 198 the following:

"PART I—ADDITIONAL CORPORATION ACTIVITIES TO SUPPORT NATIONAL SERVICE".

(b) TECHNICAL AMENDMENTS.—Section 198 (42 U.S.C. 12653) is amended—

(1) in subsection (a), by striking "subsection (r)" and inserting "subsection (g)";

(2) in subsection (b), by striking "national service programs, including service-learning programs, and to support innovative and model programs, including" and inserting "service-learning programs and national service programs, including";

(3) by striking subsections (c), (d), (e), and (f);

(4) by redesignating subsection (g) as subsection (c);

(5) by striking subsections (h), (i), and (j);

(6) by redesignating subsection (k) as subsection (d);

(7) by striking subsections (l) and (m);

(8) by redesignating subsections (n) and (o) as subsections (e) and (f), respectively;

(9) by striking subsections (p) and (q);

(10) by redesignating subsection (r) as subsection (g); and

(11) by redesignating subsection (s) as subsection (h).

SEC. 1802. REPEALS.

The following provisions are repealed:

(1) CLEARINGHOUSES.—Section 198A (42 U.S.C. 12653a).

(2) MILITARY INSTALLATION CONVERSION DEMONSTRATION PROGRAMS.—Section 198C (42 U.S.C. 12653c).

(3) SPECIAL DEMONSTRATION PROJECT.—Section 198D (42 U.S.C. 12653d).

SEC. 1803. INNOVATIVE AND MODEL PROGRAM SUPPORT.

Subtitle H is further amended by adding at the end the following:

"PART II—INNOVATIVE AND MODEL PROGRAM SUPPORT

"SEC. 198D. INNOVATIVE AND MODEL PROGRAM SUPPORT.

"(a) METHODS OF CONDUCTING ACTIVITIES.—The Corporation may, through grants and fixed amount grants under subsection (c), carry out the following programs:

"(1) PROGRAMS FOR DISADVANTAGED YOUTH.—A program selected from among those listed in 122(a) where no less than 75 percent of the participants are disadvantaged youth.

"(A) COMPONENTS OF PROGRAMS.—Such programs may include life skills training, employment training, educational counseling, program to complete a high-school diploma or GED, counseling, or a mentoring relationship with an adult volunteer.

"(B) PRIORITY.—Priority shall be given to programs that engage retirees to serve as mentors.

"(2) PROGRAMS FOCUSED ON LEARNING AND THINKING SKILLS.—Service programs to solve community problems while engaging or developing 21st century learning and thinking skills (critical-thinking and problem solving, communication skills, creativity and innovation skills, collaboration skills, contextual learning skills, information and media literacy skills, and information and communications literacy) and life skills (leadership, ethics, accountability, adaptability, personal productivity, personal responsibility, people skills, self-direction, and social responsibility) for school-age youth and low income adults. This may be a summer of service program or a year-round service program. Priority shall be given to programs that collaborate with the RSVP program, the AmeriCorps programs, or the Learn and Serve programs.

"(3) PROGRAMS THAT ENGAGE YOUTH UNDER THE AGE OF 17.—Programs that engage youth under the age of 17 in service to the community to meet unmet human, educational, environmental, emergency and disaster preparedness, or

public safety needs and may be a summer program or a year-round program. Priority shall be given to programs that collaborate with the RSVP Program and the AmeriCorps programs.

"(4) PROGRAMS THAT FOCUS ON HEALTH AND WELLNESS.—Service programs that focus on the health and wellness of the members of a low-income or rural community. Priority shall be given to service programs that work to—

"(A) involve the community in service to those who are at-risk to not receive or pursue health care through such activities as health and wellness education, prevention, and care;

"(B) include in the service program employment training, where applicable, for participants in the program and may extend this opportunity to members of the community; and

"(C) collaborate with local institutions of higher education to include, as a portion of the pre-professional training of health care professionals including nurses, doctors, physician assistants, dentists, and emergency medical technicians, a service component to meet unmet healthcare and wellness needs in the community in which the service program is being carried out.

"(5) PROGRAMS THAT REDUCE RECIDIVISM.—Programs that re-engage court-involved youth and adults with the goal of reducing recidivism. Priority shall be given to such programs that create support systems beginning in corrections facilities, and programs that have life skills training, employment training, an education program, including a program to complete a high-school diploma or GED, educational and career counseling, post program placement, and support services, which could begin in corrections facilities. The program may include health and wellness programs, including but not limited to drug and alcohol treatment, mental health counseling, and smoking cessation.

"(6) PROGRAMS THAT RECRUIT CERTAIN INDIVIDUALS.—Demonstration projects for programs that have as one of their primary purposes the recruitment and acceptance of court-involved youth and adults as participants, volunteers, or members. Such a program may serve any purpose otherwise permitted under this Act.

"(7) OTHER INNOVATIVE AND MODEL PROGRAMS.—Any other innovative and model programs that the Corporation considers appropriate.

"(b) REQUIREMENTS.—

"(1) THREE-YEAR TERM.—Each program funded under this part shall be carried out over a period of three years, including one planning year and two additional grant years, with a 1-year extension possible, if the program meets performance measures developed in accordance with section 179(a) and any other criteria determined by the Corporation.

"(2) ENCOURAGEMENT.—Each program funded under this part is encouraged to collaborate with Learn and Serve, AmeriCorps, VISTA, and the National Senior Service Corps.

"(3) EVALUATION.—Upon completion of the program, the Corporation shall conduct an independent evaluation of the program and widely disseminate the results to the service community through multiple channels, including the Corporation's Resource Center or a clearinghouse of effective strategies and recommendations for improvement.

"(c) FIXED AMOUNT GRANTS.—

"(1) GENERAL.—For purposes of subsection (a), and subject to the limitations in this subsection, the Corporation may, upon making a determination described in paragraph (2), approve a fixed amount grant that is not subject to the Office of Management and Budget cost principles and related financial recordkeeping requirements.

"(2) DETERMINATION.—Before approving a fixed amount grant, the Corporation must determine that—

"(A) the reasonable and necessary costs of carrying out the terms of the grant significantly exceed the amount of assistance provided by the Corporation; or

"(B) based on the nature or design of the grant, any assistance provided by the Corporation can be reasonably presumed to be expended on reasonable and necessary costs.

"(3) MATCHING FUNDS.—

"(A) IN GENERAL.—The Federal share of the cost of carrying out a program for which a grant is made under this part may not exceed 50 percent of the total cost of the program.

"(B) NON-FEDERAL CONTRIBUTION.—In providing for the remaining share of the cost of carrying out such a program, each recipient of a grant under this part—

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

"(ii) may provide for such share through State sources or local sources, including private funds or donated services.

"(d) APPLICATIONS.—To be eligible to carry out a program under this part, an entity shall prepare, submit to the Corporation, and obtain approval of, an application at such time and in such manner as the Corporation requires, and in such manner as the Chief Executive Officer may reasonably require.".

SEC. 1804. CLEARINGHOUSES.

Subtitle H is further amended by adding at the end the following:

"PART III—NATIONAL SERVICE PROGRAMS CLEARINGHOUSE

"SEC. 198E. NATIONAL SERVICE PROGRAMS CLEARINGHOUSE.

"(a) IN GENERAL.—The Corporation shall provide assistance, either by grant, contract, or cooperative agreement, to entities with expertise in the dissemination of information through clearinghouses to establish one or more clearinghouses for the national service laws.

"(b) FUNCTION OF CLEARINGHOUSE.—Such a clearinghouse may—

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

"(2) conduct research and evaluations concerning service-learning or programs receiving assistance under the national service laws unless the recipient is receiving funds for such purpose under part III of subtitle B and under subtitle H;

"(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 programs offered under the national service laws and participants in such programs;

"(5) provide and disseminate information and curriculum materials relating to planning and operating service-learning programs and programs offered under the national service laws, to States, Territories, Indian tribes, and local entities eligible to receive financial assistance under the national service laws;

"(6) provide and disseminate information regarding methods to make service-learning programs and programs offered under the national service laws accessible to individuals with disabilities;

"(7) disseminate applications in languages other than English;

"(8)(A) gather and disseminate information on successful service-learning programs and programs offered under the national service laws, components of such successful programs, innovative 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;

"(9) make recommendations to State and local entities on quality controls to improve the quality of service-learning programs and programs offered under the national service laws;

"(10) assist organizations in recruiting, screening, and placing a diverse population of service-learning coordinators and program sponsors;

"(11) collaborate with the Office of Outreach and Recruitment on an alumni network for those former participants in an approved national service position, to facilitate communication and collaboration between alumni and to leverage their skills, knowledge, and experiences to improve service across our Nation and also serve in a Reserve Corps, who are ready to serve in times of national need;

"(12) disseminate effective strategies for working with disadvantaged youth in national service programs as determined by organizations with an established expertise working with such youth; and

"(13) carry out such other activities as the Chief Executive Officer determines to be appropriate.".

Subtitle I—American Conservation and Youth Service Corps

SEC. 1811. STATE APPLICATION.

Section 199C(a) (42 U.S.C. 12655b(a)) is amended by inserting after "a State" the following: ", Territory,".

Subtitle J—Training and Technical Assistance

SEC. 1821. TRAINING AND TECHNICAL ASSISTANCE.

Title I is further amended by adding at the end the following new subtitle:

"Subtitle J—Training and Technical Assistance

"SEC. 199N. TRAINING AND TECHNICAL ASSISTANCE.

"(a) IN GENERAL.—The Corporation shall conduct, either directly or through grants, contracts, or cooperative agreements, including through State Commissions on National and Community Service, appropriate training and technical assistance to—

"(1) programs receiving assistance under the national service laws; and

"(2) entities (particularly those in rural areas and underserved communities)—

"(A) that desire to carry out or establish national service programs;

"(B) that desire to apply for assistance under the national service laws; or

"(C) that desire to apply for a subgrant under the national service laws.

"(b) ACTIVITIES INCLUDED.—Such training and technical assistance activities may include—

"(1) providing technical assistance to those applying to carry out national service programs or those carrying out national service programs;

"(2) promoting leadership development in national service programs;

"(3) improving the instructional and programmatic quality of national service programs;

"(4) developing the management and budgetary skills of those operating or overseeing national service programs, including to increase the cost effectiveness of the programs under the national service laws;

"(5) providing for or improving the training provided to the participants in programs under the national service laws;

"(6) facilitating the education of national service programs in risk management procedures, including the training of participants in appropriate risk management practices;

"(7) training of those operating or overseeing national service programs in volunteer recruitment, management, and retention to improve the abilities of such individuals to use participants and other volunteers in an effective manner which results in high quality service and the desire of participants or volunteers to continue to serve in other capacities after the program is completed;

"(8) training of those operating or overseeing national service programs in program evaluation and performance measures to inform practices to augment the capacity and sustainability of the program;

"(9) training of those operating or overseeing national service programs to effectively accommodate people with disabilities to increase the participation of people with disabilities in national service programs;

"(10) establishing networks and collaboration among employers, educators, and other key stakeholders in the community to further leverage resources to increase local participation and to coordinate community-wide planning and service;

"(11) providing training and technical assistance for the National Senior Service Corps; and

"(12) carrying out such other activities as the Chief Executive Officer determines to be appropriate.

"(c) PRIORITY.—The Corporation shall give priority to programs under the national service laws and those entities wishing to establish programs under the national service laws seeking training or technical assistance that—

"(1) seek to carry out (as defined in section 101) high quality programs where the services are needed most;

"(2) seek to carry out (as defined in section 101) high quality programs where national service programs do not currently exist or where the programs are too limited to meet community needs;

"(3) seek to carry out (as defined in section 101) high quality programs that focus on and provide service opportunities for underserved rural and urban areas and populations; and

"(4) assist programs in developing a service component that combines students, out-of-school youths, and older adults as participants to provide needed community services.".

Subtitle K—Repeal of Title III (Points of Light Foundation)

SEC. 1831. REPEAL.

Title III (42 U.S.C. 12661 et seq.) is repealed.

Subtitle L—Amendments to Title V (Authorization of Appropriations)

SEC. 1841. AUTHORIZATION OF APPROPRIATIONS.

Section 501 (42 U.S.C. 12681) is amended to read as follows:

"SEC. 501. AUTHORIZATION OF APPROPRIATIONS.

"(a) TITLE I.—

"(1) SUBTITLE b.—

"(A) IN GENERAL.—There are authorized to be appropriated to provide financial assistance under subtitle B of title I—

"(i) $65,000,000 for fiscal year 2008, of which $10,000,000 shall be for summer of service grants and $10,000,000 shall be deposited in the National Service Trust to support summer of service educational awards; and

"(ii) such sums as may be necessary for each of fiscal years 2009 through 2012.

"(B) PROGRAMS.—Of the amount appropriated under subparagraph (A) for a fiscal year—

"(i) not more than 63.75 percent shall be available to provide financial assistance under part I of subtitle B of title I;

"(ii) not more than 25 percent shall be available to provide financial assistance under part II of such subtitle; and

"(iii) not less than 11.25 percent shall be available to provide financial assistance under part III of such subtitle.

"(2) SUBTITLES C, D, AND H.—

"(A) IN GENERAL.—There are authorized to be appropriated to provide financial assistance under subtitles C and H of title I, to administer the National Service Trust and disburse national service educational awards and scholarships under subtitle D of title I, and to carry out such audits and evaluations as the Chief Executive Officer or the Inspector General of the Corporation may determine to be necessary, $485,000,000 for fiscal year 2008, and such sums as may be necessary for each of fiscal years 2009 through 2012.

"(B) PROGRAMS.—Of the amount appropriated under subparagraph (A) for a fiscal year, up to 15 percent shall be made available to provide financial assistance under subsections (b) and (c) of section 126, and under subtitle H of title I.

"(C) SUBTITLE c.—Of the amount appropriated under subparagraph (A), the following amounts shall be made available to provide financial assistance under section 121 of subtitle C of title I:

"(i) For fiscal year 2008, not more than $324,000,000.

"(ii) For fiscal year 2009, not more than $357,000,000.

"(iii) For fiscal year 2010, not more than $397,000,000.

"(iv) For each of fiscal years 2011 through 2012, such sums as may be necessary.

"(3) SUBTITLE e.—There are authorized to be appropriated to operate the National Civilian Community Corps and provide financial assistance under subtitle E of title I, $25,000,000 for fiscal year 2008 and such sums as may be necessary for each of fiscal years 2009 through 2012.

"(4) ADMINISTRATION.—

"(A) IN GENERAL.—There are authorized to be appropriated for the administration of this Act, including financial assistance under sections 126(a) and 196B, $51,000,000 for fiscal year 2008 and such sums as may be necessary for each of fiscal years 2009 through 2012.

"(B) CORPORATION.—Of the amounts appropriated under subparagraph (A) for a fiscal year—

"(i) up to 69 percent shall be made available to the Corporation for the administration of this Act, including to provide financial assistance under section 196B; and

"(ii) the remainder shall be available to provide financial assistance under section 126(a).

"(5) TRAINING AND TECHNICAL ASSISTANCE.—Of the amounts appropriated for a fiscal year under subtitles B, C, and H of title I of this Act and under titles I and II of the Domestic Volunteer Service Act of 1973, the Corporation shall reserve up to 2.5 percent to carry out subtitle J of this Act. Notwithstanding subsection (b), amounts so reserved shall be available only for the fiscal year for which they are reserved.

"(b) AVAILABILITY OF APPROPRIATIONS.—Funds appropriated under this section shall remain available until expended.".

TITLE II—AMENDMENTS TO THE DOMESTIC VOLUNTEER SERVICE ACT OF 1973

SEC. 2001. REFERENCES.

Except as otherwise specifically provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of a provision, the reference shall be considered to be made to a provision of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4950 et seq.).

Subtitle A—Amendments to Title I (National Volunteer Antipoverty Programs)

SEC. 2101. PURPOSE.

Section 2 (42 U.S.C. 4950) is amended—

(1) in subsection (a), by striking "both young and older citizens" and inserting "citizens of all ages and backgrounds"; and

(2) in subsection (b), by striking "local agencies" and all that follows through the period at the end and inserting "local agencies, expand relationships with, and support for, the efforts of civic, community, and educational organizations, and utilize the energy, innovative spirit, experience, and skills of all Americans.".

SEC. 2102. PURPOSE OF THE VISTA PROGRAM.

Section 101 (42 U.S.C. 4951) is amended—

(1) in the second sentence, by striking "afflicted with" and inserting "affected by"; and

(2) in the third sentence, by striking "local level" and all that follows through the period at the end and inserting "local level, to support efforts by local agencies and organizations to achieve long-term sustainability of projects, consistent with section 186 of the National and Community Service Act of 1990, initiated or expanded under the VISTA program activities, and to strengthen local agencies and community organizations to carry out the purpose of this part.".

SEC. 2103. APPLICATIONS.

Section 103 (42 U.S.C. 4953) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by inserting "the Commonwealth of the Northern Mariana Islands," after "American Samoa," ; and

(B) in paragraph (2)—

(i) by striking "handicapped" and inserting "disabled"; and

(ii) by striking "handicaps" and inserting "disabilities";

(C) in paragraph (3), by striking "jobless, the hungry, and low-income" and inserting "unemployed, the hungry, and low-income";

(D) in paragraph (4), by striking "prevention, education," and inserting "through prevention, education, rehabilitation, and treatment,";

(E) in paragraph (5), by inserting ", mental illness," after "including";

(F) in paragraph (6), by striking "; and" and inserting a semicolon;

(G) in paragraph (7), by striking the period and inserting a semicolon; and

(H) by adding at the end the following new paragraphs:

"(8) in the re-entry and re-integration of formerly incarcerated youth and adults into society, including life skills training, employment training, counseling, educational training, and educational counseling;

"(9) in developing and carrying out financial literacy, financial planning, budgeting, savings, and reputable credit accessibility programs in low-income communities, including those programs which educate on financing home ownership and higher education;

"(10) in initiating and supporting before-school and after-school programs servicing children in low-income communities that may engage participants in mentoring relationships, tutoring, life skills, or study skills programs, service-learning, physical, nutrition, and health education programs, including programs aimed at fighting childhood obesity, and other activities addressing the needs of the community's children;

"(11) in establishing and supporting community economic development initiatives, including micro-enterprises, with a priority on such programs in rural areas and other areas where such programs are needed most;

"(12) in assisting veterans and their families through establishing or augmenting programs which assist such persons with access to legal assistance, health care (including mental health), employment counseling or training, education counseling or training, affordable housing, and other support services; and

"(13) in addressing the health and wellness of low-income and underserved communities, including programs to increase access to preventive services, insurance, and health care.";

(2) in subsection (b)—

(A) in paragraph (1), by striking "recruitment and placement procedures" and inserting "recruitment and placement procedures that involve sponsoring organizations and";

(B) in paragraph (2)—

(i) in subparagraph (B), by striking "central information system that shall, on request, promptly provide" and inserting "database that provides"; and

(ii) in subparagraph (C)—

(I) by striking "timely and effective" and inserting "timely and cost-effective"; and

(II) by striking "the recruitment of volunteers" and inserting "recruitment and management of volunteers"; and

(C) in paragraph (3), by adding at the end the following: "The Director shall give priority to—

"(A) disadvantaged youth (as defined in section 101 of the National and Community Service Act of 1990) and low-income adults; and

"(B) retired adults of any profession, but with an emphasis on those professions whose services and training are most needed in a community, such as the health care professions, teaching, counseling, and engineering and other professions requiring a high level of technical and project management skills, to utilize their experience, including professional skills, in the VISTA program.";

(D) in paragraph (5)(B), by striking "information system" and inserting "database";

(3) in subsection (c)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking "personnel described in subsection (b)(2)(C)" and inserting "personnel described in subsection (b)(2)(C), sponsoring organizations, and the Office of Outreach and Recruitment";

(ii) in subparagraph (A), by inserting "the Internet and related technologies," after "television,";

(iii) in subparagraph (B), by inserting "Internet and related technologies," after "through the";

(iv) in subparagraph (C), by inserting after "senior citizens organizations," the following: "offices of economic development, State employment security agencies, employment offices,";

(v) in subparagraph (F), by striking "National and Community Service Trust Act of 1993" and inserting "National and Community Service Act of 1990"; and

(vi) in subparagraph (G), by striking ", on request,";

(B) in paragraph (3), by striking "this subsection" and inserting "this subsection and related public awareness and recruitment activities under the national service laws and through the Office of Outreach and Recruitment"; and

(C) in paragraph (4)—

(i) by striking "Beginning" and all that follows through "for the purpose" and inserting "For the purpose"; and

(ii) by striking "1.5 percent" and inserting "2 percent";

(4) by amending the second sentence of subsection (d) to read as follows: "Whenever feasible, such efforts shall be coordinated with an appropriate local workforce investment board established under section 117 of the Workforce Investment Act of 1998.";

(5) in subsection (g) by striking "and has been submitted to the Governor" and all that follows and inserting a period; and

(6) by adding at the end the following:

"(i) The Director may enter into agreements under which public and private nonprofit organizations, with sufficient financial capacity and size, pay for all or a portion of the costs of supporting the service of volunteers under this title, consistent with the provisions of section 186 of the National and Community Service Act of 1990.".

SEC. 2104. VISTA PROGRAMS OF NATIONAL SIGNIFICANCE.

Part A of title I is amended by inserting after section 103 (42 U.S.C. 4953) the following:

"SEC. 103A. VISTA PROGRAMS OF NATIONAL SIGNIFICANCE.

"(a) IN GENERAL.—With not less than one-third of the funds made available under subsection (d) in each fiscal year, the Director shall make grants for VISTA positions to support programs of national significance. Each program for which a grant is received under this subsection shall be carried out in accordance with the requirements applicable to that program.

"(b) ACTIVITIES SUPPORTED.—The Director shall make grants under subsection (a) to support one or more of the following programs to address problems that concern low-income and rural communities in the Nation:

"(1) In developing and carrying-out financial literacy, financial planning, budgeting, savings, and reputable credit accessibility programs in low-income communities, including those programs which educate on financing home ownership and higher education.

"(2) In initiating and supporting before-school and after-school programs in low-income communities that may include such activities as establishing mentoring relationships, physical education, tutoring, instruction in 21st century thinking skills, life skills, and study skills, community service, service-learning, nutrition and health education, and other activities aimed at keeping children, safe, educated, and healthy, which serve the children in such community.

"(3) In establishing and supporting community economic development initiatives, including micro-enterprises, with a priority on such programs in rural areas and areas where such programs are needed most.

"(4) In assisting veterans and their families through establishing or augmenting programs which assist such persons with access to legal assistance, health care (including mental health), employment counseling or training, education counseling or training, affordable housing, and other support services.

"(5) In addressing the health and wellness of low-income and underserved communities across our Nation, including programs to fight childhood obesity through nutrition, physical fitness, and other associated life skills education programs and programs to increase access to preventive services, insurance, and health care.

"(c) REQUIREMENTS.—

"(1) ELIGIBILITY.—In order to receive a grant under subsection (a), an applicant shall submit an application to the Director at such time and in such manner as the Director requires and receive approval of the application. Such application shall, at a minimum, demonstrate to the Director a level of expertise in carrying out such a program.

"(2) SUPPLEMENT NOT SUPPLANT.—Funds made available under subsection (d) shall be used to supplement and not supplant the number of VISTA volunteers engaged in programs addressing the problem for which such funds are awarded unless such sums are an extension of funds previously provided under this title.

"(d) FUNDING.—

"(1) IN GENERAL.—From the amounts appropriate under section 501 for each fiscal year there shall be available to the Director such sums as may be necessary to make grants under subsection (a).

"(2) LIMITATION.—No funds shall be made available to the Director to make grants under subsection (a) unless the amounts appropriated under section 501 available for such fiscal year to carry out part A are sufficient to maintain the number of projects and volunteers funded under part A in the preceding fiscal year.

"(e) INFORMATION.—The Director shall widely disseminate information on grants that may be made under this section, including through the Office of Outreach and Recruitment and other volunteer recruitment programs being carried out by public or private non-profit organizations.".

SEC. 2105. TERMS AND PERIODS OF SERVICE.

Section 104(d) (42 U.S.C. 4954(d)) is amended—

(1) in the first sentence, by striking "with the terms and conditions of their service." and inserting "with the terms and conditions of their service or any adverse action, such as termination, proposed by the sponsoring organization. The procedure shall provide for an appeal to the Director of any proposed termination."; and

(2) in the third sentence (as amended by this section), by striking "and the terms and conditions of their service".

SEC. 2106. SUPPORT SERVICE.

Section 105(a)(1)(B) (42 U.S.C. 4955(a)(1)(B)) is amended by striking "Such stipend" and all that follows through "in the case of persons" and inserting "Such stipend shall be set at a minimum of $125 per month and a maximum of $150 per month, subject to the availability of funds to accomplish such a maximum. The Director may provide a stipend of $250 per month in the case of persons".

SEC. 2107. SECTIONS REPEALED.

The following provisions are repealed:

(1) VISTA LITERACY CORPS.—Section 109 (42 U.S.C. 4959).

(2) UNIVERSITY YEAR FOR VISTA.—Part B of title I (42 U.S.C. 4971 et seq.).

(3) LITERACY CHALLENGE GRANTS.—Section 124 (42 U.S.C. 4995).

SEC. 2108. CONFORMING AMENDMENT.

Section 121 (42 U.S.C. 4991) is amended in the second sentence by striking "situations" and inserting "organizations".

SEC. 2109. FINANCIAL ASSISTANCE.

Section 123 (42 U.S.C. 4993) is amended—

(1) in the section heading by striking "**TECHNICAL AND**"; and

(2) by striking "technical and".

Subtitle B—Amendments to Title II (National Senior Volunteer Corps)

SEC. 2201. CHANGE IN NAME.

Title II (42 U.S.C. 5000 et seq.) is amended in the title heading by striking "**NATIONAL SENIOR VOLUNTEER CORPS**" and inserting "**NATIONAL SENIOR SERVICE CORPS**".

SEC. 2202. PURPOSE.

Section 200 (42 U.S.C. 5000) is amended to read as follows:

"SEC. 200. STATEMENT OF PURPOSE.

"It is the purpose of this title to provide—

"(1) opportunities for senior service to meet unmet local, State, and national needs in the areas of education, public safety, emergency and disaster preparedness, relief, and recovery, health and human needs, and the environment;

"(2) for the National Senior Service Corps, comprised of the Retired and Senior Volunteer Program, the Foster Grandparent Program, and the Senior Companion Program, and demonstration and other programs to empower people 55 years of age or older to contribute to their communities through service, en-

hance the lives of those who serve and those whom they serve, and provide communities with valuable services;

"(3) opportunities for people 55 years of age or older, through the Retired and Senior Volunteer Program, to share their knowledge, experiences, abilities, and skills for the betterment of their communities and themselves;

"(4) opportunities for low-income people 55 years of age or older, through the Foster Grandparents Program, to have a positive impact on the lives of children in need;

"(5) opportunities for low-income people 55 years of age or older, through the Senior Companion Program, to provide critical support services and companionship to adults at risk of institutionalization and who are struggling to maintain a dignified independent life; and

"(6) for research, training, demonstration, and other program activities to increase and improve opportunities for people 55 years of age or older to meet unmet needs, including those related to public safety, public health, and emergency and disaster preparedness, relief, and recovery, in their communities.".

SEC. 2203. GRANTS AND CONTRACTS FOR VOLUNTEER SERVICE PROJECTS.

Section 201 (42 U.S.C. 5001) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking "avail themselves of opportunities for volunteer service in their community" and inserting "share their experiences, abilities, and skills for the betterment of their communities and themselves through service";

(B) in paragraph (2), by striking ", and individuals 60 years of age or older will be given priority for enrollment,";

(C) in paragraph (3) by inserting "either prior to or during the volunteer service" after "may be necessary"; and—

(D) by striking paragraph (4) and inserting the following:

"(4) the project is being designed and implemented with the advice of experts in the field of service to be delivered as well as with those who have expertise in the recruitment and management of volunteers, particularly those of the Baby Boom generation.";

(2) by amending subsection (c) to read as follows:

"(c) The Director shall give priority to projects—

"(1) utilizing retired scientists, technicians, engineers, and mathematicians (the STEM professionals) to improve Science, Technology, Engineering, and Mathematics (STEM) education through activities such as assisting teachers in classroom demonstrations or laboratory experiences, running after-school, weekend, or summer programs designed to engage disadvantaged youth (as defined in section 101 of the National and Community Service Act of 1990) or low-income, minority youth in the STEM fields and to improve mastery of the STEM content, providing field trips to businesses, institutions of higher education, museums, and other locations where the STEM professions are practiced or illuminated;

"(2) utilizing retired health care professionals to improve the health and wellness of low income or rural communities;

"(3) utilizing retired criminal justice professionals for programs designed to prevent disadvantaged youth (as defined in section 101 of the National and Community Service Act of 1990) from joining gangs or committing crimes;

"(4) utilizing retired military and emergency professionals for programs to improve public safety, emergency and disaster preparedness, relief, and recovery, search and rescue, and homeland security efforts; and

"(5) utilizing retired computer science professionals, technicians of related technologies, business professionals, and others with relevant knowledge to increase, for low income individuals and families, access to and obtaining the benefits from computers and other existing and emerging technologies."; and

(3) by adding at the end the following:

"(e) COMPETITIVE RE-EVALUATION.—

"(1) IN GENERAL.—Notwithstanding section 412, a grant or contract shall not, after fiscal year 2009, be awarded or renewed under this section unless—

"(A) the program for which the award or renewal is to be made is competitively re-evaluated in comparison to other programs; or

"(B) the program for which the award or renewal is to be made—

"(i) received an award or renewal in a fiscal year that was both—

"(I) within the preceding three fiscal years; and

"(II) after fiscal year 2009; and

"(ii) was competitively re-evaluated in connection with that award or renewal in that fiscal year.

"(2) REQUIREMENTS.—Each competitive re-evaluation required by paragraph (1) shall be carried out through a process that ensures that—

"(A) the resulting grants (or contracts) support no less than the volunteer service years of the previous grant (or contract) cycle in a given service area;

"(B) the resulting grants (or contracts) maintain a similar program distribution; and

"(C) every effort is made to minimalize the disruption of volunteers.

"(3) PRIORITY CONSIDERATION.—The competitive re-evaluation shall include some form of priority consideration for existing grantees in good standing.".

SEC. 2204. FOSTER GRANDPARENT PROGRAM GRANTS.

Section 211 (42 U.S.C. 5011) is amended—

(1) in subsection (a), by striking "low-income persons aged sixty or over" and inserting "low-income and other persons aged 55 or over";

(2) in subsection (b)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking "shall have the exclusive authority to determine, pursuant to the provisions of paragraph (2) of this subsection—" and inserting "may determine—";

(ii) in subparagraph (A), by striking "and";

(iii) in subparagraph (B), by striking the period and inserting "; and"; and

(iv) by adding after subparagraph (B) the following:

"(C) whether it is in the best interests of a child receiving, and of a particular foster grandparent providing, services in such a project, to continue such relationship after the child reaches the age of 21, if such child was receiving such services prior to attaining the age of 21.";

(B) by striking paragraph (2); and

(C) by redesignating paragraph (3) as paragraph (2);

(3) in paragraph (2) (as redesignated by this section), by striking "paragraphs (1) and (2)" and inserting "paragraph (1)";

(4) by adding after paragraph (2) (as redesignated by this section) the following:

"(3) If an assignment of a foster grandparent is suspended or discontinued, the replacement of that foster grandparent shall be determined through the mutual agreement of all parties involved in the provision of services to the child.";

(5) in subsection (d), in the second sentence, by striking "Any stipend" and all that follows through "inflation," and inserting "Any stipend or allowance provided under this part shall not exceed 75 percent of the minimum wage under section 6 the Fair Labor Standards Act of 1938 (29 U.S.C. 206), and the Federal share shall not be less than $2.65 per hour, provided that the Director shall adjust the Federal share once prior to December 31, 2012, to account for inflation,";

(6) in subsection (e)—

(A) in paragraph (1), by striking "125" and inserting "200"; and

(B) in paragraph (2), by striking ", as so adjusted" and all that follows through "local situations";

(7) by striking subsection (f) and inserting:

"(f)(1) Subject to the restrictions in paragraph (3), individuals who are not low-income persons may serve as volunteers under this part. The regulations issued by the Director to carry out this part (other than regulations relating to stipends or allowances to individuals authorized by subsection (d)) shall apply to all volunteers under this part, without regard to whether such volunteers are eligible to receive a stipend or allowance under subsection (d).

"(2) Except as provided under paragraph (1), each recipient of a grant or contract to carry out a project under this part shall give equal treatment to all volunteers who participate in such project, without regard to whether such volunteers are eligible to receive a stipend or allowance under subsection (d).

"(3) An individual who is not a low-income person may not become a volunteer under this part if allowing that individual to become a volunteer under this part would prevent a low-income person from becoming a volunteer under this part or would displace a low-income person from being a volunteer under this part.

"(4) The Office of Outreach and Recruitment shall conduct outreach to ensure the inclusion of low-income persons in programs and activities authorized under this title."; and

(8) by adding at the end the following new subsections:

"(g) The Director may also provide a stipend or allowance in an amount not to exceed 10 percent more than the amount established under subsection (d) to leaders

who, on the basis of past experience as volunteers, special skills, and demonstrated leadership abilities, may coordinate activities, including training, and otherwise support the service of volunteers under this part.

"(h) The program may accept up to 15 percent of volunteers serving in a project under this part for a fiscal year who do not meet the definition of 'low-income' under subsection (e), upon certification by the recipient of a grant or contract that it is unable to effectively recruit and place low-income volunteers in the number of placements approved for the project.".

SEC. 2205. SENIOR COMPANION PROGRAM GRANTS.

Section 213 (42 U.S.C. 5013) is amended—

(1) in subsection (a), by striking "low-income persons aged 60 or over" and inserting "low-income and other persons aged 55 or over";

(2) in subsection (b), by striking "Subsections (d), (e), and (f)" and inserting "Subsections (d) through (h)"; and

(3) by striking subsection (c)(2)(B) and inserting the following:

"(B) Senior companion volunteer trainers and leaders may receive a stipend or allowance consistent with subsection (g) authorized under subsection (d) of section 211, as approved by the Director.".

SEC. 2206. PROMOTION OF NATIONAL SENIOR SERVICE CORPS.

Section 221 (42 U.S.C. 5021) is amended—

(1) in the section heading, by striking "VOLUNTEER" and inserting "SERVICE"; and

(2) in subsection (b)(2), by inserting "of all ages and backgrounds living in rural, suburban, and urban localities" after "greater participation of volunteers".

SEC. 2207. TECHNICAL AMENDMENTS.

(a) CHANGE IN AGE ELIGIBILITY.—Section 223 (42 U.S.C. 5023) is amended by striking "sixty years and older from minority groups" and inserting "55 years and older from minority and underserved populations".

(b) NAME CHANGE.—Section 224 (42 U.S.C. 5024) is amended in the heading by striking "VOLUNTEER" and inserting "SERVICE".

SEC. 2208. PROGRAMS OF NATIONAL SIGNIFICANCE.

Section 225 (42 U.S.C. 5025) is amended—

(1) in subsection (a)—

(A) by amending paragraph (2) to read as follows:

"(2) Applicants for grants under paragraph (1) shall determine which program under part A, B, or C the program shall be carried out and submit an application as required for programs under part A, B, or C."; and

(B) by adding at the end the following:

"(4) The Director shall ensure that at least 50 percent of the grants made under this section are from applicants currently not receiving assistance from the Corporation and when possible in locations where there are no current programs under part A, B, C in existence.";

(2) in subsection (b)—

(A) in paragraph (1), by inserting before the period at the end the following: "or Alzheimer's disease, with an intent of allowing those served to age in place";

(B) in paragraph (2), by inserting before the period at the end the following: "through education, prevention, treatment, and rehabilitation";

(C) in paragraph (3), by inserting before the period at the end the following: ", including programs that teach parenting skills, life skills, family management skills, assists in obtaining affordable childcare, offers or assists in locating employment training or placement, and other skills and services needed by teenage parents and their families to establish a healthy environment for their children";

(D) by amending paragraph (4) to read as follows:

"(4) Programs that establish and support mentoring programs for disadvantaged youth (as defined in section 101 of the National and Community Service Act of 1990), including those mentoring programs that match youth with volunteer mentors leading to apprenticeship programs and employment training.";

(E) in paragraph (5), by inserting before the period at the end the following: ", including those programs that serve youth and adults with limited English proficiency";

(F) in paragraph (6), by striking "and" and all that follows through the period and insert "and for individuals and children with disabilities or chronic illnesses living at home.";

(G) in paragraph (7), by striking "after-school activities" and all that follows through the period at the end and inserting "after-school programs

serving children in low-income communities that may engage participants in mentoring relationships, tutoring, life skills or study skills programs, service-learning, physical, nutrition, and health education programs, including programs aimed at fighting childhood obesity, and other activities addressing the needs of the community's children, including those of working parents.";

(H) by striking paragraphs (8), (9), (12), (13), (14), (15), (16), and (18);

(I) by redesignating paragraphs (10) and (11) as paragraphs (8) and (9), respectively;

(J) by inserting after paragraph (9) (as so redesignated) the following:

"(10) Programs that engage older adults with children and youth to complete service in energy conservation, environmental stewardship, or other environmental needs of a community.

"(11) Programs that collaborate with criminal justice professionals and organizations in prevention programs aimed at disadvantaged youth (as defined in section 101 of the National and Community Service Act of 1990) or youth reentering society after incarceration and their families, which may include mentoring and counseling, which many include employment counseling.";

(K) by redesignating paragraph (17) as paragraph (12); and

(L) by adding at the end the following:

"(13) Programs that strengthen community efforts in support of homeland security.";

(3) in subsection (c)(1), by striking "shall demonstrate to the Director" and all that follows through the period at the end and inserting "shall demonstrate to the Director a level of expertise in carrying out such a program."; and

(4) in subsection (e)—

(A) by inserting "widely" before "disseminate"; and

(B) by striking "to field personnel" and all that follows through the period at the end and inserting ", including through the Office of Outreach and Recruitment and other volunteer recruitment programs being carried out by public or private non-profit organizations.".

SEC. 2209. ADDITIONAL PROVISIONS.

Part D of title II (42 U.S.C. 5000 et seq.) is amended by adding after section 227 the following:

"SEC. 228. CONTINUITY OF SERVICE.

"To ensure the continued service of individuals in communities served by the Retired and Senior Volunteer Program prior to enactment of this section, in making grants under this title the Corporation shall take actions it considers necessary to maintain service assignments for such seniors and to ensure continuity of service for communities.

"SEC. 229. ACCEPTANCE OF DONATIONS.

"(a) IN GENERAL.—Except as provided in subsection (b), a program receiving assistance under this title may accept donations, including donations in cash or in kind.

"(b) EXCEPTION.—Notwithstanding subsection (a), a program receiving assistance under this title shall not accept donations from the beneficiaries of the program.".

SEC. 2210. AUTHORITY OF DIRECTOR.

Section 231 (42 U.S.C. 5028) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking "activities;" and inserting "activities described in section 225(b) and carried out through programs described in parts A, B, and C; and"; and

(B) by striking paragraphs (2) and (3) and inserting the following:

"(2) programs that support older Americans in aging in place while augmenting the capacity of members of a community to serve each other through reciprocal service centers, service credit banking, community economic scripts, barter services, timebanking, and other similar programs."; and

(2) by adding at the end the following:

"(c) PRIORITY.—For purposes of subsection (b), priority shall be given to—

"(1) programs with established experience in carrying out such a program and engaging the entire community in service exchange;

"(2) programs with the capacity to connect to similar programs throughout a city or region to augment the available services to older Americans and for members of the community to serve each other;

"(3) programs seeking to establish in an area where needs of older Americans are left unmet and older Americans are unable to consider aging in place without such service exchange in place; and

"(4) programs that integrate participants in or collaborate with service-learning programs, AmeriCorps State and National programs, the VISTA program, the Retired and Senior Volunteer Program, Foster Grandparents program, and the Senior Companion programs, and programs described in section 411 of the Older Americans Act of 1965 (42 U.S.C. 3032).".

Subtitle C—Amendments to Title IV (Administration and Coordination)

SEC. 2301. NONDISPLACEMENT.

Section 404(a) (42 U.S.C. 5044(a)) is amended by striking "displacement of employed workers" and inserting "displacement of employed workers or volunteers (other than participants under the national service laws)".

SEC. 2302. NOTICE AND HEARING PROCEDURES.

Section 412(a) (42 U.S.C. 5052(a)) is amended—

(1) in paragraph (2)—

(A) by striking "75" and inserting "60"; and

(B) by adding "and" at the end;

(2) by striking paragraph (3); and

(3) by redesignating paragraph (4) as (3).

SEC. 2303. DEFINITIONS.

Section 421 (42 U.S.C. 5061) is amended—

(1) in paragraph (2), by inserting ", the Commonwealth of the Northern Mariana Islands," after "American Samoa,";

(2) in paragraph (13), by striking "National Senior Volunteer Corps" and inserting "National Senior Service Corps"; and

(3) in paragraph (14)—

(A) by striking "National Senior Volunteer Corps" and inserting "National Senior Service Corps"; and

(B) by striking "parts A, B, C, and E of";

SEC. 2304. PROTECTION AGAINST IMPROPER USE.

Section 425 (42 U.S.C. 5065) is amended by striking "National Senior Volunteer Corps" and inserting "National Senior Service Corps".

Subtitle D—Amendments to Title V (Authorization of Appropriations)

SEC. 2401. AUTHORIZATION OF APPROPRIATIONS FOR VISTA AND OTHER PURPOSES.

Section 501 (42 U.S.C. 5081) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ", excluding section 109" and all that follows and inserting "$100,000,000 for fiscal year 2008 and such sums as may be necessary for each of fiscal years 2009 through 2012.";

(B) by striking paragraphs (2) and (4) and redesignating paragraphs (3) and (5) as paragraphs (2) and (3); and

(C) in paragraph (2) (as redesignated by this section), by striking ", excluding section 125" and all that follows and inserting "such sums as may be necessary for each of fiscal years 2008 through 2012."; and

(2) by striking subsection (e).

SEC. 2402. AUTHORIZATION OF APPROPRIATIONS FOR NATIONAL SENIOR SERVICE CORPS.

Section 502 (42 U.S.C. 5082) is amended to read as follows:

"SEC. 502. NATIONAL SENIOR SERVICE CORPS.

"(a) RETIRED AND SENIOR VOLUNTEER PROGRAM.—There are authorized to be appropriated to carry out part A of title II, $67,500,000 for fiscal year 2008 and such sums as may be necessary for each of fiscal years 2009 through 2012.

"(b) FOSTER GRANDPARENT PROGRAM.—There are authorized to be appropriated to carry out part B of title II, $115,000,000 for fiscal year 2008 and such sums as may be necessary for each of fiscal years 2009 through 2012.

"(c) SENIOR COMPANION PROGRAM.—There are authorized to be appropriated to carry out part C of title II, $52,000,000 for fiscal year 2008 and such sums as may be necessary for each of fiscal years 2009 through 2012.

"(d) DEMONSTRATION PROGRAMS.—There are authorized to be appropriated to carry out part E of title II, $500,000 for fiscal year 2008 and such sums as may be necessary for each of fiscal years 2009 through 2012.".

SEC. 2403. ADMINISTRATION AND COORDINATION.

Section 504 (42 U.S.C. 5084) is amended to read as follows:

"SEC. 504. ADMINISTRATION AND COORDINATION.

"There are authorized to be appropriated for the administration of this Act $35,000,000 for fiscal year 2008 and such sums as may be necessary for each of fiscal years 2009 through 2012.".

TITLE III—AMENDMENTS TO OTHER LAWS

SEC. 3101. INSPECTOR GENERAL ACT OF 1978.

Section 8F(a)(1) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by striking "National and Community Service Trust Act of 1993" and inserting "National and Community Service Act of 1990".

TITLE IV—TECHNICAL AMENDMENTS TO TABLES OF CONTENTS

SEC. 4101. TABLE OF CONTENTS FOR THE NATIONAL AND COMMUNITY SERVICE ACT OF 1990.

Section 1(b) of the National and Community Service Act of 1990 (42 U.S.C. 12501 note) is amended to read as follows:

"(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

"Sec. 1. Short title and table of contents.
"Sec. 2. Findings and purpose.
"Sec. 3. Sense of Congress.

"TITLE I—NATIONAL AND COMMUNITY SERVICE STATE GRANT PROGRAM

"Subtitle A—General Provisions

"Sec. 101. Definitions.

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

"PART I—PROGRAMS FOR ELEMENTARY AND SECONDARY STUDENTS

"Sec. 111. Assistance to States, Territories, and Indian tribes.
"Sec. 112. Allotments.
"Sec. 113. Applications.
"Sec. 114. Consideration of applications.
"Sec. 115. Participation of students and teachers from private schools.
"Sec. 116. Federal, State, and local contributions.
"Sec. 116A. Limitations on uses of funds.

"PART II—HIGHER EDUCATION INNOVATIVE PROGRAMS FOR COMMUNITY SERVICE

"Sec. 117. Higher education innovative programs for community service.

"PART III—INNOVATIVE SERVICE-LEARNING PROGRAMS AND RESEARCH

"Sec. 118. Innovative demonstration service-learning programs and research.

"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. 126. Other special assistance.

"PART II—APPLICATION AND APPROVAL PROCESS

"Sec. 129. Provision of assistance and approved national service positions.
"Sec. 129A. Education awards only research.
"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.

"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.
"Sec. 149. Process of approval of national service positions.

"Subtitle E—National Civilian Community Corps

"Sec. 151. Purpose.
"Sec. 152. Establishment of National Civilian Community Corps Program.
"Sec. 153. National service program.
"Sec. 154. Summer national service program.
"Sec. 155. National Civilian Community Corps.
"Sec. 156. Training.
"Sec. 157. Service projects.
"Sec. 158. Authorized benefits for Corps members.
"Sec. 159. Administrative provisions.
"Sec. 160. Status of Corps members and Corps personnel under Federal law.
"Sec. 161. Contract and grant authority.
"Sec. 162. Responsibilities of other departments.
"Sec. 163. Advisory board.
"Sec. 164. Annual evaluation.
"Sec. 166. Definitions.

"Subtitle F—Administrative Provisions

"Sec. 171. Family and medical leave.
"Sec. 172. Reports.
"Sec. 173. Supplementation.
"Sec. 174. Prohibition on use of funds.
"Sec. 175. Nondiscrimination.
"Sec. 176. Notice, hearing, and grievance procedures.
"Sec. 177. Nonduplication and nondisplacement.
"Sec. 178. State Commissions on National and Community Service.
"Sec. 179. Evaluation.
"Sec. 180. Engagement of participants.
"Sec. 181. Contingent extension.
"Sec. 182. Partnerships with schools.
"Sec. 183. Rights of access, examination, and copying.
"Sec. 184. Drug-free workplace requirements.
"Sec. 185. Consolidated application and reporting requirements.
"Sec. 186. Sustainability.
"Sec. 187. Use of recovered funds.
"Sec. 188. Expenses of attending meetings.
"Sec. 189. Grant periods.
"Sec. 189A. Generation of volunteers.
"Sec. 189B. Limitation on program grant costs.
"Sec. 189C. Audits and reports.

"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. Chief Executive Officer.
"Sec. 193A. Authorities and duties of the Chief Executive Officer.
"Sec. 194. Officers.
"Sec. 195. Employees, consultants, and other personnel.
"Sec. 196. Administration.
"Sec. 196A. Corporation State offices.
"Sec. 196B. Office of Outreach and Recruitment.

"Subtitle H—Investment for Quality and Innovation

"PART I—ADDITIONAL CORPORATION ACTIVITIES TO SUPPORT NATIONAL SERVICE

"Sec. 198. Additional corporation activities to support national service.
"Sec. 198B. Presidential awards for service.

"PART II—INNOVATIVE AND MODEL PROGRAM SUPPORT

"Sec. 198D. Innovative and model program support.

"PART III—NATIONAL SERVICE PROGRAMS CLEARINGHOUSE

"Sec. 198E. National service programs clearinghouse.

"Subtitle I—American Conservation and Youth Corps

"Sec. 199. Short title.
"Sec. 199A. General authority.
"Sec. 199B. Limitation on purchase of capital equipment.
"Sec. 199C. State application.
"Sec. 199D. Focus of programs.
"Sec. 199E. Related programs.
"Sec. 199F. Public lands or Indian lands.
"Sec. 199G. Training and education services.
"Sec. 199H. Preference for certain projects.
"Sec. 199I. Age and citizenship criteria for enrollment.
"Sec. 199J. Use of volunteers.
"Sec. 199K. Living allowance.
"Sec. 199L. Joint programs.
"Sec. 199M. Federal and State employee status.

"Subtitle J—Training and Technical Assistance

"Sec. 199N. Training and technical assistance.

"TITLE II—MODIFICATIONS OF EXISTING PROGRAMS

"Subtitle A—Publication

"Sec. 201. Information for students.
"Sec. 202. Exit counseling for borrowers.
"Sec. 203. Department information on deferments and cancellations.
"Sec. 204. Data on deferments and cancellations.

"Subtitle B—Youthbuild Projects

"Sec. 211. Youthbuild projects.

"Subtitle C—Amendments to Student Literacy Corps

"Sec. 221. Amendments to Student Literacy Corps.

"TITLE IV—PROJECTS HONORING VICTIMS OF TERRORIST ATTACKS

"Sec. 401. Projects.

"TITLE V—AUTHORIZATION OF APPROPRIATIONS

"Sec. 501. Authorization of appropriations.

"TITLE VI—MISCELLANEOUS PROVISIONS

"Sec. 601. Amtrak waste disposal.
"Sec. 602. Exchange program with countries in transition from totalitarianism to Democracy.".

SEC. 4102. TABLE OF CONTENTS FOR THE DOMESTIC VOLUNTEER SERVICE ACT OF 1973.

Section 1(b) of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4950 note) is amended to read as follows:

"(b) TABLE OF CONTENTS.—The table of contents for this Act 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. 103A. VISTA programs of national significance.
"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. 110. Applications for assistance.

"PART C—SPECIAL VOLUNTEER PROGRAMS

"Sec. 121. Statement of purpose.
"Sec. 122. Authority to establish and operate special volunteer and demonstration programs.
"Sec. 123. Financial assistance.

"TITLE II—NATIONAL SENIOR SERVICE CORPS

"Sec. 200. Statement of purpose.

"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 Service Corps.
"Sec. 222. Payments.
"Sec. 223. Minority group participation.
"Sec. 224. Use of locally generated contributions in National Senior Service Corps.
"Sec. 225. Programs of national significance.
"Sec. 226. Adjustments to Federal financial assistance.
"Sec. 227. Multiyear grants or contracts.
"Sec. 228. Continuity of service.
"Sec. 229. Acceptance of donations.

"PART E—DEMONSTRATION PROGRAMS

"Sec. 231. Authority of Director.

"TITLE IV—ADMINISTRATION AND COORDINATION

"Sec. 403. Political activities.

"Sec. 404. Special limitations.
"Sec. 406. Labor standards.
"Sec. 408. Joint funding.
"Sec. 409. Prohibition of Federal control.
"Sec. 410. Coordination with other programs.
"Sec. 411. Prohibition.
"Sec. 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 Service 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.".

TITLE V—EFFECTIVE DATE

SEC. 5101. EFFECTIVE DATE.

Unless specifically provided otherwise, the amendments made by this Act shall take effect on the date of the enactment of this Act.

SEC. 5102. SERVICE ASSIGNMENTS AND AGREEMENTS.

(a) SERVICE ASSIGNMENTS.—Changes pursuant to this Act in the terms and conditions of terms of service and other service assignments under the national service laws (including the amount of the education award) shall apply only to individuals who enroll or otherwise begin service assignments after 90 days after the date of enactment of this Act, except when agreed upon by all interested parties.

(b) AGREEMENTS.—Changes pursuant to this Act in the terms and conditions of grants, contracts, or other agreements under the national service laws shall apply only to such agreements entered into after 90 days after the date of enactment of this Act, except when agreed upon by the parties to such agreements.

I. PURPOSE

The purpose of H.R. 2857, the Generations Invigorating Volunteerism and Education Act, or the GIVE Act, is to reauthorize and reform the national service laws.

II. COMMITTEE ACTION

107TH CONGRESS

Subcommittee on Select Education hearings

On April 11, 2002, the Subcommittee on Select Education held a hearing on "The Corporation for National and Community Service," to evaluate Administration proposals to reauthorize programs under the Corporation for National and Community Service. On April 25, 2002, the Subcommittee held a legislative hearing titled "Citizen Service in the 21st Century." The hearing considered H.R. 3465, the Call to Service Act of 2001 and other service initiatives and issues related to the reauthorization of programs under the Corporation for National and Community Service.

On May 24, 2002, Representatives Pete Hoekstra (R–MI), and Tim Roemer (D–IN) introduced H.R. 4854, the Citizens Service Act

of 2002, a bipartisan bill to reauthorize and reform the national service laws through fiscal year 2007. On June 5, 2002, the Subcommittee on Select Education considered H.R. 4854 in legislative session and reported it favorably, as amended, to the Committee on Education and the Workforce by voice vote. On June 12, 2002, the Committee on Education and the Workforce considered H.R. 4854 in legislative session and reported it favorably, as amended, to the House of Representatives by voice vote. The House of Representatives took no further action on the measure.

110TH CONGRESS

Subcommittee on Healthy Families and Communities hearings

On February 27, 2007, the Subcommittee on Healthy Families and Communities held a hearing titled, "Strengthening Communities: An Overview of Service and Volunteering in America." The hearing presented an overview of the Corporation for National and Community Service ("the Corporation") and identified areas for improvement. The following witnesses testified before the Subcommittee: Mr. David Eisner, CEO, Corporation for National and Community Service, Washington, D.C.; Mr. Thomas Daigle, AmeriCorps Member, Habitat for Humanity of Charlotte (Class of 2004–2006), Falls Church, Virginia; Mr. David Edelman, National Civilian Community Corps (NCCC) Member (Class of 2005), Merrick, New York; Mr. John Gomperts, Executive Director, Experience Corps, Washington, D.C.; Mr. George H. Moore, Executive Director, Community Progress Council, York, Pennsylvania.

On April 19, 2007, the Subcommittee held a hearing titled, "Renewing the Spirit of National and Community Service." The hearing examined new avenues and perspectives on service including methods to engage volunteers through the media, new programs to attract middle school youth to service, programs to engage scientists and engineers in service while actively involving youth in science and engineering and community service, activities to engage alumni of national service programs in continued local and national service, and further activities to engage volunteers in service across our nation. The following witnesses testified at the hearing: Mr. Robert Newman, Actor, "The Guiding Light", New York, New York; Ms. Susan E. Stroud, Executive Director, Innovations in Civic Participation (ICP), Washington, D.C.; Mr. Robert Purifico, President, Deniation ImagiNation (DI), Glassboro, New Jersey; Ms. Marcia Brown, Hands On Atlanta, Atlanta, Georgia; Mr. Paul R. Gudonis, For Inspiration and Recognition of Science and Technology (FIRST), Manchester, New Hampshire.

Introduction of the Generations Invigorating Volunteerism and Service (the GIVE) Act

On June 26, 2007, Representative Carolyn McCarthy, along with Representatives Todd Russell Plaits (R–PA), George Miller (D–CA), Ruben Hinojosa (D–TX), and Doris Matsui (D–CA), introduced H.R. 2857, the Generations Invigorating Volunteerism and Service Act, or the GIVE Act, a bill to reauthorize the national service laws.

Full Committee markup of H.R. 2857, the GIVE Act

On June 27, 2007, the Committee on Education and Labor considered H.R. 2857 in legislative session, and reported the bill favorably, as amended, to the House of Representatives. The roll call vote was 44–0, with 2 Members voting present. Representative McCarthy offered an amendment in the nature of a substitute.

The amendment in the nature of the substitute contains minor technical changes and the following additions to H.R. 2857:

- Restores eligibility for those participating at an institution of higher education in service-learning to earn a national service program education award;
- Allows State Commissions on National and Community Service (State Commissions) to participate in Subtitle B Part III;
- Authorizes additional use of funds under Subtitle B Part III for innovative and creative programs as described in 111(a) and gives the Corporation discretion to fund other creative and innovative programs as deemed appropriate;
- Permits high-school and college-age youth to enter into mentoring relationships under section 122(a)(17);
- Authorizes additional use of funds under Subtitle H Part II for the Corporation to fund other innovative programs as deemed appropriate;
- Includes a priority focus in training and technical assistance to those entities in rural areas and underserved communities;
- Clarifies in sections 200(4) and 200(5) of title II that low-income seniors are the service providers in the Foster Grandparent Programs and the Senior Companion Programs and earn a stipend as part of their service; and
- Permits the Foster Grandparents and Senior Companions programs to accept 15% non low-income seniors without payment of a stipend to provide services if the program is unable to recruit enough low-income volunteers.

The Committee adopted the following amendments:

1. An Amendment offered by Mr. Price (GA), accepted by unanimous consent. The amendment requires the Corporation to establish citizenship guidelines for grantees.

2. An Amendment offered by Mr. Hare (IL), passed by roll call vote, 45–0. The amendment establishes education programs on civic engagement and provides support to veterans and their families to participate in public service activities.

3. An Amendment offered by Mr. Kildee (MI), adopted by voice vote. The amendment requires States to develop a comprehensive plan for baby boomer and older adult participation in paid service.

4. An Amendment offered by Mr. Grijalva (AZ), adopted by voice vote. The amendment directs the newly created Office of Outreach and Recruitment to identify recruitment and training strategies for bilingual volunteers into the Senior Service Corps programs.

5. An Amendment offered by Mr. Sarbanes (MD), passed by roll call vote, 45–0. The amendment requires the Corporation to conduct a study to identify the specific areas of need for veterans as participants in and beneficiaries of the service programs administered by the Corporation.

6. An Amendment offered by Mr. Sestak (PA), adopted by voice vote. The amendment authorizes Senior Corp programs to accept donations.

7. An Amendment offered by Ms. Shea-Porter (NH), adopted by voice vote. The amendment provides the Corporation an additional $100,000 per state to increase the minimum amount of funding for small states.

8. An Amendment offered by Mr. Scott (VA) and Mr. Hare (IL), passed by roll call vote, 45–0. The amendment requires priority consideration for existing grantees in good standing in competition to remain in the RSVP program.

9. An Amendment offered by Mr. Yarmuth (KY), adopted by voice vote. The amendment authorizes the Director of the Corporation to establish time-banking models throughout the low-income and elderly communities.

10. An Amendment offered by Mr. Scott (VA), accepted by unanimous consent. The amendment authorizes an AmeriCorps program which has a focus on engaging court-involved youth and adults to reduce recidivism.

11. An Amendment offered by Mr. Scott (VA), accepted by unanimous consent. The amendment to Subtitle H, Innovative Model Program Support, introduces a program to re-engage court-involved youth and adults through service, which may include health and wellness programs. Priorities for grant applications include programs that create support structures for incarcerated youth and adults in correctional facilities and programs that include life skill training, education, career counseling and other supports.

12. An Amendment offered by Mr. Scott (VA), accepted by unanimous consent. This amendment authorizes a program in Subtitle H whose focus is on the recruitment and acceptance of court-involved youth as participants.

III. Summary of the Bill

Purpose

The purpose of H.R. 2857, the Generations Invigorating Volunteerism and Education (the GIVE Act), is to renew the spirit of service for our nation through reauthorizing the national service laws. The GIVE Act sets a goal for the Corporation of recruiting 100,000 volunteers by 2012; increases service opportunities for middle school and high school students through the Summer of Service program; encourages alumni of the national service programs to re-engage in service activities through an alumni network and a Reserve Corps; calls to duty our nation's scientists, technicians, engineers, and mathematicians (the STEM Professionals) to participate in service to increase our nation's competitiveness in the global knowledge economy and to reduce the digital divide in low-income and rural communities; emphasizes the critical role of service in meeting the national priorities of emergency and disaster preparedness; and improves program integrity.

Funding

The GIVE ACT includes a total appropriation of $1 billion to support national service activities. This level represents a 15% increase above current services. Of the amount authorized, $65 mil-

lion may be used for Learn and Serve America for FY08 and such sums for the FY09–FY12, including $10 million for summer of service grants and $10 million for Summer of Service Education Awards; $324 million for AmeriCorps programs for FY08, $357 million for FY09, $397 million in FY10, and such sums for FY11 and FY12; $25 million for the National Civilian Community Corps for FY08 and such sums in FY09–FY12; $51 million for Program Administration for FY08 and such sums for FY09–FY12; 2.5 percent of the amounts appropriated under Subtitles B, C, and H of Title I and title II is reserved to carry out Training and Technical Assistance under Subtitle J; $100 million for AmeriCorps VISTA for FY08 and such sums for FY09–FY12; $67.5 million for the Retired and Senior Volunteer Program for FY08 and such sums for FY09–FY12; $115 million to the Foster Grandparent Program for FY08 and such sums for FY09–FY12; $52 million to the Senior Companion Program for FY08 and such sums for FY09–FY12; $500K for Demonstration programs and such sums for FY09–FY12; and $35 million to support the administrative needs of programs under the Domestic Volunteer Service Act and such sums for FY09–FY12.

Learn and Serve America

Elementary and secondary programs

H.R. 2857 continues to provide 63.75 percent of funds authorized for Learn and Serve programs in elementary and secondary schools. This bill eliminates the competitive grants, notwithstanding the 3 percent reserved for competitive grants to encourage civic engagement in service-learning. H.R. 2857 continues to allow eligible entities to apply for a State's allotment to carry out programs in the State if the State chooses not to apply for its allotment. The formula for allotment is based on the population of school age youth and the State's allocation of funds under the Title I of the Elementary and Secondary Education Act of 1965. The bill sets the federal share of program funds at 50 percent and raises the amount of funds that may be used for administrative purposes from 5 to 6 percent.

H.R. 2857 authorizes a new service-learning program: Summer of Service, which offers students in grades 5–12 service learning opportunities during the summer months. The Summer of Service programs can be an extension of a school-based program or operated independently during the summer months. Students who complete 100 hours of service during the program earn a Summer of Service Educational Award of $500 to be used to pay the cost of college preparatory programs or part of the cost of college. H.R. 2857 also gives the Director discretion to raise the education award to $1000 for a youth who is economically disadvantaged. Students may earn two Summer of Service Education Awards. The number of Summer of Service Education Awards does not count against the student's potential for earning the aggregate of two full-time National Service Education Awards through the AmeriCorps State and National programs or through the VISTA program.

Higher education

The GIVE Act continues to provide 25 percent of the funds authorized to support higher education service-learning programs.

The bill expands the allowable use of funds for service learning programs in institutions of higher education (IHE's) to include programs that incorporate service-learning in the curricula of the health professions, criminal justice professions, and the public policy and public administration professions. Special consideration is given to applications received from Historically Black Colleges and Universities, Hispanic-serving Institutions, and Tribal Colleges and Universities. Furthermore, to encourage innovation and interdepartmental collaboration, H.R. 2857 expands the priorities when making grants to include partnerships composed of faculty members from different departments, schools, or colleges at the IHE.

Innovative service-learning programs and research

The GIVE Act restructures the Community-Based Service Programs for School-Age Youth into the Innovative Service-Learning Programs and Research and maintains the 11.25 percent of authorized funds for this subpart. H.R. 2857 authorizes the Corporation to award traditional grants or fixed amounts grants (discussed below) for service-learning projects that are focused on STEM education, energy conservation, emergency and disaster preparedness, reducing the digital divide, mentoring, research and evaluations, including research on middle school service learning, and other programs the Corporation deems appropriate. The bill gives priority to programs that involve students and community stakeholders in the design and implementation of the program, programs which implement service-learning in low-income or rural communities, and programs that utilize adult volunteers, particularly retired or retiring adults. The GIVE Act moves the Learn and Serve Clearinghouse into Subtitle K, the National Service Program Clearinghouse subtitle.

As stated above, the GIVE Act allows the use of fixed-amount grants for programs in this part. Fixed amount grants are structured such that the Corporation funds a fixed amount for operational and member support including the funds for the National Service Education Award. The bill gives the Corporation the opportunity to add a fourth year of funding if the program is meeting agreed upon performance measures and other criteria the Corporation requires. The GIVE Act requires an independent evaluation of the program upon completion and the dissemination of effective strategies and recommendations for improvement based on the evaluation.

The National Service Trust

Limitations on grants to Federal agencies

H.R. 2857 restricts the Corporation from making grants directly to other Federal agencies to operate national service programs. However, the GIVE Act does not prohibit interagency agreements, cost-sharing agreements, or contracts between Federal agencies. As in the Learn and Serve Subtitle, the bill increases the allowable percentage of the grant to be used for administrative costs from 5 percent to 6 percent. H.R. 2857 combines the separate matches of 75 percent for program operation and 85 percent for member support into one match, which begins at 76 percent and over a period

of 10 years reaches 50 percent. This change is consistent with current regulations.

National service trust programs

The GIVE Act contains minor adjustments to current programs to focus activities or expand opportunities for participants. Furthermore, H.R. 2857 increases the number of AmeriCorps programs that may be offered by the Corporation to include a program to reduce the digital divide; a program to engage citizens in public health, safety, and emergency preparedness which may include recruitment of trainees into associated careers and coordination among Federal, State, and local responses; programs to engage citizens in mentoring, including those that recruit high school and college age youth; programs to re-engage court involved youth and adults; and programs focused on meeting the needs of veterans and their families. Furthermore, the GIVE Act requires that programs with approved national service positions and approved summer of service positions promote citizenship and civic engagement.

The bill requires participants who serve as tutors to have a high school diploma, pass a proficiency exam, and complete provided training for tutors. H.R. 2857 repeals Section 125, Training and Technical Assistance, and moves these activities into subtitle J, Training and Technical Assistance. H.R. 2857 increases the grant amount available for State Commissions from $200,000 to $825,000. The bill also changes the match requirements for State Commissions operating grants as follows: for the first $100,000 of grant funds, there is no match required; for amounts greater than 100,000 and not exceeding $200,000, the match required is $1 for every $2 provided by the Corporation; and for amounts greater than $200,000, there is a one-to-one match. H.R. 2857 changes the Challenge Grant match from a continuous match of I Federal dollar for every $1 raised to a match of I Federal dollar for every $2 raised, after the third year of the grant.

Formula allocations

H.R. 2857 changes the percentage of the allocation of funds for AmeriCorps programs to 1 percent for Territories, 1 percent for Indian Tribes, 23 percent for National Direct program grants, 37.5 percent for State Competitive grants, and 37.5 percent for State Allotments. The bill includes new language to allow corporations or individuals to sponsor a national service position by supplying the funds for a National Service Education Award, with the funds deposited into the National Service Trust. The GIVE Act also raises the small state minimum from $500,000 to $600,000. Furthermore, the GIVE Act authorizes the Education Awards Only Program, which has existed through appropriations language since FY04. The Education Awards Only Program is a model of a fixed amount grant program. The EAO program includes a National Service Education Award and operational funds in the amount of $600 per participant or up to $800 per participant if the program has 50 percent disadvantaged youth as participants.

The National Service Trust

H.R. 2857 includes provisions for the disbursement of the Summer of Service Education Awards, the National Service Education

Award, and associated waivers and limitations. In particular, H.R. 2857 clarifies the terms of service and changes the limits on the National Service Education Award to equal to the aggregate of 2 full time awards. The aggregate value of the Summer of Service Education Awards shall have no affect on the aggregate value of the National Service Awards an individual may receive. The GIVE Act increases the National Service Education Award by $100 each year, beginning in 2008 ($4,825) through 2012 ($5,225). H.R. 2857 incorporates the provisions of the Strengthen AmeriCorps Program Act to address management concerns of the National Service Trust. The Corporation must account for each National Service Education Award and Summer of Service Education Award through an estimated obligation for the National Service Trust. The Corporation must also maintain a reserve account to ensure that there is appropriate or adequate funding for the awards.

National Civilian Conservation Corps (NCCC)

H.R. 2857 includes technical amendments to the NCCC. The GIVE Act emphasizes the purpose of the NCCC as a residential program to be deployed in times of national need including emergencies and disasters. In addition, H.R. 2857 requires the NCCC to carry out projects and activities when not deployed which include infrastructure improvement, environmental stewardship and conservation, energy conversation, and urban and rural development.

H.R. 2857 directs the NCCC to increase the percentage of disadvantaged youth participants to 50 percent by 2010. H.R. 2857 authorizes, to the extent practicable, that each NCCC participant receives training in CPR, first aid, and other skills related to disaster and emergency preparedness. The bill also expands the Advisory Board of the NCCC to include the Administrator of the Federal Emergency Management Agency, the Secretary of Transportation, the Chief of the United States Forest Service, the Administrator of the Environmental Protection Agency, and the Secretary of Energy to help coordinate activities when the Corps is not deployed and to coordinate the mobilization and coordination of the NCCC in emergency and disaster responses.

Administrative provisions

H.R. 2857 prohibits a program receiving assistance under the national service laws to solely refer individuals to Federal or State assistance programs funded by the Federal government. The bill also includes provisions to increase parent involvement in program development and operation, and requires programs to obtain parental permission when transporting minors.

State commissions

The GIVE Act clarifies that State Commissions shall employ an open process for developing the national service plan, include measurable goals and outcomes in the plan, and ensure outreach to diverse communities. Furthermore, the national service plan shall include recommendations on how to recruit the Baby Boom generation and older adults for service, including coordination among appropriate agencies.

Program evaluation

Recognizing the importance of program evaluation and accountability for programs supported by Federal dollars, H.R. 2857 describes new parameters for program evaluation, including performance measures that must be agreed upon by the grantee and the Corporation. The bill also includes a structure for corrective action plans that distinguishes between programs that have received assistance for less than 3 years and programs that have received assistance for 3 years or more. It further describes the actions that shall take place if programs do not meet performance levels after the corrective action plan has been attempted and failed.

Consolidated applications

H.R. 2857 includes a requirement that the Corporation will consolidate or modify application procedures to ease the burden on applicants and grantees. Additionally, the bill requires the Corporation to set sustainability goals supported by policies and procedures, such as technical assistance. The GIVE Act allows funds authorized under the national service laws to be used to attend meetings or conferences that will contribute to improved conduct, supervision, or management of the programs and their participants. H.R. 2857 sets the length of grants at 3 years unless otherwise stated, and clarifies limitations on the costs per participant for AmeriCorps State and National programs.

Corporation for National and Community Service

The GIVE Act establishes a 5-year term for each appointed Board member. Furthermore, a voting member of the Board whose term has expired may serve up to 1 year beyond his or her term until a successor is appointed. The bill also augments the Board's responsibilities to include setting policy for the Corporation, reviewing the budget proposal before it is sent to the Office of Management and Budget, and annually reviewing the work of the Chief Executive Officer of the Corporation.

Full-time participants

H.R. 2857 requires the Chief Executive Officer (CEO) to establish a plan for increasing the number of full-time participants in National Service to 50 percent by 2010. In addition, the CEO must obtain the opinions of peer reviewers in evaluating applications for programs under Title I of NCSA. The GIVE Act includes a provision to allow the Corporation to accept the donated services of individuals and organizations.

Office of Outreach and Recruitment

In addition, the GIVE Act creates a new office: Office of Outreach and Recruitment (OOR). The mission of the OOR is to increase public awareness of the wide range of service opportunities for all citizens; to identify and implement methods of recruitment; to increase the diversity of participants in the programs and the service sponsors; to collaborate with organizations with established volunteer recruitment programs; to provide application materials in languages other than English where practicable; to coordinate with organizations of former participants in national service programs; to collaborate with training and technical assistance programs; to co-

ordinate with the clearinghouses; and to coordinate with those organizations working on a Reserve Corps of alumni to serve in times of national need. The Office of Outreach and Recruitment can enter into contracts with marketing agencies and may conduct a campaign to solicit funds for its activities.

Veterans research and pilot program

H.R. 2857 requires the Corporation to identify specific areas of need for veterans, military personnel, and their families in consultation with the Department of Veterans Affairs, the Department of Defense, State veteran agencies and other organizations. The Corporation shall implement a pilot program based on the results of the report.

Investment for quality and innovation

H.R. 2857 amends the subtitle to establish Innovative and Model Program Support, which authorizes new activities to support service projects such as projects described in section 122 of subtitle C that enlist 75 percent disadvantaged youth as participants; programs focused on learning and thinking skills necessary for success in the global knowledge economy; programs that engage youth under the age of 17 but are not the Summer of Service programs; programs that reduce the recidivism of court-involved youth and adults; programs that recruit court-involved youth and adults; and programs that focus on health and wellness of individuals and communities. H.R. 2857 authorizes the use of traditional grants or fixed amount grants for these activities. The three year grant may be extended an additional year if the program is meeting agreed upon performance measures and other criteria the Corporation requires. H.R. 2857 also requires an independent evaluation of the programs and dissemination of effective strategies and recommendations for improvement.

In addition, H.R. 2857 moves the activities of the national service-learning clearinghouse and AmeriCorps clearinghouse into Subtitle H.

Training and technical assistance

H.R. 2857 combines the training and technical assistance activities authorized throughout the NCSA and DVSA into a single subtitle. The GIVE Act requires the Corporation to provide training and technical assistance to entities that desire to apply for a grant or subgrant under NCSA and DVSA and to programs receiving assistance under these Acts. Training and technical assistance includes assistance in applying for financial assistance authorized under the acts; promotion of leadership; improving quality of programs; developing management and budgetary skills; providing or improving the training provided to participants; training in volunteer recruitment, management, and retention; training in evaluation and performance measures; training in accommodating participants with disabilities and establishing networks to better leverage resources and to coordinate community wide planning and service; and to provide training and technical assistance to the National Senior Service Corps. The bill gives priority to entities wishing to carry out high quality programs where they currently do not exist, or programs in underserved rural and urban areas, as well as those

programs which have students, out-of-school youths, and older adults as participants.

Title II: Domestic Volunteer Service Act

Volunteers in Service to America Act

H.R. 2857 adds new program assignments for VISTA participants, including assignments in the re-entry and re-integration of formerly incarcerated youth and adults; in financial literacy and financial planning; in before-school and after-school programs serving children in low-income communities; in establishing community economic development activities; in assisting veterans and their families; and in addressing the health and wellness of low-income communities. The bill places priority on recruitment of disadvantaged youth and retired adults (including those whose careers would be of use to low-income communities). In addition, H.R. 2857 permits for an organization to pay all or a portion of the costs to support a VISTA position. H.R. 2857 also creates programs of national significance for the VISTA program, similar to the programs of national significance authorized in section 221 of the Domestic Volunteer Service Act. When funds are appropriated over the amount necessary to run programs already funded through VISTA, one-third of the new funds shall be directed to programs of national significance, which mirror the new VISTA program assignment opportunities listed above. Furthermore, H.R. 2857 raises the stipend for a VISTA participant to a minimum of $125 per month with a maximum of $150 per month subject to the availability of funds. The stipend may be increased to $250 for participants who provided service for at least I year and have been designated as volunteer leaders. H.R. 2857 repeals the VISTA University Year, the VISTA Literacy Corps, and the Literacy Challenge Grants. Since the last reauthorization, VISTA University Year has not received any funding and the VISTA Literacy Corps only received funding in FY94 and FY95. The Literacy Challenge Grants last received funding in 2000, and the grants were not nationally competed.

National Senior Service Corps

Retired Senior Volunteer Program

H.R. 2857 provides that projects carried out under this part must be designed and implemented with the advice of experts in the field of the service to be delivered and with those who have expertise in the recruitment and management of volunteers, particularly those of the Baby Boom generation. H.R 2857 gives a priority to projects which utilize retired STEM professionals, retired health care professionals, retired military and emergency professionals, and retired computer science professionals. The bill also requires all grants to recompete after 2009 and grants may be renewed for three years before they are subject to the next competition. The bill further requires that any grant awarded under recompetition must continue to support the same number of volunteer service years, offer a similar program distribution, and minimize disruption of volunteers.

Foster Grandparent Programs

H.R. 2857 lowers the age of participation for the Foster Grandparent Program to 55 years of age. H.R. 2857 authorizes that services may be continued by a Foster Grandparent if it is in the best interest of the child after the age of 21. H.R. 2857 also includes a provision that if a Foster Grandparent is suspended or discontinued then all parties involved shall agree upon the replacement of the Foster Grandparent.

H.R. 2857 sets the minimum stipend for a Foster Grandparent at $2.65, which shall not exceed 75 percent of minimum wage. The bill adjusts the income limitation to 200 percent of poverty for participation in this program. H.R. 2857 allows grantees to have 15 percent of the participants not meet the low-income eligibility requirement if the program can show that it is unable to effectively recruit and place low-income volunteers. Furthermore, an individual who is not a low-income person may not become a volunteer under this part if it would prevent a low-income person from participating in the program. Over-income volunteers are not eligible to receive a stipend. The Director may provide a stipend or allowance that is 10 percent more than the amount earned to volunteer leaders who take on coordination and training roles.

Senior Companions Program

H.R. 2857 mirrors the provisions relating to age eligibility, stipend level, and income eligibility of the Foster Grandparents Program in the Senior Companions Program. Similarly, the bill allows grantees to have 15 percent of the participants who do not meet the low-income eligibility requirement if the program can show that it is unable to effectively recruit and place low-income volunteers and individual who is not a low-income person may not become a volunteer under this part if it would prevent a low-income person from participating in the program. Over-income volunteers are not eligible to receive a stipend. The Director may provide a stipend or allowance that is 10 percent more than the amount earned to volunteer leaders who take on coordination and training roles.

Programs of National Significance for the NSSC

The GIVE Act maintains the Programs of National Significance (PNS), with the change that applicants from part A, B, or C may apply to offer any programs listed and apply under the guidelines specific to the program they wish to carry out. H.R. 2857 updates and reorganizes programs of national significance to include programs that engage older adults with children and youth in energy conservation, environmental stewardship, or other environmental needs of the community and programs that collaborate with criminal justice professionals and organizations in prevention programs aimed at disadvantaged youth or those youth re-entering society after incarceration and their families The bill requires that 50 percent of the applicants of grants under this section are not currently receiving funding from the Corporation and, when possible, in locations where there are not current National Senior Service Corps programs.

Donations

H.R. 2857 includes a provision to allow the National Senior Service Programs to accept cash or in-kind donations.

IV. Committee Views

Overview

Volunteerism and community service has been a part of American culture since our nation first began. The tragic events of 9/11 and hurricanes Katrina and Rita inspired many Americans to answer the call of service and support the country in its time of need. Volunteering and service bring community members together to address local concerns or to address national challenges on a local level. According to the report Volunteering in America: 2007 State Trends and Rankings in Civic Life (2007) by the Corporation for National and Community Service, "[i]n 2006, 61.2 million adults volunteered throughout the United States, representing 26.7 percent of the population, a decline from 64.5 million volunteers in 2005." An additional 5.3 million people informally volunteered their services in 2006 without an organized infrastructure by simply helping a neighbor or joining with a few friends to do something for the benefit of the community.

H.R. 2857, the GIVE Act, reflects the Committee's interest in renewing the spirit of service in the United States by engaging individuals, organizations, and communities in activities that help to meet unmet national needs and solve local challenges. Under previous leadership, the Committee performed oversight of the Corporation for National and Community Service that focused primarily on the financial and accounting practices of the Corporation. This term the Committee turns its focus to the next generation of service: increasing the number of AmeriCorps volunteers to 100,000 by 2012; increasing the numbers of participants engaged in full-time service; recruiting disadvantaged youth and the Baby Boom generation into service for their communities and the nation; and fostering the spirit of service and civic engagements in young people at an early age through programs such as the Summer of Service.

The Committee also recognizes that community and national service can contribute to the nation's competitiveness in the global knowledge economy. H.R. 2857 calls to duty America's science, technology, engineering, and mathematics professionals (the STEM fields) to engage in service. In promoting new ways to engage in service, the GIVE Act continues the role of national service alumni by establishing an alumni Reserve Corps that can be called forward in times of national need. Through the GIVE Act, the Committee also seeks to remove barriers for the many organizations that work with volunteers in carrying out service activities. These organizations will play a critical role in introducing service to a new generation and re-engaging individuals and communities in service to the country.

Learn and Serve America

School-based programs

Service-learning is a teaching and learning strategy that integrates meaningful community service with instruction and reflection to enrich the learning experience, teach civic responsibility, and strengthen communities. Service-learning provides structured time for students to reflect on their service by thinking, discussing and/or writing about their service experience. The Committee recognizes that when service-learning is integrated into the academic curricula, students apply the substance of what they are learning, using their skills and knowledge to solve real-life community challenges through service. When students appreciate the relevance of their learning, their motivation increases and results in increased levels of engagement in school. In addition, they are more likely to successfully master the content of their studies. Research confirms that students are more likely to learn academic content when it is relevant to their lives. Service-learning empowers students by connecting their service with concrete results in their community. The benefits of service-learning include students gaining a sense of pride and ownership in their service and their community. According to the Corporation for Community and National Service, one of the primary ways that schools provide opportunities for students to become active in their communities is through school-based service. In the report by the Corporation titled Youth Helping America, only 38 percent of the youth surveyed reported current or past participation in school-based service-learning and of those, 64 percent were enrolled in one class that included school-based service-learning. The report also found that high school students are 37 percent more likely than middle school students to participate in school-based service-learning.

Given these results, the Committee modified the Learn and Serve program to give greater emphasis to school-based service-learning. H.R. 2857 also authorizes a new program to encourage and enhance service by young people. Specifically, the Summer of Service program introduces middle and high school students to service-learning throughout the summer. The Summer of Service program may be an extension of an academic year service-learning program or initiated during the summer months. Under the program, students who complete 100 hours of service are eligible to receive a $500 Summer of Service Education Award, which will be held in the National Service Trust. A middle or high school student who receives a Summer of Service Education Award can use the award not only for the cost of attending college but more importantly for the cost of attending an established college preparatory program. H.R. 2857 also gives the Director the discretion to increase the $500 award to $1000 for economically disadvantaged recipients. The Committee expects that the receipt of an enhanced award will inspire some students to believe that college is possible and attainable, and encourage them to take actions necessary to start on the path to a college education. Students may earn two Summer of Service Education Awards, which do not count against the aggregate amount of a National Service Education Award, if the student is also eligible to receive such an award at a future date. It is the Committee's intent that a student who participates

in a Summer of Service program should be eligible to receive all the benefits of AmeriCorps participation, including the full amount of two National Service Education Awards, if such student is eligible for AmeriCorps participation.

During Committee consideration, Mr. Hare offered an amendment reserving up to 3 percent of the funds appropriated for Learn and Serve for competitive grants to encourage civic engagement among elementary and secondary students. The amendment includes developing service-learning curricula that promotes a better understanding of the Constitution of the United States, how our government functions, American History, the meaning of the Oath of Allegiance, and the importance of service to our Nation's character. H.R 2857 includes this amendment, as the Committee recognizes the importance of improving the understanding of our government and its foundations, which may result in increased civic engagement among the nation's citizens.

Higher education

According to the Center for Information and Research on Civic Learning and Engagement:

> Volunteering is the single activity that draws the greatest number of youth participants [18–25 year olds]. In 2006, 42 percent of current students said that they had volunteered in the last 12 months, while 45 percent of college graduates, 24 percent of young people with college experience but not currently enrolled, and 24 percent of non-college youth said that they had volunteered in the last 12 months.

According to the Corporation, the number of college student volunteers in 2005 was 3.3 million. The Corporation continues to work to expand the number of educational institutions that are building strong community connections to further service within their student body. The Committee recognizes that colleges and universities and the students who attend them are critical to renewing the spirit of service in America.

The GIVE Act adds new uses of funds for programs carried out in institutions of higher education (IHE) which enable an IHE, or a consortia thereof, to integrate service-learning into the curriculum and encourage collaboration across disciplines at one or more of the IHEs. In addition, the GIVE Act enables the strengthening of leadership and instructional capacity for service-learning in the pre-service components of health care professions (including nursing, pre-medicine, medicine and dentistry), criminal justice professions (including law enforcement and the judicial system), those professions that interact with the criminal justice system (including social work and counseling), and public policy and public administration professions. The Committee expects that as service-learning is integrated into the pre-service curricula of these programs, the leadership, knowledge, and skills of the graduates of the programs will increase, the programs will be more effective in training professionals, the faculty of the programs will continue to engage students in service-learning and participate themselves, and the community in which the programs are implemented will further benefit from the service-learning programs. The Committee

recognizes that some of these curricula already contain a pre-service clinical component, but it is the intent of the Committee in including such professions in this section to encourage a coordinated effort that integrates service-learning into the clinical or pre-service curricula of these professions. Ideally, over time the faculty and students would expand service-learning to other disciplines not mentioned here. The GIVE Act provides special consideration to Hispanic Serving Institutions, Historically Black Colleges and Universities, and Tribal Colleges and Universities, which tend to apply less often for service grants, to encourage the increased participation of minorities in community and national service.

Innovative service-learning and research programs

The Committee recognizes that there is an opportunity for service-learning to play a significant role in educating a new generation of youth who can contribute to America's ability to compete in the global knowledge economy. America's greatest hope for maintaining this country's global competitiveness resides within classrooms across the nation.

H.R. 2857 replaces the Community-Based programs in current law with Innovative Service-Learning and Research programs. The Committee believes that Learn and Serve America should have a substantial focus on service-learning. The Committee emphasizes that this does not lessen the opportunity for community-based and non-profit organizations to apply or participate in the Innovative Service-Learning and Research grant programs (or in school-based service learning) authorized in this section. The authorized activities in this section are focused on areas of service that lend themselves to community-wide innovations such as using the relevance of science, technology, engineering, and mathematics to devise and implement solutions to community challenges. These activities can reveal to students the relevance of studying such subjects and can advance their curiosity and desire to understand the application of such knowledge to daily life.

Innovative Service-Learning and Research program grants may be awarded for energy conservation, emergency and disaster preparedness, programs aimed at improving access to and receiving the benefits from technology, and programs designed to enlist high school youth in mentoring middle school students. The Committee encourages grantees of this program to be innovative and creative in addressing service-learning and the needs of schools and their communities.

Subtitle C: National Service Trust Program

Federal agencies

H.R. 2857 prohibits the Corporation from making grants to other Federal agencies to operate national service programs, which is consistent with appropriations language. However, the Committee does not seek to inhibit collaboration and cooperation between the Corporation and other Federal agencies in fostering national and community service. Accordingly, the Committee encourages the Corporation to enter into interagency agreements, cost sharing agreements, and where appropriate, contracts for activities and programs that foster volunteerism and service.

Administrative funds

According to Voices for National Service, the National Service-Learning Partnership, the National Association of Community Health Centers, Experience Corps, and other stakeholders, grantees are challenged by the 5 percent limit on administrative uses of funds. H.R. 2857 raises the amount of the grant permitted to be used for administration costs to 6 percent, for such uses as paying the electric bill or rent.

Matching requirements

H.R. 2857 restructures the matching requirements for grantees. Under current law, an AmeriCorps program has separate matching requirements for the federal share of the operating costs of the program and the federal share of the member support costs, including member living allowances, employment-related taxes, health care coverage, and workers compensation. In 2004, the Corporation entered into a Rulemaking process that resulted in the issuance of regulations in 2005 which combined the two requirements into one. To ease the burden of change for existing programs, the regulations provided that the combined requirements be phased in over ten years. H.R. 2857 adopts these regulations. In addition, H.R. 2857 includes an accommodation for programs in rural or severely economically distressed communities, which may have challenges meeting this matching requirement.

Modernizing AmeriCorps state and national programs

As part of the Committee's effort to renew the spirit of service and engage more youth in service, H.R. 2857 modernizes the AmeriCorps State and National Programs. The bill includes a goal that 50 percent of the participants of a youth conservation corps or youth service corps (either in year round or summer programs) consist of disadvantaged youth (as defined in the bill). The youth conservation corps or youth service corps provide participants with highly structured, crew-based work experience, life skills education, career guidance and counseling, employment training, and support services. The program also develops citizenship values and skills through service. The CorpsNetwork, representing the nation's 113 Service and Conservation Corps, provided the results of a study to the Committee which indicate that disadvantaged youth who join a service Corps experience significant gains in employment and earning. The study also revealed that arrest rates dropped by one-third for all Corpsmembers, and out-of-wedlock pregnancies dropped among female Corpsmembers. The Committee concludes that programs such as those run by the CorpsNetwork highlight the challenges and necessity of helping our nation's disadvantaged youth. The value of these programs are further evidenced by statements by Corpsmembers, including "I've realized that I am talented, that I can make a good living and support my family and I've also come to realize the value of serving others . . ." and "The Corps changed my life. I now have options. I have a GED and a scholarship and am getting started with my new drug-free life."

E–Corps

H.R. 2857 includes new programs to further encourage innovation and creativity in AmeriCorps while addressing the needs of

our communities. The E–Corps program will involve participants in implementing technology programs within a community to increase the access to, and receipt of, the benefits of current and emerging technologies. The global knowledge economy requires that each participant be versed and skilled in technology. National service has a role to play in keeping America competitive in the global knowledge economy. Young people who have access to technology are faster and more adept at utilizing and crafting new applications of technology than are their counterparts and older generations who lack similar access. This program will harness the knowledge, creativity, and vision of the nation's technologically adept youth and direct their energies to expanding the access to technology, as well as expand opportunities for others to participate in such activities.

Emergency and disaster preparedness

H.R. 2857 supports the role of service in addressing emergency and disaster preparedness. In response to the events of 9/11, the tragedies of the hurricanes Katrina and Rita, and other threats such as avian influenza and pandemic flu, H.R. 2857 authorizes assistance to programs that engage citizens in public safety, public health, and emergency and disaster preparedness. While at one time the nation stood ready with pantries full of food and water, candles, a battery powered radio, and other supplies to get through long nights of bad weather or other threats, this country needs a more collaborative, community-based focus on preparedness for any number of emergency or disaster scenarios, including those that threaten public health. This program includes a component of recruiting qualified participants to be trainees as emergency responders, including law enforcement officers and firefighters. In addition, this program may engage Federal, State, and local stakeholders to collaborate to achieve a more effective response to issues of public safety, public health, emergencies, and disasters.

Mentoring

Research shows that when implemented well, mentoring has lasting positive effects on youth. Youth who participate in mentoring relationships experience positive academic returns, including better attendance, increased opportunities for college, improved attitudes toward school, and positive social attitudes and relationships. According to the National Mentoring Partnership, there are 17.6 million young people in our country who want or need a mentor in their life. H.R. 2857 includes a program with a focus on encouraging high school and college age youth to be mentors. This program encourages direct mentoring, but also seeks the creative utilization of current and emerging technologies to connect youth with mentors. Given the large number of potential mentors in the Baby Boom generation, the Committee seeks to encourage the program to recruit as many members of the Baby Boom generation as possible to meet the mentoring needs of the nation's youth.

Court-involved youth and adults

During Committee consideration of H.R. 2857, Mr. Scott introduced an amendment that creates a new program to re-engage court-involved youth and adults in service activities with the goal

of reducing recidivism. Research shows that community-based service, in concert with educational support, counseling, and other services, reduces recidivism.

Veterans and their families

During Committee consideration of H.R. 2857, Mr. Hare introduced an amendment that reserves 3 percent of funds for grants to fund programs meeting the unique needs of veterans. The funds may be used, for example, to recruit veterans into service opportunities, or to promote community-based efforts to meet the unique needs of military families while the military member is deployed as well as when the military member returns.

Citizenship training

During Committee consideration of H.R. 2857, Mr. Price proposed that the Corporation shall establish requirements relating to the promotion of citizenship and civic engagement consistent with the principles of citizenship programs administered by the U.S. Citizenship and Immigrations Service for participants in approved national service and summer of service positions. The Committee concurs and H.R. 2857 includes a provision on citizenship training.

State commissions

In recognition of the work of the State Commissions on Community and National Service, and the expected larger role to be assumed by State Commissions in coordinating, developing, and executing national service programs throughout their respective states, H.R. 2857 includes an increase in the grant amount allocated to State Commissions.

Formula allocations

The GIVE Act also changes the percentages of funds allocated for AmeriCorps State and National programs to more accurately reflect how funds are currently allocated through appropriations. Indian Tribes and Territories continue to receive 1 percent each; however, for Indian tribes, H.R. 2857 converts the program from a formula to a competitive grant. The current formula allotment is based on population, which has resulted in few tribes applying for their allotment and smaller tribes not applying at all. The new competitive grant allows the Corporation to give larger grants and serve more Indian tribes, including smaller tribes. The Committee expects the new Office of Outreach and Recruitment, described below, to play a role in informing Indian tribes of this new opportunity and to coordinate training and technical assistance programs to aid Indian tribes in competing for and carrying out national service programs to improve their communities.

The bill also changes the formula for national direct programs, that is, organizations that offer programs in two or more States. The Appropriations Committee has capped the appropriation to national direct programs at $54.45 million in FY06 and FY07. H.R. 2857 reflects this action and provides a slight increase in the percentage allocated for national direct programs, given that national programs are also able to apply for funds through both the State Competitive and State Formula allotments. The Committee changes this allocation in order to provide States with greater re-

sources to focus on local impacts. The Committee recognizes that national programs play a critical role in implementing national service programs and engaging citizens to participate. The Committee encourages their continued effort working with communities and State Commissions to leverage resources, engage more volunteers, and increase the reach of national service to include more low-income and rural areas across our nation. H.R. 2857 sets the percentage of allocations for the State Competitive grants and for the State Formula to 37.5 percent. During Committee consideration of H.R. 2857, the Committee adopted an amendment by Mrs. Shea-Porter that raises the small state minimum from $500,000 to $600,000.

The Committee encourages State Commissions to conduct a service needs assessment for each State and strategically work to engage underserved areas, including rural and low income areas, in national service. Ideally, the national direct providers would engage each State in which they operate and work to facilitate programs in these underserved areas as well. It will take an organized effort by all stakeholders to further the spirit of service across our nation.

Education Award Only Program

The Committee endorses the Education Award Only (EAO) program first established in FY97 appropriations for the Corporation. EAO programs allow for more efficient and cost-effective program operation. The EAO Program grantees provide the member costs of the program and the Corporation provides a portion of the administrative costs per participant and funds for the National Service Education Award. It is the Committee's intent that the newly created Office of Outreach and Recruitment provide information about this program. The Committee encourages the Corporation to employ the EAO model in a manner that does not disrupt current programs. The Committee does not intend for the EAO program model to replace the traditional AmeriCorps program, but allow for innovation at the local level.

Subtitle D: The National Service Trust

H.R. 2857 addresses concern from participants in and providers of national service programs about the National Service Education Award. Under current law, a participant is limited to two terms, regardless of the length of the term or the level of participation (i.e., full time or part-time participation). This limitation has prevented national service part-time participants from earning the entire amount of two National Service Education Awards. Since the Corporation supports programs that have part-time participants, the Committee authorizes that participants have the opportunity to earn the aggregate value of two national service awards for full-time service.

H.R. 2857 also provides for the Trust to administer the Summer of Service Education Award. In recognition of the increasing cost of tuition and the Committee's desire to increase access to higher education for all youth, especially disadvantaged youth and underserved populations, the Committee includes an increase in the National Service Education Award of $100 per year over a five year period, reaching $5,225 in year 2012.

Strengthen AmeriCorps Act

H.R. 2857 integrates the Strengthen AmeriCorps Program Act (P.L. 108–145), which was enacted in response to the mismanagement of the National Service Trust and "the ensuing challenges faced by the Corporation. By incorporating the Strengthen AmeriCorps Program Act, H.R. 2857 revises the manner in which the Corporation approves and records obligations relating to approved national service positions. H.R. 2857 requires the Corporation to record as an obligation an estimate of the net present value of the National Service Educational Award associated with each position. Furthermore, the Corporation must establish a reserve account within the National Service Trust and take necessary steps to ensure the availability of adequate funds to support the awards of approved positions for each fiscal year.

Subtitle E: National Civilian Community Corps (NCCC)

Program activities and participants

The National Civilian Community Corps (NCCC) is the only national service program operated solely by the Corporation. The NCCC is a residential program with multiple campuses across the United States with a focus on rapid response to emergencies and disasters within the region near the campus. In the case of natural disasters such as the hurricanes in the Gulf region, NCCC members are deployable to those regions in times of national need. When not deployed, NCCC members take on service activities similar to those in other AmeriCorps programs. H.R.2857 adds a new focus on infrastructure improvement, environmental stewardship and conservation, energy conservation, and urban and rural development. The Committee believes that when the corps is not deployed for emergencies or disasters, the crew based NCCC program can play an important role in addressing these national needs.

H.R. 2857 includes a provision that requires NCCC to set a goal of 50 percent participation by disadvantaged youth (as defined in the bill) in the program by 2010. Programs such as the NCCC provide youth with opportunities to learn marketable skills for employment, to further their education, and to gain self-confidence and increased empowerment in a structured, safe environment. The Committee acknowledges that the NCCC programs will need assistance in recruiting disadvantaged youth to participate and expects the new Office of Outreach and Recruitment and State Commissions to assist the NCCC in the recruitment of disadvantaged youth. Furthermore, it is not expected that every campus will be able to recruit a large percentage of disadvantaged youth from neighboring communities and other States. However, given the fact that the NCCC is a residential program, this should not negatively affect the program, but rather expand the diversity of the pool of participants and enrich the service experience for each NCCC member.

NCCC Advisory Board

H.R. 2857 increases the NCCC Advisory Board membership to include those Federal agencies who are stakeholders in projects being implemented by the NCCC participants who are not deployed for disasters and emergencies. In addition, the Committee expects

the Advisory Board to coordinate the rapid and efficient response of the NCCC in times of emergencies and disasters in conjunction with other response organizations in order to assist in the coordination of recovery efforts.

Subtitle F: Administrative provisions

Parental involvement

H.R. 2857 requires that parents be involved in the development and operation of national service programs which serve children. The Committee recognizes that having parents involved is more likely to engage the community as a whole. Furthermore, H.R. 2857 requires parental permission when transporting minors.

State commissions on national and community service

The GIVE Act clarifies the role of State Commissions on Community and National Service. H.R. 2857 requires that the state plan for national service be developed through an open process (including regional forums and hearings), which provides for maximum participation and input from companies, organizations, and public agencies using service and volunteerism as a strategy in meeting critical community needs. The intent is to create an environment where all stakeholders in a state or a region can together determine the service and volunteer needs in a State or region, and collaborate to leverage resources, and knowledge. The State Commissions should utilize this process to gather information from the entire State to formulate a State service plan with implementation steps. Although not required by H.R. 2857, the Committee believes that the forums and hearings can serve as a mechanism for developing the national service plan for the State and can serve as a community service needs assessment tool. The State Commission can use this information to direct funds and organizations (such as National Direct programs) to locations in the State where the need is great and service opportunities are lacking. In addition, H.R. 2857 requires that the State Service Plan include measurable goals and outcomes, in part to help States determine if they are meeting their most pressing needs through service and volunteerism.

An amendment offered by Mr. Kildee and incorporated into H.R. 2857 provides that States develop a comprehensive plan for Baby Boomer and older adult volunteer and paid service. These state plans must include recommendations for public policy initiatives, for example, how to best tap older adults as sources of social capital, and ways to address community needs. In addition, it is expected that the State will utilize working networks or establish networks in the State and across the nation to connect volunteers to opportunities in the State. The Committee expects the new Office of Outreach and Recruitment to collaborate with State Commissions to help improve their recruitment plans, including those plans directed at older Americans and members of the Baby Boom generation. Furthermore, the plan must be updated annually to ensure active engagement of the State Commission with regard to changing policies and procedures that will improve the coordination and effectiveness of the Federal, State, and local resources for service and volunteerism in the State. The Corporation may permit waivers to administrative requirements that States find impede the

coordination and effectiveness of resources directed towards service and volunteerism.

Evaluation and performance measures

H.R. 2857 reflects the Committee's interest in strengthening accountability for programs receiving federal funds authorized under this bill. H.R 2857 clarifies that the Corporation will establish performance measures in consultation with the grantees that receive assistance. Consultation with the grantees is critical to the integrity of accountability and accommodates the unique outcomes of grantees funded under this Act. The performance measures may include the number of volunteers recruited from the community in which the program is being implemented and the number of disadvantaged and underrepresented youth participants. To maximize the impact and cost-effectiveness of the program, H.R. 2857 also expects programs to evaluate the effectiveness of the structure and mechanisms for delivery of services, the management of the participants, and the ease with which recipients receive service.

Corrective action plans

H.R. 2857 provides a structure for corrective action for a grantee that fails to reach the performance measures agreed upon by the Corporation and the grantee. H.R. 2857 requires that when a new grantee (for programs which have received assistance for less than three years) fails to reach the agreed upon performance measures, the Corporation must provide technical assistance to the grantee to address the targeted performance problems. In addition, the bill requires quarterly reports on the program's progress towards achieving the agreed upon performance measures to both the Corporation and the appropriate State (or the State Commission), Territory or Indian tribe. For established programs, the Corporation is not required to provide technical assistance (although it is not prohibited from doing so either). The bill allows the Corporation to recover one-quarter of the grant if the grantee does not reach performance measures after the corrective action. A portion of the funds can be returned to the grantee if the grantee corrects the challenges that led to the seizure of funds and continues to run a performing program.

Inspector general

H.R. 2857 extends a new authority to the Inspector General to carry out oversight of grantees and Corporation programs and operations, similar to that provided to the Comptroller General and the Chief Financial Officer.

Consolidated application

H.R. 2857 requires the Corporation to consolidate or modify the application or reporting requirements for programs under the national service laws. The Committee realizes that this is a critical requirement for the Corporation in this reauthorization. According to the grantees and the Corporation, the lengthy and onerous application process deters entities from applying for grants and consistently challenges those applicants who do apply. The Corporation has also requested the authority to create a consolidated application and the Committee is in full support of such measures. The

Committee encourages the Corporation to work with current grantees and those that did not apply to determine the effective sections as well as aspects of the application which need improvement, with the intention of easing the application process for both the grantee and the Corporation. The Committee is of the opinion that such endeavors will ultimately lead to a richer, more diverse applicant pool seeking to meet the needs of our nation's communities through service and volunteerism.

Sustainability

The Committee applauds the work of current national service grantees and therefore wishes to ensure that programs being carried out under the national service laws are sustainable. H.R. 2857 establishes that the Corporation shall, in consultation with grantees and State Commissions, set sustainability goals to be supported by policies and procedures. The sustainability goals shall build the capacity of programs to service the community while working to establish non-Federal funding streams to support the project beyond the life of the grant. H.R. 2857 requires the Corporation to provide technical assistance in finding non-Federal funding sources and to implement measures to ascertain whether a project is generating sufficient community support. The Committee believes that with community support comes non-Federal dollars, thus furthering sustainability.

By focusing and reaching sustainability for current national service programs, new grantees and new service projects can emerge in high need areas across our nation. H.R. 2857 furthers this goal by directing the Corporation to take into consideration, in the approval process for applications, the ability of a grantee to generate volunteers.

Use of grant funds for appropriate travel costs

The Committee recognizes the strength of forming a community of grantees and that attending conferences and meetings on national service can foster such a community.

The service infrastructure of our country extends beyond the programs and infrastructure of the Corporation, and grantees should have access to such professional and programmatic development. Previously, grantees could not use their funds to attend meetings or conferences around national service. H.R. 2857 now allows grantees to attend meetings and conferences on service.

Limits on the cost of programs

H.R. 2857 sets the limit on the amount of funds approved to support individual participants in an approved national service position to $16,000. The bill includes a waiver of up to $18,000 to meet the compelling needs of a particular program, such as the training needs for a program serving disadvantaged youth, increased costs relating to the participation of individuals with disabilities, and the startup costs associated with a first time grantee. This waiver reflects the Committee's expectation that the new Office of Outreach and Recruitment will reach a diverse population of providers and participants, some of whom may require more support and services. Even with this waiver, the Committee expects that all grantees will continue to run cost-effective and sustainable programs.

Subtitle G: Corporation for National and Community Service

Board of directors

The Committee recognizes the role of the Board of Directors for the Corporation and augments the role of the Board with respect to the workings of the Corporation. H.R. 2857 authorizes the Board to participate in the review of the budget proposal before it is sent to the Office of Management and Budget and in the performance appraisal of the Chief Executive Officer (CEO). H.R. 2857 sets the term of a Board Member at 5 years, which can be extended one year for voting members when no successor has been appointed. The Board of Directors is a fertile resource for the Corporation and the skills, experience, and expertise of the Board should be fully utilized in the management of the Corporation. The Committee believes that as the grantees are asked to run cost-effective, high quality programs of national service, that the Corporation be held to similar standards and expectations.

Full-time participants

In recognizing the goal of the Corporation to maintain 75,000 AmeriCorps volunteers, which the Corporation has met, the Committee has chosen to set a goal for the Corporation of reaching 100,000 volunteers by 2012. Furthermore, the Committee intends to increase the 204.2 million total hours of national service by setting a goal that the Corporation reach 50 percent full time national service participants by 2010. The Committee has placed the responsibility of seeing that the Corporation achieves this goal with the Chief Executive Officer. H.R. 2857 requires an annual report to the U.S. House of Representatives Committee on Education and Labor and the Committee on Health, Education, Labor, and Pensions in the U.S. Senate so that the Committees of jurisdiction can remain informed of the Corporation's status on achieving this goal.

Peer review

Peer review is an established, effective method for evaluating the merits of an application for a program or project. H.R. 2857 requires the CEO to obtain the opinions of peer reviewers in evaluating the applications to the Corporation for assistance under this title. The Committee expects that the implementation of peer review in the approval process for applications at the Corporation will further ensure the impartiality in the grant-making process.

Personal service contracts

H.R. 2857 authorizes the Corporation to enter into personal service contracts to carry out research, evaluation, and public awareness activities.

Donations to the corporation

The Committee recognizes that there are various service organizations, academic institutions, and other entities and individuals with the expertise to contribute to the improvement or structure of national service. Currently, the Corporation may accept donations of property or money, and some volunteer service. Under H.R. 2857, the Committee extends this authority to include the volunteer services of an individual or an organization.

Office of Outreach and Recruitment

The Corporation is challenged by a lack of community and individual awareness of the Corporation and its programs. The Committee applauds the extensive web pages crafted by the Corporation and the 1–800 number established to provide information on VISTA. However, the Committee believes that more could and should be done to recruit and retain volunteers in national service programs. Although the CEO is responsible for a large portion of the outreach and recruitment, the Committee finds this to be inadequate.

During Committee consideration of H.R. 2857, Members noted that the large number of applicants for grants require a similarly large number of participants to engage in these programs. In fact, some existing programs struggle with recruiting and retaining volunteers. To address these needs, H.R. 2857 establishes the Office of Outreach and Recruitment (OOR) within the Corporation. The duties of the OOR include—

- Increasing public awareness of the wide range of service opportunities for all citizens;
- Identifying and implementing methods of recruitment to increase the diversity of participants in the programs and the service sponsors;
- Collaborating with organizations with established volunteer recruitment programs;
- Providing application materials in languages other than English where practicable;
- Coordinating with organizations of former participants in national service programs;
- Collaborating with training and technical assistance programs;
- Coordinating with the clearinghouses for AmeriCorps and Learn and Serve; and
- Coordinating with organizations working to establish a Reserve Corps of alumni to serve in times of national need.

Furthermore, the Office of Outreach and Recruitment can enter into contracts with marketing agencies and may conduct campaigns to solicit funds for its activities.

The OOR: Public awareness campaign

The Committee expects the OOR to devise and implement a public awareness strategy to increase the knowledge of citizens on the wide range of service opportunities for people of all ages, socioeconomic status, and geographic location. H.R. 2857 provides that the OOR utilize the print media, the Internet and related emerging technologies, television, radio, public or private forums, and other innovative methods of communication to energize citizens to participate in service in their communities across the nation. Rather than create a marketing department in the Corporation, H.R. 2857 authorizes the OOR to enter into business contracts to carry out the marketing duties associated with the outreach and recruitment efforts of the office. The OOR is encouraged to enter into contracts with those entities that have established expertise in the recruitment of disadvantaged youth, members of Indian tribes, and members of the Baby Boom generation. In addition, the Committee envisions that with the new authority to receive donated services

from individuals, that the OOR may also seek donated services from marketing professionals or organizations to fulfill its outreach duties.

The OOR: Outreach

Furthermore, the Committee expects the OOR to conduct outreach to offices of economic development, State employment security agencies, labor unions and trade associations, local educational agencies, agencies and organizations serving veterans and their families and people with disabilities, senior citizen centers and organizations and other agencies or institutions from which participants for programs receiving assistance under the national service laws. The Committee expects the OOR to innovatively and creatively increase the spectrum of its outreach work. For example, the OOR could coordinate with groups such as the Next Chapter organization to institute offices where seniors, including the Baby Boom generation, could learn not only of national service opportunities but also other service opportunities throughout the community, networked with other organizations seeking volunteers and other organizations offering service to seniors.

The OOR: Collaboration with the state commissions on recruitment plans

The Committee expects that the OOR will collaborate and coordinate with the State Commissions on outreach and recruitment issues, including assisting in the development of a volunteer recruitment plan to better meet the service needs of communities across the State. Furthermore, the OOR should identify and implement innovative methods of recruitment to increase the diversity of the participants and service providers. When practicable, the Committee expects that OOR to provide application materials in languages other than English, again furthering the number and diversity of the participants in national service.

During Committee consideration of H.R. 2857, Mr. Grijalva offered an amendment to require the OOR to identify and implement recruitment strategies and training programs for bilingual volunteers for the National Senior Service Corps (NSSC). The Committee accepted the amendment, recognizing the need of bilingual volunteers for older Americans who are served through the programs of the NSSC.

The OOR: Alumni network

The Committee also expects the OOR to collaborate and coordinate with organizations of alumni of national service. The national service alumni are a resource to assist in outreach, capacity building, and recruitment. In addition, alumni may serve as a resource for organizations wishing to apply for assistance under the national service laws.

The OOR: Alumni Reserve Corps

H.R. 2857 provides that the OOR may work with organizations that are receiving assistance or wish to receive assistance to establish a Reserve Corps (RC). The Reserve Corps would include alumni from national service programs and would serve in times of emergencies, disasters, and other times of national need. The Com-

mittee envisions the RC to serve local, regional, and national needs. To establish the RC, the Committee expects the OOR to collaborate with already existing alumni organizations and to utilize and improve upon the current network of service providers and volunteer recruiters to ensure that as many alumni are engaged in the Reserve Corps as possible. Furthermore, the OOR may determine if training requirements are necessary for particular deployments, and may keep the RC members updated on what training might be needed. The Committee recognizes that not all alumni will be able to easily deploy at times due to employment and family commitments, but the Committee wishes to harness and revitalize the commitment to service that alumni of national service programs exhibit.

The OOR: Campaign to solicit funds

The Committee recognizes the challenge of operating an office devoted to outreach and recruitment. H.R. 2857 authorizes the Corporation to conduct a campaign to raise funds to further the work of the OOR.

Veterans research and pilot project

During Committee consideration of H.R. 2857, Mr. Sarbanes introduced an amendment to require a study by the Corporation, in consultation with the Department of Veteran's Affairs, State veteran agencies, the Department of Defense, and other organizations serving veterans, that would identify the specific areas of need for veterans; how existing programs and activities carried out under the national service laws could better serve veterans; gaps in service to veterans; prospects for better coordination of services; prospects for better utilization of veterans as resources and volunteers; and prospects for more efficient financial organization of services directed to veterans. The amendment requires the Corporation to implement a pilot program based on the report's findings.

Subtitle H: Investment for quality and innovation

Innovative and model program support

H.R. 2857 creates a new part of Subtitle H titled, "Innovative and Model Program Support," which authorizes grants to encourage the innovative and creative work of the AmeriCorps State and National Programs. The Committee intends to challenge both the Corporation and the applicants to craft the cutting-edge programs that will engage citizens from all walks of life in service activities. Although there are specific programs identified in the bill, the Committee encourages the Corporation to fund innovative, creative, and more challenging programs. To further promote the innovation encouraged by this section, H.R. 2857 includes the option of funding these programs through traditional grants or fixed amount grants. In addition, a fourth year of funding may be authorized based on criteria determined by the Corporation, including whether the program met its performance measures. This extension will provide unsteady or inexperienced programs additional time to develop into successful, sustainable programs, and to meet other outcomes that the Corporation determines to be appropriate. If fixed-amount grants are determined to ease administrative burdens for

grantees while maintaining high quality, innovative programs offered in this part and in the Innovation Service-Learning programs in subtitle B, the Committee encourages the Corporation to examine the potential of using fixed-amount grants in other programs offered under the national service laws.

Innovative Model Programs in this part include programs where no less than 75 percent of the participants are disadvantaged youth and whose program type can be any of the programs offered in section 122(a) of this title; programs that incorporate learning and thinking skills determined necessary for success in the 21st century global knowledge economy; programs that engage youth under the age of 17 in service; and other innovative and creative programs. H.R. 2857 also encourages collaboration with other programs under the national service laws.

During Committee consideration of the GIVE Act, Mr. Scott offered an amendment to establish a program to re-engage court involved youth and adults to reduce recidivism. The amendment gives priority to programs that begin in the correctional facility, including those offering life skills and employment training, and education programs, along with programs that continue after incarceration, including those focusing on health and wellness issues and career counseling. Mr. Scott also offered an amendment focused on the recruitment of court-involved youth and adults as participants or volunteers, also with the intent of reducing recidivism. The Committee recognizes the positive impact that service can have on an individual, both as a provider and recipient, and accepted both of Mr. Scott's amendments.

National service clearinghouses

H.R. 2857 merges the service-learning and AmeriCorps clearinghouses into a single part, the National Service Programs Clearinghouse. The Committee does not expect other existing clearinghouses to merge also, but there is an expectation that grantees receiving assistance under the national service laws and those in the Corporation responsible for the AmeriCorps clearinghouse to collaborate with the OOR to extend the reach and expectations of the clearinghouses and to reach alumni for the Reserve Corps and other activities.

Subtitle J: Training and technical assistance

For transparency and ease of implementation, H.R. 2857 collects sections throughout both National and Community Service Act of 1990 (NCSA), and Domestic Volunteer Service Act of 1973 (DVSA), on training and technical assistance and establishes a single subtitle on training and technical assistance. It is expected that the Corporation will provide training and technical assistance for those programs receiving or applying for assistance under the national service laws. Training and technical assistance is expected (but not limited to) the following areas:

- Application assistance;
- Leadership development;
- Management and budgetary skills;
- Providing or improving the training of participants;
- Risk management procedures;
- Recruitment, management, and retention of volunteers;

- Program evaluation and performance measures;
- Accommodation for participants with disabilities; and
- Establishing networks and collaboration among stakeholders to further leverage community resources.

H.R. 2857 gives priority for technical assistance to applicants or existing programs that intend to implement programs in areas where they are needed most, where national service programs currently do not exist, or in underserved rural and urban areas. Priority is also provided for applicants or programs with an intergenerational focus.

Subtitle K: Points of Light Foundation

H.R. 2857 repeals the Points of Light Foundation. The Committee determined it was appropriate to remove legislative earmarks from the national service laws. The repeal is consistent with appropriations in both the Senate and the House.

Title II: The Domestic Volunteer Service Act (DVSA)

Subtitle A: The Volunteers in Service to America (VISTA)

The Domestic Volunteer Service Act has a central purpose of establishing and supporting anti-poverty programs for our nation. DVSA authorizes the Volunteers in Service to America (VISTA) program, the equivalent to the Peace Corps in America, whose focus is to help the poor, the disadvantaged, the vulnerable, and the elderly in America. The VISTA participant is expected to live in the same conditions as those they serve and to remain available to the community on a 24 hour basis, as are Peace Corps volunteers. The VISTA participant's role is to build the capacity in the community for improvement and service, and leverage resources so that when the VISTA participant leaves the community, the infrastructure, knowledge, and continued service remains in the community. The VISTA participant may receive a National Service Education Award, or he or she may opt for a $1220 stipend.

New VISTA program assignments

H.R. 2857 increases the number of program assignment opportunities for a VISTA participant. For example, under the bill a VISTA participant is eligible for assignments to assist a community or program in the re-entry or re-integration of formerly incarcerated youth and adults into society; to develop and implement financial literacy and budgetary programs; to initiate and support before and after-school programs serving children in low-income communities; to establish and support community economic development initiatives; to assist veterans and their families with legal assistance, health care, employment counseling or training, education counseling or training, and other support services; and to address generally the health and wellness of a community. Each of these assignments addresses unmet needs in low-income communities and fall within the intent of the VISTA program to create the capacity of a community to battle poverty and empower its citizens for change in the United States.

Recruitment priorities

During Committee consideration of H.R. 2857, Mr. Scott emphasized that court-involved youth and adults, including previously incarcerated individuals, should be eligible to serve as VISTA participants. Mr. Scott noted that participation in VISTA has the potential to help ease the transition of these individuals into their communities and to reduce their rate of recidivism. The GIVE Act has no prohibitions on who can serve in an approved national service position. The Committee agrees that national service can be an effective vehicle for reducing recidivism, and that court-involved individuals should be actively recruited for participation in the program.

H.R. 2857 gives priority to the recruitment of retired adults, particularly those who had careers as health care professionals, engineers, managers or technicians. This priority reflects the Committee's intent to harness the vast knowledge, experience, and expertise of retirees. The Committee recognizes the substantial contributions of the VISTA program to our nation's communities and seeks to include the Baby Boom generation as they retire.

Public or non-profit vista support

The Committee recognizes that some organizations or companies are unable to sponsor a VISTA participant within their institution, but may seek ways to support the work of a VISTA participant financially. Accordingly, H.R. 2857 authorizes public or nonprofit organizations to pay all or a portion of the costs of the support services for VISTA participants.

VISTA programs of national significance

H.R. 2857 includes "programs of national significance" (PNS), similar to that found in the National Senior Service Corps, in VISTA. PNS are implemented when the amounts appropriated for VISTA exceed the amount sufficient to maintain the number of projects and volunteers funded in the preceding fiscal year. Of the funds that exceed the costs of the previous fiscal year, one third is allocated for the support of VISTA programs of national significance, which are reflected in the new programs listed previously. The PNS VISTA participants cannot supplant other VISTA participants.

VISTA stipend

The Committees supports the commitment of the VISTA participants to live among and at the economic level of those receiving services, but also recognizes that the low stipend inhibits some participation in the VISTA program. Therefore, H.R. 2857 raises the stipend of a VISTA participant to a minimum of $125/month, and a maximum of $150/month (if sufficient funds are appropriated).

Subtitle B: The National Senior Service Corps (NSSC)

The National Senior Service Corps programs have engaged seniors in meeting the needs of their communities for over four decades. The NSSC is composed of three programs: the Retired Senior Volunteer Program (RSVP), the Foster Grandparents Program (FG), and the Senior Companions Program (SC). H.R. 2857 sets the minimum age for participation in all programs in the National Sen-

ior Service Corps at 55 years. The Committee recognizes that even at such a young age, our older Americans wish to be of service to our nation.

Since 1965, the FG participants have provided support and service to children and youth with exceptional needs in a variety of settings, including schools, hospitals, drug treatment centers, correctional institutions, and Head Start and child care centers. FG participants serve from 15–20 hours per week providing one-on-one service to children and youth. In addition, FG participants who meet the low-income eligibility requirements may receive a stipend of $2.65 per hour for their service.

Since 1971, the RSVP program has provided a wide variety of opportunities for older Americans to meet the needs identified in their communities. RSVP offers the most flexibility among the NSSC programs. Volunteers choose where, when, and how often they will serve. Depending on the program, RSVP participants may choose time commitments from a few hours a week up to forty hours per week.

Since 1974, SC participants offer aging, frail, or homebound individuals with daily living tasks, enabling the recipients to age with dignity and independence. SC participants also provide companionship and may assist a social service case manager. SC participants serve 15 to 40 hours per week and may receive a stipend of $2.65 per hour for their service if they meet the low income eligibility requirements.

Retired Senior Volunteer Program

Research shows that, in particular, the Baby Boom generation is looking for a new style of volunteer or service activity. H.R. 2857 encourages programs to integrate this new perspective into their planning, application, and implementation processes. For the Retired Senior Volunteer Programs, H.R. 2857 includes a requirement that programs be designed and implemented with the advice of experts in the field of service being offered, as well as with those who have expertise in the recruitment and management of volunteers. To be competitive in the global knowledge economy, the Committee recognizes that this nation needs a healthy, scientifically and technologically literate society. Accordingly, H.R. 2857 aims to tap into the talents of the retiring members of the Sputnik generation. Priority in grant evaluation is given to projects that utilize retired STEM professionals, retired health care professionals, retired military and emergency professionals, and retired computer science professionals to serve our nation through the multiple opportunities in RSVP and through the national service laws.

Recompetition

H.R. 2857 establishes a new process for competitions within RSVP. After 2009, the Corporation shall hold a competition to award new grants for RSVP projects. Current grantees remain eligible to compete for program funds. If a grant is awarded, the project may be renewed for an additional three year grant period. After the second grant period the grant must be recompeted. Any grant recompetition within RSVP must continue to support the same number of volunteer years and similar program distribution. In addition, it is the Committee's intention that the recompetition

program minimize any disruption to volunteers. The Committee recognizes the exceptional work of RSVP grantees, but notes that there are few opportunities to motivate program improvement or remove poorly performing grantees or to encourage and invigorate innovation and evolution among high performing programs. Competition, in concert with the new performance measures and evaluations, is expected to improve or terminate underperforming programs. For highly effective and highly performing programs, competition is expected to drive the innovation and creativity of programs to new levels. While H.R. 2857 includes an amendment offered by Mr. Scott and Mr. Hare to give priority in any competition to those grantees that are in good standing, it remains the intent of the Committee to require all grantees to recompete after 2009.

Foster grandparents and senior companions

H.R. 2857 modifies the eligibility requirement for the Foster Grandparents and Senior Companion programs by raising the income level for participants to be eligible for an hourly stipend from 125 percent of poverty to 200 percent of poverty. The GIVE Act also sets the minimum for such stipend at $2.65/hour. According to Foster Grandparent and Senior Companion service providers, it can be challenging for a program to recruit enough low-income volunteers to fill the number of available volunteer positions. H.R. 2857 allows up to 15 percent of volunteers to have incomes above the income eligibility threshold, as long as the program can demonstrate that it was unable to recruit enough low-income volunteers. Participants allowed under this provision are not eligible for a stipend. Programs shall not engage non-low-income volunteers when there are still low-income individuals to be recruited.

National Senior Service Corps programs of national significance

H.R 2857 changes the programs of national significance (PNS). Under current law, each National Senior Corps program may only apply for particular programs of national significance. H.R. 2857 permits RSVP, FG, and SC to apply for any of the programs of national significance. This change will further the innovation and creative application of outcomes to program models. Furthermore, the Committee requires that the Director of the Corporation ensure that at least 50 percent of the PNS applications are from new program sponsors (that is, an organization not currently receiving assistance from the Corporation), in order to open the applicant pool and encourage National Senior Service Programs in new locations. Included in the PNS are programs that collaborate with criminal justice professionals and organizations in prevention programs aimed at disadvantaged youth or youth re-entering society after incarceration. These programs may include mentoring, counseling, and employment counseling. This opportunity in particular is aimed at serving the youth in our communities who are most at-risk for entering into gangs or other lifestyles that result in destroyed lives and an economic drain on society. Research shows that prevention saves the nation money in the long term, and that investing in youth early is a wise investment in our nation's future.

Donations to National Senior Service Corps programs

During Committee consideration of H.R. 2857, Mr. Sestak offered an amendment to allow programs under this title to accept donations, including donations in cash or in kind. The Committee adopted Mr. Sestak's amendment and clarified that programs cannot accept donations from their beneficiaries. Many citizens who experience or learn of the programs of the National Senior Service Corps wish to financially support the programs and cannot because current law, prohibits these programs from accepting donations.

Demonstration programs

During Committee consideration of H.R. 2857, Mr. Yarmuth offered an amendment to establish a demonstration program that supports older Americans while enhancing the capacity of community members to serve each other through reciprocal service centers, service credit banking, community economic scripts, barter services, timebanking, and other similar programs. The program is based on an exchange of services, under which both parties are compensated with reciprocal amounts of volunteer service, and no money changes hands. Such services are a promising and mutually beneficial system that lends legitimacy and compensation to the everyday work that goes financially unpaid. The Committee recognizes that many Americans provide unpaid services to friends and neighbors and that this generosity produces lasting relationships which strengthens communities. To encourage the development of such a system of service reciprocity in communities, H.R. 2857 includes the demonstration program.

Conclusion

The Committee believes that national service can help our nation meet local and national challenges and the GIVE Act is the start of a new direction for national service. The Corporation for National and Community Service, providers, and participants together play a central role in meeting our nation's unmet critical needs. The reauthorization of then National Community Service Act and the Domestic Volunteer Service Act through the GIVE Act are a priority for the Committee and reflect its intent to renew the spirit of service in our nation in a manner that engages new volunteers and inspires innovation in service.

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V. SECTION-BY-SECTION ANALYSIS

TITLE I—AMENDMENTS TO NATIONAL AND COMMUNITY SERVICE ACT OF 1990

Subtitle A—Amendments to Subtitle A (general provisions)

Section 1101. Purposes; Sense of Congress

Amends section 2(b) of the National and Community Service Act (42 U.S.C. 12501 (b)). Sets forth the purpose of this bill and includes a Sense of Congress that the number of AmeriCorps participants should grow to reach 100,000 members by 2012.

Section 1102. Definitions

Amends section 101 of the National and Community Service Act (42 U.S.C. 12511). Modifies and adds to the definitions under this section, including definitions for "approved summer of service positions", the "baby boom generation", "disadvantaged youth", "grant making entities", "Hispanic-Serving Institutions", "Historically Black College or University" and "Tribally Controlled College or University".

Subtitle B—Amendments to Subtitle B (service-learning)

Section 1201. School-based allotments

Amends Part I of subtitle B of title 1 (42 U.S.C. 12521 et seq.). Authorizes allotments to States, Territories, and Indian Tribes to implement service learning programs based principally in elementary and secondary schools, including providing training for teachers, developing service learning curricula, forming local partnerships and establishing or implementing summer of service programs. Reserves not more than 3 percent for payments to Indian tribes, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands. Authorizes the remainder of funds appropriated to carry out this part to States based on the percentage of school-age youth and allocations under the Elementary and Secondary Education Act of 1965. Clarifies the federal share of the cost of carrying out programs under this part can not exceed 50 percent of the total cost of the program. This section also requires that no more than 6 percent of the amount of assistance received by an applicant be used for administrative costs. Further this section reserves up to 3 percent for competitive grants to service-learning partnerships that promote greater civic engagement among elementary and secondary students.

Section 1202. Higher education provisions

Amends Section 119 of the National and Community Service Act (42 U.S.C. 12561). Expands the authority of higher-education service-learning programs. Includes language on higher-education service-learning programs as a key component of the health professionals curricula, the criminal justice professionals curricula and the public policy and public administration curricula. Clarifies the federal share of the cost of carrying out programs under this part cannot exceed 50 percent of the total cost of the program. Provides special consideration to applications submitted by historically

Black Colleges and Universities, Hispanic Serving Institutions and Tribal Colleges and Universities.

Section 1203. Innovative programs and research

Amends Subtitle B of Title 1 (42 U.S.C. 12521 et seq.). Authorizes new service-learning programs focused on innovation including energy-conservation, emergency and disaster preparedness and science, technology, engineering, and mathematics (STEM) curricula and research on service-learning in middle schools. Allows the Corporation to award fixed amount grants based on a three year term.

Subtitle C—Amendments to Subtitle C (National Service Trust Program)

Section 1301. Prohibition on grants to Federal agencies; limits on corporation costs

Amends Section 121 of the National Community Service Act (42 U.S.C. 12571). Eliminates grants to federal agencies. Increases the cap on administrative expenses from five to six percent. Also, creates one match requirement for member support and operating expenses, requiring grantees to match twenty-four percent of federal funds for the first three years and gradually increases the match requirement to fifty percent in year ten. This section also includes an alternative match schedule for programs in rural or severely economically distressed communities.

Section 1302. E–Corps and technical amendments to types of programs

Amends Section 122 of the National Community Service Act (42 U.S.C 12572). This Section includes new service areas to address the digital divide, public safety, health, emergency preparedness, and re-engage court-involved youth and adults with the goal of reducing recidivism. It authorizes a new E–Corps program focused on increasing access to technology and reserves up to 3 percent for competitive grants to eligible recipients for the development of innovative initiatives to address the unique needs of veterans. This section also requires the Corporation to establish requirements for service participants related to the promotion of citizenship and civic engagement, consistent with the principles on which citizenship programs administered by U.S. Citizenship and Immigration Services are based. Further, this section amends the requirements for tutoring programs and clarifies the tutoring requirements for AmeriCorps members.

Section 1303. Types of positions

Amends Section 123 of the National and Community Service Act (42 U.S.C. 12573). Allows the Corporation to approve a program carried out by a Territory and the National Civilian Community Corps as an approved national service position that includes the education award.

Section 1304. Conforming repeal related to training and technical assistance

Repeals section 125 of the National and Community Service Act (42 U.S.C. 12575).

Section 1305. Assistance to state commissions; challenge grants

Amends section 126 of the National and Community Service Act (42 U.S.C. 12576). Increases support for State Commissions, allowing the Corporation to make a grant in an amount between $200,000 and $800,000 to establish or operate a State Commission. Requires States to provide matching funds for amounts greater than $100,000 and $200,000.

Section 1306. Allocation of assistance to states and other eligible entities

Amends Section 129 of the National and Community Service Act (42 U.S.C. 12581). Designates the purposes and percentages for funding to States. Directs one percent allotment for Territories and reserves at least one percent for grants to Indian Tribes. Reserves 23 percent to National Grants and 37.5 percent for innovative grants to States on a competitive basis. Also, designates 37.5 percent of funds to States on a formula basis. Allows the Corporation to re-allot funds to other States or Territories to the extent grant-making entities fail to apply. Further, this section adds language requiring the minimum grant made available to each State be at least $600,000.

Section 1307. Additional authority

Amends Part II of Subtitle C after Section 129 of the National Community Service Act (42 U.S.C. 12581) by adding new language authorizing Education Award Only fixed amount grants of no more than $600 per member and up to $800 per member for programs serving at least fifty-percent disadvantaged youth.

Section 1308. State selection of programs

Amends Section 130 of the National and Community Service Act (42 U.S.C. 12582) to clarify the application requirements for approved national service positions.

Section 1309. Consideration of applications

Amends Section 133 of the National and Community Service Act (42 U.S.C. 12585) to clarify the application criteria the Corporation shall use when considering applications.

Section 1310. Description of participants

Amends Section 137 of the National and Community Service Act (42 U.S.C. 12591) to clarify the eligibility requirements for participants.

Section 1311. Selection of national service participants

Amends Section 138 of the National and Community Service Act (42 U.S.C. 12592). Adds new language requiring the Corporation to place special emphasis on disadvantaged youth when selecting individuals to receive leadership training under this subsection.

Section 1312. Terms of service

Amends Section 139 of the National and Community Service Act (42 U.S.C. 12593). Clarifies the requirements for full and part-time service in an approved national service position.

Section 1313. Adjustments to living allowance

Amends Section 140 of the National and Community Service Act (42 U.S.C. 12594). Adds language to clarify the terms of the living allowance for Federal work study students and includes other technical modifications.

Subtitle D—Amendments to Subtitle D (National Service Trust and provision of National Service Educational Awards)

Section 1401. Availability of funds in the National Service Trust

Amends Section 145 of the National and Community Service Act (42 U.S.C. 12601). Includes language for payments of national service educational awards including summer of service educational awards and payments of interest.

Section 1402. Individuals eligible to receive a national service educational award from the Trust

Amends Section 146 of the National and Community Service Act (42 U.S.C. 12602). Clarifies the eligibility requirements for an educational award and the terms of service. Allows an individual to receive an educational award for an amount equal to two terms of full-term service.

Section 1403. Determination of the amount of national service educational awards

Amends Section 147(a) of the National and Community Service Act (42 U.S.C. 12603(a)). Increases the value of the Education Award from the current level of $4,725 to $5,225 over a five year period.

Section 1404. Disbursement of educational awards

Amends Section 148 of the National and Community Service Act (42 U.S.C. 12604). Adds language on the use of the educational award to pay the cost of attendance or other educational expenses including college preparatory programs for Summer of Service participants.

Section 1405. Process of approval of national service positions

Amends Subtitle D of Title 1 (42 U.S.C. 12601 et seq). Adds language describing the timing and recording requirements for approving national service positions and recording obligations for the education award into the National Service Trust.

Subtitle E—Amendments to Subtitle E (National Civilian Community Corps)

Section 1501. Purpose

Amends Section 151 of the National and Community Service Act (42 U.S.C. 12611). Sets forth the purpose of this Subtitle.

Section 1502. Program components

Amends Section 152 of the National and Community Service Act (42 U.S.C. 12612). Establishes the National Civilian Community Corps program, striking all references to it as a demonstration program.

Section 1503. Eligible participants

Amends Section 153 of the National and Community Service Act (42 U.S.C. 12613). Adds language requiring the Director to ensure that at least fifty percent of the participants in the program are disadvantaged youth. Also, includes technical modifications to this subsection.

Section 1504. Summer national service program

Amends Section 154 of the National and Community Service Act (42 U.S.C. 12614). Adds language requiring participants in the summer program be from economically and ethnically diverse backgrounds, including youth who are in foster care.

Section 1505. Team leaders

Amends Section 155 of the National and Community Service Act (42 U.S.C. 12615). Adds language clarifying the selection process for Team Leaders and Campus Directors. Also clarifies the eligibility requirements for campuses.

Section 1506. Training

Amends Section 156 of the National and Community Service Act (42 U.S.C. 12616). Adds language on the type of training provided to members with a new emphasis on disaster preparedness and response. Allows the Corporation to provide training through grants, contracts or cooperative agreements with organizations who have established expertise in working with disadvantaged youth.

Section 1507. Consultation with state commissions

Amends Section 157 of the National and Community Service Act (42 U.S.C. 12617). Adds language directing consultation with State Commissions with an emphasis on projects in support of infrastructure improvement, disaster relief and recovery, the environment and energy conservation.

Section 1508. Authorized benefits for Corps members

Amends Section 158 of the National and Community Service Act (42 U.S.C. 12618). Modifies the authorized benefits for Corps members.

Section 1509. Permanent cadre

Amends Section 159 of the National and Community Service Act (42 U.S.C. 12619). Clarifies the establishment of a permanent cadre of supervisors and training instructors. Adds language requiring that the permanent cadre receive training in youth development techniques including working with disadvantaged youth.

Section 1510. Contract and grant authority

Amends Section 161 of the National and Community Service Act (42 U.S.C. 12621). Includes technical modifications to this section.

Section 1511. Other departments

Amends Section 162 of the National and Community Service Act (42 U.S.C. 12622). Includes technical modifications to this section. Also, modifies the language pertaining to the list of recommended personnel from which individuals may be selected for appointment to the permanent cadre by the Director.

Section 1512. Advisory board

Amends Section 163 of the National and Community Service Act (42 U.S.C. 12623). Adds language on activities of the Advisory Board. Adds the Administrator of the Federal Emergency Management Agency, the Secretary of Transportation, the Chief of the United States Forest Service and the Secretary of Energy as Advisory Board members.

Section 1513. Annual evaluation

Amends Section 164 of the National and Community Service Act (42 U.S.C. 12624). Requires an annual evaluation be submitted to the Health, Education, Labor, and Pensions Committee of the Senate and the Committee on Education and Labor of the House of Representatives.

Section 1514. Repeal of funding limitation

Repeals Section 165 of the National and Community Service Act (42 U.S.C. 12625).

Section 1515. Definitions

Amends Section 166 of the National and Community Service Act (42 U.S.C. 12626). Modifies and adds to the definitions under this Subtitle, including definitions of "campus director", "corps", and "corps campus".

Section 1516. Terminology

Amends Subtitle E of Title I (42 U.S.C. 12611). Modifies the heading as the "National Civilian Community Corps".

Subtitle F—Amendments to Subtitle F (Administrative provisions)

Section 1601. Family and medical leave

Amends Section 171 (a) of the National and Community Service Act (42 U.S.C. 12631 (a) (1)). Includes a technical modification to this section regarding projects authorized under the national service laws.

Section 1602. Additional prohibitions on use offunds

Amends Section 174 of the National and Community Service Act (42 U.S.C. 12634). Adds language prohibiting the use of funds for programs that refer individuals to Federal assistance programs or State assistance programs funded in part by the Federal government.

Section 1603. Notice, hearing, and grievance procedures

Amends Section 176 of the National and Community Service Act (42 U.S.C. 12636). Clarifies the terms and conditions of this title for notice, hearing and grievance procedures.

Section 1604. Resolution of displacement complaints

Amends Section 177 of the National and Community Service Act (42 U.S.C. 12637). Adds language requiring programs to obtain permission from parents when transporting minor children.

Section 1605. State commissions on national and community service

Amends Section 178 of the National and Community Service Act (42 U.S.C. 12638). Adds language describing the terms and requirements for developing a State Commission plan, including the criteria for goals and outcomes. Also, requires States to develop a comprehensive State plan for volunteer and paid service by members of the Baby Boom generation and older adults.

Section 1606. Evaluation and accountability

Amends Section 179 of the National and Community Service Act (42 U.S.C. 12639). Modifies and adds language on program evaluations, including the evaluation of performance measures and effectiveness of delivery of services. Outlines the requirements for implementing corrective action plans.

Section 1607. Technical amendment

Amends Section 181 of the National and Community Service Act (42 U.S.C. 12641). Includes a technical modification to this section.

Section 1608. Partnerships with schools

Amends Section 182 (b) of the National and Community Service Act (42 U.S.C. 12642 (b)). Requires an annual report be submitted concerning the implementation of this section, including an evaluation of the programs performance goals and benchmarks.

Section 1609. Rights of access, examination, and copying

Amends Section 183 of the National and Community Service Act (42 U.S.C. 12643). Includes a technical modification to this section.

Section 1610. Additional administrative provisions

Amends Subtitle F of Title I (42 U.S.C. 12631 et seq.). Includes language on the reporting requirements to Congress for programs and activities funded under the national service laws.

Subtitle G—Amendments to Subtitle G (Corporation for National and Community Service)

Section 1701. Terms of office

Amends Section 192 of the National and Community Service Act (42 U.S.C. 12651a). Outlines the terms of service for board members, including allowing board members to serve for one additional year while the Senate confirms a successor.

Section 1702. Board of directors authorities and duties

Amends Section 192A (g) of the National and Community Service Act (42 U.S.C. 1265 lb (g)). Modifies board activities and defines the board's relationship to the Corporation's management. Requires the board to review the budget proposal in advance of submission

to the Office of Management and Budget and to review the performance of the Chief Executive Officer annually.

Section 1703. Peer reviewers

Amends Section 193A of the National and Community Service Act (42 U.S.C. 12651d). This section augments the CEO's duties to include annual reports on actions taken to achieve the goal of reaching 50 percent full-time national service positions and requires the CEO to obtain the opinions of peer reviewers in evaluating applications to the Corporation.

Section 1704. Nonvoting members; personal services contracts

Amends Section 195 of the National and Community Service Act (42 U.S.C. 12651f) Includes technical modifications to this section and adds language allowing the Corporation to enter into personal services contracts to carry out research, evaluation, and public awareness related to the national service laws.

Section 1705. Donated services

Amends Section 196(a) of the National and Community Service Act (42 U.S.C. 2651 g(a)). This section includes language allowing the Corporation to accept the donation of services from individuals or organizations.

Section 1706. National Office of Outreach and Recruitment

Amends Subtitle G of Title I to create a new office of Outreach and Recruitment. Describes the duties of the Office and allows the Office to solicit private sector funds to support its goals and activities. Adds language requiring the implementation of recruitment strategies and training programs for bilingual volunteers in the National Senior Service Corps under Title II of the Domestic Volunteer Service Act.

Section 1707. Planning study

Amends Subtitle G of Title I. Requires the Corporation to conduct a study to examine service programs for veterans and identify how existing programs and activities carried out under the national service laws could better serve veterans and veterans' service organizations. Also requires the Corporation to develop a pilot program based on the findings of the study. Authorizes such sums as may be necessary to carry out this subsection.

Subtitle H—Amendments to Subtitle H

Section 1801. Technical amendments to subtitle H

Redesignates several subsections to Subtitle H.

Section 1802. Repeals

Repeals the Clearinghouse (section 198A), Military Installation Conversion Demonstration Programs (section 198C), and Special Demonstration Project (section 198D).

Section 1803. Innovative and model program support

Restructures innovation and demonstration programs across the National and Community Service Act. Allows the Corporation to

award fixed amount grants to carry out programs that re-engage court-involved youth and adults with the goal of reducing recidivism and recruits them as participants, volunteers, or members; programs focused on disadvantaged youth; learning and thinking skills; health and wellness, and programs that engage youth under the age of seventeen. Requires independent evaluations of such programs.

Section 1804. Clearinghouses

Modifies and adds to the functions of the Clearinghouse. Adds language to ensure collaboration with the National Office of Outreach and Recruitment on the establishment of an alumni network for former participants.

Subtitle I—American Conservation and Youth Service Corps

Section 1811. State application

Includes a technical modification to this section.

Subtitle J—Training and technical assistance

Section 1821. Training and technical assistance

Amends Section 199N of the National and Community Service Act. Creates a new Training and Technical Assistance Subtitle outlining the types of activities and assistance available to programs under the national service laws. Reserves up to one percent from amounts appropriated for a fiscal year to carry out this Subtitle.

Subtitle K—Repeal of Title III (Points of Light Foundation)

Section 1831. Repeal

Repeals Title III (42 U.S.C. 12661 et seq.) of the National and Community Service Act.

Subtitle L—Amendments to Title V (authorization of appropriations)

Section 1841. Authorization of appropriations

Amends Section 501 of the National and Community Service Act (42 U.S.C 12681). Authorizes $65 million for Learn and Serve America, including $10 million for summer of service grants and $10 million for Summer of Service Education Awards, and such sums as may be necessary for fiscal years 2009 through 2012. Authorizes a total of $485 million for Subtitles C, D, H and audits and evaluations and such sums as may be necessary for FY 2009 through 2012, of which up to 15 percent shall be available for disaster and challenge grants. Authorizes $25 million for Subtitle E (National Civilian Community Corps) and such sums as may be necessary for FY 2009 through 2012. Authorizes $51 million for Program Administration and such sums as may be necessary for FY 2009 through 2012. This level includes sixty-nine percent for Administration and thirty-one percent for State Commissions. This section also reserves 2.5 percent of the amounts appropriated under Subtitles B, C, and H of Title I to carry out Training and Technical Assistance under Subtitle J.

TITLE II—AMENDMENTS TO THE DOMESTIC VOLUNTEER SERVICE ACT OF 1973

Section 2001. References

This section references amendments and repeals under the Domestic Volunteer Service Act of 1973.

Subtitle A—Amendments to Title I (National Volunteer Anti-poverty programs)

Section 2101. Purpose

Amends Section 2 of the Domestic Volunteer Service Act (42 U.S.C. 4950). Adds language on long-term sustainability of projects and focuses on engaging civic, community, and educational organizations.

Section 2102. Purpose of VISTA program

Amends Section 101 of the Domestic Volunteer Service Act (42 U.S.C. 4951). Adds language to support the efforts of local agencies and organizations in achieving the long-term sustainability of projects under this part. Expands the authority of the AmeriCorps VISTA program to meet the pressing needs of low-income communities through innovation.

Section 2103. Applications

Amends Section 103 of the Domestic Volunteer Service Act (42 U.S.C. 4953). Adds language to expand the assignment of volunteers in projects and programs that focus on financial literacy, after-school programs, prisoner re-entry, veterans, childhood obesity and micro-enterprises. Places priority on the recruitment of disadvantaged youth, low-income adults and retired professionals.

Section 2104. VISTA programs of national significance

Amends Part A of Title I of the Domestic Volunteer Service Act (42 U.S.C. 4953). Expands programs of national significance to address program that concern low-income and rural communities. Requires that one-third of VISTA funds be used for grants to support programs of national significance if appropriations exceed the authorized level.

Section 2105. Terms and periods of service

Amends Section 104(d) of the Domestic Volunteer Service Act (42 U.S.C. 4954(d). Clarifies the terms and conditions of a VISTA members service, adverse action or termination proposed by the sponsoring organization.

Section 2106. Support Service

Amends Section 105(a)(1)(B) of the Domestic Volunteer Service Act (42 U.S.C. 4955(a)(1)(B)). Sets the minimum stipend for a VISTA volunteer at $125 per month and a maximum of $150 per month, subject to the availability of funds. Provides the Director with the discretion to provide a stipend of $250 per month in special circumstances.

Section 2107. Sections repealed

This section repeals VISTA Literacy Corps (42 U.S.C. 4949), VISTA Challenge Grants (42 U.S.C. 4995), and University Year for VISTA (42 U.S.C. 4971).

Section 2108. Conforming amendment

Includes a technical modification to Section 121 of the Domestic Volunteer Service Act (42. U.S.C. 4991).

Section 2109. Financial assistance

Includes a technical modification to Section 123 of the Domestic Volunteer Service Act (42 U.S.C. 4993).

Subtitle B—Amendments to Title II (National Senior Volunteer Corps)

Section 2201. Change in name

Amends Title II of the Domestic Volunteer Service Act (42 U.S.C. 5000 et seq.). Changes the name of this title to the "National Senior Service Corps."

Section 2202. Purpose

Amends Section 200 of the Domestic Volunteer Service Act (42 U.S.C. 5000) to establish new priorities for the National Senior Service Corps.

Section 2203. Grants and contracts for volunteer service projects

Amends Section 201 of the Domestic Volunteer Service Act (42 U.S.C. 5001). Establishes new program priorities in the Retired and Senior Volunteer Program. Adds language on competition and provides priority consideration for existing grantees in good standing. Expands technical assistance to assist RSVP grantees and the Corporation in implementing competition.

Section 2204. Foster Grandparent Program grants

Amends Section 211 of the Domestic Volunteer Service Act (42 U.S.C. 5011). Lowers the minimum age from sixty to fifty-five years old. Extends the relationship between a foster grandparent and his/her assigned child to continue after the child reaches the age of 21. Includes language that increases the stipend from $2.65 to $3.65 over five years. This section also defines low-income as 200 percent of poverty for participants receiving a stipend in the Foster Grandparents program. It also includes language to allow the Director to provide a 10 percent stipend increase to volunteer leaders who assume more responsibility.

Section 2205. Senior Companion Program grants

Amends Section 213 of the Domestic Volunteer Service Act (42 U.S.C. 5013). Lowers the minimum age from sixty to fifty-five years old. Allows Senior Companions to receive a stipend consistent with the amount authorized under the Foster Grandparents program.

Section 2206. Promotion of National Senior Service Corps

Amends Section 221 of the Domestic Volunteer Service Act (42 U.S.C. 5021). Encourages greater participation of volunteers of all ages and backgrounds living in rural, suburban, and urban localities.

Section 2207. Technical amendments

Amends Section 223 of the Domestic Volunteer Service Act (42 U.S.C. 5023). Includes language to lower the age of participation from sixty years to fifty-five years of age. Additionally, this section amends the eligibility requirements to include minority and underserved populations.

Section 2208. Programs of national significance

Amends Section 225 of the Domestic Volunteer Service Act (42 U.S.C. 5025). Adds language that promotes the establishment of programs that support mentoring programs for disadvantaged youth, teach parenting skills, assist parents in obtaining childcare, assists teenage parents with locating employment training or placements, as well as after-school programs that serve children in low-income communities.

Section 2209. Additional provisions

Amends Part D of Title 11 of the Domestic Volunteer Service Act (42 U.S.C. 5000 et seq.) This section includes language to assist the Retired Senior Volunteer Program, Foster Grandparent programs, and Senior Companion programs to ensure continuity of service for communities. Adds language to allow a program receiving assistance under this Title to accept donations, including donations in cash or in kind. Prohibits programs from accepting donations from beneficiaries of the program.

Section 2210. Authority of Director

Amends Section 231 of the Domestic Volunteer Service Act (42 U.S.C. 5028). Authorizes the Director to place priority on programs with established experience in engaging the entire community in service exchange; programs with the capacity to connect to similar programs throughout a city or region to augment the available services to older Americans; programs seeking to establish in an area where the needs of older Americans are left unmet, and programs that integrate participants or collaborate with service-learning programs, AmeriCorps State and National programs, the VISTA program, the Retired Volunteer Service Program, Foster Grandparents program, and the Senior Companion program, and programs described in section 411 of the Older Americans Act of 1965 (42 U.S.C. 3032).

Subtitle C—Amendments to Title IV (administration and coordination)

Section 2301. Nondisplacement

Amends Section 404(a) of the Domestic Volunteer Service Act (40 U.S.C. 5044(a)) to ensure volunteers are not displaced.

Section 2302. Notice and hearing procedures

Amends Section 412(a) of the Domestic Volunteer Service Act (40 U.S.C. 5052(a)). Eliminates the requirement for an informal hearing and reduces the denial of refunding notice period from seventy-five days to sixty days.

Section 2303. Definitions

Amends Section 421 of the Domestic Volunteer Service Act (42 U.S.C. 5061). Modifies and adds to the definitions under this section, including the Commonwealth of the Northern Mariana Islands.

Section 2304. Protection against improper use

Includes a technical modification to Section 425 of the Domestic Volunteer Service Act (42 U.S.C. 5065).

Subtitle D—Amendments to Title V (authorization of appropriations)

Section 2401. Authorization of appropriations for VISTA and other purposes

Amends Section 501 of the Domestic Volunteer Service Act (42 U.S.C. 5081). Authorizes $100 million for fiscal year 2008 and such sums as may be necessary for fiscal years 2009 through 2012.

Section 2402. Authorization of appropriations for National Senior Service Corps.

Amends Section 502 of the Domestic Volunteer Service Act (42 U.S.C. 5082). Authorizes $67,500,000 to the Retired and Senior Volunteer Program for fiscal year 2008 and such sums as may be necessary for fiscal years 2009 through 2012. Authorizes $115,000,000 to the Foster Grandparent Program for fiscal year 2008 and such sums as may be necessary for fiscal years 2009 through 2012. Authorizes $52,000,000 to the Senior Companion Program for fiscal year 2008 and such sums are may be necessary for fiscal years 2009 through 2012. Authorizes $500,000 for Demonstration programs for fiscal years 2009 through 2012.

Section 2403. Administration and coordination

Amends Section 504 of the Domestic Volunteer Service Act (42 U.S.C. 5084). Authorizes $35,000,000 to support the administrative needs of the programs under the Domestic Volunteer Service Act.

TITLE III—AMENDMENTS TO OTHER LAWS

Section 3101. Inspector General Act

Includes a technical modification to Section 8E (a)(l) of the Inspector General Act (5 U.S.C. App.).

TITLE IV—TECHNICAL AMENDMENTS TO TABLES OF CONTENTS

Section 4101. Table of contents for the National and Community Service Act of 1990

Amends Section 1(b) of the National and Community Service Act of 1990 (42 U.S.C. 12501 note). Modifies and adds to the table of contents for the Act.

Section 4102. Table of contents for the Domestic Volunteer Service Act of 1973

Amends Section 1(b) of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4950 note). Modifies and adds to the table of contents for the Act.

TITLE V—EFFECTIVE DATE

Section 5101. Effective date

Authorizes the amendments made by the Act to take effect upon enactment of the Act.

Section 5102. Service assignments and agreements

Adds language to ensure that terms and conditions outlined in the amendments of the Act apply only to individuals who enroll or begin service assignments after 90 days after the date of enactment of the Act.

VI. Explanation of Amendments

The Amendment in the Nature of a Substitute, as amended, is explained in the body of this report.

VII. Application of Law to the Legislative Branch

Section 102(b)(3) of Public Law 104–1, the Congressional Accountability Act, requires a description of the application of this bill to the legislative branch. H.R. 2857 reauthorizes and reforms the national service laws. The bill does not prevent legislative branch employees' coverage under this legislation.

VIII. Unfunded Mandate Statement

Section 423 of the Congressional Budget and Impoundment Control Act (as amended by Section 101(a)(2) of the Unfunded Mandates Reform Act, P.L. 104–4) requires a statement of whether the provisions of the reported bill include unfunded mandates. H.R. 2857 contains no intergovernmental or private-sector mandates as defined by the Unfunded Mandates Reform Act (UMRA).

IX. Earmark Statement

H.R. 2857 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clauses 9(d), 9(e) or 9(f) of rule XXI of the House of Representatives.

X. Rollcall

COMMITTEE ON EDUCATION AND LABOR

ROLL CALL: 1 **BILL: H.R. 2857** **DATE: 6/27/2007**
AMENDMENT NUMBER: 3 **DEFEATED: 16 AYES / 25 NOES**
SPONSOR/AMENDMENT: BISHOP (UT) BY MCKEON/LOWERS ADMIN CAPS TO 3%

MEMBER	AYE	NO	PRESENT	NOT VOTING
Mr. MILLER, Chairman		X		
Mr. KILDEE, Vice Chairman		X		
Mr. PAYNE		X		
Mr. ANDREWS		X		
Mr. SCOTT		X		
Ms. WOOLSEY		X		
Mr. HINOJOSA		X		
Mrs. McCARTHY		X		
Mr. TIERNEY		X		
Mr. KUCINICH		X		
Mr. WU				X
Mr. HOLT		X		
Mrs. SUSAN DAVIS		X		
Mr. DANNY DAVIS				X
Mr. GRIJALVA		X		
Mr. TIMOTHY BISHOP		X		
Ms. SANCHEZ		X		
Mr. SARBANES		X		
Mr. SESTAK		X		
Mr. LOEBSACK		X		
Ms. HIRONO		X		
Mr. ALTMIRE		X		
Mr. YARMUTH		X		
Mr. HARE		X		
Ms. CLARKE		X		
Mr. COURTNEY		X		
Ms. SHEA-PORTER		X		
Mr. McKEON	X			
Mr. PETRI	X			
Mr. HOEKSTRA				X
Mr. CASTLE	X			
Mr. SOUDER	X			
Mr. EHLERS	X			
Mrs. BIGGERT	X			
Mr. PLATTS	X			
Mr. KELLER				X
Mr. WILSON	X			
Mr. KLINE	X			
Mrs. McMORRIS RODGERS				X
Mr. MARCHANT	X			
Mr. PRICE				X
Mr. FORTUÑO				X
Mr. BOUSTANY	X			
Mrs. FOXX	X			
Mr. KUHL	X			
Mr. ROB BISHOP				X
Mr. DAVID DAVIS	X			
Mr. WALBERG	X			
Mr. HELLER	X			
TOTALS	**16**	**25**		**8**

COMMITTEE ON EDUCATION AND LABOR

ROLL CALL: 2 **BILL: H.R. 2857** **DATE: 6/27/2007**
AMENDMENT NUMBER: 6 **PASSED: 45 AYES/0 NOES**
SPONSOR/AMENDMENT: HARE/NEW VETERANS PROGRAM AND CIVIC ED PROGRAM

MEMBER	AYE	NO	PRESENT	NOT VOTING
Mr. MILLER, Chairman	X			
Mr. KILDEE, Vice Chairman	X			
Mr. PAYNE	X			
Mr. ANDREWS	X			
Mr. SCOTT	X			
Ms. WOOLSEY	X			
Mr. HINOJOSA	X			
Mrs. McCARTHY	X			
Mr. TIERNEY	X			
Mr. KUCINICH	X			
Mr. WU	X			
Mr. HOLT	X			
Mrs. SUSAN DAVIS	X			
Mr. DANNY DAVIS				X
Mr. GRIJALVA	X			
Mr. TIMOTHY BISHOP	X			
Ms. SANCHEZ	X			
Mr. SARBANES	X			
Mr. SESTAK	X			
Mr. LOEBSACK	X			
Ms. HIRONO	X			
Mr. ALTMIRE	X			
Mr. YARMUTH	X			
Mr. HARE	X			
Ms. CLARKE	X			
Mr. COURTNEY	X			
Ms. SHEA-PORTER	X			
Mr. McKEON	X			
Mr. PETRI	X			
Mr. HOEKSTRA	X			
Mr. CASTLE	X			
Mr. SOUDER	X			
Mr. EHLERS	X			
Mrs. BIGGERT	X			
Mr. PLATTS	X			
Mr. KELLER	X			
Mr. WILSON	X			
Mr. KLINE	X			
Mrs. McMORRIS RODGERS				X
Mr. MARCHANT	X			
Mr. PRICE				X
Mr. FORTUÑO	X			
Mr. BOUSTANY	X			
Mrs. FOXX	X			
Mr. KUHL	X			
Mr. ROB BISHOP				X
Mr. DAVID DAVIS	X			
Mr. WALBERG	X			
Mr. HELLER	X			
TOTALS	**45**			**4**

COMMITTEE ON EDUCATION AND LABOR

ROLL CALL: 3 **BILL: H.R. 2857** **DATE: 6/27/2007**
AMENDMENT NUMBER: 7 **DEFEATED: 20 AYES / 27 NOES**
SPONSOR/AMENDMENT: DAVIS (TN)/STRIKE THE NATIONAL OFFICE OF OUTREACH AND RECRUITMENT

MEMBER	AYE	NO	PRESENT	NOT VOTING
Mr. MILLER, Chairman		X		
Mr. KILDEE, Vice Chairman		X		
Mr. PAYNE		X		
Mr. ANDREWS		X		
Mr. SCOTT		X		
Ms. WOOLSEY		X		
Mr. HINOJOSA		X		
Mrs. McCARTHY		X		
Mr. TIERNEY		X		
Mr. KUCINICH		X		
Mr. WU		X		
Mr. HOLT		X		
Mrs. SUSAN DAVIS		X		
Mr. DANNY DAVIS		X		
Mr. GRIJALVA		X		
Mr. TIMOTHY BISHOP		X		
Ms. SANCHEZ		X		
Mr. SARBANES		X		
Mr. SESTAK		X		
Mr. LOEBSACK		X		
Ms. HIRONO		X		
Mr. ALTMIRE		X		
Mr. YARMUTH		X		
Mr. HARE		X		
Ms. CLARKE		X		
Mr. COURTNEY		X		
Ms. SHEA-PORTER		X		
Mr. McKEON	X			
Mr. PETRI	X			
Mr. HOEKSTRA	X			
Mr. CASTLE	X			
Mr. SOUDER	X			
Mr. EHLERS	X			
Mrs. BIGGERT	X			
Mr. PLATTS	X			
Mr. KELLER	X			
Mr. WILSON	X			
Mr. KLINE	X			
Mrs. McMORRIS RODGERS				X
Mr. MARCHANT	X			
Mr. PRICE				X
Mr. FORTUÑO	X			
Mr. BOUSTANY	X			
Mrs. FOXX	X			
Mr. KUHL	X			
Mr. ROB BISHOP	X			
Mr. DAVID DAVIS	X			
Mr. WALBERG	X			
Mr. HELLER	X			
TOTALS	**20**	**27**		**2**

COMMITTEE ON EDUCATION AND LABOR

ROLL CALL: 4 **BILL: H.R. 2857** **DATE: 6/27/2007**
AMENDMENT NUMBER: 11 **PASSED: 46 AYES/0 NOES**
SPONSOR/AMENDMENT: SARBANES/STUDY TO EXAMINE ORGANIZATIONS UTILIZING TALENTS OF VETERANS

MEMBER	AYE	NO	PRESENT	NOT VOTING
Mr. MILLER, Chairman	X			
Mr. KILDEE, Vice Chairman	X			
Mr. PAYNE	X			
Mr. ANDREWS	X			
Mr. SCOTT	X			
Ms. WOOLSEY	X			
Mr. HINOJOSA	X			
Mrs. McCARTHY	X			
Mr. TIERNEY	X			
Mr. KUCINICH	X			
Mr. WU	X			
Mr. HOLT	X			
Mrs. SUSAN DAVIS	X			
Mr. DANNY DAVIS	X			
Mr. GRIJALVA	X			
Mr. TIMOTHY BISHOP	X			
Ms. SANCHEZ	X			
Mr. SARBANES	X			
Mr. SESTAK	X			
Mr. LOEBSACK	X			
Ms. HIRONO	X			
Mr. ALTMIRE	X			
Mr. YARMUTH	X			
Mr. HARE	X			
Ms. CLARKE	X			
Mr. COURTNEY	X			
Ms. SHEA-PORTER	X			
Mr. McKEON	X			
Mr. PETRI	X			
Mr. HOEKSTRA	X			
Mr. CASTLE	X			
Mr. SOUDER	X			
Mr. EHLERS	X			
Mrs. BIGGERT	X			
Mr. PLATTS	X			
Mr. KELLER	X			
Mr. WILSON	X			
Mr. KLINE	X			
Mrs. McMORRIS RODGERS				X
Mr. MARCHANT	X			
Mr. PRICE				X
Mr. FORTUÑO	X			
Mr. BOUSTANY	X			
Mrs. FOXX	X			
Mr. KUHL	X			
Mr. ROB BISHOP	X			
Mr. DAVID DAVIS	X			
Mr. WALBERG				X
Mr. HELLER	X			
TOTALS	**46**			**3**

COMMITTEE ON EDUCATION AND LABOR

ROLL CALL: 5 **BILL: H.R. 2857** **DATE: 6/27/2007**
AMENDMENT NUMBER: 15 **PASSED: 27 AYES/20 NOES**
SPONSOR/AMENDMENT: SCOTT/HARE / RSVP FUNDING TO EXISTING GRANTEES IN COMPETITIVE REEVALUATION

MEMBER	AYE	NO	PRESENT	NOT VOTING
Mr. MILLER, Chairman	X			
Mr. KILDEE, Vice Chairman	X			
Mr. PAYNE	X			
Mr. ANDREWS	X			
Mr. SCOTT	X			
Ms. WOOLSEY	X			
Mr. HINOJOSA	X			
Mrs. McCARTHY	X			
Mr. TIERNEY	X			
Mr. KUCINICH	X			
Mr. WU	X			
Mr. HOLT	X			
Mrs. SUSAN DAVIS	X			
Mr. DANNY DAVIS	X			
Mr. GRIJALVA	X			
Mr. TIMOTHY BISHOP	X			
Ms. SANCHEZ	X			
Mr. SARBANES	X			
Mr. SESTAK	X			
Mr. LOEBSACK	X			
Ms. HIRONO	X			
Mr. ALTMIRE	X			
Mr. YARMUTH	X			
Mr. HARE	X			
Ms. CLARKE	X			
Mr. COURTNEY	X			
Ms. SHEA-PORTER	X			
Mr. McKEON		X		
Mr. PETRI		X		
Mr. HOEKSTRA		X		
Mr. CASTLE		X		
Mr. SOUDER		X		
Mr. EHLERS		X		
Mrs. BIGGERT		X		
Mr. PLATTS		X		
Mr. KELLER		X		
Mr. WILSON		X		
Mr. KLINE		X		
Mrs. McMORRIS RODGERS				X
Mr. MARCHANT		X		
Mr. PRICE				X
Mr. FORTUÑO		X		
Mr. BOUSTANY		X		
Mrs. FOXX		X		
Mr. KUHL		X		
Mr. ROB BISHOP		X		
Mr. DAVID DAVIS		X		
Mr. WALBERG		X		
Mr. HELLER		X		
TOTALS	**27**	**20**		**2**

COMMITTEE ON EDUCATION AND LABOR

ROLL CALL: 6 **BILL: H.R. 2857** **DATE: 6/27/2007**
AMENDMENT NUMBER **PASSED: 44 AYES/0 NOES/2 PRESENT**
SPONSOR/AMENDMENT: FAVORABLY REPORTING THE BILL

MEMBER	AYE	NO	PRESENT	NOT VOTING
Mr. MILLER, Chairman	X			
Mr. KILDEE, Vice Chairman	X			
Mr. PAYNE	X			
Mr. ANDREWS	X			
Mr. SCOTT	X			
Ms. WOOLSEY	X			
Mr. HINOJOSA	X			
Mrs. McCARTHY	X			
Mr. TIERNEY	X			
Mr. KUCINICH	X			
Mr. WU	X			
Mr. HOLT	X			
Mrs. SUSAN DAVIS	X			
Mr. DANNY DAVIS	X			
Mr. GRIJALVA	X			
Mr. TIMOTHY BISHOP	X			
Ms. SANCHEZ	X			
Mr. SARBANES	X			
Mr. SESTAK	X			
Mr. LOEBSACK	X			
Ms. HIRONO	X			
Mr. ALTMIRE	X			
Mr. YARMUTH	X			
Mr. HARE	X			
Ms. CLARKE	X			
Mr. COURTNEY	X			
Ms. SHEA-PORTER	X			
Mr. McKEON	X			
Mr. PETRI	X			
Mr. HOEKSTRA			X	
Mr. CASTLE	X			
Mr. SOUDER	X			
Mr. EHLERS	X			
Mrs. BIGGERT	X			
Mr. PLATTS	X			
Mr. KELLER	X			
Mr. WILSON	X			
Mr. KLINE	X			
Mrs. McMORRIS RODGERS				X
Mr. MARCHANT	X			
Mr. PRICE				X
Mr. FORTUÑO	X			
Mr. BOUSTANY	X			
Mrs. FOXX			X	
Mr. KUHL	X			
Mr. ROB BISHOP	X			
Mr. DAVID DAVIS	X			
Mr. WALBERG				X
Mr. HELLER	X			
TOTALS	**44**	**0**	**2**	**3**

XI. Statement of Oversight Findings and Recommendations of the Committee

In compliance with clause 3(c)(1) of rule XIII and clause 2(b)(1) of rule X of the Rules of the House of Representatives, the Committee's oversight findings and recommendations are reflected in the body of this report.

XII. New Budget Authority and CBO Cost Estimate

With respect to the requirements of clause 3(c)(2) of rule XIII of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974 and with respect to requirements of 3(c)(3) of rule XIII of the House of Representatives and section 402 of the Congressional Budget Act of 1974, the Committee has received the following estimate for H.R. 2857 from the Director of the Congressional Budget Office:

U.S. Congress,
Congressional Budget Office,
Washington, DC, August 3, 2007.

Hon. George Miller,
Chairman, Committee on Education and Labor,
House of Representatives, Washington, DC.

Dear Mr. Chairman: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 2857, the Generations Invigorating Volunteerism and Education Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Christina Hawley Anthony.

Sincerely,

Peter R. Orszag,
Director.

Enclosure.

H.R. 2857—Generations Invigorating Volunteerism and Education Act

Summary: H.R. 2857 would amend and reauthorize programs established under the National and Community Service Act of 1990 and the Domestic Volunteer Service Act of 1973. The bill would authorize appropriations of about $1 billion for fiscal year 2008. CBO estimates that authorizations under H.R. 2857 would total $6.2 billion over the 2008–2012 period for grants and other activities, including education awards for participants in national service activities. Assuming appropriation of the authorized and estimated amounts, CBO estimates that enactment of the bill would result in additional outlays of $277 million in 2008 and $4.1 billion over the 2008–2012 period. Enacting the bill would not affect direct spending or revenues.

H.R. 2857 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments.

Estimated cost to the Federal Government: The estimated budgetary impact of H.R. 2857 is shown in the following table. The costs of this legislation fall within budget function 500 (education, employment, training, and social services).

	By fiscal year, in millions of dollars—					
	2007	2008	2009	2010	2011	2012
SPENDING SUBJECT TO APPROPRIATION						
Spending Under Current Law:						
National and Community Service and Domestic Volunteer Service Acts:						
Budget Authority	880	0	0	0	0	0
Estimated Outlays	853	607	278	149	77	51
Proposed Changes:						
National and Community Service Act:						
Service Learning:						
Estimated Authorization Level	0	65	66	67	69	70
Estimated Outlays	0	8	34	57	67	69
National Service Trust Programs:						
Estimated Authorization Level	0	485	638	709	774	828
Estimated Outlays	0	42	216	393	537	632
National Civilian Community Corps:						
Estimated Authorization Level	0	25	25	26	26	27
Estimated Outlays	0	15	20	26	26	27
Administration:						
Estimated Authorization Level	0	51	53	55	56	59
Estimated Outlays	0	41	50	54	56	58
Veterans Demonstration Program:						
Estimated Authorization Level	0	5	5	5	5	5
Estimated Outlays	0	1	2	4	5	5
Total, National and Community Service Act:						
Estimated Authorization Level	0	631	787	862	931	989
Estimated Outlays	0	106	322	534	691	790
Domestic Volunteer Service Act:						
Estimated Authorization Level	0	375	382	390	398	407
Estimated Outlays	0	171	343	375	386	394
Total Proposed Changes:						
Estimated Authorization Level	0	1,006	1,169	1,252	1,329	1,396
Estimated Outlays	0	277	664	909	1,077	1,184
Spending Under H.R. 2857:						
Estimated Authorization Level	880	1,006	1,169	1,252	1,329	1,396
Estimated Outlays	853	884	942	1,058	1,154	1,235

Notes.—The 2007 level is the amount appropriated for the National and Community Service and Domestic Volunteer Service programs. Components may not sum to totals because of rounding.

Basis of estimate: The bill would amend and reauthorize programs established under the National and Community Service Act of 1990 (NCSA) and the Domestic Volunteer Service Act of 1973 (DVSA). H.R. 2857 would authorize discretionary appropriations totaling $1 billion in 2008 and an estimated $6.2 billion over the 2008–2012 period for administrative activities, grants to states and other entities, and education awards to certain participants in national service programs. For the most part, the bill would authorize specific amounts for 2008 and "such sums as may be necessary" for subsequent years through 2012. In most cases, CBO estimated the authorizations for the 2009–2012 period by adjusting the 2008 authorization for inflation.

Assuming appropriation of the authorized amounts, CBO estimates that enacting the bill would increase outlays by $277 million in 2008 and by $4.1 billion from 2008 to 2012. For this estimate, CBO assumes the bill will be enacted by October 1, 2008, and that outlays would follow historical spending patterns of those programs.

National and Community Service Act of 1990

H.R. 2857 would amend and reauthorize programs originally authorized under the National and Community Service Act of 1990.

Authorization for programs under the NCSA expired after fiscal year 1996 but were extended through 1997 under the General Education Provisions Act (GEPA), which provided an automatic one-year extension in their authorization. However, appropriations for those programs have been made in the intervening years. The bill would authorize appropriations of $631 million for fiscal year 2008 and such sums as may be necessary through fiscal year 2012. (Because the programs authorized under the NCSA would still be covered by GEPA, their authorization would be automatically extended through fiscal year 2013.) CBO estimates that authorizations under the NCSA would total $4.2 billion over the 2008–2012 period. Assuming spending follows historical patterns, outlays would rise by $106 million in 2008 and by $2.4 billion from 2008 to 2012. Another $2.8 billion from the bill's authorization would be spent after 2012.

Service-learning. Grants for service-learning activities-efforts to combine service activities with academic curricula-were funded at $37 million for fiscal year 2007. H.R. 2857 would authorize appropriations of $65 million for fiscal year 2008 and such sums as may be necessary for fiscal years 2009 through 2012. CBO estimates that authorizations for service-learning activities would total $337 million over the 2008–2012 period. Outlays of those amounts would total an estimated $8 million in fiscal year 2008 and $235 million from 2008 through 2012.

The authorizations under H.R. 2857 include $20 million annually for grants and education awards for "summer of service" positions, wherein school-aged participants can earn up to two awards of $500 for satisfactory completion of service in approved positions. Also, 2.5 percent of appropriated funds ($1.6 million in 2008) would be reserved for training and technical assistance under a new subtitle J of the NCSA. Of the remaining $43.4 million, 63.75 percent (about $28 million in 2008) would go to grants for programs aimed at elementary and secondary students. A further 25 percent (or roughly $11 million in 2008) would fund the national service programs for those in higher education. The remaining 11.25 percent (about $5 million in 2008) would go to new grants for innovative service-learning programs and research. Those grants would be aimed at integrating service-learning activities into science, technology, engineering and mathematics curricula, and involving students in energy conservation, emergency and disaster preparedness, improving access to technology, and mentoring middle school students.

National Service Trust programs and education awards. H.R. 2857 would authorize appropriations of $485 million for fiscal year 2008 and such sums as may be necessary for fiscal years 2009 through 2012 for programs authorized under subtitles C, D, and H of the NCSA. Funding for those subtitles totaled $414 million for fiscal year 2007. Programs authorized under those subtitles include grants to states and other entities to operate Americorps programs, education awards earned by Americorps participants (including participants in the National Civilian Conservation Corps and Volunteers in Service to America programs), and additional activities that support national service. The bill also includes a "sense of the Congress" that participation in all Americorps programs should in-

crease to 100,000 people (participation in 2006 was about 76,000 people).

The bill would reserve portions of the amount appropriated under this section for certain activities. Up to 15 percent of the annual appropriation could be used for quality and innovation activities under subtitle H, as well as for grants for disaster assistance and challenge grants. Competitive grants to provide veterans' services and to recruit veterans into service positions would receive 3 percent of each year's appropriation. As with funding for service-learning activities, 2.5 percent would be reserved for training and technical assistance under subtitle J. Finally, no less than one percent of the amount appropriated for these programs would be used to increase participation of individuals with disabilities in national service activities.

CBO estimates that the $485 million authorization for 2008 would be insufficient to provide for all the set-asides, Americorps participation, and education awards. CBO consulted with the Corporation for National Service regarding costs per participant enrolled in the Americorps program and the amounts that would need to be obligated for their education awards. After accounting for the amounts required for those programs and the set-asides for veterans, training and technical assistance, and individuals with disabilities, CBO estimates that there would be no funds available in 2008 for the "up to 15 percent" that could be used for quality and innovation activities and disaster and challenge grants. CBO estimated the authorization level for the following years by assuming that the 15 percent set-aside would be fully funded (along with the other set-asides and increases in Americorps participation). Thus, the authorization level estimated for 2009, the first year of "such sums" authorization, would be a significant increase from the 2008 figure.

The bill would limit authorizations for Americorps to $324 million in 2008, $357 million in 2009, and $397 million in 2010. Assuming participation in its programs would rise to 100,000 by 2012, CBO estimates that funding would rise to $432 million in 2011 and $460 million in 2012. CBO estimates that authorizations for the National Service Trust programs and education awards-including funding for the increase in participation and the reserved amounts-would reach $638 million in 2009, $709 million in 2010, $774 million in 2011, and $828 million in 2012. Authorizations over the 2008–2012 period would total $3.4 billion. Assuming spending would follow historical patterns for those activities, outlays would increase by $42 million in 2008 and by $1.8 billion from 2008 to 2012.

National Civilian Community Corps. The bill would make permanent the National Civilian Community Corps (NCCC), which was originally authorized as a demonstration program. Funding for fiscal year 2007 totaled $27 million. Under H.R. 2857, the NCCC would be authorized at $25 million for fiscal year 2008 and such sums as may be necessary for fiscal years 2009 through 2012. Assuming appropriation of the authorized amounts, outlays under this section would total $15 million in fiscal year 2008 and $114 million over the 2008–2012 period.

Administration. H.R. 2857 would authorize funding for administrative costs of $51 million for fiscal year 2008 and such sums as

may be necessary for fiscal years 2009 through 2012. The bulk of that funding—69 percent—would be for federal administrative costs, with the remainder reserved for financial assistance to state commissions. Outlays for administrative activities would total $41 million in fiscal year 2008 and $258 million from 2008 through 2012, CBO estimates.

Veterans Demonstration Program. The bill would require the Corporation for National and Community Service to identify ways in which national service programs can address the needs of veterans, and to develop and carry out a pilot program based on those findings. H.R. 2857 would authorize such sums as may be necessary for fiscal years 2008–2012 for that purpose. Based on funding provided for other pilot programs, CBO estimates authorizations for that program would total $5 million in 2008 and $26 million from 2008 through 2012.

Domestic Volunteer Service Act of 1973

H.R. 2857 also would amend and reauthorize programs under the Domestic Volunteer Service Act of 1973, including Volunteers in Service to America (VISTA) and volunteer programs aimed at engaging senior citizens in service activities. Most of the programs would be authorized at levels stated in the bill for 2008, and at "such sums as may be necessary" for fiscal years 2009 through 2012.

The 2008 amounts that are specified in the bill are:

- Volunteers in Service to America: $100 million;
- Retired and Senior Volunteer Program: $67.5 million;
- Foster Grandparent Program: $115 million;
- Senior Companion Program: $52 million;
- Demonstrations: $0.5 million;
- Administration: $35 million.

One other program, Special Volunteer Programs, would be authorized at such sums as may be necessary for fiscal years 2008 through 2012. CBO estimated funding for that program based on its most recent appropriation of $5 million (which was in fiscal year 2005).

Overall, CBO estimates that the bill would authorize appropriations of $375 million for fiscal year 2008 and nearly $2.0 billion over the 2008–2012 period. Additional outlays resulting from such appropriations would total an estimated $171 million in 2008 and $1.7 billion from 2008 to 2012.

Intergovernmental and private-sector impact: H.R. 2857 contains no intergovernmental or private-sector mandates as defined in UMRA. The bill would authorize grants to state, local, and tribal governments to support national service programs including AmeriCorps, VISTA, and the National Senior Service Corps. CBO estimates that state, local, and tribal governments could receive grants totaling about $3 billion over the next five years. Any costs to those governments would be incurred voluntarily as a condition of receiving federal assistance.

Estimate prepared by: Federal Costs: Christina Hawley Anthony; Impact on State, Local, and Tribal Governments: Melissa Merrell; Impact on the Private Sector: Nabeel Alsalam.

Estimate approved by: Jeffrey M. Holland, Chief, Projections Unit, Budget Analysis Division.

XIII. Statement of General Performance Goals and Objectives

In accordance with clause 3(c) of rule XIII of the House of Representatives, the goal of H.R. 2857 is to renew and promote the spirit of service by reauthorizing the national service laws. The Committee expects the Corporation for National Service to comply with H.R. 2857 and implement the changes to the law in accordance with these stated goals.

XIV. Constitutional Authority Statement

Under clause 3(d)(I) of rule XIII of the House of Representatives, the Committee must include a statement citing the specific powers granted to Congress in the Constitution to enact the law proposed by H.R. 2857. The Committee believes that the amendments made by this bill are within Congress' authority under Article I, section 8, clause I of the U.S. Constitution.

XV. Committee Estimate

Clause 3(d)(2) of rule XIII of the House of Representatives requires an estimate and a comparison of the costs that would be incurred in carrying out H.R. 2857. However, clause 3(d)(3)(B) of that rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act.

XVI. Changes in Existing Law Made by the Bill, as Reported

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

NATIONAL AND COMMUNITY SERVICE ACT OF 1990

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) * * *

[(b) Table of Contents.—The table of contents is as follows:

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

[TITLE I—NATIONAL AND COMMUNITY SERVICE STATE GRANT PROGRAM

[Subtitle A—General Provisions

[Sec. 101. Definitions.
[Sec. 102. Authority to make State grants.

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

[Part I—Serve-America Programs

[subpart a—school-based programs for students

[Sec. 111. Authority to assist States and Indian tribes.
[Sec. 111A. Authority to assist local applicants in nonparticipating States.
[Sec. 111B. Authority to assist public or private nonprofit organizations.
[Sec. 112. Grants and allotments.
[Sec. 113. State or tribal applications.
[Sec. 114. Local applications.

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

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

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

[SUBPART C—CLEARINGHOUSE

[Sec. 118. Service-learning clearinghouse.

[PART II—HIGHER EDUCATION INNOVATIVE PROGRAMS FOR COMMUNITY SERVICE

[Sec. 119. Higher education innovative programs for community service.

[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.

[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.

[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 members.
[Sec. 159. Administrative provisions.
[Sec. 160. Status of Corps members and Corps personnel under Federal law.
[Sec. 161. Contract and grant authority.

[Sec. 162. Responsibilities of other departments.
[Sec. 163. Advisory board.
[Sec. 164. Annual evaluation.
[Sec. 165. Funding limitation.
[Sec. 166. Definitions.

[Subtitle F—Administrative Provisions

[Sec. 171. Family and medical leave.
[Sec. 172. Reports.
[Sec. 173. Supplementation.
[Sec. 174. Prohibition on use of funds.
[Sec. 175. Nondiscrimination.
[Sec. 176. Notice, hearing, and grievance procedures.
[Sec. 177. Nonduplication and nondisplacement.
[Sec. 178. State Commissions on National and Community Service.
[Sec. 179. Evaluation.
[Sec. 180. Engagement of participants.
[Sec. 181. Contingent extension.
[Sec. 182. Partnerships with schools.
[Sec. 183. Rights of access, examination, and copying.
[Sec. 184. Drug-free workplace requirements.

[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. Chief Executive Officer.
[Sec. 193A. Authorities and duties of the Chief Executive Officer.
[Sec. 194. Officers.
[Sec. 195. Employees, consultants, and other personnel.
[Sec. 196. Administration.
[Sec. 196A. Corporation State offices.

[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.
[Sec. 198D. Special demonstration project.

[Subtitle I—American Conservation and Youth Corps

[Sec. 199. Short title.
[Sec. 199A. General authority.
[Sec. 199B. Limitation on purchase of capital equipment.
[Sec. 199C. State application.
[Sec. 199D. Focus of programs.
[Sec. 199E. Related programs.
[Sec. 199F. Public lands or Indian lands.
[Sec. 199G. Training and education services.
[Sec. 199H. Preference for certain projects.
[Sec. 199I. Age and citizenship criteria for enrollment.
[Sec. 199J. Use of volunteers.
[Sec. 199K. Living allowance.
[Sec. 199L. Joint programs.
[Sec. 199M. Federal and State employee status.

[TITLE II—MODIFICATIONS OF EXISTING PROGRAMS

[Subtitle A—Publication

[Sec. 201. Information for students.
[Sec. 202. Exit counseling for borrowers.
[Sec. 203. Department information on deferments and cancellations.
[Sec. 204. Data on deferments and cancellations.

[Subtitle B—Youthbuild Projects

[Sec. 211. Youthbuild projects.

[Subtitle C—Amendments to Student Literacy Corps

[Sec. 221. Amendments to Student Literacy Corps.

[TITLE III—POINTS OF LIGHT FOUNDATION

[Sec. 301. Short title.
[Sec. 302. Findings and purposes.
[Sec. 303. Authority.
[Sec. 304. Grants to the Foundation.
[Sec. 305. Eligibility of the Foundation for grants.

[TITLE IV—PROJECTS HONORING VICTIMS OF TERRORIST ATTACKS

[Sec. 401. Projects.

[TITLE V—AUTHORIZATION OF APPROPRIATIONS

[Sec. 501. Authorization of appropriations.

[TITLE VI—MISCELLANEOUS PROVISIONS

[Sec. 601. Amtrak waste disposal.
[Sec. 602. Exchange program with countries in transition from totalitarianism to Democracy.]

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title and table of contents.
Sec. 2. Findings and purpose.
Sec. 3. Sense of Congress.

TITLE I—NATIONAL AND COMMUNITY SERVICE STATE GRANT PROGRAM

Subtitle A—General Provisions

Sec. 101. Definitions.

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

PART I—PROGRAMS FOR ELEMENTARY AND SECONDARY STUDENTS

Sec. 111. Assistance to States, Territories, and Indian tribes.
Sec. 112. Allotments.
Sec. 113. Applications.
Sec. 114. Consideration of applications.
Sec. 115. Participation of students and teachers from private schools.
Sec. 116. Federal, State, and local contributions.
Sec. 116A. Limitations on uses of funds.

PART II—HIGHER EDUCATION INNOVATIVE PROGRAMS FOR COMMUNITY SERVICE

Sec. 117. Higher education innovative programs for community service.

PART III—INNOVATIVE SERVICE-LEARNING PROGRAMS AND RESEARCH

Sec. 118. Innovative demonstration service-learning programs and research.

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. 126. Other special assistance.

PART II—APPLICATION AND APPROVAL PROCESS

Sec. 129. Provision of assistance and approved national service positions.
Sec. 129A. Education awards only research.
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.

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.
Sec. 149. Process of approval of national service positions.

Subtitle E—National Civilian Community Corps

Sec. 151. Purpose.
Sec. 152. Establishment of National Civilian Community Corps Program.
Sec. 153. National service program.
Sec. 154. Summer national service program.
Sec. 155. National Civilian Community Corps.
Sec. 156. Training.
Sec. 157. Service projects.
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Sec. 161. Contract and grant authority.
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Sec. 164. Annual evaluation.
Sec. 166. Definitions.

Subtitle F—Administrative Provisions

Sec. 171. Family and medical leave.
Sec. 172. Reports.
Sec. 173. Supplementation.
Sec. 174. Prohibition on use of funds.
Sec. 175. Nondiscrimination.
Sec. 176. Notice, hearing, and grievance procedures.
Sec. 177. Nonduplication and nondisplacement.
Sec. 178. State Commissions on National and Community Service.
Sec. 179. Evaluation.
Sec. 180. Engagement of participants.
Sec. 181. Contingent extension.
Sec. 182. Partnerships with schools.
Sec. 183. Rights of access, examination, and copying.
Sec. 184. Drug-free workplace requirements.
Sec. 185. Consolidated application and reporting requirements.
Sec. 186. Sustainability.
Sec. 187. Use of recovered funds.
Sec. 188. Expenses of attending meetings.
Sec. 189. Grant periods.
Sec. 189A. Generation of volunteers.
Sec. 189B. Limitation on program grant costs.
Sec. 189C. Audits and reports.

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. Chief Executive Officer.
Sec. 193A. Authorities and duties of the Chief Executive Officer.
Sec. 194. Officers.
Sec. 195. Employees, consultants, and other personnel.
Sec. 196. Administration.
Sec. 196A. Corporation State offices.
Sec. 196B. Office of Outreach and Recruitment.

Subtitle H—Investment for Quality and Innovation

PART I—ADDITIONAL CORPORATION ACTIVITIES TO SUPPORT NATIONAL SERVICE

Sec. 198. Additional corporation activities to support national service.
Sec. 198B. Presidential awards for service.

PART II—INNOVATIVE AND MODEL PROGRAM SUPPORT

Sec. 198D. Innovative and model program support.

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Sec. 198E. National service programs clearinghouse.

Subtitle I—American Conservation and Youth Corps

Sec. 199. Short title.
Sec. 199A. General authority.
Sec. 199B. Limitation on purchase of capital equipment.
Sec. 199C. State application.
Sec. 199D. Focus of programs.
Sec. 199E. Related programs.
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Sec. 199M. Federal and State employee status.

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Sec. 199N. Training and technical assistance.

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Subtitle A—Publication

Sec. 201. Information for students.
Sec. 202. Exit counseling for borrowers.
Sec. 203. Department information on deferments and cancellations.
Sec. 204. Data on deferments and cancellations.

Subtitle B—Youthbuild Projects

Sec. 211. Youthbuild projects.

Subtitle C—Amendments to Student Literacy Corps

Sec. 221. Amendments to Student Literacy Corps.

TITLE IV—PROJECTS HONORING VICTIMS OF TERRORIST ATTACKS

Sec. 401. Projects.

TITLE V—AUTHORIZATION OF APPROPRIATIONS

Sec. 501. Authorization of appropriations.

TITLE VI—MISCELLANEOUS PROVISIONS

Sec. 601. Amtrak waste disposal.
Sec. 602. Exchange program with countries in transition from totalitarianism to Democracy.

SEC. 2. FINDINGS AND PURPOSE.

(a) * * *

(b) PURPOSE.—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] *community and service throughout the varied and diverse communities of* the United States;

* * * * * * *

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

* * * * * * *

(6) expand and strengthen existing *national* service programs with demonstrated experience in providing structured service opportunities with visible benefits to the participants and community;

(7) build on the existing organizational service infrastructure of Federal, State, and local [programs and agencies] *programs, agencies, and communities* to expand full-time and part-time service opportunities for all citizens; [and]

(8) provide tangible benefits to the communities in which national service is performed[.]*;*

(9) expand and strengthen service-learning programs through year-round opportunities, including during the summer months, to improve the education of children and youth and to maximize the benefits of national and community service, in order to renew the ethic of civic responsibility and the spirit of community to children and youth throughout the United States;

(10) assist in coordinating and strengthening Federal and other citizen service opportunities, including opportunities for participation in emergency and disaster preparedness, relief, and recovery;

(11) increase service opportunities for our Nation's retiring professionals, including such opportunities for those retiring from the science, technical, engineering, and mathematics professions to improve the education of our Nation's youth and keep America competitive in the global knowledge economy, and to further utilize the experience, knowledge, and skills of older Americans;

(12) encourage the continued service of the alumni of the national service programs, including service in times of national need; and

(13) encourage members of the Baby Boom generation to partake in service opportunities.

SEC. 3. SENSE OF CONGRESS.

It is the sense of Congress that the number of participants in the AmeriCorps programs, including the Volunteers in Service to America (VISTA) and the National Civilian Community Corps (NCCC), should grow to reach 100,000 participants by 2012.

TITLE I—NATIONAL AND COMMUNITY SERVICE STATE GRANT PROGRAM

Subtitle A—General Provisions

SEC. 101. DEFINITIONS.

For purposes of this title:

(1) * * *

* * * * * * *

(3) APPROVED SUMMER OF SERVICE POSITION.—The term "approved summer of service position" means a position in a program described under section 111(a)(5) for which the Corporation has approved the provision of a summer of service educational award as one of the benefits to be provided for successful service in the position.

(4) BABY BOOM GENERATION.—The term "Baby Boom generation" means the generation that consists of individuals born during the period beginning with 1946 and ending with 1964.

[(3)**]** *(5)* 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)**]** *(6)* CHIEF EXECUTIVE OFFICER.—The term "Chief Executive Officer", except when used to refer to the chief executive officer of a State, means the Chief Executive Officer of the Corporation appointed under section 193.

[(5)**]** *(7)* COMMUNITY-BASED AGENCY.—The term "community-based agency" means a private nonprofit organization (including a **[**church or other**]** religious entity) that—

(A) * * *

* * * * * * *

[(6)**]** *(8)* CORPORATION.—The term "Corporation" means the Corporation for National and Community Service established under section 191.

(9) DISADVANTAGED YOUTH.—The term "disadvantaged youth" includes those youth who are economically disadvantaged and one or more of the following:

(A) Who are out-of-school youth, including out-of-school youth who are unemployed.

(B) Who are in or aging out of foster care.

(C) Who have limited English proficiency.

(D) Who are homeless or who have run away from home.

(E) Who are at-risk to leave school without a diploma.

(F) Who are former juvenile offenders or at risk of delinquency.

[(7)**]** *(10)* ECONOMICALLY DISADVANTAGED.—The term "economically disadvantaged" means, with respect to an individual, an individual who is determined by the Chief Executive Officer to be low-income according to the latest available data from the Department of Commerce.

[(8)] *(11)* ELEMENTARY SCHOOL.—The term "elementary school" has the same meaning given such term in section 9101 of the Elementary and Secondary Education Act of 1965.

(12) GRANTMAKING ENTITY.—The term "grantmaking entity" means a public or private nonprofit organization that—

(A) has experience with service-learning or with meeting unmet human, educational, environmental, or public safety needs;

(B) was in existence at least one year before the date on which the organization submitted an application under the national service laws; and

(C) meets other such criteria as the Chief Executive Officer may establish.

(13) HISPANIC-SERVING INSTITUTION.—The term "Hispanic-serving institution" has the meaning given the term in section 502(a) of the Higher Education Act of 1965 (20 U.S.C. 1101a(a)).

(14) HISTORICALLY BLACK COLLEGE OR UNIVERSITY.—The term "historically black college or university" means a part B institution, as defined in section 322 of the Higher Education Act of 1965 (20 U.S.C. 1101a(a)).

[(9)] *(15)* INDIAN.—The term "Indian" means a person who is a member of an Indian tribe, or is a "Native", as defined in section 3(b) of the Alaska Native Claims Settlement Act (43 U.S.C. 1602(b)).

[(10)] *(16)* 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)] *(17)* INDIAN TRIBE.—The term "Indian tribe" means—

(A) * * *

* * * * * * *

[(12)] *(18)* 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(20)(B) of the Rehabilitation Act of 1973.

[(13)] *(19)* INSTITUTION OF HIGHER EDUCATION.—The term "institution of higher education" has the same meaning given such term in [section 101(a) of the Higher Education Act of 1965] *sections 101(a) and 102(a)(1) of the Higher Education Act of 1965*.

[(14)] *(20)* LOCAL EDUCATIONAL AGENCY.—The term "local educational agency" has the same meaning given such term in section 9101 of the Elementary and Secondary Education Act of 1965.

[(15)] *(21)* 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)] *(22)* OUT-OF-SCHOOL YOUTH.—The term "out-of-school youth" means an individual who—

(A) * * *

* * * * * * *

[(17)] *(23)* PARTICIPANT.—

(A) * * *

(B) RULE.—A participant shall not be considered to be an employee of the [program in which the participant is enrolled] *organization receiving assistance under the national service laws through which the participant is enrolled in an approved national service position.*

[(18)] *(24)* PARTNERSHIP PROGRAM.—The term "partnership program" means a program through which an adult volunteer, a public or private nonprofit organization, an institution of higher education, or a business assists a local educational agency.

[(19)] *(25)* PROGRAM.—The term "program", unless the context otherwise requires, and 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), or in paragraph (1) or (2) of section 152(b), or an activity that could be funded under section 198, 198C, or 198D.

[(20)] *(26)* 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.

(27) QUALIFIED ORGANIZATION.—The term "qualified organization" means a public or private nonprofit organization with experience working with school-age youth that meets such criteria as the Chief Executive Officer may establish.

[(21)] *(28)* SCHOOL-AGE YOUTH.—The term "school-age youth" means—

(A) * * *

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[(22)] *(29)* SECONDARY SCHOOL.—The term "secondary school" has the same meaning given such term in section 9101 of the Elementary and Secondary Education Act of 1965.

[(23)] *(30)* SERVICE-LEARNING.—The term "service-learning" means a method—

(A) * * *

* * * * * * *

[(24)] *(31)* 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.

[(25)] *(32)* SERVICE SPONSOR.—The term "service sponsor" means an organization, or other entity, that has been selected to provide a placement for a participant.

[(26)] *(33)* STATE.—The term "State" means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the United States 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.

[(27)] *(34)* 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.

[(28)] *(35)* STATE EDUCATIONAL AGENCY.—The term "State educational agency" has the same meaning given such term in section 9101 of the Elementary and Secondary Education Act of 1965.

[(29)] *(36)* 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.

(37) TRIBALLY CONTROLLED COLLEGE OR UNIVERSITY.—The term "tribally controlled college or university" has the meaning given in section 2 of the Tribally Controlled College or University Assistance Act of 1978 (25 U.S.C. 1801).

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)(2);

[(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 nonprofit organization that—

[(I) has a demonstrated expertise in the provision of services to meet unmet human, educational, environmental, or public safety needs;

[(II) was in existence at least 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 nonprofit 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) providing technical assistance and information to, and facilitating the training of, teachers who want to use service-learning in their classrooms;

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

[(3) carrying out such other duties as the local educational agency may determine to be appropriate.

[(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, and 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 Chief Executive Officer 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 NONPROFIT ORGANIZATIONS.

[(a) IN GENERAL.—The Corporation may make grants under section 112(b)(1) to public or private nonprofit organizations that—

[(1) have experience with service-learning;

[(2) were in existence at least 1 year before the date on which the organization submitted an application under section 114(a); and

[(3) meet such other criteria as the Chief Executive Officer may establish.

[(b) USE OF FUNDS.—Such organizations may use grants 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 3 percent for payments to Indian tribes, the United States 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 remainder, 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 remainder, the Corporation shall allot to each State an amount that bears the same ratio to 37.5 percent of such remainder 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 remainder, the Corporation shall allot to each State an amount that bears the same ratio to 37.5 percent of such remainder as the allocation to the State for the previous fiscal year under title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2711 et seq.) or its successor authority 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(26), for purposes of this subsection, the term "State" means each of the several States, the District of Columbia, and the Commonwealth of Puerto Rico.

[(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 Chief Executive Officer 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 Chief Executive Officer 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 Chief Executive Officer may reasonably require, including information demonstrating that the programs will be carried out in a manner consistent with the approved strategic plan;

[(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 Chief Executive Officer 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), 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 Chief Executive Officer 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 as 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 Chief Executive Officer 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) REGULATIONS.—The Corporation shall by regulation establish standards for the information and assurances required to be contained in an application submitted under subsection (a) or (b) with respect to a service-learning program described in section 111, including, at a minimum, assurances that—

[(1) prior to the placement of a participant, the entity carrying out the program will consult with the appropriate local labor organization, if any, 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;

[(2) 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

[(3) 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).

[(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 Chief Executive Officer 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.—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—

[(1) involve participants in the design and operation of the program;

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

[(3) involve—

[(A) students from public elementary or secondary schools, and students from private elementary or secondary schools, serving together; or

[(B) students of different ages, races, sexes, ethnic groups, disabilities, or economic backgrounds, serving together; or

[(4) 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 section 112(b)(2), 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 technical 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 nonprofit 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 nonprofit 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 Chief Executive Officer 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)), as in effect on the day preceding the date of enactment of the Improving America's Schools Act of 1994.

[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 Chief Executive Officer 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 Chief Executive Officer 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 Chief Executive Officer 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 20 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 Chief Executive Officer at such time, in such manner, and containing such information as the Chief Executive Officer 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(29), 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 at least 1 year before the date on which the organization submitted the application; and

[(C) meets such other criteria as the Chief Executive Officer shall establish.

[(3) QUALIFIED ORGANIZATION.—The term "qualified organization" means a public or private nonprofit organization with experience working with school-age youth that meets such criteria as the Chief Executive Officer 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 Chief Executive Officer may reasonably require.

[(c) CONTENTS.—Such an application shall include, at a minimum, a State plan that contains the information and assurances 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 Chief Executive Officer 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 con-

tain such information, as the Chief Executive Officer 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) REGULATIONS.—The Corporation shall by regulation establish standards for the information and assurances required to be contained in an application submitted under subsection (a) or (b) with respect to a community-based service program, including, at a minimum—

[(1) 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);

[(2) an assurance that the entity carrying out the program will, prior to placing a participant in the program, consult with the appropriate local labor organization, if any, 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

[(3) 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 Chief Executive Officer 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 Chief Executive Officer 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 organizations described in subsection (b) to establish a clearinghouse, which shall carry out activities, either directly or by arrangement with another such organization, with respect to information about service-learning.

[(b) PUBLIC OR PRIVATE NONPROFIT ORGANIZATIONS.—Public or private nonprofit organizations 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 organization 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) provide information regarding methods to make service-learning programs accessible to individuals with disabilities;

[(7)(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;

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

[(9) assist organizations in recruiting, screening, and placing service-learning coordinators; and

[(10) carry out such other activities as the Chief Executive Officer determines to be appropriate.]

PART I—PROGRAMS FOR ELEMENTARY AND SECONDARY STUDENTS.

SEC. 111. ASSISTANCE TO STATES, TERRITORIES, AND INDIAN TRIBES.

(a) ALLOTMENTS TO STATES, TERRITORIES, AND INDIAN TRIBES.—The Corporation, in consultation with the Secretary of Education, may make allotments to State educational agencies, Territories, and Indian tribes to pay for the Federal share of—

(1) planning and building the capacity within the State, Territory, or Indian tribe to implement service-learning programs that are based principally in elementary and secondary schools, including—

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

(B) developing service-learning curricula, consistent with State or local academic content standards, to be integrated into academic programs, including an age-appropriate learning component that provides participants an opportunity to analyze and apply their service experiences;

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

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

(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; and

(F) establishing effective outreach and dissemination of information to ensure the broadest possible participation of schools throughout the State, with particular attention to schools identified for school improvement under title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.);

(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 distribution of Federal funds by State educational agencies, Territories, and Indian tribes made available under this part to projects operated by local partnerships among—

(A) local educational agencies; and

(B) 1 or more community partners that—

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

(I) has a demonstrated expertise in the provision of services to meet unmet human, education, environmental, or public safety needs;

(II) will make projects available for participants, who shall be students; and

(III) was in existence at least 1 year before the date on which the organization submitted an application under section 113; and

(ii) may include a private for-profit business, private elementary or secondary school, or Indian tribe (except that an Indian tribe distributing funds to a project under this paragraph is not eligible to be part of the partnership operating that project);

(3) planning of school-based service-learning programs, through distribution by State educational agencies, Territories, and Indian tribes of Federal funds made available under this part to local educational agencies and Indian tribes, 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 may be participants in a program under subtitle C or receive a national service educational award under subtitle D, who may be participants in a project under section 201 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5001), or who may participate in a Youthbuild program under section 173A of the Workforce Investment Act of 1998 (29 U.S.C. 2918a),

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);

(4) implementing, operating, or expanding school-based service-learning programs to utilize adult volunteers in service-learning to improve the education of students, through distribution by State educational agencies, Territories, and Indian tribes of Federal funds made available under this part to—

(A) local educational agencies;

(B) Indian tribes (except that an Indian tribe distributing funds under this paragraph is not eligible to be a recipient of those funds);

(C) public or private nonprofit organizations; or

(D) partnerships or combinations of local educational agencies and entities described in subparagraph (B) or (C); and

(5) establishing or implementing summer of service programs during the summer months, including the cost of recruitment, training, and placement of service-learning coordinators—

(A) for youth who will be enrolled in any grade from grade 6 through grade 12 at the end of the summer concerned;

(B) for community-based service-learning projects that—

(i) shall—

(I) meet unmet human, educational, environmental (including energy conservation and stewardship), emergency and disaster preparedness, and public service needs; and

(II) be intensive, structured, supervised, and designed to produce identifiable improvements to the community; and

(ii) may include the extension of academic year service-learning programs into the summer months;

(C) through the distribution of Federal funds made available under this part to projects operated by local partnerships that consist of local educational agencies and—

(i) public or private elementary schools or secondary schools;

(ii) institutions of higher education;

(iii) public or private non-profit organizations that—

(I) have a demonstrated expertise in providing services to meet unmet human, educational, environmental, or public safety needs; and

(II) have been in existence for at least 1 year before the date on which the organization submitted an application under section 113;

(iv) for-profit businesses; or

(v) a consortia of such entities;

(D) under which any student who completes 100 hours of service in an approved summer of service position, as certified through a process determined by the Corporation through regulations consistent with section 139(f), shall be eligible for a summer of service educational award of not more than $500 (or, at the discretion of the Chief Executive Officer, not more than $1,000 in the case of a participant who is economically disadvantaged) from funds deposited in the National Service Trust and distributed by the Corporation as described in section 148; and

(E) subject to the limitation that a student may not receive more than 2 summer of service educational awards from funds deposited in the National Service Trust.

(b) PROGRAMS TO ENCOURAGE CIVIC ENGAGEMENT IN SERVICE LEARNING.—

(1) IN GENERAL.—From funds appropriated under section 501(a)(1), and without regard to section 112(b), the Corporation shall reserve up to 3 percent for competitive grants to partnerships described in subsection (a)(2) for the development of service-learning programs that promote greater civic engagement among elementary and secondary school students.

(2) APPLICATION.—To be eligible to receive a grant under this subsection, a partnership shall submit an application at such time, in such manner, and containing such information as the Corporation may require.

(3) ACTIVITIES.—Partnerships receiving grants under this subsection shall use funds to develop service-learning curricula that—

(A) promote a better understanding of the principles of the Constitution of the United States, the heroes of American history (including military heroes), and the meaning of the Oath of Allegiance;

(B) promote a better understanding of how the Nation's government functions; and

(C) promote a better understanding of the importance of service in the Nation's character.

(c) DUTIES OF SERVICE-LEARNING COORDINATOR.—A service-learning coordinator referred to in paragraph (2), (3), or (5) of subsection (a) shall provide services that may include—

(1) providing technical assistance and information to, and facilitating the training of, teachers and assisting in the planning, development, execution, and evaluation of service-learning in their classrooms;

(2) assisting local partnerships described in subsection (a) in the planning, development, and execution of service-learning projects, including summer of service programs; and

(3) carrying out such other duties as the recipient of assistance under this part may determine to be appropriate.

(d) RELATED EXPENSES.—An entity that receives financial assistance under this part 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, and evaluations and for other reasonable expenses related to the activities.

SEC. 112. ALLOTMENTS.

(a) INDIAN TRIBES AND TERRITORIES.—Of the amounts appropriated to carry out this part for any fiscal year, the Corporation shall reserve an amount of not less than 2 percent and not more than 3 percent for payments to Indian tribes, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, to be allotted in accordance with their respective needs.

(b) ALLOTMENTS THROUGH STATES.—After reserving the amount under subsection (a), the Corporation shall use the remainder of the

funds appropriated to carry out this part for any fiscal year as follows:

(1) ALLOTMENTS.—

(A) SCHOOL-AGE YOUTH.—From 50 percent of such remainder, the Corporation shall allot to each State an amount that bears the same ratio to 50 percent of such remainder 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.—From 50 percent of such remainder, the Corporation shall allot to each State an amount that bears the same ratio to 50 percent of such remainder as the allocation to the State for the previous fiscal year under title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.) or its successor authority bears to such allocations to all States.

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

(c) REALLOTMENT.—If the Corporation determines that the allotment of a State, Territory, or Indian tribe under this section will not be required for a fiscal year because the State, Territory, or Indian tribe did not submit and receive approval of an application for the allotment under section 113, the Corporation shall make the allotment for such State, Territory, or Indian tribe available for grants to grantmaking entities to carry out service-learning programs as described in section 111(a) in such State, Territory, or Indian tribe. After grantmaking entities apply for the allotment with an application at such time and in such manner as the Corporation requires and receive approval, the remainder of such allotment shall be available for reallotment to such other States, Territories, or Indian tribes with approved applications submitted under section 113 as the Corporation may determine to be appropriate.

SEC. 113. APPLICATIONS.

(a) IN GENERAL.—To be eligible to receive an allotment under section 112 or an allotment of approved summer of service positions under section 111(a)(5)(D), a State, acting through the State educational agency, Territory, or Indian tribe shall prepare, submit to the Corporation, and obtain approval of, an application at such time and in such manner as the Chief Executive Officer may reasonably require.

(b) CONTENTS.—An application for an allotment under this part shall include—

(1) a proposal for a 3-year plan promoting service-learning, which shall contain such information as the Chief Executive Officer may reasonably require, including how the applicant will integrate service opportunities into the academic program of the participants;

(2) information about the applicant's efforts to—

(A) ensure that students of different ages, races, sexes, ethnic groups, disabilities, and economic backgrounds have opportunities to serve together;

(B) include any opportunities for students enrolled in schools or other programs of education providing elemen-

tary or secondary education to participate in service-learning programs and ensure that such service-learning programs include opportunities for such students to serve together;

(C) involve participants in the design and operation of the program;

(D) promote service-learning in areas of greatest need, including low-income or rural areas; and

(E) otherwise integrate service opportunities into the academic program of the participants; and

(3) assurances that the applicant will comply with the nonduplication and nondisplacement requirements of section 177 and the grievance procedures required by section 176.

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

(1) IN GENERAL.—Any—

(A) qualified organization, Indian tribe, Territory, local educational agency, for-profit business, private elementary, middle, or secondary school, or institution of higher education that desires to receive financial assistance under this subpart from a State, Territory, 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, Territory, or Indian tribe or grantmaking entity described in section 111(a)(2);

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

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

(E) agency or partnership described in section 111(a)(5) that desires to receive such assistance, or approved summer of service positions, from a State, Territory, 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, Territory, grantmaking entity, or Indian tribe, 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, Territory, Indian tribe, or entity may reasonably require.

(d) EXCEPTION.—Notwithstanding subsections (a) and (b) of section 112, if less than $20,000,000 is appropriated for any fiscal year to carry out this part, the Corporation shall award grants to States, Territories, 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. 114. CONSIDERATION OF APPLICATIONS.

(a) PRIORITY.—In considering competitive applications under this part, the Corporation shall give priority to innovation, sustainability, capacity building, involvement of disadvantaged youth, and

quality of programs, as well as other criteria approved by the Chief Executive Officer.

(b) REJECTION OF APPLICATIONS.—If the Corporation rejects an application submitted by a State under section 113 for an allotment, 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 technical assistance, if needed, to the State as part of the resubmission process. The Corporation shall promptly reconsider such resubmitted application.

SEC. 115. PARTICIPATION OF STUDENTS AND TEACHERS FROM PRIVATE SCHOOLS.

(a) IN GENERAL.—To the extent consistent with the number of students in the State, Territory, or Indian tribe or in the school district of the local educational agency involved who are enrolled in private nonprofit elementary and secondary schools, such State, Territory, 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 part; 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 part.

(b) WAIVER.—If a State, Territory, Indian tribe, or local educational agency is prohibited by law from providing for the participation of students or teachers from private nonprofit schools as required by subsection (a), or if the Corporation determines that a State, Territory, Indian tribe, or local educational agency substantially fails or is unwilling to provide for such participation on an equitable basis, the Chief Executive Officer shall waive such requirements and shall arrange for the provision of services to such students and teachers. Such waivers shall be subject to the requirements of sections 9503 and 9504 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7883 and 7884).

SEC. 116. FEDERAL, STATE, AND LOCAL CONTRIBUTIONS.

(a) FEDERAL SHARE.—

(1) IN GENERAL.—The Federal share of the cost of carrying out a program for which assistance is provided under this part may not exceed 50 percent of the total cost of the program.

(2) NON-FEDERAL CONTRIBUTION.—In providing for the remaining share of the cost of carrying out such a program, each recipient of assistance under this part—

(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 or local sources, including private funds or donated services.

(b) WAIVER.—The Chief Executive Officer may waive the requirements of subsection (a) in whole or in part with respect to any such program for 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.

Not more than 6 percent of the amount of assistance received by an applicant in a fiscal year may be used to pay, in accordance with such standards as the Corporation may issue, for administrative costs, incurred by—

(1) the original recipient; or

(2) the entity carrying out the service-learning program supported with the assistance.

PART II—HIGHER EDUCATION INNOVATIVE PROGRAMS FOR COMMUNITY SERVICE

SEC. [119] *117.* 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 *through service-learning* 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] *consortia* of such institutions), and partnerships comprised of such institutions and of other public or private nonprofit 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; *and*

(C) may coordinate with service-learning curricula being offered in the academic curricula at the institution of higher education or at one or more members of the consortia;

* * * * * * *

(3) strengthening the leadership and instructional capacity of [teachers at the elementary, secondary, and postsecondary levels] *institutions of higher education and their faculty*, with respect to service-learning, by—

(A) including service-learning as a key component of the preservice teacher [education of the institution; and] *curricula of the institution to strengthen the instructional capacity of service-learning at the elementary and secondary levels;*

(B) including service-learning as a key component of the health professionals curricula, including nursing, pre-medicine, medicine, and dentistry curricula of the institution;

(C) including service-learning as a key component of the criminal justice professionals curricula of the institution;

(D) including service-learning as a key component of the public policy and public administration curricula of the institution; and

[(B)] *(E)* encouraging the faculty of the institution to use service-learning methods throughout their curriculum;

* * * * * * *

[(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 Chief Executive Officer 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, in such manner, and containing such information and assurances as the Corporation may reasonably require. In requesting applications for assistance under this part, the Corporation shall specify such required information and assurances.

[(2) CONTENTS.—An application submitted under paragraph (1) shall contain, at a minimum—

[(A) assurances that—

[(i) prior to the placement of a participant, the applicant will consult with the appropriate local labor organization, if any, 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

[(B) such other assurances as the Chief Executive Officer 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 nonprofit 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.]

(c) SPECIAL CONSIDERATION.—To the extent practicable, the Corporation shall give special consideration to applications submitted by predominantly Black institutions, Historically Black Colleges and Universities, Hispanic-serving institutions, and Tribal Colleges and Universities.

(d) FEDERAL, STATE, AND LOCAL CONTRIBUTIONS.—

(1) FEDERAL SHARE.—

(A) IN GENERAL.—The Federal share of the cost of carrying out a program for which a grant is made under this part may not exceed 50 percent of the total cost of the program.

(B) NON-FEDERAL CONTRIBUTION.—In providing for the remaining share of the cost of carrying out such a program, each recipient of a grant under this part—

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

(ii) may provide for such share through State sources or local sources, including private funds or donated services.

(2) WAIVER.—The Chief Executive Officer may waive the requirements of paragraph (1) in whole or in part with respect to any such program for 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.

(e) APPLICATION FOR GRANT.—

(1) SUBMISSION.—To receive a grant or enter into a contract under this part, an applicant shall prepare, submit to the Corporation, and obtain approval of, an application at such time, in such manner, and containing such information and assurances as the Corporation may reasonably require. In requesting applications for assistance under this part, the Corporation shall specify such required information and assurances.

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

(A) assurances that—

(i) prior to the placement of a participant, the applicant will consult with the appropriate local labor organization, if any, 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 procedures required by section 176; and

(B) such other assurances as the Chief Executive Officer may reasonably require.

(f) PRIORITY.—In making grants and entering into contracts under subsection (b), the Corporation shall give priority to applicants or institutions that submit applications containing proposals that—

(1) 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;

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

(3) 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 and colleges;

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

(A) the institution;

(B)(i) a community-based agency;

(ii) a local government agency; or

(iii) a non-profit entity that serves or involves school-age youth, older adults, or low-income communities; and

(C)(i) a student organization;

(ii) a department of the institution; or

(iii) a group of faculty comprised of different departments, schools, or colleges at the institution;

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

(6) describe research on effective strategies and methods to improve service utilized in the design of the project;

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

(8) with respect to projects involving delivery of services, specify projects that involve leadership development of school aged youth.

(g) DEFINITION.—Notwithstanding section 101, 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.

(h) FEDERAL WORK-STUDY.—To be eligible for assistance under this part, an institution of higher education must demonstrate that it meets the minimum requirements under section 443(b)(2)(B) of the Higher Education Act of 1965 (42 U.S.C. 2753(b)(2)(B)) relating to the participation of Federal Work-Study students in community service activities, or has received a waiver of those requirements from the Secretary of Education.

[(f)**]** *(i)* 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(29), 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—INNOVATIVE SERVICE—LEARNING PROGRAMS AND RESEARCH

SEC. 118. INNOVATIVE DEMONSTRATION SERVICE-LEARNING PROGRAMS AND RESEARCH.

(a) IN GENERAL.—From the amounts appropriated to carry out this part for a fiscal year, the Corporation may make grants and fixed amount grants under subsection (f) with eligible entities for activities described in subsection (c).

(b) ELIGIBLE ENTITIES DEFINED.—For purposes of this part, the term "eligible entity" means a State education agency, a State commission, a Territory, an Indian tribe, an institution of higher education, a public or private nonprofit organization, or a consortia of such entities, where a consortia of two or more such entities may also include a for-profit organization.

(c) AUTHORIZED ACTIVITIES.—Funds under this part may be used to—

(1) integrate service-learning programs into the science, technology, engineering, and mathematics (STEM) curricula at the elementary, secondary, or post-secondary and post-baccalaureate levels in coordination with practicing or retired STEM professionals;

(2) involve students in service-learning programs focusing on energy conservation in their community, including conducting educational outreach on energy conservation and working to improve energy efficiency in low income housing and in public spaces;

(3) involve students in service-learning projects in emergency and disaster preparedness;

(4) involve students in service-learning projects aimed at improving access to and obtaining the benefits from computers

and other emerging technologies, including in low income or rural communities, senior centers and communities, schools, libraries, and other public spaces;

(5) involve high school age youth in the mentoring of middle school youth while involving all participants in service-learning to seek to meet unmet human, educational, environmental, public safety, or emergency disaster preparedness needs in their community;

(6) conduct research and evaluations on service-learning, including service-learning in middle schools, and disseminate such research and evaluations widely;

(7) conduct innovative and creative activities as described in section 111(a); and

(8) carry out any other innovative service-learning programs or research that the Corporation considers appropriate.

(d) PRIORITY.—Priority shall be given to programs that—

(1) involve students and community stakeholders in the design and implementation of the service-learning program;

(2) implement service-learning programs in low-income or rural communities; and

(3) utilize adult volunteers, including tapping the resource of retired and retiring adults, in the planning and implementation of the service-learning programs.

(e) REQUIREMENTS.—

(1) THREE-YEAR TERM.—Each program funded under this part shall be carried out over a period of three years, including one planning year and two additional grant years, with a 1-year extension possible, if the program meets performance measures developed in accordance with section 179(a) and any other criteria determined by the Corporation.

(2) ENCOURAGEMENT.—Each program funded under this part is encouraged to collaborate with other Learn and Serve programs, AmeriCorps, VISTA, and the National Senior Service Corps.

(3) EVALUATION.—Upon completion of the program, the Corporation shall conduct an independent evaluation of the program and widely disseminate the results to the service community through multiple channels, including the Corporation's Resource Center or a clearinghouse of effective strategies and recommendations for improvement.

(f) FIXED AMOUNT GRANTS.—

(1) GENERAL.—For purposes of subsection (a), and subject to the limitations in this subsection, the Corporation may, upon making a determination described in paragraph (2), approve a fixed amount grant that is not subject to the Office of Management and Budget cost principles and related financial recordkeeping requirements.

(2) DETERMINATION.—Before approving a fixed amount grant, the Corporation must determine that—

(A) the reasonable and necessary costs of carrying out the terms of the grant significantly exceed the amount of assistance provided by the Corporation; or

(B) based on the nature or design of the grant, any assistance provided by the Corporation can be reasonably presumed to be expended on reasonable and necessary costs.

(3) MATCHING FUNDS.—

(A) IN GENERAL.—The Federal share of the cost of carrying out a program for which a grant is made under this part may not exceed 50 percent of the total cost of the program.

(B) NON-FEDERAL CONTRIBUTION.—In providing for the remaining share of the cost of carrying out such a program, each recipient of a grant under this part—

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

(ii) may provide for such share through State sources or local sources, including private funds or donated services.

(g) APPLICATIONS.—To be eligible to carry out a program under this part, an entity shall prepare, submit to the Corporation, and obtain approval of, an application at such time and in such manner as the Chief Executive Officer may reasonably require.

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.—Subject to the availability of appropriations for this purpose, the Corporation for National and Community Service may make grants to States, subdivisions of States, *Territories,* Indian tribes, public or private nonprofit 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] *RESTRICTIONS ON AGREEMENTS WITH FEDERAL AGENCIES.—*

(1) AGREEMENTS AUTHORIZED.—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.] *by the agency, including programs under the Public Lands Corps and Urban Youth Corps as described in section 122(a)(2).*

[(2) MATCHING FUNDS REQUIREMENTS.—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.]

(2) PROHIBITION ON GRANTS.—The Corporation may not provide a grant under this section to a Federal agency.

(3) CONSULTATION WITH STATE COMMISSIONS.—A Federal agency [receiving assistance under this subsection] *operating a national service program* shall consult with the State Commissions for those States in which projects will be conducted [using such assistance] in order to ensure that the projects do not duplicate projects conducted by State or local national service programs.

* * * * * * *

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

(1) * * *

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

(A) * * *

(B) the total number of approved national service positions [to be provided] *to be provided or otherwise approved*.

(d) [FIVE] *SIX* Percent Limitation on Administrative Costs.—

(1) LIMITATION.—Not more than [5 percent] *6 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) * * *

* * * * * * *

(e) MATCHING FUNDS REQUIREMENTS.—

(1) REQUIREMENTS.—Except as provided in [section 140] *paragraph (2)*, the [Federal share] *Corporation share* of the cost*, including member living allowances, employment-related taxes, health care coverage, and worker's compensation,* 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.] *may not exceed—*

(A) for the first three years in which the recipient receives such assistance, 76 percent of such cost;

(B) for the fourth through ninth years in which the recipient receives such assistance, a decreasing share of such cost between 76 percent and 50 percent, as established by the Corporation in regulation; and

(C) for the tenth year (and each year thereafter) in which the recipient receives such assistance, 50 percent of such cost.

(2) ALTERNATIVE CORPORATION SHARE FOR PROGRAMS IN RURAL OR SEVERELY ECONOMICALLY DISTRESSED COMMUNITIES.—Upon approval by the Corporation, the Corporation share of the cost, including member living allowances, employment-related taxes, health care coverage, and worker's compensation, of carrying out a national service program that receives assistance under subsection (a) and that is located in a

rural or severely economically distressed community may not exceed—

(A) for the first six years in which the recipient receives such assistance, 76 percent of such cost;

(B) for the seventh through ninth years in which the recipient receives such assistance, a decreasing share of such cost between 76 and 65 percent as established by the Corporation in regulation; and

(C) for the tenth year (and each year thereafter) in which the recipient receives such assistance, 65 percent of such cost.

[(2)] *(3)* CALCULATION.—In providing for the remaining share of the cost of carrying out a national service program, the program—

(A) * * *

(B) may provide for such share through State sources, local sources, or other Federal sources *including funds authorized under Youthbuild (section 173A of the Workforce Investment Act of 1998 (29 U.S.C. 2918a))* (other than the use of funds made available under the national service laws).

[(3) COST OF HEALTH CARE.—In providing a payment in cash under paragraph (2)(A) as part of providing for the remaining share of the cost of carrying out a national service program, the program may count not more than 85 percent of the cost of providing a health care policy described in section 140(d)(2) toward such share.]

* * * * * * *

(5) OTHER FEDERAL FUNDS.—

(A) RECIPIENT REPORT.—A recipient of assistance under section 121 shall report to the Corporation the amount and source of any Federal funds used to carry out the program other than those provided by the Corporation.

(B) CORPORATION REPORT.—The Corporation shall report to the Congress on an annual basis information regarding each recipient that uses Federal funds other than those provided by the Corporation to carry out the program, including amounts and sources of other Federal funds.

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)] *subsection (c)(1)*, these national service programs may include the following types of national service programs:

(1) * * *

(2) A full-time, year-round youth corps program or full-time summer youth corps program, such as a conservation corps or youth service corps (including youth corps programs under subtitle I, the Public Lands Corps established under the Public

Lands Corps Act of 1993, the Urban Youth Corps established under section 106 of the National and Community Service Trust Act of 1993, and other conservation corps or youth service corps that performs service on Federal or other public lands or on Indian lands or Hawaiian home lands), that—

(A) undertakes meaningful service projects with visible public benefits, [including natural resource, urban renovation, or human services projects;] *including projects involving urban renewal, sustaining natural resources, or improving human services;*

(B) includes as participants youths and young adults between the ages of 16 and 25, inclusive, [including] *and at least 50 percent of whom are* out-of-school youths and other disadvantaged youths (such as youths with limited basic skills, youths in foster care who are becoming too old for foster care, youths of limited-English proficiency, homeless youths, and youths who are 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*, including mentoring*; and

* * * * * * *

(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) * * *

(B) teams composed of such students[; or]*;*

(C) teams composed of a combination of such students and community residents[.]*; or*

(D) students participating in service-learning programs at an institution of higher education.

(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*, including elementary and secondary education, and other professions such as those in health care, criminal justice, environmental stewardship and conservation, or public safety*;

* * * * * * *

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

(A) * * *

* * * * * * *

(C) that are sponsored by public or private [nonprofit] 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] *between the ages of 16 and 25* years of age, inclusive, are provided with opportu-

nities to perform service that, while enabling such individuals 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 them in designing solutions to community problems.] *school-age youth and young adults of all backgrounds, including gifted youth, along with established successful entrepreneurs of all backgrounds and professions from the community in which the program exists to—*

(A) train the participants in utilizing problem-solving, entrepreneurship, and communication skills to design solutions to community problems; and

(B) collaborate with stakeholders in the communities to implement the solutions devised by the participants in subparagraph (A).

* * * * * * *

(12) A program that is administered by a combination of nonprofit organizations located in a low-income area, provides a broad range of services to residents of such area, is governed by a board composed in significant part of low-income individuals, and is intended to provide opportunities for individuals or teams of individuals to engage in community projects in such area that meet unaddressed community and individual needs, including projects that would—

(A) meet the needs of low-income children and youth aged 18 and younger, such as providing after-school "safe-places", including schools, with opportunities for [learning and recreation] *learning, recreation, and mentoring*; or

* * * * * * *

(13) A community service program designed to meet the needs of rural communities, using teams or individual placements to address the development needs of rural communities [and to combat rural poverty, including], *including the issues of rural poverty,* health care, education, and job training.

* * * * * * *

(15) An E-Corps program that involves participants who provide services in a community by developing and assisting in carrying out technology programs which seek to increase access to technology and the benefits thereof in such community.

(16) A program that engages citizens in public safety, public health, and emergency and disaster preparedness, and may include the recruitment and placing of qualified participants in positions to be trainees as law enforcement officers, firefighters, search and rescue personnel, and emergency medical service workers, and may engage Federal, State, and local stakeholders in collaboration to organize more effective responses to issues of public safety and public health, emergencies, and disasters.

(17) A program, initiative, or partnership that seeks to expand the number of mentors for youths (including by recruiting high-school and college-aged individuals to enter into mentoring relationships), including mentors for disadvantaged youths, either through provision of direct mentoring services through the creative utilization of current and emerging technologies to connect youth with mentors.

(18) A program that has the primary purpose of re-engaging court-involved youth and adults with the goal of reducing recidivism.

[(15)**]** *(19)* Such other national service programs addressing unmet human, educational, environmental, or public safety needs as the Corporation may designate.

(b) INNOVATIVE PROGRAMS TO MEET THE NEEDS OF VETERANS.—

(1) IN GENERAL.—From funds appropriated under section 501(a)(2), the Corporation shall reserve up to 3 percent for competitive grants to eligible recipients under subsection (a) for the development, either directly or through subgrants to other entities, of innovative initiatives to address the unique needs of veterans.

(2) APPLICATION.—To be eligible to receive a grant under this subsection, an entity described in paragraph (1) shall submit an application at such time, in such manner, and containing such information as the Corporation may require.

(3) ACTIVITIES.—Entities receiving grants under this subsection shall use funds to develop initiatives that—

(A) recruit veterans, particularly returning veterans, into service opportunities;

(B) promote community-based efforts to meet the unique needs of military families while a member of the family is deployed; and

(C) promote community-based efforts to meet the unique needs of military families when a member of the family returns from a deployment.

[(b)**]** *(c)* QUALIFICATION CRITERIA TO DETERMINE ELIGIBILITY.—

(1) * * *

* * * * * * *

(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, *disadvantaged youths,* and older adults as participants to provide services to address unmet human, educational, environmental, or public safety needs.

[(c)**]** *(d)* NATIONAL SERVICE PRIORITIES.—

(1) ESTABLISHMENT.—

(A) 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 shall establish, and after reviewing the strategic plan approved under section 192A(g)(1), periodically alter priorities as appropriate regarding the types of national service programs to be as-

sisted under [subsection (b) or (d) of] section 129 and the purposes for which such assistance may be used.

* * * * * * *

(e) REQUIREMENTS FOR TUTORS.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Corporation shall require that each recipient of assistance under the national service laws that operates a tutoring program involving elementary or secondary school students certifies that individuals serving in approved national service positions as tutors in such program have—

(A) either—

(i) obtained their high school diploma; or

(ii) passed a proficiency test demonstrating that such individuals have the skills necessary to achieve program goals; and

(B) have successfully completed pre- and in-service training for tutors.

(2) EXCEPTION.—The requirements in paragraph (1) do not apply to an individual serving in an approved national service position who is enrolled in an elementary or secondary school and is providing tutoring services through a structured, school-managed cross-grade tutoring program.

(f) REQUIREMENTS FOR TUTORING PROGRAMS.—Each tutoring program that receives assistance under the national service laws shall—

(1) offer a curriculum that is high quality, research-based, and consistent with the State academic content standards required by section 1111 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311) and the instructional program of the local educational agency; and

(2) offer high quality, research-based pre- and in-service training for tutors.

(g) CITIZENSHIP TRAINING.—The Corporation shall establish requirements for recipients of assistance under the national service laws relating to the promotion of citizenship and civic engagement, that are consistent with the principles on which citizenship programs administered by U.S. Citizenship and Immigration Services are based, among individuals enrolled in approved national service positions and approved summer of service positions.

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) * * *

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

(A) is carried out by a State, a subdivision of a State, *a Territory,* an Indian tribe, a public or private nonprofit organization, an institution of higher education, or a Federal agency; and

* * * * * * *

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

* * * * * * *

[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;

[(5) provide for or improve the training provided to the participants in such programs; and

[(6) encourage national service programs to adhere to risk management procedures, including the training of participants in appropriate risk management practices.

[(b) TECHNICAL ASSISTANCE.—To the extent appropriate and necessary, the Corporation shall make 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) GRANTS AUTHORIZED.—From amounts appropriated for a fiscal year pursuant to the authorization of appropriation in section 501(a)(4), the Corporation may make a grant in an amount between [$125,000 and $750,000] *$200,000 and $825,000* to a State to assist the State to establish or operate the State Commission on National and Community Service required to be established by the State under section 178.

[(2) LIMITATION ON AMOUNT OF GRANTS.—Notwithstanding the amounts specified in paragraph (1), the amount of a grant 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 Fed-

eral 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.]

(2) MATCHING REQUIREMENT.—In making grants to a State under this subsection, the Corporation shall require the State to provide matching funds in the following amounts:

(A) FIRST $100,000.—For the first $100,000 of grant amounts provided by the Corporation, a State shall not be required to provide matching funds.

(B) AMOUNTS GREATER THAN $100,000.—For grant amounts of more than $100,000 and not exceeding $200,000 provided by the Corporation, a State shall provide $1 from non-Federal sources for every $2 provided by the Corporation.

(C) AMOUNTS GREATER THAN $200,000.—For grant amounts of more than $200,000 provided by the Corporation, a State shall provide $1 from non-Federal sources for every $1 provided by the Corporation.

* * * * * * *

(c) CHALLENGE GRANTS FOR NATIONAL SERVICE PROGRAMS.—

(1) ASSISTANCE AUTHORIZED.—The Corporation may make challenge grants under this subsection [to national service programs that receive assistance under section 121] *to programs supported under the national service laws.*

* * * * * * *

[(3) 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.]

(3) AMOUNT OF ASSISTANCE.—A challenge grant under this subsection may provide, for an initial 3-year grant period, not more than $1 of assistance under this subsection for each $1 in cash raised from private sources by the program supported under the national service laws in excess of amounts required to be provided by the program to satisfy matching funds requirements. After an initial 3-year grant period, grants under this subsection may provide not more than $1 of assistance for each $2 in cash raised from private sources by the program in excess of amounts required to be provided by the program to satisfy matching funds requirements. The Corporation may permit the use of local or State funds as matching funds if the Corporation determines that such use would be equitable due to a lack of available private funds at the local level. 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 TO CERTAIN STATES.—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 FOR CERTAIN TERRITORIES AND POSSESSIONS.—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 the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands upon approval of an application by the Corporation under section 133. Palau shall also be eligible for a grant under this paragraph from the allotment until such time as the Compact of Free Association with Palau is ratified. The amount allotted as a grant to each such territory or possession under this paragraph for a fiscal year shall be equal to the amount that bears the same ratio to 1 percent of the allocated funds for that fiscal year as the population of the territory or possession bears to the total population of such territories and possessions.

[(3) ONE PERCENT ALLOTMENT FOR INDIAN TRIBES.—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, to be allotted by the Corporation on a competitive basis in accordance with their respective needs.

[(4) 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 subparagraph (A), to make a reallotment to other States and Indian tribes with approved applications under section 130.

[(b) RESERVATION OF APPROVED POSITIONS.—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.

[(c) RESERVATION FOR SPECIAL ASSISTANCE.—From amounts appropriated for a fiscal year pursuant to the authorization of appropriation in section 501(a)(2), and subject to the limitation in such section, the Corporation may reserve such amount as the Corporation considers to be appropriate for the purpose of making assistance available under sections 125 and 126. The Corporation may not reserve more than $10,000,000 for a fiscal year for disaster service under subsection (b) of section 126 or challenge grants under subsection (c) of such section.

[(d) COMPETITIVE DISTRIBUTION OF REMAINING FUNDS.—

[(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 or private nonprofit 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) LIMITATION ON DISTRIBUTION TO FEDERAL AGENCIES.—The Corporation may not provide more than ⅓ of the funds available for competitive distribution under paragraph (2) for a fiscal year to Federal agencies under section 121(b).

[(4) PRIORITY 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).

[(5) RESERVATION OF FUNDS FOR SUPPLEMENTAL AND OUTREACH GRANTS.—

[(A) RESERVATION.—From amounts appropriated for a fiscal year pursuant to the authorization of appropriation in section 501(a)(2), and subject to the limitation in such section, the Chief Executive Officer shall reserve an amount that is not less than 1 percent of such amounts (except that the amount reserved may not exceed $5,000,000), in order to make supplemental grants as pro-

vided in subparagraph (B) and outreach grants as provided in subparagraph (C). The amount reserved pursuant to this paragraph shall be available until expended.

[(B) GRANTS TO ASSIST ENTITIES IN PLACING APPLICANTS WHO ARE INDIVIDUALS WITH A DISABILITY.—

[(i) IN GENERAL.—The Chief Executive Officer shall make grants from a portion of the funds reserved under subparagraph (A) to entities that—

[(I) receive a grant to carry out a national service program under paragraph (1) or (2);

[(II) demonstrate that the entity has received a substantial number of applications for placement in the national service program of persons who are individuals with a disability and who require a reasonable accommodation (as defined in section 101(9) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12111(9))), or auxiliary aids and services (as defined in section 3(1) of such Act (42 U.S.C. 12102(1))), in order to perform national service; and

[(III) demonstrate that additional funding would assist the national service program in placing a substantial number of such individuals with a disability as participants in projects carried out through the program.

[(ii) REQUIREMENTS.—Funds made available through such a supplemental grant under clause (i) shall be made available for the same purposes, and subject to the same requirements, as funds made available through a grant made under paragraph (1) or (2).

[(C) GRANTS FOR OUTREACH TO INDIVIDUALS WITH A DISABILITY.—

[(i) IN GENERAL.—From the portion of the funds reserved under subparagraph (A) that is not used to make grants under subparagraph (B), the Chief Executive Officer shall make grants to public or private nonprofit organizations to pay for the Federal share described in section 121(e) of—

[(I) providing information about the programs specified in section 193A(d)(10) to such individuals with a disability who desire to perform national service; and

[(II) enabling the individuals to participate in activities carried out through such programs, which may include assisting the placement of the individuals in approved national service positions.

[(ii) APPLICATION.—To be eligible to receive a grant under this subparagraph, an organization described in clause (i) shall submit an application to the Chief Executive Officer at such time, in such manner, and containing such information as the Chief Executive Officer may require.

[(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 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) APPROVAL OF POSITIONS SUBJECT TO AVAILABLE FUNDS.—The Corporation may not approve positions as approved national service positions under this subtitle 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, taking into consideration funding needs for national service educational awards under subtitle D based on completed service. If appropriations are insufficient to provide the maximum allowable national service educational awards under subtitle D for all eligible participants, the Corporation is authorized to make necessary and reasonable adjustments to program rules.

[(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. 129. PROVISION OF ASSISTANCE AND APPROVED NATIONAL SERVICE POSITIONS.

(a) 1-PERCENT ALLOTMENT FOR CERTAIN TERRITORIES.—Of the funds allocated by the Corporation for provision of assistance under section 121(a) for a fiscal year, the Corporation shall reserve 1 percent for grants to the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands upon approval by the Corporation of an application submitted under section 130. The amount allotted as a grant to each such Territory under this subsection for a fiscal year shall be equal to the amount that bears the same ratio to 1 percent of the allocated funds for that fiscal year as the population of the Territory bears to the total population of such Territories.

(b) ALLOTMENT FOR INDIAN TRIBES.—Of the funds allocated by the Corporation for provision of assistance under section 121(a) for a fiscal year, the Corporation shall reserve at least 1 percent for grants to Indian tribes, to be allotted by the Corporation on a competitive basis.

(c) ALLOTMENT FOR NATIONAL GRANTS.—Of the funds allocated by the Corporation for provision of assistance under section 121(a) for a fiscal year, the Corporation shall reserve 23 percent for grants to nonprofit organizations to operate a program in 2 or more States.

(d) ALLOTMENT FOR STATE COMPETITIVE GRANTS.—Of the funds allocated by the Corporation for provision of assistance under subsection (a) of section 121 for a fiscal year, the Corporation shall reserve 37.5 percent for innovative grants to States on a competitive basis.

(e) ALLOTMENT TO CERTAIN STATES ON FORMULA BASIS.—

(1) GRANTS.—Of the funds allocated by the Corporation for provision of assistance under subsection (a) of section 121 for a fiscal year, the Corporation shall make a grant to each of the several States, the District of Columbia, and the Commonwealth of Puerto Rico that submits an application under section 130 that is approved by the Corporation.

(2) ALLOTMENTS.—The amount allotted as a grant to each such State under this subsection for a fiscal year shall be equal to the amount that bears the same ratio to 37.5 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, in compliance with paragraph (3).

(3) MINIMUM AMOUNT.—Notwithstanding paragraph (2), the minimum grant made available to each State approved by the Corporation under paragraph (1) for each fiscal year must be at least $600,000.

(f) EFFECT OF FAILURE TO APPLY.—If a State or Territory fails to apply for, or fails to give notice to the Corporation of its intent to apply for an allotment under this section, or the Corporation does not approve the application consistent with section 133, the Corporation may use the amount that would have been allotted under this section to the State or Territory to—

(1) make grants (and provide approved national service positions in connection with such grants) to other grantmaking entities under section 121 that propose to carry out national service programs in such State or Territory; and

(2) make a reallotment to other States or Territories with approved applications submitted under section 130, to the extent grant-making entities do not apply as described in paragraph (1).

(g) APPLICATION REQUIRED.—The allotment of assistance and approved national service positions to a recipient under this section shall be made by the Corporation only pursuant to an application submitted by a State or other applicant under section 130.

(h) APPROVAL OF POSITIONS SUBJECT TO AVAILABLE FUNDS.—The Corporation may not approve positions as approved national service positions under this subtitle 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, taking into consideration funding needs for national service educational awards under subtitle D based on completed service. If appropriations are insufficient to provide the maximum allowable national service educational awards under subtitle D for all eligible participants, the Corporation is authorized to make necessary and reasonable adjustments to program rules.

(i) 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) shall be deposited in the National Service Trust established in section 145 until such time as the funds are needed.

(j) RESERVATION OF FUNDS FOR SPECIAL ASSISTANCE.—From amounts appropriated for a fiscal year pursuant to the authorization of appropriations in section 501(a)(2) and subject to the limitation in such section, the Corporation may reserve such amount as the Corporation considers to be appropriate for the purpose of making assistance available under section 126.

(k) RESERVATION OF FUNDS TO INCREASE THE PARTICIPATION OF INDIVIDUALS WITH DISABILITIES.—From amounts appropriated for a fiscal year pursuant to the authorization of appropriations in section 501(a)(2) and subject to the limitation in such section, the Chief Executive Officer shall reserve an amount that is not less than 1 percent of such amount (except that the amount reserved may not exceed $10,000,000), in order to make grants to public or private nonprofit organizations to increase the participation of individuals with disabilities in national service and for demonstration activities in furtherance of this purpose.

SEC. 129A. EDUCATION AWARDS ONLY PROGRAM.

(a) IN GENERAL.—From amounts appropriated for a fiscal year to provide financial assistance under this subtitle and consistent with the restriction in subsection (b), the Corporation may, through fixed amount grants under subsection (d), provide operational assistance to programs that receive approved national service positions but do not receive funds under section 121(a).

(b) LIMIT ON CORPORATION GRANT FUNDS.—Operational support under this section may not exceed $600 per individual enrolled in an approved national service position and may reach $800 per individual if the program supports at least 50 percent disadvantaged youth.

(c) INAPPLICABLE PROVISIONS.—The following provisions shall not apply to programs funded under this section:

(1) The limitation on administrative costs under section 121(d).

(2) The matching funds requirements under section 121(e).

(3) The living allowance and other benefits under sections 131(e) and section 140 (other than individualized support services for disabled members under section 140(f)).

(d) FIXED AMOUNT GRANTS.—

(1) GENERAL.—For purposes of subsection (a), and subject to the limitations in this subsection, the Corporation may, upon making a determination described in paragraph (2), approve a fixed amount grant that is not subject to the Office of Management and Budget cost principles and related financial recordkeeping requirements.

(2) DETERMINATION.—Before approving a fixed amount grant, the Corporation must determine that—

(A) the reasonable and necessary costs of carrying out the terms of the grant significantly exceed the amount of assistance provided by the Corporation; or

(B) based on the nature or design of the grant, any assistance provided by the Corporation can be reasonably presumed to be expended on reasonable and necessary costs.

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 or approved national service positions for participants who serve in the national service programs to be carried out using the assistance, a State, *Territory,* subdivision of a State, Indian tribe, public or private nonprofit organization, [institution of higher education, or Federal agency] *or institution of higher education* 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 PERMISSIBLE 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) * * *

* * * * * * *

(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)] *section 122(d).*

* * * * * * *

(c) REQUIRED APPLICATION INFORMATION.—An application submitted under subsection (a) shall contain the following information:

(1) A description of the [jobs or positions] *proposed positions* into which participants will be placed using the assistance provided under section 121[, including descriptions of specific tasks to be performed by such participants.].

(2) A description of the *proposed* minimum qualifications that individuals shall meet to become participants in such programs.

* * * * * * *

(e) SPECIAL RULE FOR STATE APPLICANTS.—

(1) * * *

(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] *were or will be selected* by the State on a competitive basis. In making such competitive selections, the State shall seek to ensure the equitable allocation within the State of assistance and approved national service positions provided under this subtitle to the State taking into consideration such factors as the location of the pro-

grams applying to the State, population density, and economic distress.

* * * * * * *

(f) SPECIAL RULE FOR CERTAIN APPLICANTS.—

(1) WRITTEN CONCURRENCE.—In the case of [a program applicant] *an applicant* that proposes to also serve as the service sponsor, the application shall include the written concurrence of any local labor organization representing employees of the service sponsor who are engaged in the same or substantially similar work as that proposed to be carried out.

(2) [PROGRAM APPLICANT] *APPLICANT* defined.—For purposes of this subsection, the term "[program applicant] *applicant*" means—

(A) a State, subdivision of a State, *Territory,* Indian tribe, public or private nonprofit organization, [institution of higher education, or Federal agency] *or institution of higher education* submitting an application under this section; or

(B) an entity applying for assistance or approved national service positions through a grant program conducted using assistance provided to a State, subdivision of a State, *Territory,* Indian tribe, public or private nonprofit organization, [institution of higher education, or Federal agency] *or institution of higher education* under section 121.

(g) 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[.] *or is already receiving financial assistance from the Corporation.*

* * * * * * *

SEC. 133. CONSIDERATION OF APPLICATIONS.

(a) * * *

(b) APPLICATION TO SUBGRANTS.—

(1) * * *

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

(A) * * *

(B) a description of the [jobs or] positions into which participants will be placed using such assistance, including descriptions of specific tasks to be performed by such participants; and

* * * * * * *

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

(1) * * *

* * * * * * *

(8) The extent to which the program generates the involvement of volunteers.

[(8)] *(9)* Such other criteria as the Corporation considers to be appropriate.

(d) OTHER CONSIDERATIONS.—

(1) * * *

(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)] *(A)* national service programs that conform to the national service priorities in effect under [section 122(c)] *section 122(d)*;

[(C)] *(B)* innovative national service programs;

[(D)] *(C)* 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)] *(D)* grant programs in support of other national service programs if the grant programs are to be conducted by nonprofit organizations with a demonstrated and extensive expertise in the provision of services to meet human, educational, environmental, or public safety needs; *and*

[(F)] *(E)* professional corps programs described in section 122(a)(8)[; and].

[(G) programs that—

[(i) received funding under subtitle D of this Act, as in effect on the day before the date of enactment of this subtitle;

[(ii) the Corporation determines to meet the requirements of sections 142 (other than subsection (g)), 143, and 148 through 150 of this Act, as in effect on such day, in addition to the requirements of this subtitle; and

[(iii) include an evaluation component.]

* * * * * * *

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) * * *

* * * * * * *

[(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)] *(3)* is 17 years of age or older at the time the individual begins the term of service;

[(5)] *(4)* has received a high school diploma or its equivalent, agrees to obtain a high school diploma or its equivalent (unless this requirement is waived based on an individual education

assessment conducted by the program) and the individual did not drop out of an elementary or secondary school to enroll in the program, or is enrolled in an institution of higher education on an ability to benefit basis and is considered eligible for funds under section 484 of the Higher Education Act of 1965 (20 U.S.C. 1091); and

[(6)**]** *(5)* is a citizen or national of the United States or lawful permanent resident alien of the United States.

(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)**]** *paragraph (3)* of such subsection; and

(2) is **[**between the ages of 16 and 25**]** *a 16-year-old out of school youth or an individual between the ages of 17 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)(4)* 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 nonprofit organization, institution of higher education, Federal agency, or other entity**]** *conducted by the entity* to which the assistance and approved national service positions are provided.

* * * * * * *

(e) NATIONAL LEADERSHIP POOL.—

(1) * * *

(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) * * *

* * * * * * *

(C) as participants in national service programs receiving assistance under section 121*, particularly those who were considered at the time of their service disadvantaged youth*;

* * * * * * *

SEC. 139. TERMS OF SERVICE.

(a) * * *

(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 900 hours [during a period of—

[(A) not more than 2 years; or

[(B) not more than 3 years if the individual is enrolled in an institute of higher education while preforming all or a portion of the service.] *during a period of not more than 2 years.*

* * * * * * *

(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] *as determined by the organization responsible for granting a release, if the participant has otherwise performed satisfactorily and has completed at least 15 percent of the original term of service*; or

* * * * * * *

(2) EFFECT OF RELEASE FOR COMPELLING CIRCUMSTANCES.—If a participant eligible for release under paragraph (1)(A) is serving in an approved national service position, the recipient of assistance under section 121 or a program sponsoring an approved national service position may elect—

(A) to grant such release and [provide to the participant that portion of the national service educational award] *certify the participant's eligibility for that portion of the national service educational award* corresponding to the portion of the term of service actually completed, as provided in section 147(c); or

(B) to permit the participant to temporarily suspend performance of the term of service for a period of up to 2 years (and such additional period as the Corporation may allow for extenuating circumstances) and, upon completion of such period, [to allow return to the program with which the individual was serving in order] to complete the remainder of the term of service and obtain the entire national service educational award.

* * * * * * *

SEC. 140. LIVING ALLOWANCES FOR NATIONAL SERVICE PARTICIPANTS.

(a) PROVISION OF LIVING ALLOWANCE.—

(1) LIVING ALLOWANCE REQUIRED.—Subject to [paragraph (3)] *paragraphs (2) and (3)*, a national service program carried out using assistance provided under section 121 shall provide to each participant who participates on a full-time basis in the program a living allowance in an amount equal to or greater than 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).

[(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 85 percent of the total average annual provided to VISTA volunteers under section 105 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4955).]

[(3)] *(2)* 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).

(3) FEDERAL WORK-STUDY STUDENTS.—The living allowance that may be provided to an individual whose term of service includes hours for which the individual receives Federal work study wages shall be reduced by the amount of the individual's Federal work study award.

(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)] *a term of service that is less than 12 months.*

* * * * * * *

(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.] *may be used to pay such taxes.*

(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; *and*

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

[(3)] *(2)* 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.—

(1) IN GENERAL.—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.

* * * * * * *

[(g) 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.

[(h) LIMITATION ON NUMBER OF TERMS OF SERVICE FOR FEDERALLY SUBSIDIZED LIVING ALLOWANCE.—No national service program may use assistance provided under section 121, or any other Federal funds, to provide a living allowance under subsection (a), a health care policy under subsection (d), or child care or a child care allowance under subsection (e), to an individual for a third, or subsequent, term of service described in section 139(b) by the individual in a national service program carried out under this subtitle.]

* * * * * * *

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)(2), such amounts as the Corporation may designate to be available for the payment of—

(A) * * *

(B) interest expenses pursuant to [section 148(e)] *section 148(f)*;

(2) any amounts received by the Corporation as gifts, bequests, devises, or otherwise [pursuant to section 196(a)(2)]

pursuant to section 196(a)(2), if the terms of such donations direct that they be deposited in the National Service Trust; and

* * * * * * *

(c) EXPENDITURES FROM TRUST.—Amounts in the Trust shall be available, to the extent provided for in advance by appropriation, [for payments of national service educational awards in accordance with section 148.] *for—*

(1) payments of summer of service educational awards and national service educational awards in accordance with section 148; and

(2) payments of interest in accordance with section 148(f).

* * * * * * *

SEC. 146. INDIVIDUALS ELIGIBLE TO RECEIVE A NATIONAL SERVICE EDUCATIONAL AWARD FROM THE TRUST.

(a) ELIGIBLE INDIVIDUALS.—An individual shall receive a national service educational award from the National Service Trust [if the individual] *if the organization responsible for an individual's supervision certifies that 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) is enrolled at an institution of higher education on the basis of meeting the standard described in paragraph (1) or (2) of subsection (a) of section 484 of the Higher Education Act of 1965 (20 U.S.C. 1091) and meets the requirements of subsection (a) of such section; or

[(C) has received a waiver described in section 137(c); and]

(1) met the applicable eligibility requirements for the position; and

(2)(A) successfully completed the required term of service described in subsection (b) in an approved national service position; or

(B)(i) satisfactorily performed prior to being granted a release for compelling personal circumstances under section 139(c); and

(ii) served at least 15 percent of the required term of service described in subsection (b); and

[(4)] *(3)* is a citizen or national of the United States or lawful permanent resident alien of the United States.

* * * * * * *

[(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.]

(c) LIMITATION ON RECEIPT OF NATIONAL SERVICE EDUCATIONAL AWARDS.—An individual may not receive, in national service educational awards, more than an amount equal to the aggregate value of 2 such awards for full-time service. The aggregate value of summer of service educational awards that an individual receives shall have no effect on the aggregate value of national service educational awards the individual may receive.

(d) TIME FOR USE OF EDUCATIONAL AWARD.—

(1) SEVEN-YEAR REQUIREMENT.—An individual eligible to receive a national service educational award *or a summer of service educational award* under this section may not use such award after the end of the 7-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 *or a summer of service educational award* if the Corporation determines that the individual—

(A) was unavoidably prevented from using the national service educational award *or a summer of service educational award* during the original 7-year period; [or]

(B) performed another term of service in an approved national service position during that period[.]*; or*

(C) in the case of a summer of service educational award, is enrolled at an eligible institution of higher education under section 148(c) or an educational institution described under section 148(a)(4) and failed to expend the full amount of that award during the original 7-year period.

(e) SUSPENSION OF ELIGIBILITY FOR DRUG-RELATED OFFENSES.—

(1) IN GENERAL.—An individual who, after qualifying under this section *or under section 111(a)(5)* as an eligible individual, has been convicted under any Federal or State law of the possession or sale of a controlled substance shall not be eligible to receive a national service educational award *or a summer of service educational award* during the period beginning on the date of such conviction and ending after the interval specified in the following table:

If convicted of:	
The possession of a controlled substance:	Ineligibility period is:
1st conviction	1 year
2nd conviction	2 years
3rd conviction	indefinite
The sale of a controlled substance:	
1st conviction	2 years
2nd conviction	indefinite

* * * * * * *

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

(a) AMOUNT FOR FULL-TIME NATIONAL SERVICE.—Except as provided in subsection (c), an individual described in section 146(a) who successfully completes a required term of full-time national service in an approved national service position shall receive a national service educational award having [a value, for each of not

more than 2 of such terms of service, equal to 90 percent of] *a value of—*

[(1) one-half of an amount equal to the aggregate basic educational assistance allowance provided in section 3015(b)(1) of title 38, United States Code (as in effect on July 28, 1993), for the period referred to in section 3013(a)(1) of such title (as in effect on July 28, 1993), for a member of the Armed Forces who is entitled to such an allowance under section 3011 of such title and whose initial obligated period of active duty is 2 years; less

[(2) one-half of the aggregate basic contribution required to be made by the member in section 3011(b) of such title (as in effect on July 28, 1993).]

(1) $4,825, for fiscal year 2008;

(2) $4,925, for fiscal year 2009;

(3) $5,025, for fiscal year 2010;

(4) $5,125, for fiscal year 2011; and

(5) $5,225, for fiscal year 2012 and each fiscal year thereafter.

* * * * * * *

SEC. 148. DISBURSEMENT OF NATIONAL SERVICE EDUCATIONAL AWARDS.

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

(1) * * *

(2) to pay all or part of the [cost of attendance] *cost of attendance or other educational expenses* 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 expenses incurred in enrolling in an educational institution or training establishment that meets the requirements of chapter 36 of title 38, United States Code (38 U.S.C. 3451 et seq.);

(5) for a recipient of a summer of service educational award under section 111(a)(5)(D), to pay expenses incurred in enrolling in a college preparatory program in accordance with subsection (e); and

[(4)] *(6)* to pay interest expenses in accordance with regulations prescribed pursuant to [subsection (e)] *subsection (f)*.

(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*, or an eligible individual under section 111(a)(5) who received a summer of service educational award for a project that began after the individual completed grade 10 and desires to apply that summer of 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) * * *

* * * * * * *

(2) DISBURSEMENT OF REPAYMENTS.—Upon receipt of an application from an eligible individual of an application that com-

plies with paragraph (1), the Corporation shall, as promptly as practicable consistent with paragraph (5), disburse the amount of the national service educational award *or the summer of service educational award, as applicable,* that the eligible individual has earned. 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.

* * * * * * *

(5) NOTIFICATION OF INDIVIDUAL.—The Corporation upon disbursing the national service educational award *or the summer of service educational award, as applicable*, shall notify the individual of the amount paid for each outstanding loan and the date of payment.

* * * * * * *

(7) DEFINITION OF QUALIFIED STUDENT LOANS.—As used in this subsection, 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 USC 292a et seq)**[**.**]***; and*

(C) any loan (other than a loan described in subparagraph (A) or (B)) determined by an institution of higher education to be necessary to cover a student's educational expenses and made, insured, or guaranteed by—

(i) an eligible lender, as defined in section 435 of the Higher Education Act of 1965 (20 U.S.C. 1085);

(ii) the direct student loan program under part D of title IV of such Act;

(iii) a State agency; or

(iv) a lender otherwise determined by the Corporation to be eligible to receive disbursements from the National Service Trust.

* * * * * * *

(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 individual's national service educational award*, or an eligible individual under section 111(a)(5) who desires to apply the individual's summer of service educational award,* to the payment of current full-time or part-time 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 *or summer of service educational award, as applicable,* under this subsection;

* * * * * * *

(C) certifies that—

(i) * * *

* * * * * * *

(iii) individuals using national service educational awards received under this subtitle *or summer of service educational awards received under section 111(a)(5)* to pay for educational costs do not comprise more than 15 percent of the total student population of the institution; and

* * * * * * *

(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 *and summer of service educational awards* for which eligible individuals who have submitted applications to that institution under paragraph (1) are scheduled to receive. 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.

* * * * * * *

(5) REFUND RULES.—The Corporation shall, by regulation, provide for the refund to the Corporation (and the crediting to the national service educational award*, or summer of service educational award, as applicable,* 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 *summer of service educational awards and additional* approved national service positions under subtitle C.

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

(A) * * *

* * * * * * *

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

(e) USE OF SUMMER OF SERVICE EDUCATIONAL AWARD TO PAY COLLEGE PREPARATORY EXPENSES.—

(1) APPLICATION OF ELIGIBLE INDIVIDUALS.—An eligible individual under section 111(a)(5), or the parents or legal guardian of such an individual, who desires to apply the summer of service educational award of the individual to the payment of expenses incurred in enrolling in a college preparatory program shall, on a form prescribed by the Corporation, submit an application to the college preparatory program in which the individual 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 PROGRAM.—A college preparatory program that receives one or more applications under 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 summer of service educational award under this subsection;

(B) specifies the amounts for which such eligible individuals are qualified for disbursement; and

(C) certifies that—

(i) the college preparatory program is operated by a for-profit or non-profit organization with a track record of success in implementing college preparatory programs that collaborate with local educational agencies and adequately prepare secondary school students for admission to an institution of higher education without need for remediation;

(ii) the college preparatory program has been in existence for at least one year prior to an eligible individual's submission of the application under paragraph (1); and

(iii) individuals using summer of service educational awards received under section 111(a)(5) to pay the cost of enrolling in the college preparatory program do not comprise more than 15 percent of the total number of individuals enrolled in the program; and

(D) contains such provisions concerning financial compliance and program quality as the Corporation may require.

(3) DISBURSEMENT OF PAYMENTS.—Upon receipt of a statement from a college preparatory program that complies with paragraph (2), the Corporation shall, subject to paragraph (4), disburse the total amount of the summer of service educational awards for which eligible individuals who have submitted applications to that program under paragraph (1) are scheduled to receive. Such disbursement shall be made by check or other means that is payable to the program and requires the endorsement or other certification by the eligible individual.

(4) MULTIPLE DISBURSEMENTS.—The total amount required to be disbursed to a college preparatory program under paragraph

(3) for any period of enrollment may be disbursed by the Corporation in two or more installments consistent with appropriate divisions 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 summer of service educational award of an eligible individual) of amounts disbursed to programs for the benefit of eligible individuals who withdraw or otherwise fail to complete the period of enrollment for which the assistance was provided. Amounts refunded to the Trust pursuant to this paragraph may be used by the Corporation to fund additional approved summer of service positions under section 111(a)(5).

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

[(e)] *(f)* INTEREST PAYMENTS DURING FORBEARANCE ON LOAN REPAYMENT.—The Corporation shall 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)] *subsection (b)(7)*), if the eligible individual successfully completes the individual's required term of service (as determined under section 146(b)). Such regulations shall be prescribed after consultation with the Secretary of Education.

[(f)] *(g)* EXCEPTION.—With the approval of the [Director] *Chief Executive Officer*, an approved national service program funded under section 121, may offer participants the option of waiving their right to receive a national service educational award in order to receive an alternative post-service benefit funded by the program entirely with non-Federal funds.

[(g)] *(h)* 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 102 of the Higher Education Act of 1965.

SEC. 149. PROCESS OF APPROVAL OF NATIONAL SERVICE POSITIONS.

(a) TIMING AND RECORDING REQUIREMENTS.—

(1) IN GENERAL.—Notwithstanding subtitles C and D, and any other provision of law, in approving a position as an approved national service position, the Corporation—

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

(i) enters into an enforceable agreement with an individual participant to serve in a program carried out under subtitle E of title I of this Act or under title I of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.), or a summer of service educational award; or

(ii) except as provided in clause (i), awards a grant to (or enters into a contract or cooperative agreement with) an entity to carry out a program for which such a position is approved under section 123; and

(B) shall record as an obligation an estimate of the net present value of the national service educational award associated with the position, based on a formula that takes

into consideration historical rates of enrollment in such a program, and of earning and using national service educational awards for such a program and remain available.

(2) FORMULA.—In determining the formula described in paragraph (1)(B), the Corporation shall consult with the Director of the Congressional Budget Office.

(3) CERTIFICATION REPORT.—The Chief Executive Officer of the Corporation shall annually prepare and submit to Congress a report that contains a certification that the Corporation is in compliance with the requirements of paragraph (1).

(4) APPROVAL.—The requirements of this subsection shall apply to each approved national service position that the Corporation approves—

(A) during fiscal year 2008; and

(B) during any subsequent fiscal year.

(b) RESERVE ACCOUNT.—

(1) ESTABLISHMENT AND CONTENTS.—

(A) ESTABLISHMENT.—Notwithstanding subtitles C and D, and any other provision of law, within the National Service Trust established under section 145, the Corporation shall establish a reserve account.

(B) CONTENTS.—To ensure the availability of adequate funds to support the awards of approved national service positions for each fiscal year, the Corporation shall place in the account—

(i) during fiscal year 2008, a portion of the funds that were appropriated for fiscal year 2008 or a previous fiscal year under section 501(a)(2), were made available to carry out subtitle C, D, or E of this title, subtitle A of title I of the Domestic Volunteer Service Act of 1973, or summer of service under section 111(a)(5), and remain available; and

(ii) during fiscal year 2009 or a subsequent fiscal year, a portion of the funds that were appropriated for that fiscal year under section 501(a)(2) and were made available to carry out subtitle C, D, or E of this title, subtitle A of title I of the Domestic Volunteer Service Act of 1973, or summer of service under section 111(a)(5), and remain available.

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

(A) determines that the funds will not be needed for the payment of national service educational awards associated with previously approved national service positions and summer of service educational awards; or

(B) obligates the funds for the payment of national service educational awards for such previously approved national service positions or summer of service educational awards, as applicable.

(c) AUDITS.—The accounts of the Corporation relating to the appropriated funds for approved national service positions, and the records demonstrating the manner in which the Corporation has recorded estimates described in subsection (a)(1)(B) as obligations, shall be audited annually by independent certified public accountants or independent licensed public accountants certified or licensed

by a regulatory authority of a State or other political subdivision of the United States in accordance with generally accepted auditing standards. A report containing the results of each such independent audit shall be included in the annual report required by subsection (a)(3).

(d) AVAILABILITY OF AMOUNTS.—Except as provided in subsection (b), all amounts included in the National Service Trust under paragraphs (1), (2), and (3) of section 145(a) shall be available for payments of national service educational awards or summer of service educational awards under section 148.

[Subtitle E—Civilian Community Corps]

[SEC. 151. PURPOSE.

[It is the purpose of this subtitle to authorize the establishment of a Civilian Community Corps to provide a basis for determining—

[(1) whether residential service programs administered by the Federal Government can significantly increase the support for national service and community service by the people of the United States;

[(2) whether such programs can expand the opportunities for willing young men and women to perform meaningful, direct, and consequential acts of community service in a manner that will enhance their own skills while contributing to their understanding of civic responsibility in the United States;

[(3) whether retired members and former members of the Armed Forces of the United States, members and former members of the Armed Forces discharged or released from active duty in connection with reduced Department of Defense spending, members and former members of the Armed Forces discharged or transferred from the Selected Reserve of the Ready Reserve in connection with reduced Department of Defense spending, and other members of the Armed Forces not on active duty and not actively participating in a reserve component of the Armed Forces can provide guidance and training under such programs that contribute meaningfully to the encouragement of national and community service; and

[(4) whether domestic national service programs can serve as a substitute for the traditional option of military service in the Armed Forces of the United States which, in times of reductions in the size of the Armed Forces, is a diminishing national service opportunity for young Americans.]

Subtitle E—National Civilian Community Corps

SEC. 151. PURPOSE.

It is the purpose of this subtitle to authorize the operation of, and support for, residential and other service programs that combine the best practices of civilian service with the best aspects of military service, including leadership and team building, to meet national and community needs. Such needs to be met under such programs include those related to—

(1) natural and other disasters;
(2) infrastructure improvement;
(3) environmental stewardship and conservation;
(4) energy conservation; and
(5) urban and rural development.

[SEC. 152. ESTABLISHMENT OF CIVILIAN COMMUNITY CORPS DEMONSTRATION PROGRAM.]

SEC. 152. ESTABLISHMENT OF NATIONAL CIVILIAN COMMUNITY CORPS PROGRAM.

(a) IN GENERAL.—The Corporation may establish the [Civilian Community Corps Demonstration Program] *National Civilian Community Corps Program* to carry out the purpose of this subtitle.

(b) PROGRAM COMPONENTS.—Under the [Civilian Community Corps Demonstration Program] *National Civilian Community Corps Program* authorized by subsection (a), the members of [a Civilian Community Corps] *a National Civilian Community Corps* shall receive training and perform service in at least one of the following two program components:

(1) * * *

* * * * * * *

(c) RESIDENTIAL [PROGRAMS] *COMPONENTS*.—Both [program components are residential programs. The members of the Corps in each program shall reside with other members of the Corps in Corps housing during the periods of the members' agreed service.] *programs referred to in subsection (b) may include a residential component.*

SEC. 153. NATIONAL SERVICE PROGRAM.

(a) IN GENERAL.—Under the national service program component of the [Civilian Community Corps Demonstration Program] *National Civilian Community Corps Program* authorized by section 152(a), eligible young people shall work in teams [on Civilian Community Corps] *on National Civilian Community Corps* projects.

(b) ELIGIBLE PARTICIPANTS.—A person shall be eligible for selection for the national service program [if the person—

[(1) is at least 16 and not more than 24 years of age; and

[(2) is a high school graduate or has not received a high school diploma or its equivalent.] *if the person will be at least 18 years of age on or before December 31 in the calendar year in which the individual enrolls in the program.*

(c) DIVERSE [BACKROUNDS] *BACKGROUNDS* of Participants.—In selecting persons for the national service program, the Director shall endeavor to ensure that participants are from economically, geographically, and ethnically diverse backgrounds. *The Director shall ensure that at least 50 percent of the participants in the program are disadvantaged youth by year 2010. The Director shall report to the Committee on Education and Labor in the United States House of Representatives and the Committee on Health, Education, Labor, and Pensions in the United States Senate annually on progress towards this goal.*

* * * * * * *

[(e) PERIOD OF PARTICIPATION.—Persons desiring to participate in the national service program shall enter into an agreement with

the Director to participate in the Corps for a period of not less than nine months and not more than one year, as specified by the Director, and may renew the agreement for not more than one additional such period.]

SEC. 154. SUMMER NATIONAL SERVICE PROGRAM.

(a) IN GENERAL.—Under the summer national service program of the [Civilian Community Corps Demonstration Program] *National Civilian Community Corps Demonstration Program* authorized by section 152(a), a diverse group of youth aged 14 through 18 years who are from urban or rural areas shall work in teams [on Civilian Community Corps] *on National Civilian Community Corps* projects.

(b) NECESSARY PARTICIPANTS.—To the extent practicable, at least 50 percent of the participants in the summer national service program [shall be economically disadvantaged youths.] *shall be from economically and ethnically diverse backgrounds, including youth who are in foster care.*

* * * * * * *

[SEC. 155. CIVILIAN COMMUNITY CORPS.]

SEC. 155. NATIONAL CIVILIAN COMMUNITY CORPS.

(a) DIRECTOR.—Upon the establishment of the [Civilian Community Corps Demonstration Program] *National Civilian Community Corps Demonstration Program*, [the Civilian Community Corps shall] *the National Civilian Community Corps shall* be under the direction of the Director appointed pursuant to section 159(c)(1).

(b) [MEMBERSHIP IN CIVILIAN COMMUNITY CORPS] *MEMBERSHIP IN NATIONAL CIVILIAN COMMUNITY CORPS.*—

(1) PARTICIPANTS TO BE MEMBERS.—Persons selected to participate in the national service program or the summer national service program components of the Program shall become members of the *National* Civilian Community Corps.

* * * * * * *

(3) APPLICATION FOR MEMBERSHIP.—To be selected to become a Corps member an individual shall submit an application to the Director or to any other office as the Director may designate, at such time, in such manner, and containing such information as the Director shall require. At a minimum, the application shall contain information about the work experience of the applicant and sufficient information to enable the Director, or the [superintendent] *campus director* of the appropriate [camp] *campus*, to determine whether selection of the applicant for membership in the Corps is appropriate.

(4) TEAM LEADERS.—The Director may select from Corps members individuals with prior supervisory or service experience to be team leaders within units in the National Civilian Community Corps to perform service that includes leading and supervising teams of Corps members. Team leaders shall—

(A) be selected without regard to the age limitation under section 153(b);

(B) be members of the National Civilian Community Corps; and

(C) be provided the rights and benefits applicable to Corps members, except that the limitation on the amount of

living allowance shall not exceed 10 percent more than the amount established under section 158(b).

* * * * * * *

(d) [CAMPS] *CAMPUSES.*—

[(1) UNITS TO BE ASSIGNED TO CAMPS.—]

(1) UNITS TO BE ASSIGNED TO CAMPUSES.—The units of the Corps shall be grouped together as appropriate [in camps] *in campuses* for operational, support, and boarding purposes. The Corps [camp] *campus* for a unit shall be in a facility or central location established as the operational headquarters and boarding place for the unit. Corps members may be housed [in the camps] *in the campuses*.

[(2) CAMP SUPERINTENDENT.—There shall be a superintendent for each camp. The superintendent is the head of the camp.]

(2) CAMPUS DIRECTOR.—There shall be a campus director for each campus. The campus director is the head of the campus.

[(3) ELIGIBLE SITE FOR CAMP.—A camp may be located]

(3) ELIGIBLE SITE FOR CAMPUS.— A campus must be cost-effective and may, upon the completion of a feasibility study, be located in a facility referred to in section 162(a)(3).

[(e) DISTRIBUTION OF UNITS AND CAMPS]

(e) DISTRIBUTION OF UNITS AND CAMPUSES.—The Director shall ensure that the Corps units and [camps are distributed] *campuses are cost-effective and are distributed* in urban areas and [rural areas in various regions throughout the United States.] *rural areas such that each Corps unit in a region can be easily deployed for disaster and emergency response to such region.*

(f) STANDARDS OF CONDUCT.—

(1) IN GENERAL.—The [superintendent] *campus director* of each [camp] *campus* shall establish and enforce standards of conduct to promote proper moral and disciplinary conditions in the [camp] *campus*.

(2) SANCTIONS.—Under procedures prescribed by the Director, the [superintendent of a camp] *campus director of a campus* may—

(A) transfer a member of the Corps in that [camp] *campus* to another unit or [camp] *campus* if the [superintendent] *campus director* determines that the retention of the member in the member's unit or in the [superintendent's camp] *campus director's campus* will jeopardize the enforcement of the standards or diminish the opportunities of other Corps members in that unit or [camp] *campus*, as the case may be; or

(B) dismiss a member of the Corps from the Corps if the [superintendent] *campus director* determines that retention of the member in the Corps will jeopardize the enforcement of the standards or diminish the opportunities of other Corps members.

(3) APPEALS.—Under procedures prescribed by the Director, a member of the Corps may appeal to the Director a determination of a [camp superintendent] *campus director* to trans-

fer or dismiss the member. The Director shall provide for expeditious disposition of appeals under this paragraph.

* * * * * * *

SEC. 156. TRAINING.

(a) COMMON CURRICULUM.—Each member of the *National* Civilian Community Corps shall be provided with between three and six weeks of training that includes a comprehensive service-learning curriculum designed to promote team building, discipline, leadership, work, training, citizenship, and physical conditioning. *The Director shall ensure that to the extent practicable, each member of the Corps is trained in CPR, first aid, and other skills related to disaster preparedness and response.*

(b) ADVANCED SERVICE TRAINING.—

(1) NATIONAL SERVICE PROGRAM.—Members of the Corps participating in the national service program shall receive advanced training in basic, project-specific skills that the members will use in performing their community service projects*, including a focus on energy conservation, environmental stewardship or conservation, infrastructure improvement, urban and rural development, or disaster preparedness needs*.

* * * * * * *

(c) TRAINING PERSONNEL.—

(1) * * *

(2) COORDINATION WITH OTHER ENTITIES.—Members of the cadre may provide the advanced service training referred to in subsection (b)(1) in coordination with vocational or technical schools, other employment and training providers, existing youth service programs, or other qualified individuals. *The Corporation may provide such training through grants, contracts, or cooperative agreements with organizations who have established expertise in working with disadvantaged youth in similar programs.*

* * * * * * *

SEC. 157. SERVICE PROJECTS.

(a) PROJECT REQUIREMENTS.—The service projects carried out by the *National* Civilian Community Corps shall—

(1) meet an identifiable public need *with specific emphasis on projects in support of infrastructure improvement, disaster relief and recovery, the environment, energy conservation and urban and rural development*;

(2) emphasize the performance of community service activities that provide meaningful community benefits and opportunities for ⟦service learning⟧ *service-learning* and skills development;

* * * * * * *

(b) PROJECT PROPOSALS.—

(1) DEVELOPMENT OF PROPOSALS.—

(A) SPECIFIC EXECUTIVE DEPARTMENTS.—Upon the establishment of the Program, the Secretary of Agriculture, the Secretary of the Interior, ⟦and the Secretary of Housing and Urban Development⟧ *the Secretary of Housing and Urban Development, the Administrator of the Environ-*

mental Protection Agency, the Administrator of the Federal Emergency Management Agency, the Secretary of Energy, the Secretary of Transportation, and the Chief of the United States Forest Service shall develop proposals for Corps projects pursuant to guidance which the Director shall prescribe.

(B) OTHER SOURCES.—Other public and private organizations and agencies, including *community-based organizations and* representatives of local communities in the vicinity of a Corps [camp] *campus*, may develop proposals for projects for a Corps [camp] *campus*. Corps members shall also be encouraged to identify projects for the Corps.

(2) CONSULTATION REQUIREMENTS.—The process for developing project proposals under paragraph (1) shall include consultation with the Corporation, representatives of local communities, *State Commissions,* and persons involved in other youth service programs.

(c) PROJECT SELECTION, ORGANIZATION, AND PERFORMANCE.—

(1) SELECTION.—The [superintendent] *campus director* of a Corps [camp] *campus* shall select the projects to be performed by the members of the Corps assigned to the units in that [camp] *campus*. The [superintendent] *campus director* shall select projects from among the projects proposed or identified pursuant to subsection (b).

(2) INNOVATIVE LOCAL ARRANGEMENTS FOR PROJECT PERFORMANCE.—The Director shall encourage [camp superintendents] *campus directors* to negotiate with representatives of local communities, to the extent practicable, innovative arrangements for the performance of projects. The arrangements may provide for cost-sharing and the provision by the communities of in-kind support and other support.

SEC. 158. AUTHORIZED BENEFITS FOR CORPS MEMBERS.

(a) IN GENERAL.—The Director shall provide for members of the *National* Civilian Community Corps to receive benefits authorized by this section.

* * * * * * *

(c) OTHER AUTHORIZED BENEFITS.—While receiving training or engaging in service projects as members of the *National* Civilian Community Corps, members may be provided the following benefits*, as the Director determines appropriate*:

(1) * * *

* * * * * * *

(6) [Clothing] *Uniforms*.

(7) [Recreational services and supplies] *Supplies*.

* * * * * * *

SEC. 159. ADMINISTRATIVE PROVISIONS.

(a) SUPERVISION.—The Chief Executive Officer shall monitor and supervise the administration of the [Civilian Community Corps Demonstration Program] *National Civilian Community Corps Program* authorized to be established under section 152. In carrying out this section, the Chief Executive Officer shall—

(1) approve such guidelines, *including those* recommended by the Board, for the design, selection of members, and operation

of the *National* Civilian Community Corps as the Chief Executive Officer considers appropriate;

* * * * * * *

(b) MONITORING AND COORDINATION.—The Chief Executive Officer shall—

(1) monitor the overall operation of the *National* Civilian Community Corps;

* * * * * * *

(c) STAFF.—

(1) DIRECTOR.—

(A) * * *

(B) DUTIES.—The Director shall—

(i) design, develop, and administer the *National* Civilian Community Corps programs;

* * * * * * *

(2) PERMANENT CADRE.—

(A) ESTABLISHMENT.—[The Director shall establish a permanent cadre of] *The Chief Executive Officer shall establish a permanent cadre that includes the Director and other appointed* supervisors and training instructors for *National* Civilian Community Corps programs.

(B) APPOINTMENT.—[The Director shall appoint the members] *The Chief Executive Officer shall consider the recommendations of the Director in appointing the other members* of the permanent cadre.

(C) EMPLOYMENT CONSIDERATIONS.—In appointing individuals to cadre positions, [the Director] *the Chief Executive Officer* shall—

(i) * * *

* * * * * * *

(E) TRAINING.—The Director shall provide to members of the permanent cadre appropriate training in youth development techniques*, including techniques for working with and enhancing the development of disadvantaged youth,* and the principles of [service learning] *service-learning*. All members of the permanent cadre shall be required to participate in the training.

(3) INAPPLICABILITY OF CERTAIN CIVIL SERVICE LAWS.—The Director, [the members] *other members* of the permanent cadre, and the other staff personnel shall be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service. The rates of pay of such persons may be established without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title. In the case of a member of the permanent cadre who was recommended for appointment in accordance with section 162(a)(2)(A) and is entitled to retired or retainer pay, section 5532 of title 5, United States Code, shall not apply to reduce the member's retired or retainer pay by reason of the member being paid as a member of the cadre.

* * * * * * *

SEC. 160. STATUS OF CORPS MEMBERS AND CORPS PERSONNEL UNDER FEDERAL LAW.

(a) IN GENERAL.—Except as otherwise provided in this section, members of the *National* Civilian Community Corps shall not, by reason of their status as such members, be considered Federal employees or be subject to the provisions of law relating to Federal employment.

* * * * * * *

SEC. 161. CONTRACT AND GRANT AUTHORITY.

(a) PROGRAMS.—The Director may, by contract or grant, provide for any public or private organization to ⟦perform any program function under this subtitle⟧ *carry out the National Civilian Community Corps program*.

(b) EQUIPMENT AND FACILITIES.—

(1) * * *

(2) OTHER PROPERTY.—The Director may enter into contracts or agreements for the use of other equipment or facilities to the extent practicable to train and house members of the *National* Civilian Community Corps and leaders of Corps units.

SEC. 162. RESPONSIBILITIES OF OTHER DEPARTMENTS.

(a) SECRETARY OF DEFENSE.—

(1) LIAISON OFFICE.—

(A) ESTABLISHMENT.—Upon the establishment of the Program, the Secretary of Defense shall establish an office to provide for liaison between the Secretary and the *National* Civilian Community Corps.

(B) DUTIES.—The office shall—

(i) in order to assist in the recruitment of personnel for appointment in the permanent cadre, make available to the Director information in ⟦the registry established by section 4462 of the National Defense Authorization Act for Fiscal Year 1993;⟧ *the registry established by section 1143a of title 10, United States Code;* and

* * * * * * *

(2) CORPS CADRE.—

(A) LIST OF RECOMMENDED PERSONNEL.—Upon the establishment of the Program, the Secretary of Defense, in consultation with the liaison office established under paragraph (1) shall develop a list of individuals ⟦to be recommended for appointment⟧ *from which individuals may be selected for appointment by the Director* in the permanent cadre of Corps personnel. Such personnel shall be selected from among members and former members of the Armed Forces referred to in section 151(3) who are commissioned officers, noncommissioned officers, former commissioned officers, or former noncommissioned officers.

* * * * * * *

(3) FACILITIES.—Upon the establishment of the Program, the Secretary of Defense shall 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 *National* Civilian Community Corps for training or housing Corps members. The Secretary of Defense shall carry out this paragraph in consultation with the liaison office established under paragraph (1).

* * * * * * *

[(b) SECRETARY OF LABOR.—Upon the establishment of the Program, the Secretary of Labor shall identify and assist in establishing a system for the recruitment of persons to serve as members of the Civilian Community Corps. In carrying out this subsection, the Secretary of Labor may utilize the Employment Service Agency or the Office of Job Training.]

SEC. 163. ADVISORY BOARD.

(a) ESTABLISHMENT AND PURPOSE.—[Upon the establishment of the Program, there shall also be] *There shall be* established a *National* Civilian Community Corps Advisory Board to advise the Director concerning the administration of this subtitle and [to assist in the development and administration of the Corps.] *to assist the Corps in responding rapidly and efficiently in times of natural and other disasters. Consistent with the needs outlined in section 151, the Advisory Board members shall help coordinate activities with the Corps as appropriate, including the mobilization of volunteers and coordination of volunteer centers to help local communities recover from the effects of natural and other disasters.*

(b) MEMBERSHIP.—The Advisory Board shall be composed of the following members:

(1) * * *

* * * * * * *

(8) The Administrator of the Federal Emergency Management Agency.

(9) The Secretary of Transportation.

(10) The Chief of the United States Forest Service.

(11) The Administrator of the Environmental Protection Agency.

(12) The Secretary of Energy.

[(8)] *(13)* Individuals appointed by the Director from among persons who are broadly representative of educational institutions, voluntary organizations, [industry,] *public and private organizations,* youth, and labor unions.

[(9)] *(14)* The Chief Executive Officer.

* * * * * * *

SEC. 164. ANNUAL EVALUATION.

Pursuant to the provisions for evaluations conducted under section 179, and in particular subsection (g) of such section, the Corporation shall conduct an annual evaluation of the *National* Civilian Community Corps programs authorized under this subtitle. *Upon completing each such evaluation, the Corporation shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and Labor of the House of Representatives a report on the evaluation.*

[SEC. 165. FUNDING LIMITATION.

[The Corporation, in consultation with the Director, shall ensure that no amounts appropriated under section 501 are utilized to carry out this subtitle.]

SEC. 166. DEFINITIONS.

In this subtitle:

(1) * * *

[(2) CORPS.—The terms "Civilian Community Corps" and "Corps" mean the Civilian Community Corps required under section 155 as part of the Civilian Community Corps Demonstration Program.

[(3) CORPS CAMP.—The term "Corps camp" means the facility or central location established as the operational headquarters and boarding place for particular Corps units.]

(2) CAMPUS DIRECTOR.—The term "campus director", with respect to a Corps campus, means the head of the campus under section 155(d).

(3) CORPS.—The term "Corps" means the National Civilian Community Corps required under section 155 as part of the Civilian Community Corps Program.

(4) CORPS CAMPUS.—The term "Corps campus" means the facility or central location established as the operational headquarters and boarding place for particular Corps units.

[(4)] *(5)* CORPS MEMBERS.—The term "Corps members" means persons receiving training and participating in projects under the [Civilian Community Corps Demonstration Program] *National Civilian Community Corps Program*.

[(5)] *(6)* DIRECTOR.—The term "Director" means the Director of the *National* Civilian Community Corps.

[(6)] *(7)* INSTITUTION OF HIGHER EDUCATION.—The term "institution of higher education" has the meaning given that term in section 101 of the Higher Education Act of 1965.

[(7)] *(8)* PROGRAM.—[The terms "Civilian Community Corps Demonstration Program" and "Program" mean the Civilian Community Corps Demonstration Program] *The term "Program" means the National Civilian Community Corps Program* established pursuant to section 152.

[(8) SERVICE LEARNING] *(9) SERVICE-LEARNING*.—The term "[service learning] *service-learning*", with respect to Corps members, means a method—

(A) * * *

* * * * * * *

[(9) SUPERINTENDENT.—The term "superintendent", with respect to a Corps camp, means the head of the camp under section 155(d).]

* * * * * * *

Subtitle F—Administrative Provisions

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] *with respect to a project authorized under the national service laws*; and

* * * * * * *

SEC. 174. PROHIBITION ON USE OF FUNDS.

(a) * * *

* * * * * * *

(d) REFERRALS FOR FEDERAL ASSISTANCE.—A program may not receive assistance under the national service laws for the sole purpose of referring individuals to Federal assistance programs or State assistance programs funded in part by the Federal government.

* * * * * * *

SEC. 176. NOTICE, HEARING, AND GRIEVANCE PROCEDURES.

(a) IN GENERAL.—

(1) SUSPENSION OF PAYMENTS.—The Corporation may in accordance with the provisions of [this title] *the national service laws*, suspend or terminate payments under a contract or grant providing assistance under [this title] *the national service laws*, or revoke the designation of positions, related to the grant or contract, as approved national service positions, whenever the Corporation determines there is a material failure to comply with [this title] *the national service laws* or the applicable terms and conditions of any such grant or contract issued pursuant to [this title] *the national service laws*.

(2) PROCEDURES TO ENSURE ASSISTANCE.—The Corporation shall prescribe procedures to ensure that—

(A) assistance provided under [this title] *the national service laws* shall not be suspended for failure to comply with the applicable terms and conditions of [this title] *the national service laws* except, in emergency situations, a suspension may be granted for [30 days] *1 or more periods of 30 days not to exceed 90 days in total*; and

(B) assistance provided under [this title] *the national service laws* shall not be terminated or revoked for failure to comply with applicable terms and conditions of [this title] *the national service laws* unless the recipient of such assistance has been afforded reasonable notice and opportunity for a full and fair hearing.

(b) HEARINGS.—Hearings or other meetings that may be necessary to fulfill the requirements of this section shall be held at locations convenient to the recipient of assistance under [this title] *the national service laws*.

* * * * * * *

(d) STATE LEGISLATION.—Nothing in [this title] *the national service laws* shall be construed to preclude the enactment of State legislation providing for the implementation, consistent with [this title] *the national service laws*, of the programs administered under [this title] *the national service laws*.

(e) CONSTRUCTION.—Nothing in [this title] *the national service laws* shall be construed to link performance of service with receipt of Federal student financial assistance, other than assistance provided pursuant to this Act.

(f) GRIEVANCE PROCEDURE.—

(1) IN GENERAL.—[A State or local applicant] *An entity* that receives assistance under [this title] *the national service laws* 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] *the national service laws*, including grievances regarding proposed placements of such participants in such projects.

* * * * * * *

(5) PROPOSED PLACEMENT.—If a grievance is filed regarding a proposed placement of a participant in a project that receives assistance under [this title] *the national service laws*, 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] *the national service laws*;

(B) termination of such payments;

(C) prohibition of the placement described in paragraph (5); [and]

(D) in a grievance filed by an individual applicant or participant—

(i) the applicant's selection or the participant's reinstatement, as the case may be; and

(ii) other changes in the terms and conditions of service; and

[(D)] *(E)* 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] *the national service laws*—

(i) * * *

* * * * * * *

SEC. 177. NONDUPLICATION AND NONDISPLACEMENT.

(a) NONDUPLICATION.—

(1) IN GENERAL.—Assistance provided [under this title] *under the national service laws* shall be used only for a program that does not duplicate, and is in addition to, an activity otherwise available in the locality of such program.

(2) PRIVATE NONPROFIT ENTITY.—Assistance made available [under this title] *under the national service laws* shall not be provided to a private nonprofit entity to conduct activities that are the same or substantially equivalent to activities provided by a State or local government agency that such entity resides in, unless the requirements of subsection (b) are met.

(b) NONDISPLACEMENT.—

(1) IN GENERAL.—An employer shall not displace an [employee or position] *employee, position, or volunteer (other than*

a participant under the national service laws), including partial displacement such as reduction in hours, wages, or employment benefits, as a result of the use by such employer of a participant in a program receiving assistance [under this title] *under the national service laws*.

(2) SERVICE OPPORTUNITIES.—A service opportunity shall not be created [under this title] *under the national service laws* that will infringe in any manner on the promotional opportunity of an employed individual.

(3) LIMITATION ON SERVICES.—

(A) DUPLICATION OF SERVICES.—A participant in a program receiving assistance [under this title] *under the national service laws* shall not perform any services or duties or engage in activities that would otherwise be performed by an employee as part of the assigned duties of such employee.

(B) SUPPLANTATION OF HIRING.—A participant in any program receiving assistance [under this title] *under the national service laws* shall not perform any services or duties, or engage in activities, that—

(i) * * *

* * * * * * *

(C) DUTIES FORMERLY PERFORMED BY ANOTHER EMPLOYEE.—A participant in any program receiving assistance [under this title] *under the national service laws* shall not perform services or duties that have been performed by or were assigned to any—

(i) * * *

* * * * * * *

(f) PARENTAL INVOLVEMENT.—

(1) IN GENERAL.—Programs that receive assistance under the national service laws shall consult with the parents or legal guardians of children in developing and operating programs that include and serve children.

(2) PARENTAL PERMISSION.—Programs that receive assistance under the national service laws shall, consistent with State law, before transporting minor children, provide the reason for and obtain written permission of the children's parents.

SEC. 178. STATE COMMISSIONS ON NATIONAL AND COMMUNITY SERVICE.

(a) * * *

* * * * * * *

(c) COMPOSITION AND MEMBERSHIP.—

(1) REQUIRED MEMBERS.—The State Commission for a State shall include as voting members at least one of each of the following individuals:

(A) * * *

* * * * * * *

(J) A representative of the volunteer sector.

* * * * * * *

(3) CORPORATION REPRESENTATIVE.—The representative of the Corporation designated under section 195(c) for a State

shall be an ex officio nonvoting member of the State Commission or alternative administrative entity for that State[, unless the State permits the representative to serve as a voting member of the State Commission or alternative administrative entity].

* * * * * * *

(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) is developed through an open and public process (such as through regional forums, hearings, and other means) that provides for maximum participation and input from national service programs within the State and other interested members of the public;

[(B) covers a 3-year period;

[(C) is updated annually;

[(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; and

[(E) contains such information as the State Commission considers to be appropriate or as the Corporation may require.]

(1) Preparation of a national service plan for the State that—

(A) is developed through an open and public process (such as through regional forums, hearings, and other means) that provides for maximum participation and input from companies, organizations, and public agencies using service and volunteerism as a strategy to meet critical community needs, including programs funded under the national service laws;

(B) covers a 3-year period, the beginning of which may be set by the State;

(C) is subject to approval by the chief executive officer of the State;

(D) includes measurable goals and outcomes for the State consistent with those for national service programs as described in section 179(a)(1)(A);

(E) ensures outreach to diverse community-based agencies that serve underrepresented populations, by—

(i) using established networks and registries at the State level, or establishing such networks and registries; and

(ii) coordinating with the Corporation's Office of Outreach and Recruitment;

(F) provides for effective coordination of funding applications submitted by the State and others within the State under the national service laws;

(G) is updated annually, reflecting changes in practices and policies that will improve the coordination and effectiveness of Federal, State, and local resources for service and volunteerism within the State; and

(H) contains such information as the State Commission considers to be appropriate or as the Corporation may require.

* * * * * * *

(f) RELIEF FROM ADMINISTRATIVE REQUIREMENTS.—Upon approval of a State plan submitted under subsection (e)(1), the Chief Executive Officer may waive, or specify alternatives to, administrative requirements (other than statutory provisions) otherwise applicable to grants made to States under the national service laws, including those requirements identified by a State as impeding the coordination and effectiveness of Federal, State, and local resources for service and volunteerism within a State.

[(f)**]** *(g)* 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)**]** *(h)* 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 nonprofit organization.

[(h)**]** *(i)* APPROVAL OF STATE COMMISSION OR ALTERNATIVE.—

(1) * * *

* * * * * * *

[(i)**]** *(j)* 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**[**.**]**, *consistent with section 174(d).*

* * * * * * *

[(j)**]** *(k)* LIABILITY.—

(1) * * *

* * * * * * *

(l) STATE PLAN FOR BABY BOOMER AND OLDER ADULT VOLUNTEER AND PAID SERVICE.—

(1) IN GENERAL.—Notwithstanding any other provision of this section, 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 must work with appropriate State agencies and private entities to develop a comprehensive State plan for volunteer and paid service by members of the Baby Boom generation and older adults.

(2) MATTERS INCLUDED.—The State plan shall include—

(A) recommendations for public policy initiatives, including how to best tap the population of members the Baby Boom generation and older adults as sources of social capital and as ways to address community needs;

(B) recommendations to the State unit on aging on—

(i) a marketing outreach plan to businesses;

(ii) outreach to non-profit-organizations;

(iii) the State's Department of Education; and

(iv) other State agencies; and

(C) recommendations for civic engagement and multigenerational activities, such as—

(i) early childhood education, family literacy, and after school programs;

(ii) respite services for older adults and caregivers; and

(iii) transitions for members of the Baby Boom generation and older adults to purposeful work in their post career lives.

(3) KNOWLEDGE INCORPORATED.—The State plan shall incorporate the current knowledge base regarding—

(A) the economic impact of older workers' roles in the economy;

(B) the social impact of older workers' roles in the community; and

(C) the health and social benefits of active engagement for members of the Baby Boom generation and older adults.

(4) PUBLICATION.—The State plan must be made public and be transmitted to the Chief Executive Officer.

* * * * * * *

SEC. 179. EVALUATION.

[(a) IN GENERAL.—The Corporation shall provide, through grants or contracts, for the continuing evaluation of programs that receive assistance under the national service laws, including evaluations that measure the impact of such programs, to determine—

[(1) the effectiveness of various program models in achieving stated goals and the costs associated with such;

[(2) with respect to the programs authorized under subtitle C, the impact of such programs, in each State in which a program is conducted, on the ability of—

[(A) the VISTA and National Senior Volunteer Corps programs (established under the Domestic Volunteer Services Act of 1973 (42 U.S.C. 4950 et seq.));

[(B) each regular component of the Armed Forces (as defined in section 101(a)(4) of title 10, United States Code);

[(C) each of the reserve components of the Armed Forces (as described in section 10101 of title 10, United States Code); and

[(D) the Peace Corps (as established by the Peace Corps Act (22 U.S.C. 2501 et seq.));

to recruit individuals residing in such State to serve in such program; and

[(3) the structure and mechanisms for delivery of services for such programs.]

(a) IN GENERAL.—The Corporation shall provide, directly or through grants or contracts, for the continuing evaluation of programs that receive assistance under the national service laws, including evaluations that measure the impact of such programs, to determine—

(1) the effectiveness of various programs receiving assistance under the national service laws in achieving stated goals and the costs associated with such, including—

(A) an evaluation of performance measures, as established by the Corporation in consultation with grantees receiving assistance under the national service laws, which may include—

(i) number of participants enrolled and completing terms of service compared to the stated goals of the program;

(ii) number of volunteers recruited from the community in which the program was implemented;

(iii) if applicable based on the program design, the number of individuals receiving or benefitting from the service conducted;

(iv) number of disadvantaged and underrepresented youth participants;

(v) sustainability of project or program, including measures to ascertain the level of community support for the project or program;

(vi) measures to ascertain the change in attitude toward civic engagement among the participants and the beneficiaries of the service; and

(vii) other quantitative and qualitative measures as determined to be appropriate by the recipient of assistance; and

(B) review of the implementation plan for reaching such measures described in subparagraph (A); and

(2) the effectiveness of the structure and mechanisms for delivery of services, such as the effective utilization of the participants' time, the management of the participants, and the ease to which recipients were able to receive services to maximize the cost-effectiveness of the program and its impact, for such programs.

* * * * * * *

(g) PROGRAM OBJECTIVES.—The Corporation shall ensure that programs that receive assistance under subtitle C are evaluated to determine their effectiveness in—

(1) * * *

* * * * * * *

(3) encouraging each participant to engage in public and community service after completion of the program based on career choices and service in other service programs such as the Volunteers in Service to America Program and [National Senior Volunteer Corps] *National Senior Service Corps* programs established under the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4950 et seq.), the Peace Corps (as established by the Peace Corps Act (22 U.S.C. 2501 et seq.)), the military, and part-time volunteer service;

* * * * * * *

(9) attracting a greater number of citizens [to public service, including service in the active and reserve components of the Armed Forces, the National Guard, the Peace Corps (as established by the Peace Corps Act (22 U.S.C. 2501 et seq.)), and the VISTA and National Senior Volunteer Corps programs established under the Domestic Volunteer Service Act of 1973 (42

U.S.C. 4950 et seq.).] *to engage in service that benefits the community.*

* * * * * * *

(j) RESERVED PROGRAM FUNDS FOR ACCOUNTABILITY.—In addition to amounts appropriated to carry out this section, the Corporation may reserve up to 1 percent of total program funds appropriated for a fiscal year under the national service laws to support program accountability activities.

(k) CORRECTIVE PLANS.—

(1) IN GENERAL.—A grantee that fails to reach the performance measures in subsection (a)(1)(A) as determined by the Corporation, shall reach an agreement with the Corporation on a corrective action plan to achieve the agreed upon performance measures.

(2) ASSISTANCE.—

(A) NEW PROGRAM.—For a program that has received assistance for less than 3 years and is failing to achieve the performance measures agreed upon under subsection (a)(1)(A), the Corporation shall—

(i) provide technical assistance to the grantee to address targeted performance problems relating to the performance measures in subsection (a)(1)(A); and

(ii) require quarterly reports from the grantee on the program's progress toward achieving the performance measures in subsection (a)(1)(A) to the appropriate State, Territory, or Indian tribe and the Corporation.

(B) ESTABLISHED PROGRAMS.—For a program that has received assistance for 3 years or more and is failing to achieve the performance measures agreed upon under subsection (a)(1)(A), the Corporation shall require quarterly reports from the grantee on the program's progress towards achieving performance measures in subsection (a)(1)(A) to the appropriate State, Territory, or Indian tribe and the Corporation.

(l) FAILURE TO MEET PERFORMANCE LEVELS.—If, after a period for correction as approved by the Corporation, a grantee or subgrantee fails to achieve the established levels of performance, the Corporation shall—

(1) reduce the annual amount of the grant award attributable to the underperforming grantee or subgrantee by at least 25 percent; or

(2) terminate assistance to the underperforming grantee or subgrantee, consistent with section 176(a).

(m) REPORTS.—The Corporation shall submit to Congress not later than two years after the date of the enactment of this subsection, and annually thereafter, a report containing information on the number of—

(1) grantees implementing corrective action plans;

(2) grantees for which the Corporation offers technical assistance under subsection (k);

(3) grantees for which the Corporation terminates assistance for a program under subsection (l); and

(4) grantees meeting or exceeding their performance measures in subsection (a).

* * * * * * *

SEC. 181. CONTINGENT EXTENSION.

[Section 414] *Section 422* of the General Education Provisions Act (20 U.S.C. 1226a) shall apply to this Act.

SEC. 182. PARTNERSHIPS WITH SCHOOLS.

(a) * * *

[(b) REPORT.—Not later than 180 days after the date of enactment of this Act, and on a regular basis thereafter, the head of each Federal agency and department shall prepare and submit, to the appropriate Committees of Congress, a report concerning the implementation of this section.]

(b) ANNUAL REPORT.—On an annual basis, the head of each Federal agency and department shall prepare and submit, to Congress and the committees of jurisdiction, a report concerning the implementation of this section, including an evaluation of the performance goals and benchmarks of the partnership programs.

SEC. 183. RIGHTS OF ACCESS, EXAMINATION, AND COPYING.

(a) COMPTROLLER GENERAL.—The Comptroller General, or any of the duly authorized representatives of the Comptroller General, shall have access to, and the right to examine and copy, any books, documents, papers, records, and other recorded information in any form—

(1) within the possession or control of the Corporation or any State or local government, *Territory,* Indian tribe, or public or private nonprofit organization receiving assistance directly or indirectly under this Act; and

* * * * * * *

(b) CHIEF FINANCIAL OFFICER.—The Chief Financial Officer of the Corporation shall have access to, and the right to examine and copy, any books, documents, papers, records, and other recorded information in any form—

(1) within the possession or control of the Corporation or any State or local government, *Territory,* Indian tribe, or public or private nonprofit organization receiving assistance directly or indirectly under this Act; and

* * * * * * *

(c) INSPECTOR GENERAL.—The Inspector General of the Corporation shall have access to, and the right to examine and copy, any books, documents, papers, records, and other recorded information in any form—

(1) within the possession or control of the Corporation or any State or local government, Territory, Indian tribe, or public or private nonprofit organization receiving assistance directly or indirectly under this Act; and

(2) that relates to the duties of the Inspector General under the Inspector General Act of 1978.

* * * * * * *

SEC. 185. CONSOLIDATED APPLICATION AND REPORTING REQUIREMENTS.

(a) IN GENERAL.—To promote efficiency and eliminate duplicative requirements, the Corporation shall consolidate or modify application procedures and reporting requirements for programs and activities funded under the national service laws.

(b) REPORTS TO CONGRESS.—Not later than 1 year after the date of the enactment of this section, and annually thereafter, the Corporation shall submit to Congress a report containing information on the actions taken to modify the application procedures and reporting requirements for programs and activities funded under the national service laws, including a description of the consultation procedures with grantees, entities that expressed interest in applying for assistance under a national service law but did not apply, those entities whose application was rejected, and applications whose assistance was terminated due to failure to meet performance measures for the year covered by the report.

SEC. 186. SUSTAINABILITY.

(a) GOALS.—To ensure that recipients of assistance under the national service laws are carrying out sustainable projects or programs, the Corporation, after collaboration with State Commissions and consultation with recipients of assistance under the national service laws, may set sustainability goals supported by policies and procedures to—

(1) build the capacity of the projects that receive assistance under the national service laws to meet community needs and to work to lessen the dependence on Federal dollars to do so;

(2) provide technical assistance to assist the recipients of assistance under the national service laws in acquiring non-Federal funds for the projects that could replace assistance received under the national service laws; and

(3) implement measures to ascertain whether the projects are generating sufficient community support.

(b) ENFORCEMENT.—If a recipient does not meet the sustainability goals in subsection (a) for a project, the Corporation may take action as described in sections 176 and 179.

SEC. 187. USE OF RECOVERED FUNDS.

(a) FACTORS CONSIDERED IN APPROVING REPAYMENT.—After the date of enactment of this section, whenever the Corporation recovers funds paid to a recipient under a grant or cooperative agreement made under the national service laws because the recipient made an expenditure of funds that was not allowable, or otherwise failed to discharge its responsibility to account properly for funds, the Corporation may consider those funds to be additional funds available and may arrange to repay to the recipient affected by that action an amount not to exceed 75 percent of the recovered funds if the Corporation determines that—

(1) the practices or procedures of the recipient that resulted in the recovery of funds have been corrected, and that the recipient is in all other respects in compliance with the requirements of the grant or cooperative agreement, if the recipient was notified of any noncompliance with such requirements and given a reasonable period of time to remedy such noncompliance;

(2) the recipient has submitted to the Corporation a plan for the use of those funds consistent with the national service laws

and, to the extent possible, for the benefit of the community affected by the recovery of funds; and

(3) the use of those funds in accordance with that plan would serve to achieve the objectives of the grant or cooperative agreement under which the funds were originally paid.

(b) TERMS AND CONDITIONS OF REPAYMENT.—Any payments by the Corporation under this section shall be subject to other terms and conditions as the Corporation considers necessary to accomplish the purposes of the grant or cooperative agreement, including—

(1) the submission of periodic reports on the use of funds provided under this section; and

(2) consultation by the recipient with members of the community that will benefit from the payments.

(c) AVAILABILITY OF FUNDS.—Notwithstanding any other provision of law, the funds made available under this section shall remain available for expenditure for a period of time considered reasonable by the Corporation, but in no case to exceed more than 3 fiscal years following the later of—

(1) the fiscal year in which final agency action regarding the disallowance of funds is taken; or

(2) if such recipient files a petition for judicial review regarding the disallowance of funds, the fiscal year in which final judicial action is taken on such a petition.

(d) PUBLICATION IN FEDERAL REGISTER.—At least 60 days prior to entering into an arrangement under this section, the Corporation shall publish in the Federal Register a notice of intent to enter into such an arrangement and the terms and conditions under which payments will be made. Interested persons shall have an opportunity for at least 30 days to submit comments to the Corporation regarding the proposed arrangement.

SEC. 188. EXPENSES OF ATTENDING MEETINGS.

Notwithstanding section 1345 of title 31, United States Code, funds authorized under the national service laws shall be available for expenses of attendance of meetings that are concerned with the functions or activities for which the funds are appropriated or which will contribute to improved conduct, supervision, or management of those functions or activities.

SEC. 189. GRANT PERIODS.

Unless otherwise specifically provided, the Corporation has authority to make a grant under the national service laws for a period of 3 years.

SEC. 189A. GENERATION OF VOLUNTEERS.

In making decisions on applications for assistance or approved national service positions under the national service laws, the Corporation shall take into consideration the extent to which the applicant's proposal will increase the involvement of volunteers in meeting community needs.

SEC. 189B. LIMITATION ON PROGRAM GRANT COSTS.

(a) LIMITATION ON GRANT AMOUNTS.—Except as otherwise provided by this section, the amount of funds approved by the Corporation in a grant to operate a program authorized under the national service laws supporting individuals serving in approved national

service positions may not exceed $16,000 per full-time equivalent position.

(b) COSTS SUBJECT TO LIMITATION.—The limitation in subsection (a) applies to the Corporation's share of member support costs, staff costs, and other costs borne by the grantee or subgrantee to operate a program.

(c) COSTS NOT SUBJECT TO LIMITATION.—The limitation in subsection (a) and (e)(1) shall not apply to expenses that are not included in the program operating grant award.

(d) ADJUSTMENTS FOR INFLATION.—The amount specified in subsections (a) and (e)(1) shall be adjusted each year after 2008 for inflation as measured by the Consumer Price Index for All Urban Consumers published by the Secretary of Labor.

(e) WAIVER AUTHORITY AND REPORTING REQUIREMENT.—

(1) WAIVER.—The Chief Executive Officer may waive the requirements of this section, up to a maximum of $18,000, if necessary to meet the compelling needs of a particular program, such as exceptional training needs for a program serving disadvantaged youth, increased costs relating to the participation of individuals with disabilities, and start-up costs associated with a first-time grantee.

(2) REPORTS.—The Chief Executive Officer shall report to Congress annually on all waivers granted under this section, with an explanation of the compelling needs justifying such waivers.

SEC. 189C. AUDITS AND REPORTS.

The Corporation shall comply with applicable audit and reporting requirements as provided in the Chief Financial Officers Act of 1990 (31 U.S.C. 501 et seq.) and the Government Corporation Control Act of 1945 (31 U.S.C. 9101 et seq.). The Corporation shall report to the Congress any failure to comply with the requirements of such audits.

* * * * * * *

Subtitle G—Corporation for National and Community Service

* * * * * * *

SEC. 192. BOARD OF DIRECTORS.

(a) * * *

* * * * * * *

[(c) TERMS.—Each appointed member of the Board shall serve for a term of 5 years, except that, as designated by the President—

[(1) 3 of the members first appointed to the Board shall serve for a term of 1 year;

[(2) 3 of the members first appointed to the Board shall serve for a term of 2 years;

[(3) 3 of the members first appointed to the Board shall serve for a term of 3 years;

[(4) 3 of the members first appointed to the Board shall serve for a term of 4 years; and

[(5) 3 of the members first appointed to the Board shall serve for a term of 5 years.]

(c) TERMS.—Subject to subsection (e), each appointed member shall serve for a term of 5 years.

* * * * * * *

(e) SERVICE UNTIL APPOINTMENT OF SUCCESSOR.—A voting member of the Board whose term has expired may continue to serve for one year beyond expiration of the term if no successor is appointed or until the date on which a successor has taken office.

SEC. 192A. AUTHORITIES AND DUTIES OF THE BOARD OF DIRECTORS.

(a) * * *

* * * * * * *

(g) DUTIES.—The Board [shall] *shall have responsibility for setting overall policy for the Corporation and shall—*

(1) review and approve the strategic plan described in section 193A(b)(1), and annual updates of the plan*, and review the budget proposal in advance of submission to the Office of Management and Budget and to Congress*;

* * * * * * *

(5)(A) review, and advise the Chief Executive Officer regarding, the actions of the Chief Executive Officer 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 the national service laws; [and]

(B) inform the Chief Executive Officer of any aspects of the actions of the Chief Executive Officer 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 the national service laws; *and*

(C) review the performance of the Chief Executive Officer annually and forward a report on that review to the President;

* * * * * * *

(9) ensure effective dissemination of information regarding the programs and initiatives of the Corporation; *and*

(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] *program under a cost share agreement, as determined by the Corporation, in which the funds advanced or received as reimbursement shall be credited directly to a current appropriation; and*

(11) prepare and make recommendations to the Congress and the President for changes in the national service laws resulting from the studies and demonstrations the Chief Executive Officer is required to carry out under section 193A(b)(10), which recommendations shall be submitted to the Congress

and President not later than [September 30, 1995] *January 1, 2011.*

* * * * * * *

SEC. 193A. AUTHORITIES AND DUTIES OF THE CHIEF EXECUTIVE OFFICER.

(a) * * *

(b) DUTIES.—In addition to the duties conferred on the Chief Executive Officer under any other provision of the national service laws, the Chief Executive Officer shall—

(1) prepare and submit to the Board a strategic plan*, including a plan for achieving 50 percent full-time approved national service positions by 2010,* every 3 years, and annual updates of the plan, for the Corporation with respect to the major functions and operations of the Corporation;

* * * * * * *

(7) prepare and submit to the Committee on Education and Labor in the United States House of Representatives and the Committee on Health, Education, Labor, and Pensions in the United States Senate, and the Board an annual report on actions taken to achieve the goal of 50 percent full-time approved national service positions as described in paragraph (1), including an assessment of the progress made toward achieving that goal and the actions to be taken in the coming year toward achieving that goal;

[(7)] *(8)* prepare and submit to the Board an annual report, and such interim reports as may be necessary, describing the major actions of the Chief Executive Officer with respect to the personnel of the Corporation, and with respect to such standards, policies, procedures, programs, and initiatives;

[(8)] *(9)* inform the Board of, and provide an explanation to the Board regarding, any substantial differences regarding the implementation of the national service laws between—

(A) * * *

* * * * * * *

[(9)] *(10)* prepare and submit to the appropriate committees of Congress an annual report, and such interim reports as may be necessary, describing—

(A) * * *

* * * * * * *

[(10)] *(11)* provide for studies (including the evaluations described in subsection (f)) and demonstrations that evaluate, and prepare and submit to the Board by [June 30, 1995,] *June 30 of each even-numbered year,* a report containing recommendations regarding, issues related to—

(A) the administration and organization of programs authorized under the national service laws or under Public Law 91–378 (referred to in this subparagraph as "service programs"), including—

(i) whether the State and national priorities designed to meet the unmet human, education, environmental, or public safety needs described in [section

122(c)(1)] *section 122(d)(1)* are being addressed by this Act;

* * * * * * *

[(11)] *(12)* for purposes of section 178(d)(6)(B), issue regulations to waive the disqualification of members of the Board and members of the State Commissions selectively in a random, nondiscretionary manner and only to the extent necessary to establish the quorum involved, including rules that forbid each member of the Board and each voting member of a State Commission to participate in any discussion or decision regarding the provision of assistance or approved national service positions, or the continuation, suspension, or termination of such assistance or such positions, to any program or entity of which such member of the Board or such member of the State Commission is, or in the 1-year period before the submission of the application referred to in such section was, an officer, director, trustee, full-time volunteer, or employee.

(c) POWERS.—In addition to the authority conferred on the Chief Executive Officer under any other provision of the national service laws, the Chief Executive Officer may—

(1) * * *

* * * * * * *

(9) consolidate the reports to Congress required under the national service laws, 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; [and]

(10) obtain the opinions of peer reviewers in evaluating applications to the Corporation for assistance under this title; and

[(10)] *(11)* generally perform such functions and take such steps consistent with the objectives and provisions of the national service laws, as the Chief Executive Officer determines to be necessary or appropriate to carry out such provisions.

* * * * * * *

SEC. 195. EMPLOYEES, CONSULTANTS, AND OTHER PERSONNEL.

(a) * * *

* * * * * * *

(c) CORPORATION REPRESENTATIVE IN EACH STATE.—

(1) * * *

(2) DUTIES.—The representative designated under this subsection for a State or group of States shall serve as the liaison between—

(A) * * *

(B) the Corporation and any subdivision of a State, *Territory,* 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

* * * * * * *

(3) [MEMBER] *NON-VOTING MEMBER* of state commission.—The representative designated under this subsection for a State or group of States shall also serve as a *non-voting* mem-

ber of the State Commission established in the State or States, as described in section 178(c)(3).

* * * * * * *

(g) PERSONAL SERVICES CONTRACTS.—The Corporation may enter into personal services contracts to carry out research, evaluation, and public awareness related to the national service laws.

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 the national service laws, and may provide to such individuals the travel expenses described in section 192A(d).]

(A) ORGANIZATIONS AND INDIVIDUALS.—Notwithstanding section 1342 of title 31, United States Code, the Corporation may solicit and accept the services of organizations and individuals (other than participants) to assist the Corporation in carrying out the duties of the Corporation under the national service laws, and may provide to such individuals the travel expenses described in section 192A(d).

(B) LIMITATION.—[Such a volunteer] *A person who is a member of an organization or is an individual covered by subparagraph (A)* 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] *such a person* under this subtitle shall be considered to be a Federal employee;

(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] *such a person* 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; and

(iii) for purposes of the provisions of chapter 11 of part I of title 18, United States Code, [such a volunteer] *such a person* (to whom such provisions would not otherwise apply except for this subsection) shall be a special Government employee.

(C) INHERENTLY GOVERNMENTAL FUNCTION.—

(i) IN GENERAL.—[Such a volunteer] *Such a person* shall not carry out an inherently governmental function.

* * * * * * *

[(3) VOLUNTEER.—As used in this subsection, the term "volunteer" does not include a participant.]

* * * * * * *

SEC. 196B. OFFICE OF OUTREACH AND RECRUITMENT.

(a) ESTABLISHMENT.—There is established in the Corporation an office to be known as the Office of Outreach and Recruitment (in this section referred to as the "Office"), headed by a Director.

(b) DUTIES.—The duties of the Office, carried out directly or through grants, contracts, or cooperative agreements, shall be—

(1) to increase the public awareness of the wide range of service opportunities for citizens of all ages, regardless of socioeconomic status or geographic location, through a variety of methods, including—

(A) print media;

(B) the Internet and related emerging technologies;

(C) television;

(D) radio;

(E) presentations at public or private forums;

(F) other innovative methods of communication; and

(G) outreach to offices of economic development, State employment security agencies, labor unions and trade associations, local education agencies, agencies and organizations serving veterans and people with disabilities, and other institutions or organizations from which participants for programs receiving assistance from the national service laws can be recruited;

(2) to identify and implement methods of recruitment to increase the diversity of participants in the programs receiving assistance under the national service laws;

(3) to identify and implement recruitment strategies and training programs for bilingual volunteers in the National Senior Service Corps under title II of the Domestic Volunteer Service Act of 1973;

(4) to identify and implement methods of recruitment to increase the diversity of service sponsors of programs desiring to receive assistance under the national service laws;

(5) to collaborate with organizations which have established volunteer recruitment programs, including those on the Internet, to increase the recruitment capacity of the Corporation;

(6) where practicable, to provide application materials in languages other than English for those with limited English proficiency who wish to participate in a national service program;

(7) to coordinate with organizations of former participants of national service programs for service opportunities that may include capacity building, outreach, and recruitment for programs receiving assistance under the national service laws;

(8) to collaborate with the training and technical assistance programs described in subtitle J and in appropriate paragraphs of section 198E(b);

(9) to coordinate the clearinghouses described in section 198E; and

(10) to coordinate with entities receiving funds under section 198E(b)(11) in establishing the Reserve Corps for alumni of the

national service programs to serve in emergencies, disasters, and other times of national need.

(c) COLLABORATION.—The duties described in subsection (b) shall be carried out in collaboration with the State Commissions.

(d) AUTHORITY TO CONTRACT WITH A BUSINESS.—The Corporation may, through contracts or cooperative agreements, carry out the marketing duties described in subsection (b)(1), with priority given to those entities who have established expertise in the recruitment of disadvantaged youth, members of Indian tribes, and members of the Baby Boom generation.

(e) CAMPAIGN TO SOLICIT FUNDS.—The Corporation, through the Director of the Office, may conduct a campaign to solicit funds for itself to conduct outreach and recruitment campaigns to recruit a diverse population of service sponsors of and participants in programs and projects receiving assistance under the national service laws.

(f) REPORTING.—The Director of the Office shall complete a report annually to the Chief Executive Officer and the Board of Directors on its activities and results.

Subtitle H—Investment for Quality and Innovation

PART I—ADDITIONAL CORPORATION ACTIVITIES TO SUPPORT NATIONAL SERVICE

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

(a) METHODS OF CONDUCTING ACTIVITIES.—The Corporation may carry out this section directly (except as provided in [subsection (r)] *subsection (g)*) or through grants, contracts, and cooperative agreements with other entities.

(b) INNOVATION AND QUALITY IMPROVEMENT.—The Corporation may undertake activities to improve the quality of [national service programs, including service-learning programs, and to support innovative and model programs, including] *service-learning programs and national service programs, including—*

(1) * * *

* * * * * * *

[(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)] *(c)* 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)] *(d)* 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)] *(e)* YOUTH LEADERSHIP.—The Corporation may support activities to enhance the ability of youth and young adults to play leadership roles in national service.

[(o)] *(f)* 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 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 public or private nonprofit organizations with demonstrated ability to carry out appropriate activities, in order to support such activities on National Youth Service Day.]

[(r)] *(g)* ASSISTANCE FOR HEAD START.—The Corporation may make grants to, and enter into contracts and cooperative agreements with, public or nonprofit private agencies and organizations that receive grants or contracts under the Foster Grandparent Program (part B of title II of the Domestic Volunteer Service Act of 1973 (29 U.S.C. 5011 et seq.)), for projects of the type described in section 211(a) of such Act (29 U.S.C. 5011) operating under memoranda of agreement with the Corporation, for the purpose of increasing the number of low-income individuals who provide services under such program to children who participate in Head Start programs under the Head Start Act (42 U.S.C 9831 et seq).

[(s)] *(h)* MARTIN LUTHER KING, JR., SERVICE DAY.—

(1) * * *

* * * * * * *

[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, and 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 Chief Executive Officer determines to be appropriate.]

* * * * * * *

[SEC. 198C. MILITARY INSTALLATION CONVERSION DEMONSTRATION PROGRAMS.

[(a) PURPOSES.—The purposes of this section are to—

[(1) provide meaningful service opportunities for 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 being closed or realigned under—

[(A) the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of division B of Public Law 101–510; 10 U.S.C. 2687 note); and

[(B) title II of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100–526; 10 U.S.C. 2687 note).

[(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 Chief Executive Officer, to—

[(i) the community in which the installation is located; or

[(ii) a community located within such distance of the installation as the Chief Executive Officer 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 carrying 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 Chief Executive Officer 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) STIPEND.—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 a stipend for the participants in the project.

[(2) LIMITATION ON AMOUNT OF STIPEND.—The amount of the stipend 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 stipend 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 or an individual described in section 144 of the Workforce Investment Act of 1998. (iii) an individual described in section 144 of the Workforce Investment Act of 1998.'.

[(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 Chief Executive Officer at such time, in such manner, and containing such information as the Chief Executive Officer may require.

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.

[SEC. 198D. SPECIAL DEMONSTRATION PROJECT.

[(a) SPECIAL DEMONSTRATION PROJECT FOR THE YUKON-KUSKOKWIM DELTA OF ALASKA.—The President may award grants to, and enter into contracts with, organizations to carry out programs that address significant human needs in the Yukon-Kuskokwim delta region of Alaska.

[(b) APPLICATION.—

[(1) GENERAL REQUIREMENTS.—To be eligible to receive a grant or enter into a contract under subsection (a) with respect to a program, an organization shall submit an application to the President at such time, in such manner, and containing such information as the President may require.

[(2) CONTENTS.—The application submitted by the organization shall, at a minimum—

[(A) include information describing the manner in which the program will utilize VISTA volunteers, individuals who have served in the Peace Corps, and other qualified persons, in partnership with the local nonprofit organizations known as the Yukon-Kuskokwim Health Corporation and the Alaska Village Council Presidents;

[(B) take into consideration—

[(i) the primarily noncash economy of the region; and

[(ii) the needs and desires of residents of the local communities in the region; and

[(C) include specific strategies, developed in cooperation with the Yupi'k speaking population that resides in such communities, for comprehensive and intensive community development for communities in the Yukon-Kuskokwim delta region.]

* * * * * * *

PART II—INNOVATIVE AND MODEL PROGRAM SUPPORT

SEC. 198D. INNOVATIVE AND MODEL PROGRAM SUPPORT.

(a) METHODS OF CONDUCTING ACTIVITIES.—The Corporation may, through grants and fixed amount grants under subsection (c), carry out the following programs:

(1) PROGRAMS FOR DISADVANTAGED YOUTH.—A program selected from among those listed in 122(a) where no less than 75 percent of the participants are disadvantaged youth.

(A) COMPONENTS OF PROGRAMS.—Such programs may include life skills training, employment training, educational counseling, program to complete a high-school diploma or GED, counseling, or a mentoring relationship with an adult volunteer.

(B) PRIORITY.—Priority shall be given to programs that engage retirees to serve as mentors.

(2) PROGRAMS FOCUSED ON LEARNING AND THINKING SKILLS.—Service programs to solve community problems while engaging or developing 21st century learning and thinking skills (critical-thinking and problem solving, communication skills, creativity and innovation skills, collaboration skills, contextual learning skills, information and media literacy skills, and information and communications literacy) and life skills (leadership, ethics, accountability, adaptability, personal productivity, personal responsibility, people skills, self-direction, and social responsibility) for school-age youth and low income adults. This may be a summer of service program or a year-round service program. Priority shall be given to programs that collaborate with the RSVP program, the AmeriCorps programs, or the Learn and Serve programs.

(3) PROGRAMS THAT ENGAGE YOUTH UNDER THE AGE OF 17.—Programs that engage youth under the age of 17 in service to the community to meet unmet human, educational, environmental, emergency and disaster preparedness, or public safety needs and may be a summer program or a year-round program. Priority shall be given to programs that collaborate with the RSVP Program and the AmeriCorps programs.

(4) PROGRAMS THAT FOCUS ON HEALTH AND WELLNESS.—Service programs that focus on the health and wellness of the members of a low-income or rural community. Priority shall be given to service programs that work to—

(A) involve the community in service to those who are at-risk to not receive or pursue health care through such activities as health and wellness education, prevention, and care;

(B) include in the service program employment training, where applicable, for participants in the program and may extend this opportunity to members of the community; and

(C) collaborate with local institutions of higher education to include, as a portion of the pre-professional training of health care professionals including nurses, doctors, physician assistants, dentists, and emergency medical technicians, a service component to meet unmet healthcare and

wellness needs in the community in which the service program is being carried out.

(5) PROGRAMS THAT REDUCE RECIDIVISM.—Programs that reengage court-involved youth and adults with the goal of reducing recidivism. Priority shall be given to such programs that create support systems beginning in corrections facilities, and programs that have life skills training, employment training, an education program, including a program to complete a high-school diploma or GED, educational and career counseling, post program placement, and support services, which could begin in corrections facilities. The program may include health and wellness programs, including but not limited to drug and alcohol treatment, mental health counseling, and smoking cessation.

(6) PROGRAMS THAT RECRUIT CERTAIN INDIVIDUALS.—Demonstration projects for programs that have as one of their primary purposes the recruitment and acceptance of court-involved youth and adults as participants, volunteers, or members. Such a program may serve any purpose otherwise permitted under this Act.

(7) OTHER INNOVATIVE AND MODEL PROGRAMS.—Any other innovative and model programs that the Corporation considers appropriate.

(b) REQUIREMENTS.—

(1) THREE-YEAR TERM.—Each program funded under this part shall be carried out over a period of three years, including one planning year and two additional grant years, with a 1-year extension possible, if the program meets performance measures developed in accordance with section 179(a) and any other criteria determined by the Corporation.

(2) ENCOURAGEMENT.—Each program funded under this part is encouraged to collaborate with Learn and Serve, AmeriCorps, VISTA, and the National Senior Service Corps.

(3) EVALUATION.—Upon completion of the program, the Corporation shall conduct an independent evaluation of the program and widely disseminate the results to the service community through multiple channels, including the Corporation's Resource Center or a clearinghouse of effective strategies and recommendations for improvement.

(c) FIXED AMOUNT GRANTS.—

(1) GENERAL.—For purposes of subsection (a), and subject to the limitations in this subsection, the Corporation may, upon making a determination described in paragraph (2), approve a fixed amount grant that is not subject to the Office of Management and Budget cost principles and related financial recordkeeping requirements.

(2) DETERMINATION.—Before approving a fixed amount grant, the Corporation must determine that—

(A) the reasonable and necessary costs of carrying out the terms of the grant significantly exceed the amount of assistance provided by the Corporation; or

(B) based on the nature or design of the grant, any assistance provided by the Corporation can be reasonably presumed to be expended on reasonable and necessary costs.

(3) MATCHING FUNDS.—

(A) IN GENERAL.—The Federal share of the cost of carrying out a program for which a grant is made under this part may not exceed 50 percent of the total cost of the program.

(B) NON-FEDERAL CONTRIBUTION.—In providing for the remaining share of the cost of carrying out such a program, each recipient of a grant under this part—

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

(ii) may provide for such share through State sources or local sources, including private funds or donated services.

(d) APPLICATIONS.—To be eligible to carry out a program under this part, an entity shall prepare, submit to the Corporation, and obtain approval of, an application at such time and in such manner as the Corporation requires, and in such manner as the Chief Executive Officer may reasonably require.

PART III—NATIONAL SERVICE PROGRAMS CLEARINGHOUSE

SEC. 198E. NATIONAL SERVICE PROGRAMS CLEARINGHOUSE.

(a) IN GENERAL.—The Corporation shall provide assistance, either by grant, contract, or cooperative agreement, to entities with expertise in the dissemination of information through clearinghouses to establish one or more clearinghouses for the national service laws.

(b) FUNCTION OF CLEARINGHOUSE.—Such a clearinghouse may—

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

(2) conduct research and evaluations concerning service-learning or programs receiving assistance under the national service laws unless the recipient is receiving funds for such purpose under part III of subtitle B and under subtitle H;

(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 programs offered under the national service laws and participants in such programs;

(5) provide and disseminate information and curriculum materials relating to planning and operating service-learning programs and programs offered under the national service laws, to States, Territories, Indian tribes, and local entities eligible to receive financial assistance under the national service laws;

(6) provide and disseminate information regarding methods to make service-learning programs and programs offered under the national service laws accessible to individuals with disabilities;

(7) disseminate applications in languages other than English;

(8)(A) gather and disseminate information on successful service-learning programs and programs offered under the national

service laws, components of such successful programs, innovative 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;

(9) make recommendations to State and local entities on quality controls to improve the quality of service-learning programs and programs offered under the national service laws;

(10) assist organizations in recruiting, screening, and placing a diverse population of service-learning coordinators and program sponsors;

(11) collaborate with the Office of Outreach and Recruitment on an alumni network for those former participants in an approved national service position, to facilitate communication and collaboration between alumni and to leverage their skills, knowledge, and experiences to improve service across our Nation and also serve in a Reserve Corps, who are ready to serve in times of national need;

(12) disseminate effective strategies for working with disadvantaged youth in national service programs as determined by organizations with an established expertise working with such youth; and

(13) carry out such other activities as the Chief Executive Officer determines to be appropriate.

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Subtitle I—American Conservation and Youth Service Corps

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SEC. 199C. STATE APPLICATION.

(a) SUBMISSION.—To be eligible to receive a grant under this subtitle, a State*, Territory,* or Indian tribe (or a local applicant if section 199A applies) 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.

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Subtitle J—Training and Technical Assistance

SEC. 199N. TRAINING AND TECHNICAL ASSISTANCE.

(a) IN GENERAL.—The Corporation shall conduct, either directly or through grants, contracts, or cooperative agreements, including through State Commissions on National and Community Service, appropriate training and technical assistance to—

(1) programs receiving assistance under the national service laws; and

(2) entities (particularly those in rural areas and underserved communities)—

(A) that desire to carry out or establish national service programs;

(B) that desire to apply for assistance under the national service laws; or

(C) that desire to apply for a subgrant under the national service laws.

(b) ACTIVITIES INCLUDED.—Such training and technical assistance activities may include—

(1) providing technical assistance to those applying to carry out national service programs or those carrying out national service programs;

(2) promoting leadership development in national service programs;

(3) improving the instructional and programmatic quality of national service programs;

(4) developing the management and budgetary skills of those operating or overseeing national service programs, including to increase the cost effectiveness of the programs under the national service laws;

(5) providing for or improving the training provided to the participants in programs under the national service laws;

(6) facilitating the education of national service programs in risk management procedures, including the training of participants in appropriate risk management practices;

(7) training of those operating or overseeing national service programs in volunteer recruitment, management, and retention to improve the abilities of such individuals to use participants and other volunteers in an effective manner which results in high quality service and the desire of participants or volunteers to continue to serve in other capacities after the program is completed;

(8) training of those operating or overseeing national service programs in program evaluation and performance measures to inform practices to augment the capacity and sustainability of the program;

(9) training of those operating or overseeing national service programs to effectively accommodate people with disabilities to increase the participation of people with disabilities in national service programs;

(10) establishing networks and collaboration among employers, educators, and other key stakeholders in the community to further leverage resources to increase local participation and to coordinate community-wide planning and service;

(11) providing training and technical assistance for the National Senior Service Corps; and

(12) carrying out such other activities as the Chief Executive Officer determines to be appropriate.

(c) PRIORITY.—The Corporation shall give priority to programs under the national service laws and those entities wishing to establish programs under the national service laws seeking training or technical assistance that—

(1) seek to carry out (as defined in section 101) high quality programs where the services are needed most;

(2) seek to carry out (as defined in section 101) high quality programs where national service programs do not currently

exist or where the programs are too limited to meet community needs;

(3) seek to carry out (as defined in section 101) high quality programs that focus on and provide service opportunities for underserved rural and urban areas and populations; and

(4) assist programs in developing a service component that combines students, out-of-school youths, and older adults as participants to provide needed community services.

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[TITLE III—POINTS OF LIGHT FOUNDATION

[SEC. 301. SHORT TITLE.

[This title may be cited as the "The Points of Light Foundation Act".

[SEC. 302. FINDINGS AND PURPOSES.

[(a) FINDINGS.—Congress finds that—

[(1) community service and service to others is an integral part of American tradition;

[(2) existing volunteers and volunteer programs should be praised for their efforts in helping and serving others;

[(3) the definition of a successful life includes service to others;

[(4) individuals should be encouraged to volunteer their time and energies in community service efforts;

[(5) if asked to volunteer or participate in community service, most Americans will do so;

[(6) institutions should be encouraged to volunteer their resources and energies and should encourage volunteer and community service among their members, employees, affiliates; and

[(7) volunteer and community service programs are intended to complement and not replace governmental responsibilities.

[(b) PURPOSE.—It is the purpose of this title—

[(1) to encourage every American and every American institution to help solve our most critical social problems by volunteering their time, energies and services through community service projects and initiatives;

[(2) to identify successful and promising community service projects and initiatives, and to disseminate information concerning such projects and initiatives to other communities in order to promote their adoption nationwide; and

[(3) to discover and encourage new leaders and develop individuals and institutions that serve as strong examples of a commitment to serving others and to convince all Americans that a successful life includes serving others.

[SEC. 303. AUTHORITY.

[(a) IN GENERAL.—The President, acting through the Corporation, is authorized to designate a private, nonprofit organization (hereinafter referred to in this title as the Foundation) to receive funds pursuant to section 501(b) in furtherance of activities under section 302, upon the determination of the Corporation that such

organization is capable of carrying out the undertakings described in section 302. Any such designation by the Corporation shall be revocable.

[(b) CONSTRUCTION.—Nothing in this Act shall be construed either—

[(1) to cause the Foundation to be deemed an agency, establishment, or instrumentality of the United States Government; or

[(2) to cause the directors, officers or employees of the Foundation to be deemed officers or employees of the United States.

[SEC. 304. GRANTS TO THE FOUNDATION.

[(a) IN GENERAL.—Funds made available pursuant to sections 303 and 501(b) shall be granted to the Foundation by a department or agency in the executive branch of the United States Government designated by the President—

[(1) to assist the Foundation in carrying out the undertakings described in section 302; and

[(2) for the administrative expenses of the Foundation.

[(b) INTEREST EARNED ON ACCOUNTS.—Notwithstanding any other provision of law, the Foundation may hold funds granted to it pursuant to this title in interest-bearing accounts, prior to the disbursement of such funds for purposes specified in subsection (a), and may retain for such purposes any interest earned on such deposits without returning such interest to the Treasury of the United States and without further appropriation by the Congress.

[SEC. 305. ELIGIBILITY OF THE FOUNDATION FOR GRANTS.

[(a) COMPLIANCE.—Grants may be made to the Foundation pursuant to this title only if the Foundation agrees to comply with the requirements of this title. If the Foundation fails to comply with the requirements of this title, additional funds shall not be released until the Foundation brings itself into compliance with such requirements.

[(b) ACTIVITIES.—The Foundation may use funds provided under this title only for activities and programs consistent with the purposes described in sections 302 and 304.

[(c) LIMITATION.—The Foundation shall not issue any shares of stock or declare or pay any dividends.

[(d) COMPENSATION.—No part of the funds available to the Foundation shall inure to the benefit of any board member, officer, or employee of the Foundation, except as salary or reasonable compensation for services or expenses. Compensation for board members shall be limited to reimbursement for reasonable costs of travel and expenses.

[(e) CONFLICTS OF INTEREST.—No director, officer, or employee of the Foundation shall participate, directly or indirectly, in the consideration or determination of any question before the Foundation that affects his or her financial interests or the financial interests of any corporation, partnership, entity, or organization in which he or she has a direct or indirect financial interest.

[(f) POLITICAL ACTIVITY.—The Foundation shall not engage in lobbying or propaganda for the purpose of influencing legislation, and shall not participate or intervene in any political campaign on behalf of any candidate for public office.

[(g) PRIVATE SECTOR CONTRIBUTIONS.—During the second and third fiscal years in which funds are provided to the Foundation under this title, the Foundation shall raise from private sector donations an amount equal to not less than 25 percent of any funds provided to the Foundation under this title in such fiscal year. Funds shall be released to the Foundation during such fiscal year only to the extent that the matching requirement of the subsection has been met.

[(h) AUDIT OF ACCOUNTS.—The accounts of the Foundation shall be audited annually by independent certified public accountants or independent licensed public accountants certified or licensed by a regulatory authority of a State or other political subdivision of the United States in accordance with generally accepted auditing standards. The reports, of each such independent audit shall be included in the annual report required by subsection (l).

[(i) AUDITS BY AGENCIES.—In fiscal years in which the Foundation is receiving grants under this title, the accounts of the Foundation may be audited at any time by any agency designated by the President. The Foundation shall keep such records as will facilitate effective audits.

[(j) CONGRESSIONAL OVERSIGHT.—In fiscal years in which the Foundation is receiving grants under this title, the Foundation shall be subject to appropriate oversight procedures of Congress.

[(k) DUTIES.—The Foundation shall ensure—

[(1) that recipients of financial assistance provided by the Foundation under this title, shall keep separate accounts with respect to such assistance and such records as may be reasonably necessary to disclose fully—

[(A) the amount and the disposition by such recipient of the assistance received from the Foundation;

[(B) the total cost of the project or undertaking in connection with which such assistance is given or used;

[(C) the amount and nature of that portion of the cost of the project or undertaking supplied by other sources; and

[(D) such other records as will facilitate effective audits; and

[(2) that the Foundation, or any of its duly authorized representatives including any agency designated by the President pursuant to subsection (i) shall have access, for the purpose of audit and examination, to any books, documents, papers, and records of the recipient that are pertinent to assistance provided from funds granted pursuant to this title.

[(l) ANNUAL REPORTS.—The Foundation shall prepare and submit to the President and to the appropriate Committees of Congress an annual report, that shall include a comprehensive and detailed description of the Foundation's operations, activities, financial condition, and accomplishments for the fiscal year preceding the year in which the report is submitted. Such report shall be submitted not later than 3 months after the conclusion of any fiscal year in which the Foundation receives grants under this title.]

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TITLE V—AUTHORIZATION OF APPROPRIATIONS

[SEC. 501. AUTHORIZATION OF APPROPRIATIONS.

[(a) TITLE I.—

[(1) SUBTITLE B.—

[(A) IN GENERAL.—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 1996.

[(B) PROGRAMS.—Of the amount appropriated under subparagraph (A) for a fiscal year—

[(i) not more than 63.75 percent shall be available to provide financial assistance under subpart A of part I of subtitle B of title I;

[(ii) not more than 11.25 percent shall be available to provide financial assistance under subpart B of part I of such subtitle; and

[(iii) not more than 25 percent shall be available to provide financial assistance under part II of such subtitle.

[(2) SUBTITLES C, D, AND H.—

[(A) IN GENERAL.—There are authorized to be appropriated to provide financial assistance under subtitles C and H of title I, to provide national service educational awards under subtitle D of title I, and to carry out such audits and evaluations as the Chief Executive Officer or the Inspector General of the Corporation may determine to be necessary, $300,000,000 for fiscal year 1994, $500,000,000 for fiscal year 1995, and $700,000,000 for fiscal year 1996.

[(B) PROGRAMS.—Of the amount appropriated under subparagraph (A) for a fiscal year, up to 15 percent shall be made available to provide financial assistance under section 125, under subsections (b) and (c) of section 126, and under subtitle H of title I.

[(3) SUBTITLE E.—There are authorized to be appropriated to provide financial assistance under subtitle E of title I, such sums as may be necessary for each of the fiscal years 1995 through 1996.

[(4) ADMINISTRATION.—

[(A) IN GENERAL.—There are authorized to be appropriated for the administration of this Act $40,000,000 for fiscal year 1994, $60,000,000 for fiscal year 1995, and $70,000,000 for fiscal year 1996.

[(B) CORPORATION.—Of the amounts appropriated under subparagraph (A) for a fiscal year—

[(i) up to 60 percent shall be made available to the Corporation for the administration of this Act; and

[(ii) the remainder shall be available to provide financial assistance under section 126(a).

[(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 1996.

[(c) AVAILABILITY OF APPROPRIATIONS.—Funds appropriated under this section shall remain available until expended.

[(d) SPECIFICATION OF BUDGET FUNCTION.—The authorizations of appropriations contained in this section shall be considered to be a component of budget function 500 as used by the Office of Management and Budget to cover education, training, employment, and social services, and, as such, shall be considered to be related to the programs of the Departments of Labor, Health and Human Services, and Education for budgetary purposes.]

SEC. 501. AUTHORIZATION OF APPROPRIATIONS.

(a) TITLE I.—

(1) SUBTITLE B.—

(A) IN GENERAL.—There are authorized to be appropriated to provide financial assistance under subtitle B of title I—

(i) $65,000,000 for fiscal year 2008, of which $10,000,000 shall be for summer of service grants and $10,000,000 shall be deposited in the National Service Trust to support summer of service educational awards; and

(ii) such sums as may be necessary for each of fiscal years 2009 through 2012.

(B) PROGRAMS.—Of the amount appropriated under subparagraph (A) for a fiscal year—

(i) not more than 63.75 percent shall be available to provide financial assistance under part I of subtitle B of title I;

(ii) not more than 25 percent shall be available to provide financial assistance under part II of such subtitle; and

(iii) not less than 11.25 percent shall be available to provide financial assistance under part III of such subtitle.

(2) SUBTITLES C, D, AND H.—

(A) IN GENERAL.—There are authorized to be appropriated to provide financial assistance under subtitles C and H of title I, to administer the National Service Trust and disburse national service educational awards and scholarships under subtitle D of title I, and to carry out such audits and evaluations as the Chief Executive Officer or the Inspector General of the Corporation may determine to be necessary, $485,000,000 for fiscal year 2008, and such sums as may be necessary for each of fiscal years 2009 through 2012.

(B) PROGRAMS.—Of the amount appropriated under subparagraph (A) for a fiscal year, up to 15 percent shall be made available to provide financial assistance under subsections (b) and (c) of section 126, and under subtitle H of title I.

(C) SUBTITLE C.—Of the amount appropriated under subparagraph (A), the following amounts shall be made

available to provide financial assistance under section 121 of subtitle C of title I:

(i) For fiscal year 2008, not more than $324,000,000.

(ii) For fiscal year 2009, not more than $357,000,000.

(iii) For fiscal year 2010, not more than $397,000,000.

(iv) For each of fiscal years 2011 through 2012, such sums as may be necessary.

(3) SUBTITLE E.—There are authorized to be appropriated to operate the National Civilian Community Corps and provide financial assistance under subtitle E of title I, $25,000,000 for fiscal year 2008 and such sums as may be necessary for each of fiscal years 2009 through 2012.

(4) ADMINISTRATION.—

(A) IN GENERAL.—There are authorized to be appropriated for the administration of this Act, including financial assistance under sections 126(a) and 196B, $51,000,000 for fiscal year 2008 and such sums as may be necessary for each of fiscal years 2009 through 2012.

(B) CORPORATION.—Of the amounts appropriated under subparagraph (A) for a fiscal year—

(i) up to 69 percent shall be made available to the Corporation for the administration of this Act, including to provide financial assistance under section 196B; and

(ii) the remainder shall be available to provide financial assistance under section 126(a).

(5) TRAINING AND TECHNICAL ASSISTANCE.—Of the amounts appropriated for a fiscal year under subtitles B, C, and H of title I of this Act and under titles I and II of the Domestic Volunteer Service Act of 1973, the Corporation shall reserve up to 2.5 percent to carry out subtitle J of this Act. Notwithstanding subsection (b), amounts so reserved shall be available only for the fiscal year for which they are reserved.

(b) AVAILABILITY OF APPROPRIATIONS.—Funds appropriated under this section shall remain available until expended.

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STRENGTHEN AMERICORPS PROGRAM ACT

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[SEC. 2. PROCESS OF APPROVAL OF NATIONAL SERVICE POSITIONS

[(a) DEFINITIONS.—In this Act, the terms "approved national service position" and "Corporation" have the meanings given the terms in section 101 of the National and Community Service Act of 1990 (42 U.S.C. 12511).

[(b) TIMING AND RECORDING REQUIREMENTS.—

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

[(A) shall approve the position at the time the Corporation—

[(i) enters into an enforceable agreement with an individual participant to serve in a program carried out under subtitle E of title I of that Act (42 U.S.C. 12611 et seq.) or title I of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.); or

[(ii) except as provided in clause (i), awards a grant to (or enters into a contract or cooperative agreement with) an entity to carry out a program for which such a position may be approved under section 123 of the National and Community Service Act of 1990 (42 U.S.C. 12573); and

[(B) shall record as an obligation an estimate of the net present value of the national service educational award associated with the position, based on a formula that takes into consideration historical rates of enrollment in such a program, and of earning and using national service educational awards for such a program.

[(2) FORMULA.—In determining the formula described in paragraph (1)(B), the Corporation shall consult with the Director of the Congressional Budget Office.

[(3) CERTIFICATION REPORT.—The Chief Executive Officer of the Corporation shall annually prepare and submit to Congress a report that contains a certification that the Corporation is in compliance with the requirements of paragraph (1).

[(4) APPROVAL.—The requirements of this subsection shall apply to each approved national service position that the Corporation approves—

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

[(B) during any subsequent fiscal year.

[(c) RESERVE ACCOUNT.—

[(1) ESTABLISHMENT AND CONTENTS.—

[(A) ESTABLISHMENT.—Notwithstanding subtitles C and D of title I of the National and Community Service Act of 1990 (42 U.S.C. 12571 et seq., 12601 et seq.), and any other provision of law, within the National Service Trust established under section 145 of the National and Community Service Act of 1990 (42 U.S.C. 12601), the Corporation shall establish a reserve account.

[(B) CONTENTS.—To ensure the availability of adequate funds to support the awards of approved national service positions for each fiscal year, the Corporation shall place in the account—

[(i) during fiscal year 2003, a portion of the funds that were appropriated for fiscal year 2003 or a previous fiscal year under section 501(a)(2) (42 U.S.C. 12681(a)(2)), were made available to carry out subtitle C or D of title I of that Act, and remain available; and

[(ii) during fiscal year 2004 or a subsequent fiscal year, a portion of the funds that were appropriated for that fiscal year under section 501(a)(2) and were made available to carry out subtitle C or D of title I of that Act.

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

[(A) determines that the funds will not be needed for the payment of national service educational awards associated with previously approved national service positions; or

[(B) obligates the funds for the payment of such awards for such previously approved national service positions.

[(d) AUDITS.—The accounts of the Corporation relating to the appropriated funds for approved national service positions, and the records demonstrating the manner in which the Corporation has recorded estimates described in subsection (b)(1)(B) as obligations, shall be audited annually by independent certified public accountants or independent licensed public accountants certified or licensed by a regulatory authority of a State or other political subdivision of the United States in accordance with generally accepted auditing standards. A report containing the results of each such independent audit shall be included in the annual report required by subsection (b)(3).

[(e) AVAILABILITY OF AMOUNTS.—Except as provided in subsection (c), all amounts included in the National Service Trust under paragraphs (1), (2), and (3) of section 145(a) of the National and Community Service Act of 1990 (42 U.S.C. 12601(a)) shall be available for payments of national service educational awards under section 148 of that Act (42 U.S.C. 12604).]

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DOMESTIC VOLUNTEER SERVICE ACT OF 1973

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) * * *

[(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.
[Sec. 124. Literacy challenge grants.

[TITLE II—NATIONAL SENIOR VOLUNTEER CORPS

[Sec. 200. Statement of purposes.

[PART A—RETIRED AND SENIOR VOLUNTEER PROGRAM

[Sec. 201. Grants and contracts for volunteer service projects.

[PART B—FOSTER GRANDPARENT PROGRAM

[Sec. 211. Grants and contracts for volunteer service projects.

[PART C—SENIOR COMPANION PROGRAM

[Sec. 213. Grants and contracts for volunteer service projects.

[PART D—GENERAL PROVISIONS

[Sec. 221. Promotion of National Senior Volunteer Corps.
[Sec. 222. Payments.
[Sec. 223. Minority group participation.
[Sec. 224. Use of locally generated contributions in National Senior Volunteer Corps.
[Sec. 225. Programs of national significance.
[Sec. 226. Adjustments to Federal financial assistance.
[Sec. 227. Multiyear grants or contracts.

[PART E—DEMONSTRATION PROGRAMS

[Sec. 231. Authority of Director.

[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.]

(b) TABLE OF CONTENTS.—The table of contents for this Act 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. 103A. VISTA programs of national significance.
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. 110. Applications for assistance.

PART C—SPECIAL VOLUNTEER PROGRAMS

Sec. 121. Statement of purpose.
Sec. 122. Authority to establish and operate special volunteer and demonstration programs.
Sec. 123. Financial assistance.

TITLE II—NATIONAL SENIOR SERVICE CORPS

Sec. 200. Statement of purpose.

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 Service Corps.
Sec. 222. Payments.
Sec. 223. Minority group participation.
Sec. 224. Use of locally generated contributions in National Senior Service Corps.
Sec. 225. Programs of national significance.
Sec. 226. Adjustments to Federal financial assistance.
Sec. 227. Multiyear grants or contracts.
Sec. 228. Continuity of service.
Sec. 229. Acceptance of donations.

PART E—DEMONSTRATION PROGRAMS

Sec. 231. Authority of Director.

TITLE IV—ADMINISTRATION AND COORDINATION

Sec. 403. Political activities.
Sec. 404. Special limitations.
Sec. 406. Labor standards.
Sec. 408. Joint funding.
Sec. 409. Prohibition of Federal control.
Sec. 410. Coordination with other programs.
Sec. 411. Prohibition.
Sec. 414. Distribution of benefits between rural and urban areas.
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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 Service 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.

VOLUNTEERISM POLICY

SEC. 2. (a) Because of the long-standing importance of volunteerism throughout American history, it is the policy of the Congress to foster the tradition of volunteerism through greater involvement on the part of [both young and older citizens] *citizens of all ages and backgrounds*.

(b) The purpose of this Act is to foster and expand voluntary citizen service in communities throughout the Nation in activities designed to help the poor, the disadvantaged, the vulnerable, and the elderly. In carrying out this purpose, the Corporation for National and Community Service shall utilize to the fullest extent the programs authorized under this Act, coordinate with other Federal, State, and [local agencies and utilize the energy, innovative spirit, experience, and skills of all Americans.] *local agencies, expand relationships with, and support for, the efforts of civic, community, and educational organizations, and utilize the energy, innovative spirit, experience, and skills of all Americans.*

TITLE I—NATIONAL VOLUNTEER ANTIPOVERTY PROGRAMS

PART A—VOLUNTEERS IN SERVICE TO AMERICA

STATEMENT OF PURPOSE

SEC. 101. This part provides for the Volunteers in Service to America (VISTA) program of full-time volunteer service, together with appropriate powers and responsibilities designed to assist in the development and coordination of such program. The purpose of this part is to strengthen and supplement efforts to eliminate and alleviate poverty and poverty-related problems in the United States by encouraging and enabling persons from all walks of life, all geographical areas, and all age groups, including low-income individuals, elderly and retired Americans, to perform meaningful and constructive volunteer service in agencies, institutions, and situations where the application of human talent and dedication may assist in the solution of poverty and poverty-related problems and secure and exploit opportunities for self-advancement by persons [afflicted with] *affected by* such problems. 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.] *local level, to support efforts by local agencies and organizations to achieve long-term sustainability of projects, consistent with section 186 of the National and Community Service Act of 1990, initiated or expanded under the VISTA program activities, and to strengthen local agencies and community organizations to carry out the purpose of this part.*

* * * * * * *

SELECTION AND ASSIGNMENT OF VOLUNTEERS

SEC. 103. (a) The Director, on the receipt of applications by public or nonprofit private organizations to receive volunteers under this part, may assign volunteers selected under subsection (b) to work in appropriate projects and programs sponsored by such organizations, including work—

(1) in meeting the health, education, welfare, or related needs of Indians living on reservations or Federal trust lands, of migratory and seasonal farmworkers and their families, and of residents of the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, *the Commonwealth of the Northern Mariana Islands,* or the Virgin Islands;

(2) in the care and rehabilitation of mentally ill, developmentally disabled, and other **[**handicapped**]** *disabled* individuals, especially those with severe **[**handicaps**]** *disabilities*;

(3) in addressing the problems of the homeless, the **[**jobless, the hungry, and low-income**]** *unemployed, the hungry, and low-income* youths;

(4) in addressing the special needs connected with alcohol and drug abuse prevention, education, *through prevention, education, rehabilitation, and treatment,* and related activities, consistent with the purpose of this part;

(5) in addressing significant health care problems, including, *mental illness,* chronic and life-threatening illnesses and health care for homeless individuals (especially homeless children) through prevention, treatment, and community-based care activities;

(6) in connection with programs or activities authorized, supported, or of a character eligible for assistance under this Act or the Community Service Block Grant Act, titles VIII and X of the Economic Opportunity Act of 1964, the Headstart act, the Community Economic Development Act of 1981, or other similar Acts, in furtherance of the purpose of this title**[**; and**]***;*

(7) in strengthening, supplementing, and expanding efforts to address the problem of illiteracy throughout the United States**[**.**]***;*

(8) in the re-entry and re-integration of formerly incarcerated youth and adults into society, including life skills training, employment training, counseling, educational training, and educational counseling;

(9) in developing and carrying out financial literacy, financial planning, budgeting, savings, and reputable credit accessibility programs in low-income communities, including those programs which educate on financing home ownership and higher education;

(10) in initiating and supporting before-school and after-school programs servicing children in low-income communities that may engage participants in mentoring relationships, tutoring, life skills, or study skills programs, service-learning, physical, nutrition, and health education programs, including programs aimed at fighting childhood obesity, and other activities addressing the needs of the community's children;

(11) in establishing and supporting community economic development initiatives, including micro-enterprises, with a priority on such programs in rural areas and other areas where such programs are needed most;

(12) in assisting veterans and their families through establishing or augmenting programs which assist such persons with access to legal assistance, health care (including mental health), employment counseling or training, education counseling or training, affordable housing, and other support services; and

(13) in addressing the health and wellness of low-income and underserved communities, including programs to increase access to preventive services, insurance, and health care.

(b)(1) The Director shall establish [recruitment and placement procedures] *recruitment and placement procedures that involve sponsoring organizations and* that offer opportunities for both local and national placement of volunteers for service under this part.

(2)(A) * * *

(B) Such volunteer placement office shall develop, operate, and maintain a current and comprehensive [central information system that shall, on request, promptly provide] *database that provides* information—

(i) * * *

* * * * * * *

(C) The Director shall assign or hire as necessary, such additional national, regional, and State personnel to carry out the functions described in this subsection and subsection (c) as may be necessary to ensure that such functions are carried out in a [timely and effective] *timely and cost-effective* manner. The Director shall give priority in the hiring of such additional personnel to individuals who have formerly served as volunteers under this part and to individuals who have specialized experience in [the recruitment of volunteers] *recruitment and management of volunteers*.

(3) Volunteers shall be selected from among qualified individuals submitting an application for such service at such time, in such form, and containing such information as may be necessary to evaluate the suitability of each individual for such service and to determine, in accordance with paragraph (7), the most appropriate assignment for each such volunteer. The Director shall approve the application of each individual who applies in conformance with this subsection and who, on the basis of the information provided in the application, is determined by the Director to be qualified to serve as a volunteer under this part. *The Director shall give priority to—*

(A) disadvantaged youth (as defined in section 101 of the National and Community Service Act of 1990) and low-income adults; and

(B) retired adults of any profession, but with an emphasis on those professions whose services and training are most needed in a community, such as the health care professions, teaching, counseling, and engineering and other professions requiring a high level of technical and project management skills, to utilize their experience, including professional skills, in the VISTA program.

* * * * * * *

(5)(A) * * *

(B) In carrying out subparagraph (A), the Director shall utilize the [information system] *database* established under paragraph (2)(B).

* * * * * * *

(c)(1) The Director, in conjunction with the [personnel described in subsection (b)(2)(C)] *personnel described in subsection (b)(2)(C), sponsoring organizations, and the Office of Outreach and Recruitment*, shall engage in public awareness and recruitment activities. Such activities may include—

(A) public service announcements through radio, television, *the Internet and related technologies,* and the print media;

(B) advertising through the *Internet and related technologies,* print media, direct mail, and other means;

(C) disseminating information about opportunities for service as a volunteer under this part to relevant entities including institutions of higher education and other educational institutions (including libraries), professional associations, community-based agencies, youth service and volunteer organizations, business organizations, labor unions, senior citizens organizations, *offices of economic development, State employment security agencies, employment offices,* and other institutions and organizations from or through which potential volunteers may be recruited;

* * * * * * *

(F) publicizing national service educational awards available under the [National and Community Service Trust Act of 1993] *National and Community Service Act of 1990*;

(G) providing[, on request,] technical assistance with the recruitment of volunteers under this part to programs and projects receiving assistance under this part; and

* * * * * * *

(3) The Director shall consult with the Director of the Peace Corps to coordinate the recruitment and public awareness activities carried out under [this subsection] *this subsection and related public awareness and recruitment activities under the national service laws and through the Office of Outreach and Recruitment* with those of the Peace Corps and to develop joint procedures and activities for the recruitment of volunteers to serve under this part.

(4) [Beginning in fiscal year 1991 and for each fiscal year thereafter, for the purpose] *For the purpose* of carrying out this subsection, the Director shall obligate not less than [1.5 percent] *2 percent* of the amounts appropriated for each fiscal year under section 501(a).

(d) The Director shall provide each low-income community volunteer with an individual plan for job advancement or for transition to a situation leading to gainful employment. [Whenever feasible, such efforts shall be coordinated with an appropriate private industry council established under the Job Training Partnership Act or local workforce investment board established under section 117 of the Workforce Investment Act of 1998.] *Whenever feasible, such efforts shall be coordinated with an appropriate local workforce in-*

vestment board established under section 117 of the Workforce Investment Act of 1998.

* * * * * * *

(g) Volunteers under this part shall not be assigned to work in a program or project in any community unless the application for such program or project contains evidence of local support **[**and has been submitted to the Governor or other chief executive officer of the State concerned, and such Governor or other chief executive officer has not, within 45 days of the date of such submission, notified the Director in writing, supported by a statement of reasons, that such Governor or other chief executive officer disapproves such program or project. In the event of a timely request in writing, supported by a statement of reasons, by the Governor or other chief executive officer of the State concerned, the Director shall terminate a program or project or the assignment of a volunteer to a program or project not later than 30 days after the date such request is received by the Director, or at such later date as is agreed upon by the Director and such Governor or other chief executive officer.**]**.

* * * * * * *

(i) The Director may enter into agreements under which public and private nonprofit organizations, with sufficient financial capacity and size, pay for all or a portion of the costs of supporting the service of volunteers under this title, consistent with the provisions of section 186 of the National and Community Service Act of 1990.–

SEC. 103A. VISTA PROGRAMS OF NATIONAL SIGNIFICANCE.

(a) IN GENERAL.—With not less than one-third of the funds made available under subsection (d) in each fiscal year, the Director shall make grants for VISTA positions to support programs of national significance. Each program for which a grant is received under this subsection shall be carried out in accordance with the requirements applicable to that program.

(b) ACTIVITIES SUPPORTED.—The Director shall make grants under subsection (a) to support one or more of the following programs to address problems that concern low-income and rural communities in the Nation:

(1) In developing and carrying-out financial literacy, financial planning, budgeting, savings, and reputable credit accessibility programs in low-income communities, including those programs which educate on financing home ownership and higher education.

(2) In initiating and supporting before-school and after-school programs in low-income communities that may include such activities as establishing mentoring relationships, physical education, tutoring, instruction in 21st century thinking skills, life skills, and study skills, community service, service-learning, nutrition and health education, and other activities aimed at keeping children, safe, educated, and healthy, which serve the children in such community.

(3) In establishing and supporting community economic development initiatives, including micro-enterprises, with a priority on such programs in rural areas and areas where such programs are needed most.

(4) In assisting veterans and their families through establishing or augmenting programs which assist such persons with access to legal assistance, health care (including mental health), employment counseling or training, education counseling or training, affordable housing, and other support services.

(5) In addressing the health and wellness of low-income and underserved communities across our Nation, including programs to fight childhood obesity through nutrition, physical fitness, and other associated life skills education programs and programs to increase access to preventive services, insurance, and health care.

(c) REQUIREMENTS.—

(1) ELIGIBILITY.—In order to receive a grant under subsection (a), an applicant shall submit an application to the Director at such time and in such manner as the Director requires and receive approval of the application. Such application shall, at a minimum, demonstrate to the Director a level of expertise in carrying out such a program.

(2) SUPPLEMENT NOT SUPPLANT.—Funds made available under subsection (d) shall be used to supplement and not supplant the number of VISTA volunteers engaged in programs addressing the problem for which such funds are awarded unless such sums are an extension of funds previously provided under this title.

(d) FUNDING.—

(1) IN GENERAL.—From the amounts appropriate under section 501 for each fiscal year there shall be available to the Director such sums as may be necessary to make grants under subsection (a).

(2) LIMITATION.—No funds shall be made available to the Director to make grants under subsection (a) unless the amounts appropriated under section 501 available for such fiscal year to carry out part A are sufficient to maintain the number of projects and volunteers funded under part A in the preceding fiscal year.

(e) INFORMATION.—The Director shall widely disseminate information on grants that may be made under this section, including through the Office of Outreach and Recruitment and other volunteer recruitment programs being carried out by public or private nonprofit organizations.

TERMS AND PERIODS OF SERVICE

SEC. 104. (a) * * *

* * * * * * *

(d) The Director shall establish a procedure, including notice and opportunity to be heard, for volunteers under this part to present and obtain resolution of grievances and to present their views in connection [with the terms and conditions of their service.] *with the terms and conditions of their service or any adverse action, such as termination, proposed by the sponsoring organization. The procedure shall provide for an appeal to the Director of any proposed termination.* The Director shall promptly provide to each volunteer in service on the date of enactment of this Act, and to each such vol-

unteer beginning service thereafter, information regarding such procedure [and the terms and conditions of their service].

* * * * * * *

SUPPORT SERVICE

SEC. 105. (a)(1)(A) * * *

(B) [Such stipend shall not exceed $95 per month in fiscal year 1994, but shall be set at a minimum of $100 per month, and a maximum of $125 per month assuming the availability of funds to accomplish such maximum, during the service of the volunteer after October 1, 1994. The Director may provide a stipend of a maximum of $200 per month in the case of persons] *Such stipend shall be set at a minimum of $125 per month and a maximum of $150 per month, subject to the availability of funds to accomplish such a maximum. The Director may provide a stipend of $250 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.

* * * * * * *

[VISTA LITERACY CORPS

[SEC. 109. (a) As part of the Volunteers in Service to America program established under this part, the Director shall establish a VISTA Literacy Corps for the purpose of developing, strengthening, supplementing, and expanding efforts of both public and nonprofit organizations at the local, State, and Federal level to mobilize local, State, Federal, and private sector financial and volunteer resources to address the problem of illiteracy throughout the United States.

[(b) The Director shall assign volunteers to projects and programs that meet the antipoverty criteria of part A that provide assistance to functionally illiterate and illiterate individuals who are unserved or underserved by literacy education programs, with special emphasis upon disadvantaged individuals having the highest risk of illiteracy, and individuals with the lowest reading and educational level of competence.

[(c)(1) The Director shall assign volunteers under this subsection to projects and programs that utilize volunteers to address the needs of illiterate individuals.

[(2) Programs and projects under this subsection may be administered by public or private nonprofit agencies and organizations including local, State, and national literacy councils and organizations; community-based nonprofit organizations; local and State education agencies; local and State agencies administering adult basic education programs; educational institutions; libraries; antipoverty organizations; local, municipal, and State governmental entities, and eligible providers of employment and training activities under subtitle B of title I of the Workforce Investment Act of 1998.

[(3) In the assignment of volunteers under this subsection the Director shall give priority consideration to—

[(A) programs and projects that assist illiterate individuals in greatest need of assistance residing in unserved or under-

served areas with the highest concentrations of illiteracy and of low income individuals and families;

[(B) projects and programs serving individuals reading at the zero to fourth grade levels;

[(C) projects and programs focusing on providing literacy services to high risk populations;

[(D) projects and programs operating in areas with the highest concentration of individuals and families living at or below the poverty level;

[(E) projects and programs providing literacy services to parents of disadvantaged children between the ages of two and eight, who may be educationally at risk; and

[(F) Statewide programs and projects that encourage the creation of new literacy efforts, encourage the coordination of intrastate literacy efforts and provide technical assistance to local literacy efforts.

[(d)(1) The Director shall assign volunteers under this subsection to projects and programs that primarily utilize volunteers to tutor illiterate individuals.

[(2) Programs and projects under this subsection may be administered by local public or private nonprofit agencies and organizations including local literacy councils and organizations, community-based nonprofit organizations, local educational agencies, local agencies administering adult basic education programs, local educational institutions, libraries, antipoverty organizations, local and municipal governmental entities, and eligible providers of employment and training activities under subtitle B of title I of the Workforce Investment Act of 1998.

[(3) In the assignment of volunteers under this subsection the Director shall give priority consideration to local programs and projects that assist illiterate individuals in greatest need of assistance residing in unserved or underserved areas with the highest concentrations of illiteracy and of low income individuals and families.

[(e) The Director shall ensure an equitable distribution of volunteers under this section in accordance with the equitable distribution requirement of section 414 of this Act.

[(f) The VISTA Literacy Corps shall consist of all volunteers serving under part A working on literacy projects and programs.

[(g) In any fiscal year in which the services provided under part A are reduced, the services provided under this section shall be proportionately reduced.

[(h)(1) Subject to paragraph (2), with respect to any individual providing volunteer services in the program under this section regarding literacy, the Director may, with the written consent of the individual, assign the individual to serve in the general program under this part regarding literacy.

[(2) To the extent practicable and without undue delay, the Director shall ensure that a volunteer under this section is assigned to the vacancy created within the relevant literacy project or program established under this section.

[PART B—UNIVERSITY YEAR FOR VISTA

[STATEMENT OF PURPOSE

[SEC. 111. (a) The purpose of this part is to assist students, through service-learning and community service programs, to undertake volunteer service in such a way as to enhance the educational value of the service experience, through participation in activities that strengthen and supplement efforts to eliminate and alleviate poverty and poverty-related problems. Its purpose further is to provide technical assistance and training to encourage other students and faculty to engage in volunteer service on a part-time, self-supporting basis, to meet the needs of the poor in the surrounding community through expansion of service-learning and community service programs and otherwise.

[(b) This part provides for the University Year for VISTA (UYV) program of full-time volunteer service by students enrolled in institutions of higher education. The purpose of the UYV program is to strengthen and supplement efforts to eliminate poverty and poverty-related human, social, and environmental problems by enabling students at cooperating institutions to perform meaningful and constructive volunteer service in connection with the satisfaction of course-work while attending such institutions. Volunteer service under this part is conducted in agencies, institutions, and situations where the application of human talent and dedication may assist in the solution of poverty and poverty-related problems and secure and exploit opportunities for self-advancement by individuals experiencing such problems.

[AUTHORITY TO OPERATE UNIVERSITY YEAR FOR VISTA PROGRAM

[SEC. 112. Except as otherwise provided in this part, the Director is authorized to conduct or make grants and contracts for, or both, programs to carry out the purposes of this part in accordance with the authorities and subject to the restrictions in the provisions of part A of this title, except for the provisions of sections 103(f) and 104(d), and except that the Director may, in accordance with regulations the Director shall prescribe, determine to reduce or eliminate the stipend for volunteers serving under this part on the basis of the value of benefits provided such volunteers by the institution in question (including the reduction or waiver of tuition).

[SPECIAL CONDITIONS

[SEC. 113. (a) Volunteers serving under this part shall be enrolled for periods of service as provided for in subsection (b) of section 104, except that volunteers serving in the University Year for VISTA program may be enrolled for periods of service of not less than the duration of an academic semester or its equivalent, but volunteers enrolled for less than 12 months shall not receive stipends under section 105(a)(1). Volunteers serving under this part may receive academic credit for such service in accordance with the regulations of the sponsoring institution of higher education. Volunteers may receive a living allowance and such other support or allowances as the Director determines to be appropriate.

[(b) Grants to and contracts with institutions to administer programs under this part shall provide that prospective student volun-

teers shall participate substantially in the planning of such programs and that such institutions shall make available to the poor in the surrounding community all available facilities, including human resources, of such institutions in order to assist in meeting the needs of such poor persons.

[(c)(1) In making grants or contracts for the administration of UYV programs under this part, the Director shall insure that financial assistance under this Act to programs carried out pursuant to section 112 of this part shall not exceed 90 per centum of the total cost (including planning costs) of such program during the first year and such amounts less than 90 per centum as the Director, in consultation with the institution, may determine for not more than four additional years, including years in which support was received under title VIII of the Economic Opportunity Act of 1964, as amended (42 U.S.C. 2991–2994d). Each such grant or contract shall stipulate that the institution will make every effort to (A) assume an increasing proportion of the cost of continuing a program carrying out the purpose of this part while the institution receives support under this part; (B) waive or otherwise reduce tuition for participants in such program, where such waiver is not prohibited by law; (C) utilize students and faculty at such institution to carry out, on a self-supporting basis, appropriate planning for such programs; and (D) maintain similar service-learning programs after such institution no longer receives support under this part.

[(2) The Director shall take necessary steps to monitor the extent of compliance by such institutions with commitments entered into under paragraph (1) of this subsection and shall advise the Secretary of Health and Human Services of the extent of each such institution's compliance.]

PART C—SPECIAL VOLUNTEER PROGRAMS

STATEMENT OF PURPOSE

SEC. 121. This part provides for special emphasis and demonstration volunteer programs, together with appropriate powers and responsibilities designed to assist in the development and coordination of such programs. The purpose of this part is to strengthen and supplement efforts to meet a broad range of needs, particularly those related to poverty, by encouraging and enabling persons from all walks of life and from all age groups to perform meaningful and constructive volunteer service in agencies, institutions, and [situations] *organizations* where the application of human talent and dedication may help to meet such needs. It is the further purpose of this part to provide technical and financial assistance to encourage voluntary organizations and volunteer efforts at the national, State, and local level.

* * * * * * *

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.

[LITERACY CHALLENGE GRANTS

[SEC. 124. (a) The Director is authorized to award challenge grants to eligible public agencies and private organizations to pay the Federal share of the costs of establishing, operating or expanding community or employee literacy programs or projects that include the use of full-time or part-time volunteers as one method of addressing illiteracy.

[(b) Each eligible organization desiring a grant under this section shall submit to the Corporation an application in such form and accompanied by such information as the Director may reasonably require. Each such application shall—

[(1) describe the activities for which assistance is sought,

[(2) contain assurances that the eligible organization will provide from non-Federal sources the non-Federal share of the cost of the program or project,

[(3) provide assurances, satisfactory to the Director, that the literacy project will be operated in cooperation with other public and private agencies and organizations interested in, and qualified to, combat illiteracy in the community where the project is to be conducted, and

[(4) contain such other information and assurances as the Director may reasonably require.

[(c)(1)(A) The Federal share of the cost of a program or project authorized by this section administered by a public agency, a nonprofit organization other than an organization described in paragraph (2), or a private, for-profit organization shall not exceed—

[(i) 80 percent in the first fiscal year;

[(ii) 70 percent in the second fiscal year; and

[(iii) 60 percent in the third fiscal year.

[(B) The non-Federal share paid by a private, for-profit organization shall be in cash.

[(2) The Federal share of the cost of a program or project administered by a nonprofit or community-based organization shall not exceed—

[(A) 90 percent in the first fiscal year;

[(B) 80 percent in the second fiscal year; and

[(C) 70 percent in the third fiscal year.

[(3) The non-Federal share provided by a public agency or a nonprofit or community-based organization may be provided in cash, or in kind, fairly evaluated, and may include the use of plant, equipment, and services.]

TITLE II—[NATIONAL SENIOR VOLUNTEER CORPS] *NATIONAL SENIOR SERVICE CORPS*

[STATEMENT OF PURPOSES

[SEC. 200. It is the purpose of—

[(1) this title to provide for National Senior Volunteer Corps, comprised of the Retired and Senior Volunteer Program, the foster grandparent program, and the senior companion program, that empower older individuals to contribute to their communities through volunteer service, enhance the lives of the volunteers and those whom they serve, and provide communities with valuable services;

[(2) part A, the Retired and Senior Volunteer Program, to utilize the vast talents of older individuals willing to share their experiences, abilities, and skills in responding to a wide variety of community needs;

[(3) part B, the foster grandparent program, to afford low-income older individuals an opportunity to provide supportive, individualized services to children with exceptional or special needs; and

[(4) part C, the senior companion program, to afford low-income older individuals the opportunity to provide personal assistance and companionship to other older individuals through volunteer service.]

SEC. 200. STATEMENT OF PURPOSE.

It is the purpose of this title to provide—

(1) opportunities for senior service to meet unmet local, State, and national needs in the areas of education, public safety, emergency and disaster preparedness, relief, and recovery, health and human needs, and the environment;

(2) for the National Senior Service Corps, comprised of the Retired and Senior Volunteer Program, the Foster Grandparent Program, and the Senior Companion Program, and demonstration and other programs to empower people 55 years of age or older to contribute to their communities through service, enhance the lives of those who serve and those whom they serve, and provide communities with valuable services;

(3) opportunities for people 55 years of age or older, through the Retired and Senior Volunteer Program, to share their knowledge, experiences, abilities, and skills for the betterment of their communities and themselves;

(4) opportunities for low-income people 55 years of age or older, through the Foster Grandparents Program, to have a positive impact on the lives of children in need;

(5) opportunities for low-income people 55 years of age or older, through the Senior Companion Program, to provide critical support services and companionship to adults at risk of institutionalization and who are struggling to maintain a dignified independent life; and

(6) for research, training, demonstration, and other program activities to increase and improve opportunities for people 55 years of age or older to meet unmet needs, including those related to public safety, public health, and emergency and disaster preparedness, relief, and recovery, in their communities.

PART A—RETIRED AND SENIOR VOLUNTEER PROGRAM

GRANTS AND CONTRACTS FOR VOLUNTEER SERVICE PROJECTS

SEC. 201. (a) In order to help retired individuals and working older individuals to [avail themselves of opportunities for volunteer service in their community] *share their experiences, abilities, and skills for the betterment of their communities and themselves through service*, the Director is authorized to make grants to State agencies (established or designated pursuant to section 305(a)(1) of the Older Americans Act of 1965, as amended (42 U.S.C. 3025(a)(1))) or grants to or contracts with other public and nonprofit private agencies and organizations to pay part or all of the

costs for the development or operation, or both, of volunteer service projects under this section, if the Director determines, in accordance with regulations the Director shall prescribe, that—

(1) * * *

(2) only individuals 55 years of age or older will be enrolled**[**, and individuals 60 years of age or older will be given priority for enrollment,**]** as volunteers to provide services under this part (except for administrative purposes), and such services will be performed in the community where such individuals reside or in nearby communities either (A) on publicly owned and operated facilities or projects, or (B) on local projects sponsored by private nonprofit organizations (other than political parties), other than projects involving the construction, operation, or maintenance of so much of any facility used or to be used for sectarian instruction or as a place for religious worship;

(3) the project includes such short-term training as may be necessary *either prior to or during the volunteer service* to make the most effective use of the skills and talents of participating volunteers and individuals, and provide for the payment of the reasonable expenses of such volunteers while undergoing such training; and

[(4) the project is being established and will be carried out with the advice of persons competent in the field of service involved, and or persons with interest in and knowledge of the needs of older persons.**]**

(4) the project is being designed and implemented with the advice of experts in the field of service to be delivered as well as with those who have expertise in the recruitment and management of volunteers, particularly those of the Baby Boom generation.

* * * * * * *

[(c) The Director shall not award any grant or contract under this part for a project in any State to any agency or organization unless, if such State has a State agency established or designated pursuant to section 305(a)(1) of the Older Americans Act of 1965, as amended (42 U.S.C. 3025(a)(1)), such agency itself is the recipient of the award or such agency has been afforded at least forty-five days in which to review the project application and make recommendations thereon.**]**

(c) The Director shall give priority to projects—

(1) utilizing retired scientists, technicians, engineers, and mathematicians (the STEM professionals) to improve Science, Technology, Engineering, and Mathematics (STEM) education through activities such as assisting teachers in classroom demonstrations or laboratory experiences, running after-school, weekend, or summer programs designed to engage disadvantaged youth (as defined in section 101 of the National and Community Service Act of 1990) or low-income, minority youth in the STEM fields and to improve mastery of the STEM content, providing field trips to businesses, institutions of higher education, museums, and other locations where the STEM professions are practiced or illuminated;

(2) utilizing retired health care professionals to improve the health and wellness of low income or rural communities;

(3) utilizing retired criminal justice professionals for programs designed to prevent disadvantaged youth (as defined in

section 101 of the National and Community Service Act of 1990) from joining gangs or committing crimes;

(4) utilizing retired military and emergency professionals for programs to improve public safety, emergency and disaster preparedness, relief, and recovery, search and rescue, and homeland security efforts; and

(5) utilizing retired computer science professionals, technicians of related technologies, business professionals, and others with relevant knowledge to increase, for low income individuals and families, access to and obtaining the benefits from computers and other existing and emerging technologies.

* * * * * * *

(e) COMPETITIVE RE-EVALUATION.—

(1) IN GENERAL.—Notwithstanding section 412, a grant or contract shall not, after fiscal year 2009, be awarded or renewed under this section unless—

(A) the program for which the award or renewal is to be made is competitively re-evaluated in comparison to other programs; or

(B) the program for which the award or renewal is to be made—

(i) received an award or renewal in a fiscal year that was both—

(I) within the preceding three fiscal years; and

(II) after fiscal year 2009; and

(ii) was competitively re-evaluated in connection with that award or renewal in that fiscal year.

(2) REQUIREMENTS.—Each competitive re-evaluation required by paragraph (1) shall be carried out through a process that ensures that—

(A) the resulting grants (or contracts) support no less than the volunteer service years of the previous grant (or contract) cycle in a given service area;

(B) the resulting grants (or contracts) maintain a similar program distribution; and

(C) every effort is made to minimalize the disruption of volunteers.

(3) PRIORITY CONSIDERATION.—The competitive re-evaluation shall include some form of priority consideration for existing grantees in good standing.

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PART B—FOSTER GRANDPARENT PROGRAM

GRANTS AND CONTRACTS FOR VOLUNTEER SERVICE PROJECTS

SEC. 211. (a) The Director is authorized to make grants to or contracts with public and nonprofit private agencies and organizations to pay part or all of the cost of development and operation of projects (including direct payments to individuals serving under this part) designed for the purpose of providing opportunities for [low-income persons aged sixty or over] *low-income and other persons aged 55 or over* to provide supportive person-to-person services in health, education, welfare, and related settings to children having exceptional needs. Such services may include services by indi-

viduals 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 C of the Individuals with Disabilities Education Act (20 U.S.C. 1431 et seq.), Head Start agencies under the Head Start Act, or any of a variety of other programs, 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. The Director may approve assistance in excess of 90 per centum of the costs of the development and operation of such projects only if the Director determines, in accordance with regulations the Director shall prescribe establishing objective criteria, that such action is required in furtherance of the purpose of this section. Provision for such assistance shall be effective as of September 19, 1972. In the case of any project with respect to which, prior to such date, a grant or contract has been made under section 611(a) of the Older Americans Act of 1965, as amended (42 U.S.C. 3044(b) or with respect to any project under the Foster Grandparent program in effect prior to September 17, 1969, contributions in cash or in kind from the Bureau of Indian Affairs, Department of the Interior, toward the cost of the project may be counted as part of the cost thereof which is met from non-Federal sources.

(b)(1) Any public or private nonprofit agency or organization responsible for providing person-to-person services to a child in a project carried out under subsection (a) of this section ⟦shall have the exclusive authority to determine, pursuant to the provisions of paragraph (2) of this subsection⟧ *may determine*—

(A) which children may receive supportive person-to-person services under such project; ⟦and⟧

(B) the period of time during which such services shall be continued in the case of each individual child⟦.⟧*; and*

(C) whether it is in the best interests of a child receiving, and of a particular foster grandparent providing, services in such a project, to continue such relationship after the child reaches the age of 21, if such child was receiving such services prior to attaining the age of 21.

⟦(2) In the event that such an agency or organization determines that it is in the best interests of a mentally retarded child receiving, and of a particular foster grandparent providing, services in such a project, such relationship may be continued after the child reaches the chronological age of 21: *Provided,* That such child was receiving such services prior to attaining the chronological age of 21. If the particular foster grandparent subject to the determination under this paragraph becomes unavailable to serve after such determination is made, the agency or organization may select another foster grandparent.⟧

⟦(3)⟧ *(2)* Any determination made by a public or nonprofit private agency or organization under ⟦paragraphs (1) and (2)⟧ *paragraph (1)* of this subsection shall be made through mutual agreement by all parties involved with respect to the provision of services to the child involved.

(3) If an assignment of a foster grandparent is suspended or discontinued, the replacement of that foster grandparent shall be determined through the mutual agreement of all parties involved in the provision of services to the child.

* * * * * * *

(d) The Director, in accordance with regulations the Director shall prescribe, may provide to low-income persons serving as volunteers under this part, such allowances, stipends, and other support as the Director determines are necessary to carry out the purpose of this part. **[**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,**]** *Any stipend or allowance provided under this part shall not exceed 75 percent of the minimum wage under section 6 the Fair Labor Standards Act of 1938 (29 U.S.C. 206), and the Federal share shall not be less than $2.65 per hour, provided that the Director shall adjust the Federal share once prior to December 31, 2012, to account for inflation,* as determined by the Director and rounded to the nearest five cents, except that (1) such stipend or allowance shall not be increased as a result of an amendment made to this sentence unless the funds appropriated for carrying out this part are sufficient to maintain for the fiscal year in question a number of participants to serve under this part at least equal to the number of such participants serving during the preceding fiscal year, and (2) in the event that sufficient appropriations for any fiscal year are not available to increase any such stipend or allowance provided to the minimum hourly rate specified in this sentence, the Director shall increase the stipend or allowance to such amount as appropriations for such year permit consistent with clause (1) of this exception. In establishing the amount of, and the effective date for, such adjustment, the Director, in consultation with the State Commissions on National and Community Service (as established under section 178 of the National and Community Service Act of 1990) and the heads of the State offices established under section 195 of such Act, shall consider the effect such adjustment will have on the ability of non-federally funded volunteer programs similar to the programs under this title to maintain their current level of volunteer hours.

(e) For purposes of this part, the terms "low-income person" and "person of low income" mean—

(1) any person whose income is not more than **[**125**]** *200* per centum of the poverty line defined in section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)) and adjusted by the Director in the manner described in such section; and

(2) any person whose income is not more that 100 per centum of such poverty line**[**, as so adjusted and determined by the Director after taking into consideration existing poverty guidelines as appropriate to local situations**]**.

* * * * * * *

[(f)(1)(A) Except as provided in subparagraphs (B) and (C), individuals who are not low-income persons may serve as volunteers under this part, in accordance with such regulations as the Director shall issue, if such individuals serve without receiving any al-

lowance, stipend, or other financial support under this part except reimbursement for transportation, meals, and out-of-pocket expenses incident to serving under this part.

[(B) The regulations issued by the Director to carry out this part (other than any regulations relating to allowances, stipends, and other financial support authorized by subsection (d) to be paid under this part to low-income persons) shall apply to all volunteers under this part, without regard to whether such volunteers are eligible to receive a stipend under subsection (d).

[(C) Individuals who are not low-income persons may not serve as volunteers under this part in any community in which there are volunteers serving under part A of this title unless such individuals have been referred previously for possible placement as volunteers under part A and such placement did not occur.

[(2)(A) Except as provided in subparagraph (B), each recipient of a grant or contract to carry out a project under this part shall give equal treatment to all volunteers who participate in such project, without regard to whether such volunteers are eligible to receive a stipend under subsection (d).

[(B) An individual who is not a low-income person may not become a volunteer under this part if allowing such individual to become a volunteer under this part would prevent a low-income individual from becoming a volunteer under this part or would displace a low-income person from being such a volunteer.

[(3) The Director may not take into consideration or require as a condition of receiving a grant or contract to carry out a project under this part, any applicant for such grant or contract—

[(A) to accept or recruit individuals who are not low-income persons to serve as volunteers under this part; or

[(B) to solicit locally generated contributions, in cash or in kind, to support such individuals.

The Director may not coerce any applicant for, or recipient of, such grant or contract to engage in conduct described in subparagraph (A) or (B).

[(4) Funds appropriated to carry out this part may not be used to pay any cost, including any administrative cost, incurred in connection with volunteers under this part who do not receive a stipend under subsection (d). Such cost incurred with respect to a volunteer may be paid with—

[(A) funds received by the Director as unrestricted gifts;

[(B) funds received by the Director as gifts to pay such cost;

[(C) funds contributed by such volunteer; or

[(D) locally generated contributions in excess of the amount required to be contributed under subsection (a), in the discretion of the recipient of a grant or contract under such subsection.]

(f)(1) Subject to the restrictions in paragraph (3), individuals who are not low-income persons may serve as volunteers under this part. The regulations issued by the Director to carry out this part (other than regulations relating to stipends or allowances to individuals authorized by subsection (d)) shall apply to all volunteers under this part, without regard to whether such volunteers are eligible to receive a stipend or allowance under subsection (d).

(2) Except as provided under paragraph (1), each recipient of a grant or contract to carry out a project under this part shall give

equal treatment to all volunteers who participate in such project, without regard to whether such volunteers are eligible to receive a stipend or allowance under subsection (d).

(3) An individual who is not a low-income person may not become a volunteer under this part if allowing that individual to become a volunteer under this part would prevent a low-income person from becoming a volunteer under this part or would displace a low-income person from being a volunteer under this part.

(4) The Office of Outreach and Recruitment shall conduct outreach to ensure the inclusion of low-income persons in programs and activities authorized under this title.

(g) The Director may also provide a stipend or allowance in an amount not to exceed 10 percent more than the amount established under subsection (d) to leaders who, on the basis of past experience as volunteers, special skills, and demonstrated leadership abilities, may coordinate activities, including training, and otherwise support the service of volunteers under this part.

(h) The program may accept up to 15 percent of volunteers serving in a project under this part for a fiscal year who do not meet the definition of "low-income" under subsection (e), upon certification by the recipient of a grant or contract that it is unable to effectively recruit and place low-income volunteers in the number of placements approved for the project.

PART C—SENIOR COMPANION PROGRAM

GRANTS AND CONTRACTS FOR VOLUNTEER SERVICE PROJECTS

SEC. 213. (a) The Director is authorized to make grants to or contracts with public and nonprofit private agencies and organizations to pay part or all of the cost of development and operation of projects (including direct payments to individuals serving under this part in the same manner as provided in section 211(a)) designed for the purpose of providing opportunities for [low-income persons aged 60 or over] *low-income and other persons aged 55 or over* to serve as "senior companions" to persons with exceptional needs. Senior companions may provide services designed to help older persons requiring long-term care, including services to persons receiving home health care, nursing care, home-delivered meals or other nutritional services; services designed to help persons deinstitutionalized from mental hospitals, nursing homes, and other institutions; and services designed to assist persons having developmental disabilities and other special needs for companionship.

(b) [Subsections (d), (e), and (f)] *Subsections (d) through (h)* of section 211, and such other provisions of part B as the Director determines to be necessary, shall apply to this part, except that for purposes of this part any reference in such subsections and such provisions to part B shall be deemed to be a reference to this part.

(c)(1) * * *

(2)(A) * * *

[(B) Senior companion volunteer trainers recruited under subparagraph (A) of this paragraph shall not be paid stipends.]

(B) Senior companion volunteer trainers and leaders may receive a stipend or allowance consistent with subsection (g) authorized under subsection (d) of section 211, as approved by the Director.

PART D—GENERAL PROVISIONS

PROMOTION OF NATIONAL SENIOR [VOLUNTEER] *SERVICE* CORPS

SEC. 221. (a) * * *

(b)(1) * * *

(2) The Director shall take appropriate actions to ensure that special efforts are made to publicize the programs established in parts A, B, and C, in order to facilitate recruitment efforts, to encourage greater participation of volunteers *of all ages and backgrounds living in rural, suburban, and urban localities*, and to emphasize the value of volunteering to the health and well-being of volunteers and the communities of such volunteers. Such actions shall include informing recipients of grants and contracts under this title of all informational materials available from the Director.

* * * * * * *

MINORITY GROUP PARTICIPATION

SEC. 223. The Director shall take appropriate steps to insure that special efforts are made to recruit, select, and assign qualified individuals [sixty years and older from minority groups] *55 years and older from minority and underserved populations* to serve as volunteers under this title.

USE OF LOCALLY GENERATED CONTRIBUTIONS IN NATIONAL SENIOR [VOLUNTEER] *SERVICE* CORPS

SEC. 224. Whenever locally generated contributions made to National Senior Volunteer Corps projects under this title are in excess of the amount required by the Director, the Director may not restrict the manner in which contributions are expended if expenditures from locally generated contributions are not inconsistent with the provisions of this Act.

PROGRAMS OF NATIONAL SIGNIFICANCE

SEC. 225. (a)(1) * * *

[(2) Except as provided in paragraph (3), the Director may make such grants—

[(A) under the program authorized in part A, to support programs that address the national problems specified in subsection (b);

[(B) under the program authorized in part B, to support programs that address the national problems specified in subsection (b), other than paragraphs (10), (12), (15), and (16) of such subsection; and

[(C) under the program authorized in part C, to support programs that address the national problems referred to in paragraphs (1), (2), (5), (6), and (10) of subsection (b).]

(2) Applicants for grants under paragraph (1) shall determine which program under part A, B, or C the program shall be carried out and submit an application as required for programs under part A, B, or C.

* * * * * * *

(4) The Director shall ensure that at least 50 percent of the grants made under this section are from applicants currently not receiving

assistance from the Corporation and when possible in locations where there are no current programs under part A, B, C in existence.

(b) The Director shall make grants under subsection (a) to support one or more of the following programs to address problems that concern the Nation:

(1) Programs that assist individuals with chronic and debilitating illnesses, such as acquired immune deficiency syndrome *or Alzheimer's disease, with an intent of allowing those served to age in place*.

(2) Programs designed to decrease drug and alcohol abuse *through education, prevention, treatment, and rehabilitation*.

(3) Programs that work with teenage parents*, including programs that teach parenting skills, life skills, family management skills, assists in obtaining affordable childcare, offers or assists in locating employment training or placement, and other skills and services needed by teenage parents and their families to establish a healthy environment for their children*.

[(4) Programs that match volunteer mentors with youth who need guidance.**]**

(4) Programs that establish and support mentoring programs for disadvantaged youth (as defined in section 101 of the National and Community Service Act of 1990), including those mentoring programs that match youth with volunteer mentors leading to apprenticeship programs and employment training.

(5) Programs that provide adult and school-based literacy assistance*, including those programs that serve youth and adults with limited English proficiency*.

(6) Programs that provide respite care, including care for frail elderly individuals **[**and for disabled or chronically ill children living at home.**]** *and for individuals and children with disabilities or chronic illnesses living at home.*

(7) Programs that provide before- and **[**after-school activities that are sponsored by organizations, such as libraries, that serve children of working parents.**]** *after-school programs serving children in low-income communities that may engage participants in mentoring relationships, tutoring, life skills or study skills programs, service-learning, physical, nutrition, and health education programs, including programs aimed at fighting childhood obesity, and other activities addressing the needs of the community's children, including those of working parents.*

[(8) Programs that work with boarder babies.

[(9) Programs that serve children who are enrolled in child care programs, giving priority to such programs that serve children with special needs.**]**

[(10)**]** *(8)* Programs that provide care to developmentally disabled adults who reside at home and in community-based settings, including programs that, when appropriate, involve older developmentally disabled individuals as volunteers under this title.

[(11)**]** *(9)* Programs that provide volunteer tutors to assist educationally disadvantaged children, on a one-to-one basis, to improve the basic skills of such children.

(10) Programs that engage older adults with children and youth to complete service in energy conservation, environmental stewardship, or other environmental needs of a community.

(11) Programs that collaborate with criminal justice professionals and organizations in prevention programs aimed at disadvantaged youth (as defined in section 101 of the National and Community Service Act of 1990) or youth re-entering society after incarceration and their families, which may include mentoring and counseling, which many include employment counseling.

[(12) Programs that address environmental needs.

[(13) Programs that reach out to organizations (such as labor unions and profitmaking organizations) not previously involved in addressing national problems of local concern.

[(14) Programs that provide for outreach to increase participation of members of ethnic groups who have limited English proficiency.

[(15) Programs that support criminal justice activities and juvenile justice activities.

[(16) Programs that involve older volunteers working with young people in apprenticeship programs.]

[(17)] *(12)* Programs that support the community integration of individuals with disabilities.

(13) Programs that strengthen community efforts in support of homeland security.

[(18) Programs that provide health, education, and welfare services that augment the activities of State and local agencies, to be carried out in a fiscal year for which the aggregate amount of funds available to such agencies is not less than the annual average aggregate amount of funds available to such agencies for the period of 3 fiscal years preceding such fiscal year.]

(c)(1) In order for an applicant to be eligible to receive a grant under subsection (a), such applicant [shall demonstrate to the Director that such grant will be used to increase the total number of volunteers supported by such applicant.] *shall demonstrate to the Director a level of expertise in carrying out such a program.*

* * * * * * *

(e) The Director shall *widely* disseminate information on grants that may be made under subsection (a) [to field personnel of the Corporation and to community volunteer organizations that request such information.], *including through the Office of Outreach and Recruitment and other volunteer recruitment programs being carried out by public or private non-profit organizations.*

* * * * * * *

SEC. 228. CONTINUITY OF SERVICE.

To ensure the continued service of individuals in communities served by the Retired and Senior Volunteer Program prior to enactment of this section, in making grants under this title the Corporation shall take actions it considers necessary to maintain service assignments for such seniors and to ensure continuity of service for communities.

SEC. 229. ACCEPTANCE OF DONATIONS.

(a) IN GENERAL.—Except as provided in subsection (b), a program receiving assistance under this title may accept donations, including donations in cash or in kind.

(b) EXCEPTION.—Notwithstanding subsection (a), a program receiving assistance under this title shall not accept donations from the beneficiaries of the program.

PART E—DEMONSTRATION PROGRAMS

SEC. 231. AUTHORITY OF DIRECTOR.

(a) * * *

(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;] *activities described in section 225(b) and carried out through programs described in parts A, B, and C; and*

[(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.]

(2) programs that support older Americans in aging in place while augmenting the capacity of members of a community to serve each other through reciprocal service centers, service credit banking, community economic scripts, barter services, timebanking, and other similar programs.

(c) PRIORITY.—For purposes of subsection (b), priority shall be given to—

(1) programs with established experience in carrying out such a program and engaging the entire community in service exchange;

(2) programs with the capacity to connect to similar programs throughout a city or region to augment the available services to older Americans and for members of the community to serve each other;

(3) programs seeking to establish in an area where needs of older Americans are left unmet and older Americans are unable to consider aging in place without such service exchange in place; and

(4) programs that integrate participants in or collaborate with service-learning programs, AmeriCorps State and National programs, the VISTA program, the Retired and Senior Volunteer Program, Foster Grandparents program, and the Senior Companion programs, and programs described in section 411 of the Older Americans Act of 1965 (42 U.S.C. 3032).

* * * * * * *

TITLE IV—ADMINISTRATION AND COORDINATION

* * * * * * *

SPECIAL LIMITATIONS

SEC. 404. (a) The Director shall prescribe regulations and shall carry out the provisions of this Act so as to assure that the service of volunteers assigned, referred, or serving pursuant to grants, contracts, or agreements made under this Act is limited to activities which would not otherwise be performed by employed workers and which will not supplant the hiring of or result in the [displacement of employed workers] *displacement of employed workers or volunteers (other than participants under the national service laws)*, or impair existing contracts for service.

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NOTICE AND HEARING PROCEDURES FOR SUSPENSION AND TERMINATION OF FINANCIAL ASSISTANCE

SEC. 412. (a) The Director is authorized, in accordance with the provisions of this section, to suspend further payments or to terminate payments under any contract or grant providing assistance under this Act, whenever the Director determines there is a material failure to comply with the applicable terms and conditions of any such grant or contract. The Director shall prescribe procedures to insure that—

(1) * * *

(2) an application for refunding under this Act may not be denied unless the recipient has been given (A) notice at least [75] *60* days before the denial of such application of the possibility of such denial and the grounds for any such denial, and (B) opportunity to show cause why such action should not be taken; *and*

[(3) in any case where an application for refunding is denied for failure to comply with the terms and conditions of the grant or contract award, the recipient shall be afforded an opportunity for an informal hearing before an impartial hearing officer, who has been agreed to by the recipient and the Agency; and]

[(4)] *(3)* assistance under this Act shall not be terminated for failure to comply with applicable terms and conditions unless the recipient has been afforded reasonable notice and opportunity for a full and fair hearing.

* * * * * * *

DEFINITIONS

SEC. 421. For the purposes of this Act—

(1) * * *

(2) the terms "United States" and "States" mean the several States, the District of Columbia, the Virgin Islands, Puerto Rico, Guam, the American Samoa*, the Commonwealth of the Northern Mariana Islands,* and, for the purposes of title II of this Act, the Trust Territory of the Pacific Islands;

* * * * * * *

(13) the term "national senior volunteer" means a volunteer in the [National Senior Volunteer Corps] *National Senior Service Corps*;

(14) the term "[National Senior Volunteer Corps] *National Senior Service Corps*" means the programs established under [parts A, B, C, and E of] title II;

* * * * * * *

SEC. 425. PROTECTION AGAINST IMPROPER USE.

Whoever falsely—

(1) * * *

* * * * * * *

that an entity is affiliated with, funded by, or operating under the authority of the Corporation, VISTA, or any of the programs of the [National Senior Volunteer Corps] *National Senior Service Corps* may be enjoined under an action filed by the Attorney General, on a complaint by the Director.

TITLE V—AUTHORIZATION OF APPROPRIATIONS

SEC. 501. NATIONAL VOLUNTEER ANTIPOVERTY PROGRAMS.

(a) AUTHORIZATIONS.—

(1) VOLUNTEERS IN SERVICE TO AMERICA.—There are authorized to be appropriated to carry out parts A and B of title I[, excluding section 109, $56,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996.] *$100,000,000 for fiscal year 2008 and such sums as may be necessary for each of fiscal years 2009 through 2012.*

[(2) 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 and 1996.]

[(3)] *(2)* 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 1996.] *such sums as may be necessary for each of fiscal years 2008 through 2012.*

[(4) 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 1996.]

[(5)] *(3)* SPECIFICATION OF BUDGET FUNCTION.—The authorizations of appropriations contained in this subsection shall be considered to be a component of budget function 500 as used by the Office of Management and Budget to cover education, training, employment, and social services, and, as such, shall be considered to be related to the programs of the Departments of Labor, Health and Human Services, and Education for budgetary purposes.

* * * * * * *

[(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 124, 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, and 4,500 volunteer service years in fiscal year 1996.

[(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. 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, $45,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996.

[(b) FOSTER GRANDPARENT PROGRAM.—There are authorized to be appropriated to carry out part B of title II, $85,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996.

[(c) SENIOR COMPANION PROGRAM.—There are authorized to be appropriated to carry out part C of title II, $40,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996.

[(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 1996.]

[SEC. 504. ADMINISTRATION AND COORDINATION.

[(a) IN GENERAL.—For each of the fiscal years 1994 through 1996, there are authorized to be appropriated for the administration of this Act as provided for in title IV, 18 percent of the total amount appropriated under sections 501 and 502 with respect to such year.

[(b) EVALUATION.—For each of the fiscal years 1994 through 1996, the Director is authorized to expend not less than 2½ percent, and not more than 5 percent, of the amount appropriated under subsection (a), for the purposes prescribed in section 416.]

SEC. 502. NATIONAL SENIOR SERVICE CORPS.

(a) RETIRED AND SENIOR VOLUNTEER PROGRAM.—There are authorized to be appropriated to carry out part A of title II, $67,500,000 for fiscal year 2008 and such sums as may be necessary for each of fiscal years 2009 through 2012.

(b) FOSTER GRANDPARENT PROGRAM.—There are authorized to be appropriated to carry out part B of title II, $115,000,000 for fiscal year 2008 and such sums as may be necessary for each of fiscal years 2009 through 2012.

(c) SENIOR COMPANION PROGRAM.—There are authorized to be appropriated to carry out part C of title II, $52,000,000 for fiscal year 2008 and such sums as may be necessary for each of fiscal years 2009 through 2012.

(d) DEMONSTRATION PROGRAMS.—There are authorized to be appropriated to carry out part E of title II, $500,000 for fiscal year 2008 and such sums as may be necessary for each of fiscal years 2009 through 2012.

SEC. 504. ADMINISTRATION AND COORDINATION.

There are authorized to be appropriated for the administration of this Act $35,000,000 for fiscal year 2008 and such sums as may be necessary for each of fiscal years 2009 through 2012.

* * * * * * *

SECTION 8F OF THE INSPECTOR GENERAL ACT OF 1978

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SEC. 8F. (a) Notwithstanding the provisions of paragraphs (7) and (8) of section 6(a), it is within the exclusive jurisdiction of the Inspector General of the Corporation for National and Community Service to—

(1) appoint and determine the compensation of such officers and employees in accordance with section 195(b) of the ⟦National and Community Service Trust Act of 1993⟧ *National and Community Service Act of 1990*; and

* * * * * * *

XVII. COMMITTEE CORRESPONDENCE

None.

MINORITY VIEWS

In his State of the Union address on January 29, 2002, President George W. Bush called on all Americans to serve their country for the equivalent of two years over their lifetime. On April 9, 2002, President Bush unveiled his "Principles and Reforms for a Citizen Service Act" to guide the reauthorization of programs under the Corporation for National and Community Service. Specifically, the President called for legislation to: (1) Support and encourage greater engagement of citizens in volunteering; (2) make Federal funds more responsive to State and local needs; (3) make Federal support more accountable and effective; and (4) provide greater assistance to community-based organizations (which include faith-based organizations).

In response to the President's call to reauthorize the national service laws, Rep. Pete Hoekstra (R–MI), along with Rep. Tim Roemer (D–IN), introduced H.R. 4854, the Citizen Service Act of 2002. That bill sought to reform and strengthen the programs under the Corporation for National and Community Service by implementing first-time accountability measures for grantees and making the Corporation for National and Community Service an effective outlet for leveraging community service among the many service organizations across the country. These reforms were intended to complement the ongoing efforts of the Corporation to strengthen these programs. After years of mismanagement under the Clinton Administration, the Corporation received its seventh consecutive clean audit opinion for FY 2006.

Committee Republicans are pleased that the Majority has agreed that such reforms are necessary and has included many of the key provisions from H.R. 4854 in H.R. 2857. Committee Republicans also appreciate the Majority's willingness to work toward a bipartisan agreement on the legislation. We are, however, concerned about some directions this bill takes and the process under which the Committee was forced to consider the bill.

LEGISLATIVE PROCESS

When Committee Republicans led the effort to reauthorize the national service laws, we followed a deliberate process that provided Members and the various constituencies impacted by the reauthorization ample time to carefully consider the legislation and offer thoughtful critiques. In 2002, H.R. 4854 was introduced on May 24th following extensive bipartisan negotiations. Nearly two weeks later, on June 5, the Subcommittee on Select Education favorably reported the bill to the Full Committee. A week after that, on June 12th, the Full Committee considered H.R. 4854 and favorably reported it to the House. Nearly three weeks passed between introduction of the bill and the Full Committee's consideration of it.

In contrast, barely more than 24 hours passed between the introduction of H.R. 2857 and the Full Committee's consideration of this legislation. Obviously, this is not nearly enough time for Members, staff, and constituents to carefully consider the proposal and properly respond.

This process continues a troubling trend. Despite its promises to legislate through regular order and ensure an open process, the Majority has repeatedly rushed bills through Committee without giving Members sufficient time to consider the legislation. Such a process may serve the interests of the Majority, but it does not serve the interests of the Congress, or more importantly, the American taxpayers.

PRIORITIZING BUREAUCRACY

H.R. 2857 makes noteworthy strides in improving service delivery through the national service laws. The Citizen Service Act of 2002 included first-time accountability measures for programs funded under these laws to ensure that Federal dollars are spent wisely. H.R. 2857 includes these measures so that recipients of funds under these laws will be held responsible for effectively leveraging grant funds to drive community service at the local level.

Contrary to these improvements, H.R. 2857 clearly prioritizes bureaucracy over ensuring that funds are spent primarily on those in need. The bill requires the Corporation for National and Community Service to create a National Office of Outreach and Recruitment that will supposedly generate interest among potential participants in programs funded under the national service laws. However, data from the Corporation show that, in most cases, the Corporation is already operating close to capacity. For example, during the 2006 Learn and Serve grant competition, only 27 applications out of 292 were funded. Under the State and National competitive programs in AmeriCorps, 384 applications were submitted this year and 167 grants were awarded. To the extent more outreach could be useful in some cases, H.R. 2857 makes a common mistake. By assuming that bureaucrats in Washington are better equipped to generate interest in diverse communities across the country than those communities themselves, precious resources that could drive improved service at the local level will be wasted. Committee Republicans offered an amendment to strike this office that was rejected along party lines.

In addition, H.R. 2857 increases the cap on the percentage of funds that Learn and Serve and AmeriCorps grantees can spend on administrative expenses. Current law caps such expenditures at an already-high five percent. H.R. 2857 increases that cap to six percent despite data from the Corporation showing that such an increase would result in fewer participants in the programs funded under those programs. Committee Republicans feel strongly that taxpayer dollars should be used to provide direct services to those in need rather than wasted on administration and bureaucracy.

During Committee consideration of this legislation, Senior Republican McKeon (R–CA) offered an amendment that would have lowered the cap in both programs from six percent to three percent. The Corporation estimated that this simple step would free up an

additional $380,000 in the Learn and Serve program and $2.5 million in the AmeriCorps program. The Republican amendment would have directed the Learn and Serve money into service learning programs focusing on civic education for our young people in an effort to increase the appreciation and knowledge of the important values and principles behind this Nation's founding and our democratic form of government. Under AmeriCorps, the additional funds would have been directed to programs providing services for veterans. As the War on Terror continues, we should be doing all we can to provide support for those servicemen and women and their families who are making such sacrifices on our behalf.

Sadly, the Majority rejected this amendment along party lines. In a desperate attempt to save political face, the Majority later offered an identical amendment without the reduction in the administrative caps. The Majority's priorities were clear. The Majority is happy to support initiatives to assist our veterans and help our young people learn the history behind this country, but not at the expense of bureaucrats.

Another amendment offered by Committee Republicans would have provided yet another way to promote innovative and efficient service delivery. This amendment, offered by Rep. Souder (R–IN), would have provided the Corporation authority under AmeriCorps to create a member-based pilot program to provide innovative ways to support small, faith-based and other community-based charities. These smaller organizations are often doing the bulk of the work in our communities serving those in need, but may not have the administrative capacity to support a full AmeriCorps grant.

In order to streamline the process for these organizations, and provide more individual choice in selecting service sites, this program would permit the Corporation to provide education award grants directly to individuals rather than through the existing AmeriCorps bureaucracy. By providing individuals greater choice and small organizations greater opportunities to attract participants, while including accountability measures to ensure that the service is meaningful, this pilot program could demonstrate innovative ways to deliver resources to local communities more efficiently.

This amendment was withdrawn after the Majority pledged to work with Rep. Souder to incorporate this concept into the AmeriCorps structure as the bill moves forward. Committee Republicans are encouraged by this willingness and look forward to working with the Majority on this issue.

CONCLUSION

Committee Republicans appreciate the inclusion in H.R. 2857 of many provisions that were initially proposed in the Citizen Service Act of 2002. In particular, we applaud the inclusion of reforms that Committee Republicans have long championed to ensure that recipients of taxpayer funds are held accountable for results. We continue to be concerned at the Majority's unwillingness to live up to its campaign promises of openness and a fair process. And we are concerned with efforts made in the bill to expand bureaucracy at the expense of better service delivery to communities. Despite these concerns, we join with the Majority in supporting bipartisan efforts to strengthen the national service laws and improve service deliv-

ery throughout the country. We look forward to working with the Majority as the legislation moves forward.

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