

105th Congress, 2d Session - - - - - House Document 105-231

NATIONAL AND COMMUNITY SERVICE AMENDMENTS
ACT OF 1998

MESSAGE

FROM

THE PRESIDENT OF THE UNITED STATES

TRANSMITTING

A DRAFT OF PROPOSED LEGISLATION TO EXTEND FOR FIVE YEARS THE AUTHORIZATION OF APPROPRIATIONS FOR THE PROGRAMS UNDER THE NATIONAL AND COMMUNITY SERVICE ACT OF 1990 AND THE DOMESTIC VOLUNTEER SERVICE ACT OF 1973, AND FOR OTHER PURPOSES, PURSUANT TO 31 U.S.C. 1110



MARCH 19, 1998.—Message and accompanying papers referred to the Committee on Education and the Workforce and ordered to be printed

U.S. GOVERNMENT PRINTING OFFICE

59-011

WASHINGTON : 1998

To the Congress of the United States:

I am pleased to transmit for your immediate consideration and enactment the "National and Community Service Amendments Act of 1998." This legislative proposal extends and amends national service law, including the National and Community Service Act of 1990 and the Domestic Volunteer Service Act of 1973. It builds upon the long, bipartisan tradition of service in our country, which was renewed in 1993 when I signed the National and Community Service Trust Act creating the Corporation for National Service.

Service to one's community is an integral part of what it means to be an American. The Presidents' Summit for America's Future held in Philadelphia last April reinforced the role of programs supported by the Corporation for National Service as key vehicles to provide young people with the resources to maximize their potential and give back to their communities. Citizen service is also at the heart of our efforts to prepare America for the 21st century, as we work to ensure that all Americans have the opportunity to make the most of their own lives and to help those in need.

My Administration's most important contribution to citizen service is AmeriCorps, the national service program that already has given more than 100,000 young Americans the opportunity to serve their country. By tying opportunity to responsibility, we have given them the chance to serve and, in return, earn money for post-secondary education. In community after community, AmeriCorps members have proven that service can help us meet our most pressing social needs. For example, in Simpson County, Kentucky, AmeriCorps members helped second graders jump three grade levels in reading. In Boys and Girls Clubs, AmeriCorps members are mentors for at-risk young people. Habitat For Humanity relies upon AmeriCorps members to recruit more volunteers and build more houses. In communities beset by floods, tornadoes, and hurricanes, AmeriCorps members have helped to rebuild lives and restore hope. AmeriCorps members are helping to mobilize thousands of college students from more than 800 college campuses in our America Reads program. In all of these efforts, AmeriCorps brings together people of every background to work toward common goals.

Independent evaluators have reviewed AmeriCorps, National Senior Service Corps programs, and Learn and Service America programs and have concluded that national service yields a positive return on investment. The proposed legislation that I am transmitting builds on our experiences with national service to date and improves national service programs in four ways: (1) by codifying agreements with the Congress and others to reduce costs and streamline national service; (2) strengthening partnerships with traditional volunteer organizations; (3) increasing States' flexibility to administer national service programs; and (4) expanding opportunities for Americans to serve.

Since the enactment of the National and Community Service Trust Act in 1993, and particularly since 1995, my Administration has worked with constructive critics of national service to address their concerns and improve the overall program. This proposed legislation continues that process by reducing the Corporation's average budgeted cost per AmeriCorps member, repealing authority for redundant or obsolete national service programs, and making other improvements in the efficiency of national service programs.

National service has never been a substitute for the contributions made by the millions of Americans who volunteer their time to worthy causes every year. Rather, as leaders of volunteer organizations have often expressed, national service has proven that the presence of full-time, trained service participants enhances tremendously the effectiveness of volunteers. This proposed legislation will strengthen the partnership between the national service programs and traditional volunteer organizations; codify the National Service Scholarship program honoring exemplary service by high school students; and expand the AmeriCorps Challenge Scholarships, through which national service participants can access education awards. It also will authorize appropriations for the Points of Light Foundation through the year 2002.

The National and Community Service Trust Act of 1993 explicitly conceived of national service as a Federal-State partnership. The Act vested significant authority in bipartisan State Commissions appointed by the Governors. I promised that we would accelerate the process of devolution as the newly created State Commissions expanded their capacities. This proposed legislation fulfills that promise in a variety of ways, including providing authority for the Corporation for National Service to enter into Service Collaboration Agreements with Governors to provide a means for coordinating the planning and administration of national service programs in a State.

This proposed legislation will also provide additional service opportunities. By reducing the cost per AmeriCorps member, it will enable more people to serve; it will broaden the age and income guidelines for National Senior Service Corps participants, expanding the pool of older Americans who can perform results-oriented service in their communities; and it will simplify the administration of Learn and Serve America, so States and communities will more easily be able to provide opportunities for students to learn through service in their schools and neighborhoods.

This past January, I had the opportunity to honor the memory of Dr. Martin Luther King, Jr., by engaging in service on the holiday commemorating his birth. I joined 65 AmeriCorps members and more than 300 community volunteers in repairing and repainting Cardozo High School in the Shaw neighborhood of Washington, D.C. Thirty-one years ago, Dr. King came to that very neighborhood and urged the people there to engage in citizen service to rebuild their lives, their community, and their future. That is what those national service participants, and the thousands more who were participating in similar projects across the country, were doing—honoring the legacy of Dr. King and answering the high calling of citizenship in this country.

Each of the more than 500,000 participants in the programs of the National Senior Service Corps and the 750,000 participants in programs supported by Learn and Serve America, and every AmeriCorps member answers that high calling of citizenship when they make and fulfill a commitment to service in their communities. This proposed legislation builds on the successes of these programs and improves them for the future.

I urge the Congress to give this proposed legislation prompt and favorable consideration.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *March 19, 1998.*

**SECTION-BY-SECTION ANALYSIS
NATIONAL AND COMMUNITY SERVICE AMENDMENTS ACT OF 1998**

**TITLE I - AMENDMENTS TO NATIONAL AND COMMUNITY SERVICE ACT
OF 1990**

Sec. 101. Section 101 provides that references in Title I are to the National and Community Service Act of 1990 (42 U.S.C. 12501 *et. seq.*) (NCSA).

SUBTITLE A - AMENDMENTS TO SUBTITLE A (GENERAL PROVISIONS)

Sec. 111. Section 111 adds a reference to service-learning to the Act's statement of purposes.

Sec. 112. Section 112 amends or adds definitions of terms used in Title I of the Act.

**SUBTITLE B - AMENDMENTS TO SUBTITLE B (SCHOOL-BASED AND
COMMUNITY BASED SERVICE-LEARNING PROGRAMS)**

Sec. 121. Section 121 identifies the State educational agency as the primary vehicle to receive school-based assistance but provides that States may apply through a State Commission instead. Section 121 also authorizes assistance to be used for training and technical assistance.

Sec. 122. Section 122 streamlines applications for school-based service-learning programs by removing authority for entities other than States (and U.S. Territories and Indian Tribes, which may apply separately under section 130) to apply for school-based assistance.

Sec. 123. Section 123 provides for school-based assistance to States, after allocation for Territories and Tribes, to be made 70 percent on a formula basis and 30 percent on a competitive basis and authorizes each State to receive at least \$100,000 per year in formula school-based assistance.

Sec. 124. Section 124 requires States to select school-based subgrantees on a competitive basis.

Sec. 125. Section 125 provides that school-based grantees may use up to 25 percent of assistance to support capacity-building.

Sec. 126. Section 126 identifies the State Commission as the primary vehicle to receive community-based assistance but provides that States may apply through a State educational agency instead. Section 126 also streamlines applications for community-based service-learning programs by removing authority for entities other than States (and U.S. Territories and Indian Tribes, which may apply separately under section 130) to apply for community-based assistance.

Sec. 127. Section 127 provides that Subtitle B funds may be used to support clearinghouse activities and authorizes the Corporation to provide this assistance through entities other than public or private nonprofit organizations.

Sec. 128. Section 128 reserves up to three percent of school-based and community-based funds for U.S. Territories and Indian Tribes.

Sec. 129. Section 129 provides authority to support multi-State, demonstration, and other activities to grantmaking entities, institutions of higher education, subdivisions of States, and other qualified organizations to improve or expand service-learning programs.

Sec. 130. Section 130 incorporates service-learning into the purposes of higher education assistance and provides that State Commissions and State agencies for higher education may apply along with institutions of higher education.

SUBTITLE C - AMENDMENTS TO SUBTITLE C (NATIONAL SERVICE TRUST PROGRAM)

Sec. 141. Section 141 prohibits grants to Federal agencies. Section 141 also provides for limits on the Corporation's share of average budgeted costs per participant serving in an AmeriCorps national service position.

Sec. 142. Section 142 provides for training and technical assistance for all programs receiving assistance or an allotment of AmeriCorps positions under the national service laws.

Sec. 143. Section 143 provides that each State may receive a minimum of \$200,000 per year to support the operation of its State Commission, reduces matching fund requirements related to the costs of operating a State Commission, and removes authority to provide challenge grants.

Sec. 144. Section 144 authorizes States to receive a minimum formula allotment of \$500,000. Section 144 also provides that funds to increase the participation of persons with disabilities may be used in connection with any national service program. Section 144 also provides that training and technical assistance may be provided to any national service program. Section 144 also reserves up to \$15 million to provide limited operational assistance to education award programs and provides authority to waive requirements in connection with education award programs.

Sec. 145. Section 145 provides for the consideration of a grant applicant's ability to generate volunteers.

Sec. 146. Section 146 provides that participants selected and trained by the Corporation to serve in leadership capacities are to be considered Federal employees for purposes relating to compensation for service-related injuries and relating to tort claims liability and procedure.

Sec. 147. Section 147 clarifies the required process for a participant to receive a pro-rated educational award.

Sec. 148. Section 148 provides for adjustments to the living allowance provided to AmeriCorps participants in Subtitle C programs.

Sec. 149. Section 149 provides the Corporation with authority to waive specified matching fund requirements and restrictions on uses of funds.

SUBTITLE D – AMENDMENTS TO SUBTITLE D (NATIONAL SERVICE TRUST AND PROVISION OF NATIONAL SERVICE EDUCATIONAL AWARDS)

Sec. 151. Section 151 provides that funds in the National Service Trust may be used to support national service scholarships and to pay for the cost of administering the Trust.

Sec. 152. Section 152 provides the Corporation with authority to set a minimum age other than 17 for eligibility for the national service educational award, clarifies requirements for a participant to receive a pro-rated educational award, and provides that an individual may receive no more than the aggregate value of two educational awards.

Sec. 153. Section 153 provides that the educational award may be used to pay for attendance at educational institutions that meet the requirements of the GI Bill and to repay specified student loans. Section 153 also clarifies the relationship between the educational award and other student financial aid.

Sec. 154. Section 154 authorizes funds in the National Service Trust to be used to support a national service scholarship program.

SUBTITLE E - AMENDMENTS TO SUBTITLE E (NATIONAL CIVILIAN COMMUNITY CORPS)

Sec. 161. Section 161 provides for the inclusion of disaster relief in the statement of purpose.

Sec. 162. Section 162 provides authority to operate a non-residential NCCC summer program.

Sec. 163. Section 163 provides for an increase in the minimum age for Corps members from 16 to 18 years.

Sec. 164. Section 164 provides for the use of Corps members with prior supervisory experience as Team Leaders.

Sec. 165. Section 165 provides for consultation by the NCCC with State Commissions in the development of project proposals and emphasizes projects addressing the environment and disaster relief efforts.

Sec. 166. Section 166 provides that the educational award constitutes the only authorized form of post-service benefits to NCCC Corps Members.

Sec. 167. Section 167 provides for the Chief Executive Officer to appoint members of the NCCC's permanent cadre.

Sec. 168. Section 168 provides for the NCCC advisory board to include the Director of the Federal Emergency Management Agency and a representative from the nonprofit community, and to report to both the Chief Executive Officer and the NCCC Director.

SUBTITLE F - AMENDMENTS TO SUBTITLE F (ADMINISTRATIVE PROVISIONS)

Sec. 171. Section 171 modifies the participant grievance procedure.

Sec. 172. Section 172 provides for a process to resolve displacement complaints.

Sec. 173. Section 173 provides for agreements with Governors to improve the delivery of national service programs in a State, with the Corporation given authority to waive specific requirements and to delegate to Governors specific functions.

SUBTITLE G - AMENDMENTS TO SUBTITLE G (CORPORATION FOR NATIONAL AND COMMUNITY SERVICE)

Sec. 181. Section 181 provides for members of the Corporation's Board of Directors to serve until a successor takes office.

Sec. 182. Section 182 provides for the use of peer reviewers in evaluating applications for assistance under Title I of the Act.

Sec. 183. Section 183 removes staffing specifications at the Assistant Director level.

SUBTITLE H - AMENDMENTS TO TITLE III (POINTS OF LIGHT FOUNDATION)

Sec. 191. Section 191 authorizes the Corporation's Chief Executive Officer to serve as a nonvoting, *ex officio* member of the Board of Directors of the Points of Light Foundation.

**SUBTITLE I - AMENDMENTS TO TITLE V (AUTHORIZATION OF
APPROPRIATIONS)**

Sec. 196. Section 196 extends the authorization of appropriations through fiscal year 2002 for all NCSA programs and allocates funds for various purposes.

**TITLE II - AMENDMENTS TO THE DOMESTIC VOLUNTEER SERVICE ACT
OF 1973**

Sec. 201. Section 201 provides that references in Title I are to the Domestic Volunteer Service Act of 1973 (DVSA) (42 U.S.C. 4950 et seq.).

**SUBTITLE A - AMENDMENTS TO TITLE I (NATIONAL VOLUNTEER
ANTI-POVERTY PROGRAMS)**

Sec. 211. Section 211 provides for the VISTA statement of purpose to include the long-term sustainability of assisted organizations.

Sec. 212. Section 212 removes a staffing specification at the Assistant Director level.

Sec. 213. Section 213 provides for flexibility in supporting the coordination of the Corporation's public awareness and recruitment activities under the national service laws.

Sec. 214. Section 214 provides for VISTA participants to receive information and support in making a post-service transition.

Sec. 215. Section 215 encourages the use of cost-sharing agreements.

Sec. 216. Section 216 limits VISTA participants to three years of service.

Sec. 217. Section 217 provides for a modified grievance procedure for participants.

Sec. 218. Section 218 increases the Corporation's authority to make grants and contracts on a competitive basis.

Sec. 219. Section 219 repeals authority for the VISTA Literacy Corps.

Sec. 220. Section 220 provides for selection of projects on the basis of merit and sustainability.

Sec. 221. Section 221 repeals authority for Special Volunteer Programs.

**SUBTITLE B - AMENDMENTS TO TITLE II (NATIONAL SENIOR
VOLUNTEER CORPS)**

Sec. 231. Section 231 provides for programs supported under Title II to be called National Senior Service Corps."

Sec. 232. Section 232 adds an emphasis on community needs to the statement of purpose.

Sec. 233. Section 233 authorizes incentives to Retired and Senior Volunteer Program participants, who make a substantial commitment to serve in a leadership capacity, to help defray the costs of volunteering. Section 233 also eliminates review of Corporation funding decisions by State agencies on aging.

Sec. 234. Section 234 reduces the minimum age for Foster Grandparent participants from 60 to 55.

Sec. 235. Section 235 clarifies the role of Foster Grandparents in determining appropriate services for beneficiaries and provides for replacement of Foster Grandparents.

Sec. 236. Section 236 provides for an increase from 125 to 150 percent of the poverty line in determining whether individuals are considered "low-income" for purposes of the Foster Grandparent program.

Sec. 237. Section 237 provides for increased flexibility for persons who are not "low-income" to participate in the Foster Grandparent program.

Sec. 238. Section 238 provides for the participation of Foster Grandparents with leadership abilities to coordinate and otherwise support other Foster Grandparents.

Sec. 239. Section 239 reduces the minimum age for Senior Companion participants from 60 to 55.

Sec. 240. Section 240 provides for the participation of Senior Companions with leadership abilities to coordinate and otherwise support other Senior Companions.

Sec. 241. Section 241 provides additional flexibility for the Corporation to support the expansion of existing programs to address needs of national significance.

SUBTITLE C - AMENDMENTS TO TITLE IV (ADMINISTRATION AND COORDINATION)

Sec. 251. Section 251 provides family and medical leave benefits for VISTA participants.

Sec. 252. Section 252 provides additional flexibility for the Corporation to coordinate its evaluation activities under both national service laws.

SUBTITLE D - AMENDMENTS TO TITLE V (AUTHORIZATION OF APPROPRIATIONS)

Section 261. Section 261 extends the authorization of funding through fiscal year 2002 for VISTA programs and allocates funds for various purposes.

Section 262. Section 262 extends the authorization of funding through fiscal year 2002 for the Senior Corps programs.

Section 263. Section 263 provides the authorization of funding to support the Corporation's administration of the DVSA.

Section 264. Section 264 provides the authorization of funding to support the Corporation's evaluation of DVSA programs.

TITLE III - TECHNICAL AMENDMENTS

Sections 301 - 315. Sections 301 through 315 provide for technical and conforming amendments to various provisions of the NCSA and DVSA.

TITLE IV - AMENDMENTS TO OTHER LAWS

Sections 401 - 405. Sections 401 through 405 provide for technical amendments to other laws.

TITLE V - EFFECTIVE DATE

Section 501. Section 501 provides that the amendments will be effective on the date of enactment.

* * * * *

A BILL

To extend for five years the authorization of appropriations for the programs under the National and Community Service Act of 1990 and the Domestic Volunteer Service Act of 1973, and for other purposes.

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National and Community Service Amendments Act of 1998".

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SEC. 1. The table of contents for this Act is as follows:

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 Sec. 123. Grants and allotments.
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SUBTITLE C - AMENDMENTS TO SUBTITLE C (NATIONAL SERVICE TRUST PROGRAM)

- Sec. 141. Prohibition on grants to Federal agencies; limits on Corporation costs.
- Sec. 142. Training and technical assistance.
- Sec. 143. Assistance to State Commissions.
- Sec. 144. Grants to States; disability funds; reduction in Corporation costs.
- Sec. 145. Volunteer generation.
- Sec. 146. Selection of national service participants.
- Sec. 147. Release for compelling personal circumstances.
- Sec. 148. Adjustments to living allowance.
- Sec. 149. Waiver of requirements regarding matching funds and use of assistance.

SUBTITLE D - AMENDMENTS TO SUBTITLE D (NATIONAL SERVICE TRUST AND PROVISION OF NATIONAL SERVICE EDUCATIONAL AWARDS)

- Sec. 151. Availability of funds in the National Service Trust.
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SUBTITLE E - AMENDMENTS TO SUBTITLE E (NATIONAL CIVILIAN COMMUNITY CORPS)

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SUBTITLE H - AMENDMENT TO TITLE III (POINTS OF LIGHT FOUNDATION)

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SUBTITLE I - AMENDMENTS TO TITLE V (AUTHORIZATION OF
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- Sec. 196. Authorization of appropriations.

TITLE II - AMENDMENTS TO THE DOMESTIC VOLUNTEER SERVICE ACT OF
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- Sec. 201. References.

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TITLE V - EFFECTIVE DATE

Sec. 501.	Effective date.
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TITLE I--AMENDMENTS TO NATIONAL AND COMMUNITY SERVICE ACT OF
1990

REFERENCES

SEC. 101. 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)

PURPOSES OF ACT

SEC. 111. Section 2(b) (42 U.S.C. 12501(b)) is amended--

(1) in paragraph (7), by striking "citizens; and" and inserting "citizens;";

(2) in paragraph (8), by striking the period and inserting "; and"; and

(3) by adding at the end the following:

"(9) expand and strengthen service-learning programs to improve the education of children and youth and to maximize the benefits of national and community service."

DEFINITIONS

SEC. 112. Section 101 (42 U.S.C. 12511) is amended--

(1) in paragraph (17)(B), by striking "program in which the participant is enrolled" and inserting "organization or organizations receiving assistance under the national service laws through which the participant enrolls in an approved national service position";

(2) in paragraph (26), by striking the second sentence; and

(3) by inserting after paragraph (29) the following:

“(30) STATE AGENCY FOR HIGHER EDUCATION.--The term “State agency for higher education” means the State board of higher education or other agency or officer primarily responsible for the State supervision of higher education or, if there is no such officer or agency, an officer or agency designated for the purpose of carrying out this title by the Governor or by State law.”.

SUBTITLE B--AMENDMENTS TO SUBTITLE B (SCHOOL-BASED AND
COMMUNITY-BASED SERVICE-LEARNING PROGRAMS)
RECIPIENTS OF SCHOOL-BASED GRANTS

SEC. 121. Section 111 (42 U.S.C. 12521) is amended--

(1) in the heading, by striking “AUTHORITY TO ASSIST STATES AND INDIAN TRIBES” and inserting “AUTHORITY TO MAKE GRANTS AND ALLOTMENTS”;

(2) in subsection (a)--

(A) in the matter preceding paragraph (1), by striking “(through State educational agencies), and to Indian tribes,”;

(B) in paragraph (1), by striking “or Indian tribes (which may be accomplished through grants or contracts with qualified organizations)”;

(C) in paragraph (3), by striking “paragraph (2); and” and inserting “paragraph (2);”;

(D) in paragraph (4), by striking the period and inserting “; and”;

and

1 (E) by adding at the end the following: "(5) providing training and
2 technical assistance to service-learning programs.";

3 (3) in subsection (c)--

4 (A) by striking "A partnership, local educational agency, or other
5 qualified organization" and inserting "An entity"; and

6 (B) by inserting "training and technical assistance," before "and
7 evaluations"; and

8 (4) by adding at the end the following:

9 "(d) STATE ADMINISTRATION--

10 "(1) A State may apply for assistance under this subpart either through a
11 State educational agency or through a State Commission.

12 "(2) If a State applies for assistance under this subpart through a State
13 Commission, all references in this subpart to a State educational agency shall be deemed
14 to include a State Commission.

15 "(3) A State receiving assistance under this subpart must ensure that the
16 State educational agency and the State Commission coordinate their respective
17 activities."

18 **STREAMLINING SCHOOL-BASED APPLICATIONS**

19 SEC. 122. Subpart A is amended by striking section 111A (42 U.S.C. 12522),
20 section 111B (42 U.S.C. 12523), and section 114 (42 U.S.C. 12526).

21 **GRANTS AND ALLOTMENTS**

22 SEC. 123. Section 112 (42 U.S.C. 12524) is amended--

- 1 (1) by striking subsection (a);
- 2 (2) by redesignating subsections (b), (c), and (d) as subsections (a), (b),
- 3 and (c), respectively;
- 4 (3) in subsection (a) (as redesignated by this section)--
- 5 (A) in the matter preceding paragraph (1), by striking "The
- 6 Corporation" through "as follows" and inserting "From the remainder of the funds
- 7 appropriated and after the allotments made pursuant to subpart D, the Corporation will
- 8 carry out this subpart for any fiscal year as follows:";
- 9 (B) in paragraph (1)--
- 10 (i) by striking "25 percent" and inserting "30 percent"; and
- 11 (ii) by striking "to--" and all that follows and inserting "to
- 12 States.";
- 13 (C) in paragraph (2), by striking "37.5 percent" each place it
- 14 appears and inserting "35 percent"; and
- 15 (D) in paragraph (3)--
- 16 (i) by striking "shall receive, under paragraph (2), an
- 17 allotment that is less than the allotment such State received for fiscal year 1993 under
- 18 section 112(b) of this Act, as in effect on the day before the date of enactment of this
- 19 part" and inserting "will receive under paragraph (2) an allotment that is less than
- 20 \$100,000"; and
- 21 (ii) by striking "25 percent" and inserting "30 percent";
- 22 (4) in subsection (b) (as redesignated by this section)--

- 1 (A) by striking "or Indian tribe" each place it appears;
- 2 (B) by striking ", and Indian tribes,"; and
- 3 (C) by striking ", after making any grants under section 111A to a
- 4 partnership or agency described in such section,"; and
- 5 (5) in subsection (c) (as redesignated by this section)--
- 6 (A) by striking "subsections (a) and (b)" and inserting "subsection
- 7 (a)"; and
- 8 (B) by striking "and Indian tribes".
- 9 APPLICATIONS TO THE CORPORATION
- 10 SEC. 124. Section 113 (42 U.S.C. 12525) is amended--
- 11 (1) in the heading, by striking "STATE OR TRIBAL APPLICATIONS"
- 12 and inserting "APPLICATIONS TO THE CORPORATION";
- 13 (2) in subsection (a), by striking "a grant under section 112(b)(1)" and all
- 14 that follows through "Indian tribe," and inserting "assistance under this subpart, an
- 15 applicant";
- 16 (3) in subsection (b)(2)(A), by striking "; and" and inserting a semi-colon;
- 17 (4) in subsection (b)(2)(B)--
- 18 (A) by striking "section 176(f)" and inserting "section 176(e)"; and
- 19 (B) by striking "; and" and inserting a semi-colon; and
- 20 (5) by inserting after subsection (b)(2)(B) the following:
- 21 "(C) the applicant selected programs on a competitive basis; and".

LIMITATIONS ON USES OF FUNDS

SEC. 125. Section 116A (42 U.S.C. 12530) is amended--

(1) in subsection (a)(1), by striking "a State educational agency" and all that follows through "section 112" and inserting "the original recipient of a grant or allotment under this subpart";

(2) in subsection (b)(1)--

(A) by striking "Except as provided" and inserting "Subject to the restrictions";

(B) by striking "not more than 15 percent" and inserting "not more than 25 percent";

(C) by striking "or Indian tribe"; and

(D) by striking "subsection (a), (b), (c), or (d) of section 112" and inserting "this subpart"; and

(3) by amending subsection (b)(2) to read as follows:

"(2) **RESTRICTIONS.**--The Chief Executive Officer may place restrictions on the types and amounts of activities authorized in paragraph (1)."

GENERAL AUTHORITY; STATE ADMINISTRATIVE FLEXIBILITY

SEC. 126. Section 117A (42 U.S.C. 12542) is amended--

(1) in subsection (a)--

(A) by striking "From the funds appropriated to carry out this subpart for a fiscal year," and inserting "After the allotments made pursuant to subpart D,"; and

(B) by striking ", grantmaking entities, and qualified organizations";

(2) by redesignating subsection (b) as subsection (c);

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

"(b) STATE ADMINISTRATION--

"(1) A State may apply for assistance under this subpart either through a State educational agency or through a State Commission.

"(2) If a State applies for assistance under this subpart through a State educational agency, all references in this subpart to a State Commission shall be deemed to include a State educational agency.

"(3) A State receiving assistance under this subpart must ensure that the State educational agency and the State Commission coordinate their respective activities."; and

(4) in subsection (c) (as redesignated by this section)--

(A) in paragraph (1), by striking "STATE COMMISSIONS AND GRANTMAKING ENTITIES--A State Commission or grantmaking entity" and inserting "GRANTMAKING--A State Commission"; and

(B) in paragraph (2), by striking ", other than a grantmaking entity,".

CLEARINGHOUSE

SEC. 127. Section 118(b) (42 U.S.C. 12551(b)) is amended by striking "PUBLIC OR PRIVATE NONPROFIT ORGANIZATIONS--Public or private nonprofit

organizations" and inserting "ELIGIBLE ORGANIZATIONS--Organizations".

INDIAN TRIBES AND U.S. TERRITORIES

SEC. 128. Subtitle B is amended by adding after subpart C the following:

"SUBPART D--INDIAN TRIBES AND U.S. TERRITORIES

"SEC. 118A. INDIAN TRIBES AND U.S. TERRITORIES

"(a) ALLOTMENT.--Of the amounts appropriated to carry out subpart A and subpart B for any fiscal year, the Corporation is authorized to 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.

"(b) RULES.--Unless specifically authorized otherwise by the Corporation, assistance under this subpart shall be provided and used in accordance with the applicable provisions of subpart A or subpart B, as the case may be."

MULTI-STATE, DEMONSTRATION, AND OTHER INITIATIVES"

SEC. 129. Subtitle B is further amended by adding after subpart D, as added by section 128, the following:

"SUBPART E--MULTI-STATE, DEMONSTRATION, AND OTHER INITIATIVES

"SEC. 118B. DEFINITIONS.

"As used in this subpart:

"(1) GRANTMAKING ENTITY.--The term 'grantmaking entity' means a qualified organization that--

1 "(A) submits an application under section 118C to make grants to
2 qualified organizations;
3 "(B) was in existence at least one year before the date on which the
4 entity submitted the application; and
5 "(C) meets such other criteria as the Chief Executive Officer may
6 establish.
7 "(2) QUALIFIED ORGANIZATION.--The term 'qualified organization'
8 has the same meaning given the term in section 117.
9 "SEC. 118C. GRANTS TO SUPPORT MULTI-STATE, DEMONSTRATION,
10 AND OTHER INITIATIVES.
11 "(a) METHODS OF SUPPORTING ACTIVITIES.--From the funds appropriated
12 to carry out this subpart for a fiscal year, the Corporation may make grants to, or enter
13 into contracts or cooperative agreements with, eligible entities to support multi-State,
14 demonstration, or other activities to improve or expand effective service-learning
15 programs.
16 "(b) ELIGIBLE ENTITIES.--Eligible entities under this subpart are--
17 "(1) grantmaking entities;
18 "(2) qualified organizations;
19 "(3) institutions of higher education; and
20 "(4) subdivisions of States.
21 "(c) AUTHORIZED ACTIVITIES.--Funds under this subpart may be used to--

- 1 "(1) conduct school-based or community-based programs in more than one
- 2 State;
- 3 "(2) conduct school-based or community-based programs of sufficient size
- 4 to serve as national models;
- 5 "(3) replicate a school-based or community-based program in more than
- 6 one locality;
- 7 "(4) provide training and technical assistance and to disseminate materials
- 8 and information about best practices to school-based and community-based programs;
- 9 "(5) conduct programs that integrate elementary, secondary, and post-
- 10 secondary students in service-learning; or
- 11 "(6) other demonstration activities approved by the Corporation."

12 HIGHER EDUCATION PROGRAMS FOR COMMUNITY SERVICE

13 SEC. 130. Section 119 (42 U.S.C. 12561) is amended--

- 14 (1) in the heading, by striking "INNOVATIVE";
- 15 (2) in subsection (a)--
- 16 (A) by striking "innovative" and inserting "service-learning and";
- 17 and
- 18 (B) by striking the period and inserting "and across the nation.";
- 19 (3) in subsection (b)--
- 20 (A) in the matter preceding paragraph (1), by striking "make grants
- 21 to" and all that follows through "pay for" and inserting "pay for, by grant, contract, or
- 22 cooperative agreement,";

(B) in paragraph (1), by striking "enabling such an institution or partnership to create or expand" and inserting "creating or expanding";

(C) in paragraph (6), by striking "and";

(D) in paragraph (7), by striking the period and inserting "; and";

and

(E) by adding at the end the following:

"(8) supporting other activities described in section 111(c).";

(4) by redesignating subsections (c) through (g) as subsections (d) through (h), respectively;

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

"(c) ELIGIBLE APPLICANTS.--Eligible applicants under this part are--

"(1) institutions of higher education (including such institutions that apply as part of a consortium of public or private nonprofit organizations);

"(2) State Commissions (as part of a consortium that includes at least one institution of higher education); and

"(3) State agencies for higher education (as part of a consortium that includes at least one institution of higher education).";

(6) in subsection (d)(1)(A) (as redesignated by this section), by striking "carrying out a community service project" and inserting "carrying out a service-learning or community service project";

(7) in subsection (e)(2)(A)(ii) (as redesignated by this section), by striking "section 176(f)" and inserting "section 176(e)"; and

- 1 (8) in subsection (f) (as redesignated by this section)--
- 2 (A) in the matter preceding paragraph (1)(A), by striking "(1) IN
- 3 GENERAL" and all that follows through "proposals that--" and inserting: "In making
- 4 grants and entering into contracts under subsection (b), the Corporation may give priority
- 5 to proposals that--";
- 6 (B) by striking paragraph (2);
- 7 (C) by redesignating subparagraphs (A) through (G) of paragraph
- 8 (1) as paragraphs (1) through (7), respectively;
- 9 (D) in paragraph (1) (as redesignated by this section), by striking
- 10 "supporting the community service projects" and inserting "supporting the service-
- 11 learning and community service projects"; and
- 12 (E) in paragraph (4) (as redesignated by this section)--
- 13 (i) by redesignating clauses (i), (ii), and (iii) as
- 14 subparagraphs (A), (B), and (C), respectively; and
- 15 (ii) in subparagraph (B) (as redesignated by this section),
- 16 by redesignating subclauses (I), (II), and (III) as clauses (i), (ii), and (iii), respectively.

an approved national service position, including administrative and support costs attributable to such individuals, may not exceed--

"(A) \$16,000 in fiscal year 1998 funds;

"(B) \$15,000 in fiscal year 1999 funds; and

"(C) \$15,000, adjusted for inflation after 1999, as measured each year by the Consumer Price Index for All Urban Consumers published by the Secretary of Labor, in fiscal years 2000 through 2002.

"(2) The limits in paragraph (1) are based on aggregate Corporation expenditures attributable to individuals enrolled in national service positions approved under the national service laws."

TRAINING AND TECHNICAL ASSISTANCE

SEC. 142. Section 125 (42 U.S.C. 12575) is amended--

(1) in subsection (a)(1), by striking "national service programs assisted under section 121" and inserting "programs assisted under the national service laws";

(2) in subsection (b), in the matter preceding paragraph (1), by striking "described in section 121" and inserting "assisted under the national service laws"; and

(3) in subsection (b)(2), by striking "under such section or under a grant program conducted using assistance provided under such section".

ASSISTANCE TO STATE COMMISSIONS

SEC. 143. Section 126 (42 U.S.C. 12576) is amended--

(1) in subsection (a)--

(A) in paragraph (1), by striking "\$125,000" and inserting

1 "\$200,000"; and

2 (B) in paragraph (2), by striking ", together with other Federal
3 funds available" and all that follows through "assistance under this subsection" and
4 inserting "may not exceed 66 2/3 percent of the costs to operate the State Commission";
5 and

6 (2) by striking subsection (c).

7 GRANTS TO STATES; DISABILITY FUNDS; REDUCTION IN CORPORATION
8 COSTS

9 SEC. 144. Section 129 (42 U.S.C. 12581) is amended--

10 (1) in subsection (a)(1)--

11 (A) by striking "33 1/3 PERCENT" and all that follows through
12 "the Corporation shall" and inserting "33 1/3 PERCENT ALLOTMENT OF
13 ASSISTANCE TO CERTAIN STATES.--(A) Of the funds allocated by the Corporation
14 for provision of assistance under subsection (a) of section 121 for a fiscal year, the
15 Corporation is authorized to";

16 (B) by adding at the end thereof the following:

17 "(B) Notwithstanding subsection (a)(1), the minimum grant for
18 each State under subsection (a)(1) for each fiscal year is authorized to be no less than
19 \$500,000.";

20 (2) in subsection (a)(2)--

21 (A) by striking "provision of assistance under subsections (a) and
22 (b) of section 121" and inserting "provision of assistance under section 121(a)"; and

- 1 (B) by striking the second sentence; and
- 2 (3) in subsection (a)(3), by striking "subsections (a) and (b) of section 121
- 3 for a fiscal year, the Corporation may reserve 1 percent of the allocated funds for grants
- 4 under section 121(a)" and inserting "section 121(a) for a fiscal year, the Corporation may
- 5 reserve one percent for grants";
- 6 (4) by striking subsection (b) and redesignating subsections (c) through (g)
- 7 as subsections (b) through (f), respectively;
- 8 (5) in subsection (b) (as redesignated by this section), by striking "or
- 9 challenge grants under subsection (c) of such section";
- 10 (6) in subsection (c) (as redesignated by this section)--
- 11 (A) in paragraph (1), by striking "provision of assistance under
- 12 subsections (a) and (b) of section 121" and inserting "provision of assistance under
- 13 section 121(a)";
- 14 (B) in paragraph (2)--
- 15 (i) by striking "FEDERAL AGENCIES AND OTHER
- 16 APPLICANTS" and inserting "OTHER APPLICANTS";
- 17 (ii) by inserting "and" before "institutions of higher education";
- 18 and
- 19 (iii) by striking ", and Federal agencies";
- 20 (C) by striking paragraph (3) and redesignating paragraphs (4) and
- 21 (5) as paragraphs (3) and (4), respectively;
- 22 (D) in paragraph (4)(A) (as redesignated by this section), by

1 striking the last sentence and inserting "After providing grants to all entities that
 2 demonstrate their eligibility under subparagraphs (B) and (C) , the Corporation may use
 3 the balance, if any, of the reserved funds consistent with the conditions or restrictions
 4 otherwise applicable to the funds."; and

5 (E) in paragraph (4)(B) (as redesignated by this section)--

6 (i) in the heading, by striking "ASSIST ENTITIES IN
 7 PLACING APPLICANTS WHO ARE" and inserting "INCREASE THE
 8 PARTICIPATION OF";

9 (ii) in clause (i)(I), by striking "receive a grant to carry out a
 10 national service program under paragraph (1) or (2)" and inserting "receive assistance or
 11 an allotment of approved national service positions under the national service laws";

12 (iii) in clause (i)(II), by striking "a substantial number of";

13 (iv) in clause (i)(III), by striking "placing a substantial
 14 number of such individuals with a disability as participants in projects carried out through
 15 the program" and inserting "increasing the participation of individuals with disabilities in
 16 activities carried out under the national service laws"; and

17 (v) in clause (ii), by striking "as funds made available
 18 through a grant made under paragraph (1) or (2)" and inserting "as the supplemented grant
 19 or allotment"; and

20 (7) by adding at the end the following:

21 "(g) RESERVATION OF FUNDS TO SUPPORT PROGRAMS REDUCING
 22 CORPORATION COSTS.--

"(1) From amounts appropriated for a fiscal year to provide financial assistance under this subtitle and consistent with the restriction in paragraph (2), the Corporation may reserve an amount up to \$15,000,000 to provide operational assistance to programs that receive approved national service positions but do not receive funds under section 121(a).

"(2) Operational support under this subsection may not exceed \$1,000 per individual enrolled in an approved national service position.

"(3) The Chief Executive Officer may waive, or specify alternative requirements for, requirements otherwise provided in this subtitle in connection with national service positions approved under this subsection after determining that such action will further the purposes of the national service laws."

VOLUNTEER GENERATION

SEC. 145. Section 133(c) (42 U.S.C. 12585(c)) is amended by redesignating paragraph (8) as paragraph (9) and inserting after paragraph (7) the following:

"(8) If applicable, the extent to which the program generates the involvement of volunteers."

SELECTION OF NATIONAL SERVICE PARTICIPANTS

SEC. 146. Section 138 (42 U.S.C. 12592) is amended--

(1) in subsection (e)(3), by striking the second sentence; and

(2) by inserting after subsection (e)(3) the following:

"(4) STATUS OF LEADERS UNDER FEDERAL LAW--

"(A) IN GENERAL--Except as otherwise provided in this section,

1 individuals who receive special leadership training from the Corporation prior to and
 2 upon assignment by the Corporation to national service programs shall not, by reason of
 3 their status as such leaders, be considered Federal employees or be subject to the
 4 provisions of law relating to Federal employment.

5 **"(B) WORK-RELATED INJURIES.--**

6 **"(i) IN GENERAL.--**For purposes of subchapter I of
 7 chapter 81 of title 5, United States Code, relating to the compensation of Federal
 8 employees for work injuries, individuals specified in paragraph (A) shall be considered as
 9 employees of the United States within the meaning of the term 'employee', as defined in
 10 section 8101 of such title.

11 **"(ii) TORT CLAIMS PROCEDURE.--**Individuals specified
 12 in subparagraph (A) shall be considered employees of the United States for purposes of
 13 chapter 171 of title 28, United States Code, relating to tort claims liability and
 14 procedure."

15 **RELEASE FOR COMPELLING PERSONAL CIRCUMSTANCES**

16 **SEC. 147. Section 139(c) (42 U.S.C. 12593(c)) is amended--**

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

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

1 eligibility for that portion of the national service educational award"; and

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

4 ADJUSTMENTS TO LIVING ALLOWANCE

5 SEC. 148. Section 140 (42 U.S.C. 12594) is amended--

6 (1) in subsection (a)--

7 (A) in paragraph (1)--

8 (i) by striking "paragraph (3)" and inserting "paragraphs (3)
9 and (4)"; and

10 (ii) by inserting "for twelve months" before "on a full-time
11 basis";

12 (B) by redesignating paragraphs (4), (5), and (6) as paragraphs (5),
13 (6), and (7), respectively; and

14 (C) by inserting after paragraph (3) the following:

15 "(4) ADJUSTMENT FOR FEDERAL WORK-STUDY STUDENTS.--

16 The living allowance that may be provided to an individual whose term of service
17 includes hours for which the individual receives Federal Work-Study wages shall be
18 reduced by the amount of the individual's Federal Work-Study award.";

19 (D) in paragraph (5) (as redesignated by this section) by striking "a
20 reduced term of service under section 139(b)(3)" and inserting "a term of service that is
21 less than twelve months); and

22 (2) in subsection (h), by striking "a third, or subsequent, term" and

1 inserting "more than two terms".

2 WAIVER OF REQUIREMENTS REGARDING MATCHING FUNDS AND USE OF
3 ASSISTANCE

4 SEC. 149. Subtitle C is amended by adding at the end the following:

5 "WAIVER OF MATCH REQUIREMENTS AND RULES ON USE OF FUNDS

6 "SEC. 142. The Corporation may, upon a determination of the Chief Executive
7 Officer that such action furthers the purposes of the national service laws, waive, or
8 specify alternative requirements for, the matching fund requirements under sections
9 121(e) and 140 and rules on the use of assistance applicable to programs funded under
10 this subtitle, except for the requirements under sections 171, 173 through 175, 177, 180,
11 183, and 184, which may not be waived."

12 SUBTITLE D--AMENDMENTS TO SUBTITLE D (NATIONAL SERVICE TRUST
13 AND PROVISION OF NATIONAL SERVICE EDUCATIONAL AWARDS

14 AVAILABILITY OF FUNDS IN THE NATIONAL SERVICE TRUST

15 SEC. 151. Section 145 (42 U.S.C. 12601) is amended--

16 (1) in subsection (a)(1)--

17 (A) in subparagraph (A), by striking "and"; and

18 (B) by adding at the end the following:

19 "(C) national service scholarships; and

20 "(D) administrative expenses necessary to ensure effective
21 management of the Trust;";

22 (2) in subsection (a)(2), by striking "pursuant to section 196(a)(2)" and

23 inserting "pursuant to section 196(a)(2), if the terms of such donations direct that they be

1 deposited in the National Service Trust";

2 (3) in subsection (c), by striking "for payments of national service

3 educational awards in accordance with section 148." and inserting "for--

4 "(1) payments of national service educational awards in accordance with

5 section 148;

6 "(2) payments of interest in accordance with section 148(e);

7 "(3) the federal share of national service scholarships in accordance with

8 section 149; and

9 "(4) the necessary cost of administering the disbursement of funds under

10 this subtitle."; and

11 (4) in subsection (d)--

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

13 (B) in paragraph (4), by striking the period and inserting "; and";

14 and

15 (C) by adding at the end the following:

16 "(5) identify the number of students who have received national service

17 scholarships and specify the amount of federal and matching funds expended on an

18 annual basis on the national service scholar program; and

19 "(6) specify the amount expended on administrative costs during the

20 preceding fiscal year.".

1 INDIVIDUALS ELIGIBLE TO RECEIVE A NATIONAL SERVICE EDUCATIONAL
2 AWARD FROM THE TRUST

3 SEC. 152. Section 146 (42 U.S.C. 12602) is amended--

4 (1) in subsection (a)--

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

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

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

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

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

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

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

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

19 "(c) LIMITATION ON RECEIPT OF EDUCATIONAL AWARDS.--An

20 individual may receive no more than the aggregate value of two full-time national service
21 educational awards."

1 DISBURSEMENT OF NATIONAL SERVICE EDUCATIONAL AWARDS

2 SEC. 153. Sec. 148 (42 U.S.C. 12604) is amended--

3 (1) in subsection (a)--

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

5 (B) by redesignating paragraph (4) as paragraph (5); and

6 (C) by inserting after paragraph (3) the following:

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

10 (2) in subsection (b)(7)--

11 (A) in subparagraph (A)--

12 (i) by inserting before the semicolon at the end thereof "or a
13 loan to a parent pursuant to part D of title IV of such Act (20 U.S.C. 1087a ~~et seq.~~) with
14 the same terms, conditions, and benefits as a loan made pursuant to section 428B"; and

15 (ii) by striking "and";

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

18 (C) by adding the following:

19 "(C) any loan [other than a loan described in subparagraph (A) or
20 (B)] determined by an institution of higher education to be necessary to cover a student's
21 cost of attendance at the institution and made directly to a student by--

22 "(i) an eligible lender, as defined by section 435 of the

Higher Education Act of 1965 (20 U.S.C. 1085);

"(ii) a State agency; or

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

(3) in subsection (c)(6), by amending subparagraph (B) to read as follows:

"any financial assistance received by the individual for such period from Federal, State, institutional, or other sources.";

(4) in subsection (e), by striking "subsection (b)(6)" and inserting

"subsection (b)(7)"; and

(5) in subsection (f), by striking "Director" and inserting "Chief Executive

Officer".

NATIONAL SERVICE SCHOLARSHIP PROGRAM

SEC. 154. Subtitle D is amended by adding at the end the following:

"SEC. 149. NATIONAL SERVICE SCHOLARSHIP PROGRAM

"(a) PROGRAM AUTHORIZED.--The Corporation may use amounts in the Trust to support a national service scholarship program to recognize high school juniors and seniors who are engaged in outstanding community service.

"(b) APPROVED USE OF SCHOLARSHIPS.--The Corporation may use amounts in the Trust to supplement locally-funded scholarships to help cover an individual's postsecondary education or job training costs.

"(c) CORPORATION SHARE.--The Corporation's share of an individual's scholarship under this program may not exceed \$500.".

SUBTITLE E--AMENDMENTS TO SUBTITLE E (NATIONAL CIVILIAN
COMMUNITY CORPS)

PURPOSE

SEC. 161. Section 151 (42 U.S.C. 12611) is amended--

(1) in paragraph (3), by striking "and" following the semicolon at the end thereof;

(2) in paragraph (4), by striking the period and inserting "; and"; and

(3) by adding at the end the following:

"(5) whether such programs can meet national and community needs related to natural and other disasters in coordination with the Federal Emergency Management Agency and other public and private organizations.".

PROGRAM COMPONENTS

SEC. 162. Section 152 (42 U.S.C. 12612) is amended--

(1) in subsection (b)(1), by striking "national service program" and inserting "residential national service program"; and

(2) by striking subsection (c).

MINIMUM AGE

SEC. 163. Section 153(b) (42 U.S.C. 12613(b)) is amended--

(1) in paragraph (1), by striking "at least 16" and inserting "at least 18 years of age by December 31 in the calendar year in which the individual enrolls in the program"; and

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

1 “(2)(A) has received a high school diploma or its equivalent; or
 2 “(B)(i) has not dropped out of an elementary or secondary school to enroll
 3 in the program; and
 4 “(ii) agrees to obtain a high school diploma or its
 5 equivalent.”.

6 TEAM LEADERS

7 SEC. 164. Section 155 (42 U.S.C. 12615) is amended by inserting after
 8 subsection (b)(3) the following:

9 “(4) ~~TEAM LEADERS~~--The Director may select individuals with prior
 10 supervisory or service experience to be Team Leaders in the National Civilian
 11 Community Corps to perform service that includes leading and supervising teams of
 12 Corps Members. Team Leaders shall--

13 “(A) be selected without regard to the age limitation under section
 14 153(b)(1);

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

16 “(C) be provided the rights and benefits applicable to Corps
 17 Members, except that the limitation on the amount of living allowance under section
 18 158(b) shall not apply.”.

19 CONSULTATION WITH STATE COMMISSIONS

20 SEC. 165. Section 157 (42 U.S.C. 12617) is amended--

21 (1) in subsection (b)(2), by inserting “State Commissions,” before “and
 22 persons involved in other youth service programs.”; and

(2) in subsection (c), by inserting after paragraph (2) the following:

"(3) ENVIRONMENTAL PROJECTS AND DISASTER ASSISTANCE.--

The Director shall place appropriate emphasis on projects addressing the environment and in support of disaster relief efforts."

AUTHORIZED BENEFITS FOR CORPS MEMBERS

SEC. 166. Section 158 (42 U.S.C. 12618) is amended--

(1) by striking subsections (e) and (g); and

(2) by redesignating subsection (f) as subsection (e).

PERMANENT CADRE

SEC. 167. Section 159(c) (42 U.S.C. 12619(c)) is amended--

(1) in paragraph (2)--

(A) in subparagraph (A), 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";

(B) 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"; and

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

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

ADVISORY BOARD

SEC. 168. Section 163 (42 U.S.C. 12623) is amended--

(1) in subsection (a), by inserting "the Chief Executive Officer and" before "the Director"; and

(2) in subsection (b)--

(A) in paragraph (8), by inserting "nonprofit organizations," before "industry, youth, and labor unions."; and

(B) in paragraph (9), by striking "Chief Executive Officer" and inserting "Director of the Federal Emergency Management Agency".

SUBTITLE F--AMENDMENTS TO SUBTITLE F (ADMINISTRATIVE PROVISIONS)

NOTICE, HEARING, AND GRIEVANCE PROCEDURES

SEC. 171. Section 176 (42 U.S.C. 12636) is amended--

(1) in subsection (a)--

(A) in paragraph (1)--

(i) by striking "a contract or grant providing assistance" and inserting "an agreement providing assistance";

(ii) by striking "related to the grant or contract" and inserting "related to the agreement"; and

(iii) by striking "any such grant or contract issued" and inserting "any agreement made"; and

(B) in paragraph (2)--

- 1 (i) in subparagraph (A), by striking "of this title"; and
- 2 (ii) in subparagraph (B), by striking "applicable terms and
- 3 conditions of this title" and inserting "the applicable terms and conditions";
- 4 (2) by striking subsections (b) and (f);
- 5 (3) by redesignating subsections (c), (d), and (e) as subsections (b), (c),
- 6 and (d), respectively; and
- 7 (4) by inserting after subsection (d) (as redesignated by this section) the
- 8 following:
- 9 **"(e) PARTICIPANT GRIEVANCES.--**
- 10 **"(1) GRIEVANTS: SUBJECT-MATTER.--**Participants in national service
- 11 programs under this title, including individuals applying for selection as participants, may
- 12 file grievances regarding the terms and conditions of service or any adverse action taken
- 13 against the individual participant or applicant.
- 14 **"(2) DEADLINE FOR FILING.--**A participant grievance must be filed no
- 15 later than 90 days after the date of the alleged occurrence of the event that is the subject
- 16 of the grievance.
- 17 **"(3) REMEDIES.--**Remedies for a participant grievance are limited to--
- 18 **"(A)** the selection or reinstatement of the individual applicant or
- 19 participant, as the case may be, with commensurate provision of participant benefits
- 20 under sections 140 and 141; and
- 21 **"(B)** other prospective changes in the terms and conditions of
- 22 service.

"(4) ADDITIONAL RULES.--The Chief Executive Officer may prescribe other rules for participant grievances."

RESOLUTION OF DISPLACEMENT COMPLAINTS

SEC. 172. Section 177 (42 U.S.C. 12637) is amended--

(1) by redesignating subsections (c), (d), and (e) as subsections (d), (e), and (f);

and

(2) by adding after subsection (b) the following:

"(c) RESOLUTION OF COMPLAINTS.--

"(1) HEARINGS.-- An organization that receives assistance under this title shall establish and maintain procedures for the filing and adjudication of complaints regarding subsection (b).

"(2) COMPLAINANTS.--Complaints may be filed by labor organizations and other persons affected by the alleged violation of subsection (b).

"(3) DEADLINES.--The organization shall--

"(A) accept any complaint that is filed within 90 days of the date of the alleged occurrence of the event that is the subject of the complaint.

"(B) conduct a hearing not later than 30 days after the filing of the complaint.

"(C) make a decision not later than 60 days after the filing of the complaint.

"(4) ARBITRATION.--

"(A) IN GENERAL.--

1 “(i) JOINTLY SELECTED ARBITRATOR.--In the event
 2 of a decision on a complaint that is adverse to the complainant, or 60 days after the filing
 3 of such complaint if no decision has been reached, such party shall be permitted to submit
 4 such complaint to binding arbitration before a qualified arbitrator who is jointly selected
 5 and independent of the interested parties.

6 “(ii) APPOINTED ARBITRATOR.--If the parties cannot
 7 agree on an arbitrator, the Chief Executive Officer shall appoint one.

8 “(B) DEADLINE FOR PROCEEDING.--An arbitration proceeding
 9 shall be held not later than 45 days after the request for such arbitration proceeding, or, if
 10 the arbitrator is appointed by the Chief Executive Officer in accordance with
 11 subparagraph (A)(ii), not later than 30 days after the appointment of such arbitrator.

12 “(C) DEADLINE FOR DECISION.--A decision concerning a
 13 complaint shall be made not later than 30 days after the date such arbitration proceeding
 14 begins.

15 “(D) COST.--

16 “(i) IN GENERAL.--Except as provided in clause (ii), the
 17 cost of an arbitration proceeding shall be divided evenly between the parties to the
 18 arbitration.

19 “(ii) EXCEPTION.--If a labor organization or other
 20 affected individual prevails under a binding arbitration proceeding, the organization
 21 receiving assistance under this title that is a party to such arbitration shall pay the total

cost of such proceeding and the attorneys' fees of such labor organization or other affected individual, as the case may be.

***(E) REMEDIES.--**Remedies under this subsection include--

*(i) reinstatement of the displaced employee to the position held by such employee prior to displacement;

*(ii) payment of lost wages and benefits of the displaced employee;

*(iii) reestablishment of other relevant terms, conditions, and privileges of employment of the displaced employee; and

*(iv) such equitable relief as is necessary to correct any violation of subsection (a) or (b) of section 177 or to make the displaced employee whole.

***(F) ENFORCEMENT OF ARBITRATION AWARDS.--**Suits to enforce arbitration awards under this subsection may be brought in any district court of the United States having jurisdiction of the parties, without regard to the amount in controversy and without regard to the citizenship of the parties."

***(G) ADDITIONAL RULES.--**The Chief Executive Officer may prescribe other rules for the resolution of complaints under this subsection."

AGREEMENTS WITH STATES

SEC. 173. Section 178 (42 U.S.C. 12638) is amended--

(1) in subsection (c)(1), by adding at the end thereof 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"; and

(3) by adding at the end the following:

"(k) AUTHORITY TO ENTER INTO SERVICE COLLABORATION AGREEMENTS WITH STATES.--

"(1) IN GENERAL.--(A) Consistent with subparagraph (B), the Chief Executive Officer may, after determining that such action furthers the purposes of the national service laws, enter into a service collaboration agreement with a Governor to improve the delivery of national service programs in a State.

"(B) If primary responsibility for the State supervision of public elementary and secondary schools is vested under State law in another agency or official, the service collaboration agreement shall include that agency or official.

"(2) PURPOSE AND CHARACTERISTICS OF SERVICE COLLABORATION AGREEMENTS.--

"(A) The purpose of service collaboration agreements is to improve the coordinated planning and administration of national service programs in a State.

"(B) Agreements shall identify impediments to efficient administration and operation of national service programs in the State and include measures, including waivers or delegations under paragraphs (3) and (4), to improve the ability of programs to address unmet community needs in the State.

"(C) The Chief Executive Officer may determine the form and duration of agreements under this subsection, except that the duration of an agreement

1 may not exceed three years.

2 "(3) WAIVER AUTHORITY.--(A) Except as provided under
3 subparagraph (B), the Chief Executive Officer may waive, or specify alternative
4 requirements for, requirements of the national service laws if the Chief Executive Officer
5 determines that such action furthers the purposes of those laws.

6 "(B) The Chief Executive Officer may not waive requirements
7 under sections 145 through 149, 171, 173 through 175, 177, 180, 183, and 184.

8 "(4) DELEGATION AUTHORITY.--(A) The Chief Executive Officer
9 may, after determining that such action furthers the purposes of the national service laws,
10 delegate to a Governor the authority to carry out functions that are otherwise reserved to
11 the Corporation in connection with the administration of programs established under the
12 national service laws that operate in the Governor's State.

13 "(B) The Chief Executive Officer may suspend or revoke for any
14 reason a delegation made under this subsection."

15 SUBTITLE G--AMENDMENTS TO SUBTITLE G (CORPORATION FOR
16 NATIONAL AND COMMUNITY SERVICE)

17 TERMS OF OFFICE

18 SEC. 181. Section 192 (42 U.S.C. 12651a) is amended--

19 (1) by amending subsection (c) to read as follows:

20 "TERMS.--Subject to subsection (e), each appointed member shall serve
21 for a term of 5 years."; and

22 (2) by adding at the end thereof the following:

"(e) SERVICE UNTIL APPOINTMENT OF SUCCESSOR--A voting member of the Board whose term has expired may continue to serve until the earlier of--

"(1) the date on which a successor has taken office; or

"(2) the date on which the Congress adjourns sine die to end the session of Congress that commences after the date on which the member's term expired."

PEER REVIEWERS

SEC. 182. Section 193A (42 U.S.C. 12651d) is amended--

(1) in subsection (b)--

(A) in paragraph (9)(C), by striking the semi-colon and inserting "and";

(B) by striking paragraph (10); and

(C) by redesignating paragraph (11) as paragraph (10);

(2) in subsection (c)--

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

(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";

(3) by striking subsection (f); and

(4) by redesignating subsection (g) as subsection (f).

OFFICERS

SEC. 183. Section 194 (42 U.S.C. 12651e) is amended by striking subsection (d).

SUBTITLE H--AMENDMENT TO TITLE III (POINTS OF LIGHT FOUNDATION)
POINTS OF LIGHT FOUNDATION

SEC. 191. Section 303 (42 U.S.C. 12662) is amended--

(1) by redesignating subsection (b) as subsection (c); and

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

"(b) CORPORATION'S CHIEF EXECUTIVE OFFICER AS EX OFFICIO

MEMBER OF BOARD OF DIRECTORS.--The Corporation's Chief Executive Officer
may serve as an ex officio, nonvoting member of the Foundation's Board of Directors."

SUBTITLE I--AMENDMENTS TO TITLE V (AUTHORIZATION OF
APPROPRIATIONS)

AUTHORIZATION OF APPROPRIATIONS

SEC. 196. Section 501 (42 U.S.C. 12681) is amended--

(1) in subsection (a)--

(A) in paragraph (1)(A), by striking ", \$45,000,000 for fiscal year
1994 and such sums as may be necessary for each of the fiscal years 1995 through 1996"
and inserting "such sums as may be necessary for each of the fiscal years 1998 through
2002";

(B) in paragraph (1)(B)--

(i) in clause (i) by striking "63.75" and inserting "50";

(ii) in clause (ii)--

(I) by striking "11.25" and inserting "10"; and

(II) by striking "and";

(iii) by redesignating clause (iii) as clause (iv); and

- 1 (iv) by adding after clause (ii) the following:
- 2 "(iii) not more than 15 percent shall be available to provide
- 3 financial assistance under subpart E of part I of such subtitle; and";
- 4 (C) in paragraph (2)(A)--
- 5 (i) by striking "provide national service educational awards"
- 6 and inserting "administer the National Service Trust and disburse national service
- 7 educational awards and scholarships"; and
- 8 (ii) by striking "\$300,000,000 for fiscal year 1994,
- 9 \$500,000,000 for fiscal year 1995, and \$700,000,000 for fiscal year 1996" and inserting
- 10 "such sums as may be necessary for fiscal years 1998 through 2002";
- 11 (D) in paragraph (3), by striking "fiscal years 1995 through 1996"
- 12 and inserting "fiscal years 1998 through 2002"; and
- 13 (E) by amending paragraph (4) to read as follows:
- 14 "(4) ADMINISTRATION.--There are authorized to be appropriated for the
- 15 administration of this Act such sums as may be necessary for each of the fiscal years
- 16 1998 through 2002.";
- 17 (2) in subsection (b), by striking "\$5,000,000 for each of the fiscal years
- 18 1994 through 1996" and inserting "such sums as may be necessary for each of the fiscal
- 19 years 1998 through 2002"; and
- 20 (3) by striking subsection (d).

1 TITLE II--AMENDMENTS TO THE DOMESTIC VOLUNTEER SERVICE ACT OF 1973

2 REFERENCES

3 SEC. 201. Except as otherwise specifically provided, whenever in this title an
4 amendment or repeal is expressed in terms of an amendment to, or repeal of, a provision, the
5 reference shall be considered to be made to a provision of the Domestic Volunteer Service
6 Act of 1973 (42 U.S.C. 4950 ~~et seq.~~).

7 SUBTITLE A--AMENDMENTS TO TITLE I (NATIONAL VOLUNTEER
8 ANTIPOVERTY PROGRAMS)

9 PURPOSE OF THE VISTA PROGRAM

10 SEC. 211. Section 101 (42 U.S.C. 4951) is amended--

11 (1) in the second sentence, by striking "afflicted with" and inserting
12 "affected by"; and

13 (2) in the third sentence, by inserting after "local level," the following: "to
14 support efforts by local agencies and organizations to achieve long-term sustainability of
15 VISTA activities in the absence of Federal assistance,".

16 AUTHORITY TO OPERATE VISTA PROGRAM

17 SEC. 212. Section 102 (42 U.S.C. 4952) is amended by striking "one of the
18 Assistant Directors appointed pursuant to section 194(d)(1)(A) of the National and
19 Community Service Act of 1990. Such Director" and inserting "the Director, who".

20 RECRUITMENT

21 SEC. 213. Section 103(c)(4) (42 U.S.C. 4953(c)(4)) is amended by striking "this
22 subsection" and inserting "this subsection and related public awareness and recruitment

activities under the national service laws".

ASSISTANCE IN POST-SERVICE TRANSITION

SEC. 214. Section 103(d) (42 U.S.C. 4953(d)) is amended by striking "each low-income community volunteer" and all that follows and inserting "each volunteer with information and support in making the transition to other educational and career opportunities."

COST-SHARING

SEC. 215. Section 103 (42 U.S.C. 4953) is amended by inserting after subsection (h) the following:

"(i) The Director is encouraged to enter into agreements under which public and private organizations pay for all, or a portion of, the direct cost of supporting volunteers serving under this part."

LIMITATION ON NUMBER OF TERMS OF SERVICE

SEC. 216. Section 103 (42 U.S.C. 4953) is amended by inserting after subsection (i), as added by section 214, the following:

"(j) (1) Except as provided in paragraphs (2) and (3), volunteers serving under this part may be reenrolled for periods of service in a manner to be determined by the Director.

"(2) No volunteer, other than as provided in paragraph (3), may serve for more than a total of 3 years in national service positions funded under this part.

"(3) Any volunteer serving on October 1, 1997, who has served for more than 3 years as of that date, may serve up to a total of five years in national service

positions funded under this part."

GRIEVANCE PROCEDURE

SEC. 217. Section 104(d) (42 U.S.C. 4954(d)) is amended to read as follows:

"(d)(1) Participants in national service programs under this title, including individuals applying for selection as participants, may file grievances regarding the terms and conditions of service or any adverse action taken against the individual participant or applicant.

"(2) A participant grievance must be filed no later than 90 days after the date of the alleged occurrence of the event that is the subject of the grievance.

"(3) Remedies for a participant grievance are limited to--

"(A) the selection or reinstatement of the individual applicant or participant, as the case may be, with commensurate provision of participant benefits under section 105; and

"(B) other prospective changes in the terms and conditions of service.

"(4) The Director may prescribe other rules for participant grievances."

COMPETITION REQUIREMENT FOR GRANTS AND CONTRACTS

SEC. 218. Section 108 (42 U.S.C. 4958) is amended by striking "(a) Of funds appropriated" and all that follows through "(b)".

REPEAL OF VISTA LITERACY CORPS

SEC. 219. Section 109 (42 U.S.C. 4959) is repealed.

EMPHASIS ON MERIT SELECTION OF PROJECTS

SEC. 220. Section 110 (42 U.S.C. 4960) is amended--

(1) by striking the first sentence;

(2) by inserting after "basis of merit" the following: "and achievement of sustainability"; and

(3) by striking ", and shall consider the needs and requirements of projects in existence on such date as well as potential new projects".

REPEAL OF SPECIAL VOLUNTEER PROGRAMS

SEC. 221. Part C of title I is repealed.

SUBTITLE B--AMENDMENTS TO TITLE II (NATIONAL SENIOR VOLUNTEER CORPS)

CHANGE IN NAME

SEC. 231. Title II is amended in the heading by striking "NATIONAL SENIOR VOLUNTEER CORPS" and inserting "NATIONAL SENIOR SERVICE CORPS".

PURPOSE

SEC. 232. Section 200 (42 U.S.C. 5000) is amended by striking "It is the purpose of --" and all that follows and inserting: "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, 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

1 Program, and demonstration and other programs, to empower older individuals to
 2 contribute to their communities through service, enhance the lives of those who serve and
 3 those whom they serve, and provide communities with valuable services;

4 "(3) opportunities for people 55 years of age or older, through the Retired
 5 and Senior Volunteer Program, to share their experiences, abilities, and skills for the
 6 betterment of their communities and themselves;

7 "(4) opportunities for people 55 years of age or older, through the Foster
 8 Grandparents Program, to have a positive impact on the lives of children in need;

9 "(5) opportunities for people 55 years of age or older, through the Senior
 10 Companion Program, to provide critical support services and companionship to adults at
 11 risk of institutionalization and who are struggling to maintain a dignified independent
 12 life; and

13 "(6) for demonstration and other programs to enable seniors to meet unmet
 14 needs in their communities."

15 GRANTS AND CONTRACTS FOR VOLUNTEER SERVICE PROJECTS

16 SEC. 233. Section 201 (42 U.S.C. 5001) is amended--

17 (1) in subsection (a)--

18 (A) in the matter preceding paragraph (1), by striking "in their
 19 community" and inserting "to address community needs";

20 (B) in paragraph (1), by striking "will not be reimbursed for other
 21 than" and inserting "may be reimbursed for";

1 (C) by redesignating paragraphs (2), (3), and (4) as paragraphs (3),

(4), and (5), respectively; and

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

"(2) volunteers making a substantial commitment of time and who coordinate activities, including training, and otherwise support other volunteers, may receive incentives, including monetary incentives, to assist in defraying the costs associated with volunteering;"

(2) by striking subsection (c); and

(3) by redesignating subsection (d) as subsection (c).

AGE-RELATED ELIGIBILITY FOR ENROLLMENT

SEC. 234. Sec. 211(a) (42 U.S.C. 5011(a)) is amended in the first sentence, by striking "aged sixty or over" and inserting "55 years of age or older (with individuals 60 years of age or older given priority for enrollment)".

AGREEMENT ON SERVICES

SEC. 235. Sec. 211(b) (42 U.S.C. 5011(b)) is amended--

(1) in paragraph (1)--

(A) 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--";

(B) in subparagraph (A), by striking "and";

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

(D) by adding after subparagraph (B) the following:

1 “(C) whether it is in the best interests of a child receiving, and of a
2 particular foster grandparent providing, services in such a project, to continue such
3 relationship after the child reaches the age of 21, if such child was receiving such services
4 prior to attaining the age of 21.”;

5 (2) by striking paragraph (2);

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

7 (4) in paragraph (2) (as redesignated by this section), by striking
8 “paragraphs (1) and (2)” and inserting “paragraph (1)”; and

9 (5) by adding after paragraph (2) (as redesignated by this section) the
10 following:

11 “(3) If an assignment of a foster grandparent is suspended or discontinued,
12 the replacement of that foster grandparent shall be determined through the mutual
13 agreement of all parties involved in the provision of services to the child.”.

14 DEFINITION OF LOW-INCOME PERSONS

15 SEC. 236. Section 211(e)(1) (42 U.S.C. 5011(e)(1)) is amended by striking “125
16 per.centum” and inserting “150 percent”.

17 PARTICIPATION REGARDLESS OF INCOME

18 SEC. 237. Section 211(f) (42 U.S.C. 5011(f)) is amended--

19 (1) by striking paragraph (1) and inserting the following:

20 “(1) Subject to the restrictions in paragraphs (2) through (4), individuals
21 who are not low-income persons may serve as volunteers under this part.”;

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

1 “(2) An individual who is not a low-income person may not become a
2 volunteer under this part if allowing that individual to become a volunteer under this part
3 would prevent a low-income individual from becoming a volunteer under this part or
4 would displace a low-income person from being such a volunteer.”; and

5 (3) by striking paragraph (4) and inserting the following:

6 “(4) No more than 10 percent of funds appropriated to carry out this part
7 may be used to pay any cost, including any administrative cost, incurred in connection
8 with volunteers under this part who are not low-income.”.

9 FOSTER GRANDPARENT LEADERS

10 SEC. 238. Section 211 (42 U.S.C. 5011) is amended by adding at the end the
11 following:

12 “(g) The Director may also support Foster Grandparent Leaders who, on the basis
13 of past experience as volunteers, special skills, and demonstrated leadership abilities, may
14 coordinate activities, including training, and otherwise support the service of volunteers
15 under this part.”.

16 AGE-RELATED ELIGIBILITY FOR ENROLLMENT

17 SEC. 239. Section 213(a) (42 U.S.C. 5013(a)) is amended by striking “aged 60 or
18 over” and inserting “55 years of age or older (with individuals 60 years of age or older
19 given priority for enrollment)”.

20 SENIOR COMPANION LEADERS

21 SEC. 240. Section 213(c)(2) (42 U.S.C. 5013(c)(2)) is amended--

22 (1) in subparagraph (A), by striking the third sentence;

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

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

"(B) The Director may also support Senior Companion 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."

PROGRAMS OF NATIONAL SIGNIFICANCE

SEC. 241. Section 225 (42 U.S.C. 5025) is amended--

(1) in subsection (a)--

(A) in paragraph (1)--

(i) by striking "subsection (d) in each fiscal year" and inserting "parts A, B, and C after operation of paragraph (2)"; and

(ii) by striking the period and inserting ", as determined by the Director, and that propose to expand existing programs."; and

(B) by striking paragraphs (2) and (3);

(2) by striking subsections (b), (c), and (d)(1);

(3) by redesignating subsection (d)(2) as subsection (a)(2); and

(4) by redesignating subsection (e) as subsection (b).

SUBTITLE C--AMENDMENTS TO TITLE IV (ADMINISTRATION AND COORDINATION) FAMILY AND MEDICAL LEAVE

SEC. 251. Section 415(b) (42 U.S.C. 5055(b)) is amended--

(1) by striking "terminated, and (5) be deemed employees" and inserting

1 "terminated, (5) be deemed employees"; and

2 (2) by striking "pay for such purposes)." and inserting "pay for such
3 purposes), and (6) be deemed employees of the United States for the purposes of
4 subchapter V of chapter 63 of title 5, United States Code."

5 COORDINATION OF EVALUATION ACTIVITIES

6 SEC. 252. Section 416 (42 U.S.C. 5056) is amended--

7 (1) by striking subsection (f);

8 (2) by redesignating subsection (g) as subsection (f);

9 (3) in the first sentence of subsection (f) (as redesignated by this section),
10 by striking "per centum" and inserting "percent"; and

11 (4) by adding at the end the following:

12 "(g) Activities supported under this section may include subjects relating to the
13 national service laws if the Director determines that this will assist the Corporation in
14 conducting more efficient evaluations and in avoiding duplication of effort and
15 function."

16 SUBTITLE D--AMENDMENTS TO TITLE V (AUTHORIZATION OF 17 APPROPRIATIONS)

18 AUTHORIZATION OF APPROPRIATIONS FOR VISTA PROGRAM

19 SEC. 261. Section 501(a) (42 U.S.C. 5081(a)) is amended to read as follows:

20 "(a) VOLUNTEERS IN SERVICE TO AMERICA.--There are authorized
21 to be appropriated to carry out parts A and B of title I such sums as may be necessary for
22 each of the fiscal years 1998 through 2002."

SEC. 262. Section 502 (42 U.S.C. 5082) is amended--

"such sums as may be necessary for each of the fiscal years 1998 through 2002.";

(4) in subsection (c), by striking "\$40,000,000" and all that follows and inserting "such sums as may be necessary for each of the fiscal years 1998 through 2002."; and

(5) in subsection (d), by striking "each of the fiscal years 1994 through 1996" and inserting "each of the fiscal years 1998 through 2002."

SEC. 263. Section 504 (42 U.S.C. 5084) is amended by striking “(a) IN

GENERAL" and all that follows through "prescribed in section 416" and inserting "For each of the fiscal years 1998 through 2002, there are authorized to be appropriated for the administration of this Act as provided for in title IV such sums as may be necessary for each of the fiscal years 1998 through 2002".

SEC. 264. Title V is amended--

(1) by redesignating section 505 as section 506; and

1 (2) by inserting after section 504 the following: "EVALUATION."

2 "SEC. 505. (a) EVALUATION.--There are authorized to be appropriated for the
3 purpose of supporting the evaluation activities described in section 416 such sums as may
4 be necessary for each of the fiscal years 1998 through 2002.

5 "(b) AUTHORIZATION IF NO APPROPRIATIONS EARMARKED FOR
6 EVALUATION.--For any of the fiscal years 1998 through 2002 in which amounts are not
7 appropriated under section 505(a), the Director is authorized to expend no more than 2 ½
8 percent of the total amount appropriated under sections 501, 502, and 504 for the
9 purposes prescribed in section 416."

1 TITLE III--TECHNICAL AMENDMENTS

2 SUBTITLE A--TECHNICAL AMENDMENTS TO THE NATIONAL AND
3 COMMUNITY SERVICE ACT OF 1990

4 REFERENCES

5 SEC. 301. Except as otherwise specifically provided, whenever in this subtitle an
6 amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or
7 other provision, the reference shall be considered to be made to a section or other
8 provision of the National and Community Service Act of 1990 (42 U.S.C. 12501 et seq.).

9 TECHNICAL AMENDMENTS TO TABLE OF CONTENTS

10 SEC. 302. Section 1(b) (42 U.S.C. 12501, note) is amended--

11 (1) by striking "Subtitle B--School-Based and Community-Based Service-
12 Learning Programs" and inserting "Subtitle B--Learn and Serve America";

13 (2) by striking "Part I--Serve-America Programs" and inserting "Part I--
14 Elementary and Secondary Education";

15 (3) by inserting after "Sec. 118. Service-learning clearinghouse." the
16 following:

17 "SUBPART D--INDIAN TRIBES AND U.S. TERRITORIES

18 "Sec. 118A. Allotment.

19 "SUBPART E--MULTI-STATE, DEMONSTRATION, AND OTHER
20 INITIATIVES"

21 "Sec. 118B. Definitions.

22 "Sec. 118C. Grants to support multi-State, demonstration, and other
23 initiatives.";

(4) by striking "Part II--Higher Education Innovative Programs for Community Service" and inserting "Part II--Higher Education";

(5) by inserting after "Sec. 148. Disbursement of national service educational awards." the following: "Sec. 149. National Service Scholars Program.";

(6) by striking "Subtitle E--Civilian Community Corps" and inserting "Subtitle E--National Civilian Community Corps";

(7) by striking "Sec. 152. Establishment of Civilian Community Corps Demonstration Program." and inserting "Sec. 152. Establishment of National Civilian Community Corps Program."; and

(8) by striking "Sec. 155. Civilian Community Corps." and inserting "Sec. 155. National Civilian Community Corps.".

TECHNICAL AMENDMENTS TO SUBTITLE A

SEC. 303. Section 101(21) is amended--

(1) by striking "section 602(a)(1)" and inserting "section 602(3)"; and

(2) by striking "20 U.S.C. 1401(a)(1)" and inserting "20 U.S.C. 1401(3)".

TECHNICAL AMENDMENTS TO SUBTITLE B

SEC. 304. Subtitle B is amended--

(1) in the heading for subtitle B, by striking "School-Based and Community-Based Service-Learning Programs" and inserting "Learn and Serve America";

(2) in the heading for part I, by striking "Serve-America Programs" and inserting "Elementary and Secondary Education";

- 1 (3) in the heading for Part II , by striking "INNOVATIVE PROGRAMS
- 2 FOR COMMUNITY SERVICE";
- 3 (4) in section 115 (42 U.S.C. 12527)--
- 4 (A) in subsection (a)--
- 5 (i) by striking "under subsection (a), (b), (c), or (d)" and
- 6 inserting "under subsection (a), (b), or (c)"; and
- 7 (ii) by striking ", Indian tribe, or grantmaking entity";
- 8 (B) by striking subsection (b);
- 9 (C) by redesignating subsection (c) as subsection (b); and
- 10 (D) in subsection (b) (as redesignated by this section), by striking
- 11 "112(b)(2)" and inserting "112(a)(2)";
- 12 (5) in section 115A (42 U.S.C. 12528)--
- 13 (A) in subsection (a), in the matter preceding paragraph (1)--
- 14 (i) by striking "in the State or Indian tribe or in the school
- 15 district of the local educational agency"; and
- 16 (ii) by striking "such State, Indian tribe, or agency" and
- 17 inserting "a recipient of assistance under this subpart"; and
- 18 (B) in subsection (b)--
- 19 (i) by striking "State, Indian tribe, or local educational
- 20 agency" each place it appears and inserting "recipient of assistance under this subpart";
- 21 and
- 22 (ii) by striking "paragraphs (3) and (4)" and all that follows

1 and inserting "sections 14505 and 14506 of the Elementary and Secondary Education Act
2 of 1965 (20 U.S.C. 8895-8896).".

3 (6) in section 116B (42 U.S.C. 12531), by striking paragraph (1) and
4 redesignating paragraphs (2) and (3) as paragraphs (1) and (2), respectively;

5 (7) in section 117 (42 U.S.C. 12541), by striking paragraph (2) and
6 redesignating paragraph (3) as paragraph (2);

7 (8) in section 117B(c) (42 U.S.C. 12543(c)), by striking "section 117C(d)"
8 and inserting "section 117C(b)";

9 (9) in section 117C (42 U.S.C. 12544)--

10 (A) by striking subsection (a) and (b);

11 (B) by redesignating subsections (c), (d), and (e) as subsections (a),
12 (b), and (c), respectively;

13 (C) in subsection (a) (as redesignated by this section)--

14 (i) in the heading, by striking "or grantmaking entity";

15 (ii) in the first sentence--

16 (I) by striking "or grantmaking entity under section
17 117A(b)(1)" and inserting "under section 117A(c)(1)"; and

18 (II) by striking "or entity"; and

19 (iii) in the second sentence, by striking "or entity";

20 (D) in subsection (b) (as redesignated by this section)--

21 (i) in the matter preceding paragraph (1), by striking "or
22 (b)"; and

(ii) in paragraph (3), by striking "section 117A(b)(1)" and inserting "section 117A(c)(1)";

(E) in subsection (c) (as redesignated by this section), by striking the period and inserting "or is already receiving financial assistance from the Corporation.";

(10) in section 117D (42 U.S.C. 12545)--

(A) in subsection (a), by striking "or under subsection (a) or (b) of section 117C"; and

(B) in subsection (c)--

(i) by striking "or grantmaking entity";

(ii) by striking "section 117C(c)" and inserting "section 117C(a)"; and

(iii) by striking "section 117A(b)(1)" and inserting "section 117A(c)(1)"; and

(11) in section 117F (42 U.S.C. 12547)--

(A) in subsection (a)--

(i) in the matter preceding paragraph (1), by striking ", grantmaking entity, or qualified organization that is the original recipient of a grant under section 117A(a)" and inserting "under section 117A"; and

(ii) in paragraph (1), by striking "original recipient" and inserting "State Commission"; and

(B) in subsection (b)(2)(A), by striking "original recipient" and

1 inserting "State Commission".

2 TECHNICAL AMENDMENTS TO SUBTITLE C

3 SEC. 305. Subtitle C is amended--

4 (1) in section 122 (42 U.S.C. 12572)--

5 (A) in subsection (a)--

6 (i) by striking "and each Federal agency receiving
7 assistance under section 121(b)"; and

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

10 (B) in subsection (c)(1)(A), by striking "subsection (b) or (d) of";

11 (2) in section 123 (42 U.S.C. 12573)--

12 (A) in paragraph (1), by striking "subsection (a) or (b) of section
13 121" and inserting "section 121(a)"; and

14 (B) in paragraph (5), by inserting "National" before "Civilian
15 Community Corps";

16 (3) in section 129 (42 U.S.C. 12581)--

17 (A) in subsection (a)(4)--

18 (i) in the matter preceding subparagraph (A), by striking
19 "State or Indian tribe" and inserting "State, Territory, or Indian tribe" each time it appears;

20 (ii) in subparagraph (A), by striking "Indian tribe" and
21 inserting "Territory or Indian tribe";

22 (iii) in subparagraph (B), by striking "States and Indian

1 tribes" and inserting "States, Territories, and Indian tribes";

2 (B) in subsection (c)(4)(C)(i)(I) (as redesignated by section 144(2)

3 and (4)(c)), by striking "the programs specified in section 193A(d)(10)" and inserting

4 "national service programs";

5 (4) in section 130 (42 U.S.C. 12582)--

6 (A) in subsection (a), by striking "to be carried out using the

7 assistance" and all that follows through "or Federal agency" and inserting ", an applicant";

8 (B) by striking subsections (b) and (c);

9 (C) by redesignating subsections (d), (e), (f), and (g) as subsections

10 (b), (c), (d), and (e), respectively; and

11 (D) in subsection (e) (as redesignated by this section), by striking

12 the period and inserting "or is already receiving financial assistance from the

13 Corporation.";

14 (5) in section 133 (42 U.S.C. 12585)--

15 (A) in subsection (b)(2)(B), by striking "jobs or"; and

16 (B) in subsection (d)--

17 (i) in paragraph (2), by striking subparagraphs (A) and (G),

18 and redesignating subparagraphs (B) through (F) as subparagraphs (A) through (E),

19 respectively; and

20 (ii) by striking paragraph (4);

21 (6) in section 137 (42 U.S.C. 12591)--

22 (A) in subsection (a)--

- 1 (i) by striking paragraph (3); and
- 2 (ii) by redesignating paragraphs (4), (5), and (6) as
- 3 paragraphs (3), (4), and (5), respectively;
- 4 (B) in subsection (b)(2), by inserting "an out-of-school youth"
- 5 before "between the ages of 16 and 25"; and
- 6 (C) in subsection (c), by striking "subsection (a)(5)" and inserting
- 7 "subsection (a)(4)"; and
- 8 (7) in section 139(a) (42 U.S.C. 12593(a)), by striking "perform full- or
- 9 part-time national service for at least one term of service" and inserting "complete a full-
- 10 or part-time term of service".

11 TECHNICAL AMENDMENTS TO SUBTITLE D

12 SEC. 306. Subtitle D is amended in section 147(a) (42 U.S.C. 12603(a)) by

13 striking ", for each of not more than 2 of such terms of service,".

14 TECHNICAL AMENDMENTS TO SUBTITLE E

15 SEC. 307. Subtitle E is amended--

- 16 (1) by striking "Civilian Community Corps" each place it appears and
- 17 inserting "National Civilian Community Corps";
- 18 (2) by striking "superintendent" each place it appears and inserting
- 19 "director";
- 20 (3) by striking "camp" each place it appears and inserting "campus";
- 21 (4) by striking "camps" each place it appears and inserting "campuses";
- 22 (5) in section 153(c) (42 U.S.C. 12613(c)), by striking "Backgrounds" and

1 inserting "Backgrounds";

2 (6) in section 162(a) (42 U.S.C. 12622(a))--

3 (A) in paragraph (1)(B)(i), by striking "section 4462 of the
4 National Defense Authorization Act for Fiscal Year 1993" and inserting "section 1143a of
5 title 10, United States Code"; and

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

9 (7) in section 166 (42 U.S.C. 12626)--

10 (A) by striking paragraph (9);

11 (B) by redesignating paragraphs (2) through (8) as paragraphs (3)
12 through (9); and

13 (C) by inserting after paragraph (1) the following:

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

16 TECHNICAL AMENDMENTS TO SUBTITLE F

17 SEC. 308. Subtitle F is amended--

18 (1) in section 178(a)(1) (42 U.S.C. 12638(a)(1)), by striking "B or";

19 (2) in section 179 (42 U.S.C. 12639)--

20 (A) in subsection (a)--

21 (i) by redesignating paragraph (3) as paragraph (4); and

22 (ii) by striking paragraph (2) and inserting after paragraph

1 (1) the following:

2 "(2) the relationship between the amount of living allowance provided to
3 participants in programs under subtitle C of this subtitle and the ability of the programs to
4 recruit and retain participants, including economically disadvantaged participants;

5 "(3) the number of participants who do not complete their term of service
6 for the following reasons:

7 "(A) educational opportunities;

8 "(B) career advancement; or

9 "(C) military or other public service positions; and";

10 (B) in subsection (g)--

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

13 (ii) in paragraph (9), by striking "to public service" and all
14 that follows, and inserting "to engage in service that benefits the community."; and

15 (3) in section 181, by striking "Section 414" and inserting "Section 422".

16 TECHNICAL AMENDMENTS TO SUBTITLE G

17 SEC. 309. Subtitle G is amended--

18 (1) in section 192A (42 U.S.C. 12651b)--

19 (A) in subsection (g)--

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

21 (ii) in paragraph (10), by striking "; and" and inserting a

22 period; and

1 (iii) by striking paragraph (11);
2 (B) in subsection (j), by striking "benefiting" and inserting
3 "benefitting";
4 (2) in section 193A(f)(3) (42 U.S.C. 12651b) (as redesignated by section
5 182), by striking "functions" and inserting "functions under section 103(c)(4) of the
6 Domestic Volunteer Service Act of 1973"; and
7 (3) in section 195(c)(3) (42 U.S.C. 12651f(c)(3)), by inserting "nonvoting"
8 before "member" both places it appears.
9 TECHNICAL AMENDMENTS TO SUBTITLE H
10 SEC. 310. Subtitle H is amended--
11 (1) in section 198(e) (42 U.S.C. 12653(e)), by striking "IMPROVE
12 ABILITY TO APPLY FOR ASSISTANCE" and inserting "TRAINING AND
13 TECHNICAL ASSISTANCE"; and
14 (2) in section 198(i) (42 U.S.C. 12653(i))--
15 (A) by striking "conduct a campaign to"; and
16 (B) by striking "to promote and recruit participants for" and
17 inserting "may promote, and recruit participants for,".

1 SUBTITLE B--TECHNICAL AMENDMENTS TO THE DOMESTIC VOLUNTEER
2 SERVICE ACT OF 1973

3 REFERENCES

4 SEC. 311. Except as otherwise specifically provided, whenever in this subtitle an
5 amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or
6 other provision, the reference shall be considered to be made to a section or other
7 provision of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4950 ~~et seq.~~).

8 TECHNICAL AMENDMENTS TO TABLE OF CONTENTS

9 SEC. 312. Section 1(b) is amended--

10 (1) by striking "Sec. 109. VISTA Literacy Corps.";

11 (2) by striking "Part C--Special Volunteer Programs" and all that follows
12 through "Sec. 125. Literacy challenge grants.";

13 (3) by inserting after "Sec. 231. Authority of Director." the following:
14 "Sec. 232. Prohibition.";

15 (4) by striking "National Senior Volunteer Corps" each place it appears
16 and inserting "National Senior Service Corps";

17 (5) by striking "Sec. 505. Availability of appropriations." and inserting
18 "Sec. 506. Availability of appropriations."; and

19 (6) by inserting after "Sec. 504. Administration and coordination." the
20 following:
21 "Sec. 505. Evaluation."

1 TECHNICAL AMENDMENTS TO TITLE I

2 SEC. 313. Title I is amended--

3 (1) in section 103 (42 U.S.C. 4953)--

4 (A) in subsection (b)(2)(A), by striking "National and Community
5 Service Trust Act of 1993" and inserting "National and Community Service Act of 1990";
6 and

7 (B) in subsection (c)(1)(F), by striking "National and Community
8 Service Trust Act of 1993" and inserting "National and Community Service Act of 1990";
9 and

10 (2) in section 105(a)(1)(B) (42 U.S.C. 4955(a)(1)(B))--

11 (A) in the first sentence, by striking "not exceed \$95 per month in
12 fiscal year 1994, but shall" and ", during the service of the volunteer after October 1,
13 1994"; and

14 (B) in the second sentence, by striking "as volunteers under this
15 part" and inserting "under this part, in another approved national service position, or as a
16 Peace Corps volunteer".

17 TECHNICAL AMENDMENTS TO TITLE II

18 SEC. 314. Title II is amended--

19 (1) in section 211(a) (42 U.S.C. 5011(a)), in the fourth sentence, by
20 striking "per centum" and inserting "percent";

21 (2) in section 211(e) (42 U.S.C. 5011(e)), in paragraph (2), by striking "per
22 centum" and inserting "percent";

1 (3) in section 223 (42 U.S.C. 5023) by striking "sixty years and" and
 2 inserting "55 years of age or"; and
 3 (4) in section 224 (42 U.S.C. 5024), by striking "National Senior
 4 Volunteer Corps" and inserting "National Senior Service Corps".

5 TECHNICAL AMENDMENTS TO TITLE IV

6 SEC. 315. Title IV is amended--

7 (1) in section 421 (42 U.S.C. 5061)--
 8 (A) in paragraph (13), by striking "National Senior Volunteer
 9 Corps" and inserting "National Senior Service Corps"; and
 10 (B) in paragraph (14), by striking "National Senior Volunteer
 11 Corps" and inserting "National Senior Service Corps"; and
 12 (2) in section 425(2) (42 U.S.C. 5065(2)), by striking "National Senior
 13 Volunteer Corps" and inserting "National Senior Service Corps".

TITLE IV--AMENDMENTS TO OTHER LAWS

HIGHER EDUCATION ACT OF 1965

SEC. 401. Section 428 of the Higher Education Act of 1965 (20 U.S.C. 1078) is amended in subsection (c)(3)(A)(i)(III) by striking "National and Community Service Trust Act of 1993" and inserting "National and Community Service Act of 1990".

PUBLIC LANDS CORPS

SEC. 402. Section 105 of Public Law 103-82 (16 U.S.C. 1701-1706) is amended in section 210 (16 U.S.C. 1729)--

(1) in the heading, by striking "FUNDING" and inserting "COST-SHARING";

(2) by striking "(a) Cost Sharing.--";

(3) by striking subsection (b); and

(4) by redesignating paragraphs (1) and (2) as subsections (a) and (b).

URBAN YOUTH CORPS

SEC. 403. Section 106 of Public Law 103-82 (42 U.S.C. 12656) is amended in subsection (i), by striking paragraph (3).

ERRONEOUS REFERENCE TO SECRETARY OF EDUCATION

SEC. 404. Section 502(b) of Public Law 103-82 (42 U.S.C. 12501, note) is amended by striking "Secretary of Education" and inserting "Chief Executive Officer of the Corporation for National and Community Service".

1 REFERENCE TO NATIONAL AND COMMUNITY SERVICE TRUST ACT OF 1993
 2 SEC. 405. Section 7144(d)(3) of the Bilingual Education Act (20 U.S.C.
 3 7474(d)(3)) is amended by striking "National Community and Service Trust Act of 1993"
 4 and inserting "National and Community Service Act of 1990".

1 TITLE V--EFFECTIVE DATE

2 SEC. 501. The amendments made by this Act shall take effect on the date of
3 enactment.

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