

S. 894

At the request of Mr. WARNER, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 894, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 230th Anniversary of the United States Marine Corps, and to support construction of the Marine Corps Heritage Center.

S. 896

At the request of Mrs. MURRAY, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 896, a bill to establish a public education and awareness program relating to emergency contraception.

S. 939

At the request of Mr. HAGEL, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 939, a bill to amend part B of the Individuals with Disabilities Education Act to provide full Federal funding of such part, to provide an exception to the local maintenance of effort requirements, and for other purposes.

S. 976

At the request of Mr. WARNER, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 976, a bill to provide for the issuance of a coin to commemorate the 400th anniversary of the Jamestown settlement.

S. 982

At the request of Mr. SANTORUM, the name of the Senator from Kansas (Mr. BROWNBACK) was added as a cosponsor of S. 982, a bill to halt Syrian support for terrorism, end its occupation of Lebanon, stop its development of weapons of mass destruction, cease its illegal importation of Iraqi oil, and hold Syria accountable for its role in the Middle East, and for other purposes.

S. 982

At the request of Mr. HARKIN, his name was added as a cosponsor of S. 982, *supra*.

S. 1001

At the request of Mrs. MURRAY, her name was added as a cosponsor of S. 1001, a bill to make the protection of women and children who are affected by a complex humanitarian emergency a priority of the United States Government, and for other purposes.

S. 1091

At the request of Mr. DURBIN, the names of the Senator from Massachusetts (Mr. KERRY) and the Senator from Oregon (Mr. SMITH) were added as cosponsors of S. 1091, a bill to provide funding for student loan repayment for public attorneys.

S. 1092

At the request of Mr. CAMPBELL, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 1092, a bill to authorize the establishment of a national database for purposes of identifying, locating, and cataloging the many memorials and

permanent tributes to America's veterans.

S. 1110

At the request of Mr. BINGAMAN, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 1110, a bill to amend the Trade Act of 1974 to provide trade adjustment assistance for communities, and for other purposes.

S. 1121

At the request of Mr. BAUCUS, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1121, a bill to extend certain trade benefits to countries of the greater Middle East.

S. 1166

At the request of Ms. COLLINS, the names of the Senator from Alaska (Mr. STEVENS) and the Senator from Hawaii (Mr. AKAKA) were added as cosponsors of S. 1166, a bill to establish a Department of Defense national security personnel system and for other purposes.

S. 1186

At the request of Mr. EDWARDS, the name of the Senator from Louisiana (Mr. BREAUX) was added as a cosponsor of S. 1186, a bill to provide for a reduction in the backlog of claims for benefits pending with the Department of Veterans Affairs.

S. 1200

At the request of Ms. CANTWELL, the names of the Senator from California (Mrs. BOXER), the Senator from Massachusetts (Mr. KERRY) and the Senator from Connecticut (Mr. LIEBERMAN) were added as cosponsors of S. 1200, a bill to provide lasting protection for inventoried roadless areas within the National Forest System.

S. 1222

At the request of Mr. NELSON of Nebraska, the names of the Senator from New Jersey (Mr. CORZINE) and the Senator from New Jersey (Mr. LAUTENBERG) were added as cosponsors of S. 1222, a bill to amend title XVIII of the Social Security Act to require the Secretary of Health and Human Services, in determining eligibility for payment under the prospective payment system for inpatient rehabilitation facilities, to apply criteria consistent with rehabilitation impairment categories established by the Secretary for purposes of such prospective payment system.

S. 1226

At the request of Mrs. CLINTON, the name of the Senator from Rhode Island (Mr. CHAFEE) was added as a cosponsor of S. 1226, a bill to coordinate efforts in collecting and analyzing data on the incidence and prevalence of developmental disabilities, and for other purposes.

S. 1248

At the request of Mr. GREGG, the names of the Senator from Alabama (Mr. SESSIONS), the Senator from Iowa (Mr. HARKIN) and the Senator from New Mexico (Mr. BINGAMAN) were added as cosponsors of S. 1248, a bill to reauthorize the Individuals with Dis-

abilities Education Act, and for other purposes.

S. CON. RES. 55

At the request of Ms. SNOWE, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. Con. Res. 55, a concurrent resolution expressing the sense of the Congress regarding the policy of the United States at the 55th Annual Meeting of the International Whaling Commission.

S. RES. 119

At the request of Ms. COLLINS, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. Res. 119, a resolution expressing the sense of the Senate that there should be parity among the countries that are parties to the North American Free Trade Agreement with respect to the personal exemption allowance for merchandise purchased abroad by returning residents, and for other purposes.

S. RES. 153

At the request of Mrs. MURRAY, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. Res. 153, a resolution expressing the sense of the Senate that changes to athletics policies issued under title IX of the Education Amendments of 1972 would contradict the spirit of athletic equality and the intent to prohibit sex discrimination in education programs or activities receiving Federal financial assistance.

S. RES. 164

At the request of Mr. ENSIGN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. Res. 164, a resolution reaffirming support of the Convention on the Prevention and Punishment of the Crime of Genocide and anticipating the commemoration of the 15th anniversary of the enactment of the Genocide Convention Implementation Act of 1987 (the Proxmire Act) on November 4, 2003.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LEAHY (for himself, Mr. INOUE, and Mr. BINGAMAN):

S. 1271. A bill to enhance the criminal penalties for illegal trafficking of archaeological resources, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. LEAHY. Mr. President, I rise today to introduce the Enhanced Protection of Our Cultural Heritage Act. This legislation was reported last year by the Energy Committee, and I hope that this year it will become law. The bill would increase the maximum penalties for violations of three existing statutes that protect the cultural and archaeological history of the American people, particularly Native Americans. The United States Sentencing Commission asked Congress last year to make these statutory changes, which would complement the Commission's strengthening of Federal sentencing

guidelines to ensure more stringent penalties for criminals who steal from our public lands. Senator INOUE joins me as a cosponsor.

This bill will increase the maximum penalties for the Archaeological Resources Protection Act, ARPA, 16 USC §470ee, the Native American Graves Protection and Repatriation Act, NAGPRA, 18 USC §1170, and for 18 USC §1163, which prohibits theft from Indian Tribal Organizations. All three statutes currently impose a 5-year maximum sentence, and each includes a lower maximum for a first offense of the statute and/or a violation of the statute involving property of less than a specified value. This bill would create a 10-year maximum sentence for each statute. In response to comments from the administration last year, the bill retains misdemeanor offenses for relatively minor offenses.

The increased maximum sentences would be consistent with similar Federal statutes. For example, the 1994 law proscribing museum theft carries a 10-year maximum sentence, as do the general statutes punishing theft and the destruction of Government property. Moreover, increasing the maximum sentences will give judges and the Sentencing Commission greater discretion to impose punishments appropriate to the amount of destruction a defendant has done.

Making these changes will also enable the Sentencing Commission's 2002 sentencing guidelines to be fully implemented. The Commission has increased sentencing guidelines for cultural heritage crimes, but the statutory maximum penalties contained in current law will prevent judges from issuing sentences in the upper range of the new guidelines. The 2002 guidelines had the enthusiastic support of the Justice and Interior Departments, the Society for American Archeology, the National Trust for Historic Preservation, numerous Native American nations, and many others. Congress should take the steps necessary to see the guidelines take full effect.

Two of the three laws this bill amends protect Native American lands and property. The third, ARPA, protects both public and Indian lands, and provides significant protection to my State of Vermont. For example, ARPA can be used to prosecute those who would steal artifacts from the wrecked military vessels at the bottom of Lake Champlain that date to the Revolutionary War and the War of 1812. U.S. Attorneys can also use ARPA to prosecute criminals who take items that are at least 100 years old from a protected site on Vermont state property without a permit, and then transport those goods into another state. In addition, ARPA protects artifacts found on the approximately 5 percent of Vermont land that is Federal property, land that includes many "ghost towns" that have long been abandoned but are an important part of our history.

Those who would pillage the rich cultural heritage of this nation and its

people are committing serious crimes. These artifacts are the legacy of all Americans and should not be degraded as garage sale commodities or as fodder for private enrichment.

I would like to thank a number of people for their help and advice about this legislation. Charlie Tetzlaff, as well as the rest of the staff at the Sentencing Commission, helped us understand the importance of this issue, and made protecting our cultural heritage a priority when he served as United States Attorney for Vermont. Art Cohn, the director of the Lake Champlain Maritime Museum, and Giovanna Peebles, Vermont's State Archeologist, were very helpful in explaining how our laws protect the cultural heritage of Vermont and the rest of the nation, and I am grateful for their support for this bill.

Passage of this legislation would demonstrate Congress' commitment to preserving our Nation's history and our cultural heritage. I urge my colleagues to support this common-sense initiative.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1271

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Enhanced Protection of Our Cultural Heritage Act of 2003".

SEC. 2. ENHANCED PENALTIES FOR CULTURAL HERITAGE CRIMES.

(a) ENHANCED PENALTY FOR EMBEZZLEMENT AND THEFT FROM INDIAN TRIBAL ORGANIZATIONS.—Section 1163 of title 18, United States Code, is amended by striking "five years" and inserting "10 years".

(b) ENHANCED PENALTY FOR ILLEGAL TRAFFICKING IN NATIVE AMERICAN HUMAN REMAINS AND CULTURAL ITEMS.—Section 1170 of title 18, United States Code, is amended—

(1) in subsection (a), by striking "or imprisoned not more than 12 months, or both, and in the case of second or subsequent violation, be fined in accordance with this title, or imprisoned not more than 5 years" and inserting "imprisoned not more than 10 years"; and

(2) in subsection (b), by striking "imprisoned not more than one year" and all that follows through the end of the subsection and inserting "imprisoned not more than 10 years, or both; but if the sum of the commercial and archaeological value of the cultural items involved and the cost of restoration and repair of such items does not exceed \$500, such person shall be fined in accordance with this title, imprisoned not more than 1 year, or both.".

(c) ENHANCED PENALTY FOR ARCHAEOLOGICAL RESOURCES.—Section 6(d) of the Archaeological Resources Protection Act of 1979 (16 U.S.C. 470ee(d)) is amended by striking "not more than \$10,000" and all that follows through the end of the subsection and inserting "in accordance with title 18, United States Code, imprisoned not more than 10 years, or both; but if the sum of the commercial and archaeological value of the archaeological resources involved and the cost of restoration and repair of such re-

sources does not exceed \$500, such person shall be fined in accordance with title 18, United States Code, imprisoned not more than 1 year, or both.".

By Mr. CORZINE (for himself, Mr. BAYH, Mrs. CLINTON, and Mr. KENNEDY):

S. 1272. A bill to amend the Occupational Safety and Health Act of 1970 to modify the provisions relating to citations and penalties; to the Committee on Health, Education, Labor and Pensions.

Mr. CORZINE. Mr. President, I rise to introduce the "Wrongful Death Accountability Act," legislation that would, among other things, increase the maximum criminal penalty for those who willfully violate workplace safety laws and cause the death of an employee.

Unbelievably, under existing law, that crime is a misdemeanor, and carries a maximum prison sentence of just 6 months. This legislation would increase the penalty for this most egregious workplace crime to 10 years—making it a felony. The bill also would increase the penalty associated with lying to an OSHA inspector from 6 months to 1 year, and would increase the penalty for illegally giving advance warning of an upcoming inspection from 6 months to 2 years.

In recent months, this Congress has focused on a shocking succession of corporate scandals: Enron, Tyco, WorldCom, to name a few. These revelations of corporate abuse raised the ire and indignation of the American people. But corporate abuses can sometimes go further than squandering employee pension funds and costing shareholder value. Sometimes, corporate abuses can cost lives.

My legislation is based on the simple premise that going to work should not carry a death sentence. Annually, more than 6,000 Americans are killed on the job, and some 50,000 more die from work-related illnesses. Many of those deaths—deaths that leave wives without husbands, brothers without sisters, and children without parents—are completely preventable.

Earlier this year, the New York Times published an eye-opening, multi-part series that documented the failure of the Federal government to prosecute violators of workplace safety laws. The articles were deeply disturbing to anyone concerned about the health and well being of workers in America, detailing one company's pattern of recklessly disregarding basic safety rules. The authors linked at least nine employee deaths in five states—New York, New Jersey, Ohio, Alabama, and Texas—over a 7-year period with the failure of a single company, McWane Foundry, to follow established workplace safety regulations. Three of those deaths were judged to have been caused by deliberate and willful violations of federal safety rules.

As a result of that article and a subsequent criminal investigation, McWane has begun to clean up its act.

But no one should be deluded. McWane is not the only company with a record of putting employees at risk. Others—although still the clear minority—continue to flout workplace safety rules and jeopardize the health and well being of workers.

The administration recognized that there was a problem and recently announced its “enhanced enforcement policy,” a small step in the right direction. But more needs to be done, and I have requested the support of Secretary Henshaw, Administrator of OSHA, for my legislation.

While many factors contribute to the unsafe working environment that exists at certain jobsites, one easily remedied factor is an ineffective regime of criminal penalties. The criminal statutes associated with OSHA have been on the books since the 1970s, but—over time—the deterrence value of these important workplace safety laws has eroded substantially. With the maximum jail sentence a paltry 6 months, Federal prosecutors have only a minimal incentive to spend time and resources prosecuting renegade employers. According to a recent analysis, since the Occupational Safety and Health Act was enacted, only 11 employers who caused the death of a worker on the job were incarcerated.

The logic behind this legislation is simple. The bill will increase the incentive for prosecutors to hold renegade employers accountable for endangering the lives of their workers and, thereby, help ensure that OSHA criminal penalties cannot be safely ignored. This will provide the OSHA criminal statute with sufficient teeth to deter the small percentage of bad actors who knowingly and willfully place their employees at risk.

I urge my colleagues to support this important piece of legislation and ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1272

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Wrongful Death Accountability Act.”

SEC. 2. OSHA CRIMINAL PENALTIES.

Section 17 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 666) is amended—

(1) in subsection (e)—

(A) by striking “fine of not more than \$10,000” and inserting “fine in accordance with section 3571 of title 18, United States Code,”;

(B) by striking “six months” and inserting “10 years”;

(B) by striking “fine of not more than \$20,000” and inserting “fine in accordance with section 3571 of title 18, United States Code,”;

(C) by striking “one year” and inserting “20 years”; and

(E) by inserting “under this subsection or subsection (i)” after “first conviction of such person”;

(2) in subsection (f), by striking “fine of not more than \$1,000 or by imprisonment for not more than six months,” and inserting “fine in accordance with section 3571 of title 18, United States Code, or by imprisonment for not more than 2 years,”; and

(3) in subsection (g), by striking “fine of not more than \$10,000, or by imprisonment for not more than six months,” and inserting “fine in accordance with section 3571 of title 18, United States Code, or by imprisonment for not more than 1 year.”

By Mr. KENNEDY (for himself, Mr. DASCHLE, Mr. JEFFORDS, Mr. EDWARDS, Mr. REED, Mrs. CLINTON, Mrs. MURRAY, Mr. BINGAMAN, Mr. DODD, and Mr. HARKIN):

S. 1273. A bill to provide for a study to ensure that students are not adversely affected by changes to the needs analysis tables, and to require the Secretary of Education to consult with the Advisory Committee on Student Financial Assistance regarding such changes; to the Committee on Health, Education, Labor, and Pensions.

Mr. KENNEDY. Mr. President, it is a privilege to join my colleagues, Senator DASCHLE, Senator JEFFORDS, Senator EDWARDS, Senator REED, Senator CLINTON, Senator MURRAY, Senator BINGAMAN and Senator DODD, to introduce legislation to amend the Higher Education Act to require a feasibility and impact study on the recent changes in the state and local tax tables that are the basis for determining need-based aid for college students.

The bill will direct GAO to complete a study in consultation with the Advisory Committee on Student Financial Assistance within 90 days, well in advance of the 04-05 academic year when these changes would take effect. The advisory committee is a non-partisan board appointed by the President, which oversees college financial aid. Any future changes in the tables would have to be considered in consultation with the Advisory Committee.

When decisions are made that affect the cost of college, it is important for Congress to understand the factors that influenced that decision and the practical impact of those decisions on students. In light of the slumping economy, State budget crises, and rising college costs, the Department’s proposed changes come at a very difficult time for students and their families. Raising the cost of tuition by a few hundred dollars may well mean that qualified students can no longer afford college. It is our responsibility to see that any such changes are made for sound reasons.

I also urge the Department of Education to work with Congress in the future in making these decisions, so that all of us in the House and Senate will have a reasonable opportunity to consider such changes before they are made.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1273

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

SECTION 1. STUDY AND CONSULTATION.

(a) STUDY.—In order to ensure that students are not adversely affected by the proposed changes to the tables used in the Federal Needs Analysis Methodology to determine a student’s expected family contribution for the award year 2004-2005 under part F of title IV of the Higher Education Act of 1965 (20 U.S.C. 1087kk et seq.), the Comptroller General, in consultation with the Advisory Committee on Student Financial Assistance, shall conduct a study of such proposed changes that shall include an examination of the impact of such changes on students. A report of the findings of the study shall be transmitted to the Secretary of Education and the appropriate committees of Congress not later than 90 days after the date of enactment of this Act.

(b) CONSULTATION.—Section 478 of the Higher Education Act of 1965 (20 U.S.C. 1087rr) is amended by adding at the end the following:

“(i) CONSULTATION REQUIRED.—Prior to publishing any notice or promulgating any regulation with respect to updated tables under this section, the Secretary shall consult with the Advisory Committee on Student Financial Assistance regarding such updated tables.”.

By Mr. KENNEDY (for himself, Mr. MCCAIN, Mr. BAYH, Ms. MIKULSKI, and Mr. ROCKEFELLER):

S. 1274. A bill to reauthorize and reform the national laws; to the Committee on Health, Education, Labor, and Pensions.

Mr. KENNEDY. Mr. President, it is a privilege to join my colleagues in introducing legislation to reauthorize the Corporation for National Service. In 1993 the bipartisan National Service Act created a new program to give citizens of all ages the opportunity to serve their communities. Our goal now is to work with the administration to promote and expand service through the State commissions and the extensive system of national organizations that recruit, train and place volunteers and mentors. The legislation we are introducing, the Call to Service Act, will reauthorize the Corporation for National Service and keep these programs on track to achieve this goal.

Over 250,000 Americans have given a year of service in communities across the country, tutoring young people, connecting people to health care, and building stronger communities. Through the AmeriCorps model, we can give more young people the support they need to dedicate a year of their lives to service. These are active citizens, and our country will benefit immensely from the lessons we learn in serving others.

Community service knows no age limits. Thousands of older Americans volunteer to tutor young people or support others in living independently, or serve in local agencies. Senior citizens are a valuable resource in every community, and service gives them an effective way to continue to be involved

in the communities they helped to build. The Foster Grandparent, Senior Companion, and RSVP programs, enable seniors to contribute every day to their communities.

The Learn and Serve programs enable young men and women to learn early in their lives that serving others is important, and that service is a basic responsibility of citizenship. Children learn the value of community service, and build habits of service that last a lifetime. Service learning programs for elementary and secondary students provide hands-on experiences to supplement traditional school curriculums. The evidence is irrefutable. Service learning works. When students help others in their communities, they do better academically in school too.

In terms of cost effectiveness, the Federal Learn and Serve America program is an excellent investment. In the 2001-2002 school year more than 800,000 students across the country from grades K through 12 had the opportunity to serve their community, raise their academic achievement, and develop social skills. In Massachusetts, over 86,000 students of all ages currently participate in Learn and Serve programs.

Our bill strengthens our commitment to service by increasing the number of volunteers in AmeriCorps, lowering the age for senior service from 60 to 55 and increasing the authorization for Learn and Serve. In addition, our bill creates a new service opportunity for high school students. After completing 300 hours of service to their community, high school students will earn a \$1,000 award to use on college. This increases the critical service to communities, builds the habit of serving in young people and sets them on track to continue their education.

I hope that my colleagues will support this legislation.

I ask unanimous consent that the text of this bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1274

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Call to Service Act".

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

Sec. 1. Short title; table of contents.

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

Sec. 1001. References.

Subtitle A—General Provisions

Sec. 1101. Purposes of Act.

Sec. 1102. Definitions.

Subtitle B—Service-Learning

Sec. 1201. School-based allotments.

Sec. 1202. Higher education provisions.

Sec. 1203. Community-based programs, training, and other initiatives.

Sec. 1204. Service-learning clearinghouse.

Subtitle C—National Service Trust Program

Sec. 1301. Prohibition on grants to Federal agencies; limits on Corporation costs.

Sec. 1302. E-Corps and technical amendments to types of programs.

Sec. 1303. Types of positions.

Sec. 1304. Training and technical assistance.

Sec. 1305. Assistance to State Commissions; challenge grants.

Sec. 1306. Allocation of assistance to States and other eligible entities.

Sec. 1307. Additional authority.

Sec. 1308. State selection of programs.

Sec. 1309. Consideration of applications.

Sec. 1310. Description of participants.

Sec. 1311. Reference to Federal agency.

Sec. 1312. Terms of service.

Sec. 1313. Adjustments to living allowance.

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

Sec. 1401. Availability of funds in the National Service Trust.

Sec. 1402. Individuals eligible to receive a national service educational award from the Trust.

Sec. 1403. Determination of the amount of national service educational awards.

Sec. 1404. Disbursement of national service educational awards.

Sec. 1405. Additional uses of national service trust amounts.

Subtitle E—National Civilian Community Corps

Sec. 1501. Purpose.

Sec. 1502. National Civilian Community Corps.

Sec. 1503. Program components.

Sec. 1504. Eligible participants.

Sec. 1505. Summer national service program.

Sec. 1506. Team leaders.

Sec. 1507. Consultation with State Commissions.

Sec. 1508. Permanent cadre.

Sec. 1509. Contract and grant authority.

Sec. 1510. Other departments.

Sec. 1511. Repeal of authority for advisory board and funding limitation.

Sec. 1512. Definitions.

Sec. 1513. Terminology.

Subtitle F—Administrative Provisions

Sec. 1601. Family and medical leave.

Sec. 1602. Additional prohibitions on use of funds.

Sec. 1603. Notice, hearing, and grievance procedures.

Sec. 1604. Resolution of displacement complaints.

Sec. 1605. State Commissions on National and Community Service.

Sec. 1606. Evaluation and accountability.

Sec. 1607. Technical amendment.

Sec. 1608. Additional administrative provisions.

Subtitle G—Corporation for National and Community Service

Sec. 1701. Terms of office.

Sec. 1702. Board of Directors authorities and duties.

Sec. 1703. Peer reviewers.

Sec. 1704. Officers.

Sec. 1705. Nonvoting members; personal services contracts.

Sec. 1706. Donated services.

Subtitle H—Investment for Quality and Innovation

Sec. 1801. Technical amendments to subtitle H.

Sec. 1802. Clearinghouses.

Sec. 1803. Repeal of special demonstration project.

Subtitle I—Additional Authorities

Sec. 1901. America's Promise: The Alliance for Youth.

Subtitle J—Points of Light Foundation

Sec. 1911. Purposes.

Sec. 1912. Board of Directors.

Sec. 1913. Grants to the Foundation.

Subtitle K—Authorization of Appropriations

Sec. 1921. Authorization.

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

Sec. 2001. References.

Subtitle A—National Volunteer Antipoverty Programs

Sec. 2101. Purpose.

Sec. 2102. Purpose of the VISTA program.

Sec. 2103. Applications.

Sec. 2104. Terms and periods of service.

Sec. 2105. Sections repealed.

Sec. 2106. Redesignation.

Sec. 2107. University Year for VISTA Program.

Sec. 2108. Conforming amendment.

Subtitle B—National Senior Service Corps

Sec. 2201. Change in name.

Sec. 2202. Purpose.

Sec. 2203. Grants and contracts for volunteer service projects.

Sec. 2204. Foster Grandparent Program grants.

Sec. 2205. Senior Companion Program grants.

Sec. 2206. Technical amendments.

Sec. 2207. Programs of national significance.

Sec. 2208. Additional provisions.

Subtitle C—Administration and Coordination

Sec. 2301. Nondisplacement.

Sec. 2302. Definitions.

Sec. 2303. Protection against improper use.

Sec. 2304. Income verification.

Sec. 2305. Sections repealed.

Sec. 2306. Redesignations.

Subtitle D—Authorization of Appropriations

Sec. 2401. Authorization of appropriations for VISTA and other purposes.

Sec. 2402. Authorization of appropriations for National Senior Service Corps.

Sec. 2403. Administration and coordination.

Sec. 2404. Redesignations.

TITLE III—AMENDMENTS TO OTHER LAWS

Sec. 3001. Inspector General Act of 1978.

TITLE IV—TECHNICAL AMENDMENTS TO TABLES OF CONTENTS

Sec. 4001. Table of contents for the National and Community Service Act of 1990.

Sec. 4002. Table of contents for the Domestic Volunteer Service Act of 1973.

TITLE V—EFFECTIVE DATE AND SENSE OF CONGRESS

Sec. 5001. Effective date.

Sec. 5002. Service assignments and agreements.

Sec. 5003. Sense of Congress.

Sec. 5004. Recruitment and application materials in languages other than English.

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

SEC. 1001. REFERENCES.

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

Subtitle A—General Provisions

SEC. 1101. PURPOSES OF ACT.

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 a semicolon; 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;

“(10) support efforts to assist the nonprofit sector in becoming more effective in meeting the unmet human, educational, environmental, and public safety needs of the United States; and

“(11) assist in coordinating and strengthening Federal and other citizen service opportunities, including opportunities for participation in homeland security preparedness and response, including training for limited duration national service.”.

SEC. 1102. DEFINITIONS.

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

(1) in paragraph (13), by striking “section 101(a) of the Higher Education Act of 1965” and inserting “sections 101(a) and 102(a)(1) of the Higher Education Act of 1965”;

(2) in paragraph (19), by striking “section 198, 198C, or 198D” and inserting “section 198 or 198C”; and

(3) in paragraph (21)(B)—

(A) by striking “section 602(a)(1)” and inserting “section 602(3)”; and

(B) by striking “20 U.S.C. 1401(a)(1)” and inserting “20 U.S.C. 1401(3)”.

Subtitle B—Service-Learning

SEC. 1201. SCHOOL-BASED ALLOTMENTS.

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

“PART I—PROGRAMS FOR ELEMENTARY AND SECONDARY SCHOOL STUDENTS

“Subpart A—Programs for Students

“SEC. 111. ASSISTANCE TO STATES AND INDIAN TRIBES.

“(a) ALLOTMENTS TO STATES, TERRITORIES, AND INDIAN TRIBES.—The Corporation, after consultation with the Secretary of Education, may make allotments to State educational agencies (including such educational agencies of States described in section 112(a)) and Indian tribes to pay for the Federal share of—

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

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

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

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

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

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

“(2) implementing, operating, or expanding school-based service-learning programs, which may include paying for the cost of the recruitment, professional development, training, supervision, placement, salaries,

and benefits of service-learning coordinators, through distribution by State educational agencies and Indian tribes of Federal funds made available under this subpart to projects operated by local partnerships among—

“(A) local educational agencies; and

“(B) 1 or more community partners that—

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

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

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

“(ii) may include an Indian tribe; and

“(iii) may include a private for-profit business or private elementary school or secondary school;

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

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

“(B) the recruitment, professional development, training, supervision, and placement of service-learning coordinators (who may be participants in a program under subtitle C or eligible to receive a national service educational award under subtitle D),

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

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

“(A) local educational agencies;

“(B) public or private nonprofit organizations;

“(C) other educational agencies;

“(D) Indian tribes; or

“(E) partnerships of local educational agencies and entities described in subparagraphs (B), (C), and (D).

“(b) DUTIES OF SERVICE-LEARNING COORDINATOR.—A service-learning coordinator referred to in paragraph (2) or (3) of subsection (a) shall provide services to a recipient of financial assistance under this subpart that may include—

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

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

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

“(c) RELATED EXPENSES.—A recipient of financial assistance under this subpart may, in carrying out the activities described in subsection (a), use such assistance to pay for the Federal share of reasonable costs related to the supervision of participants, program administration, transportation, insurance, and evaluations, and of other reasonable expenses related to the activities.

“SEC. 112. ALLOTMENTS.

“(a) INDIAN TRIBES AND TERRITORIES.—Of the funds appropriated to carry out this subpart for any fiscal year, the Corporation shall reserve an amount of not more than 3 percent for payments to Indian tribes, the United States Virgin Islands, Guam, Amer-

ican Samoa, and the Commonwealth of the Northern Mariana Islands, to be allotted in accordance with their respective needs.

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

“(1) ALLOTMENTS.—

“(A) SCHOOL-AGE YOUTH.—The Corporation shall allot to each State an amount that bears the same ratio to 50 percent of such remainder as the number of school-age youth in the State bears to the total number of school-age youth of all States.

“(B) ALLOCATION UNDER ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965.—The Corporation shall allot to each State an amount that bears the same ratio to 50 percent of such remainder as the allocation to the State for the previous fiscal year under part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.) bears to the total of such allocations to all States.

“(2) DEFINITION.—Notwithstanding section 101(26), in this subsection, the term ‘State’ means each of the several States, the District of Columbia, and the Commonwealth of Puerto Rico.

“(c) REALLOTMENT.—If the Corporation determines that the allotment of a State or Indian tribe under this section will not be required for a fiscal year because the State or Indian tribe did not submit an application for the allotment under section 113 that meets the requirements of such section and such other requirements as the Chief Executive Officer may determine to be appropriate, the Corporation may determine to be appropriate, the Corporation shall make such allotment available for reallotment in accordance with subsections (a) and (b) to such other States and Indian tribes, with approved applications submitted under section 113, as the Corporation may determine to be appropriate.

“SEC. 113. APPLICATIONS.

“To be eligible to receive an allotment under this subpart, a State or Indian tribe shall submit an application to the Corporation at such time, in such manner, and containing such information as the Chief Executive Officer may reasonably require, including—

“(1) a proposal for a 3-year plan promoting service-learning through the programs described in section 111, which shall contain such information as the Chief Executive Officer may reasonably require, including how the applicant will integrate service opportunities into the academic program of the participants;

“(2) information, in applicable cases, about the applicant’s efforts to—

“(A) include in the programs opportunities for students, enrolled in schools or other programs providing elementary or secondary education under State law, to participate in service-learning programs and ensure that such service-learning programs include opportunities for such students to serve together;

“(B) involve participants in the design and operation of the programs;

“(C) promote service-learning in areas of greatest need, including low-income areas; and

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

“(3) assurances that the applicant will comply with the nonduplication and non-displacement requirements of section 177 and the grievance procedure requirements of section 176(f).

SEC. 114. CONSIDERATION OF APPLICATIONS.

"In considering applications under this subpart, the Corporation shall use criteria that include those approved by the Chief Executive Officer, after consideration of criteria recommended by the Board of Directors.

SEC. 115. FEDERAL, STATE, AND LOCAL CONTRIBUTIONS.

"(a) FEDERAL SHARE.—

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

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

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

"(B) may provide for such share through State sources or local sources.

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

SEC. 116. LIMITATIONS ON USES OF FUNDS.

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

"(1) the original recipient; or

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

"(b) RULES ON USE.—The Chief Executive Officer may by rule prescribe the manner and extent to which—

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

"(2) that portion of the assistance available to cover administrative costs shall be distributed between—

"(A) the original recipient; and

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

"Subpart B—Community Corps Demonstration Program**SEC. 118. DEMONSTRATION PROGRAM.**

"(a) IN GENERAL.—The Corporation, after consultation with the Secretary of Education, shall establish and carry out a Community Corps Demonstration Program.

"(b) GRANT PROGRAM AUTHORIZED.—In carrying out the program, the Corporation shall make grants on a competitive basis to eligible entities, for planning, implementing, operating, or expanding school-based service-learning programs, operated in partnership with nonprofit organizations or educational agencies, that—

"(1) require all students, as a condition of secondary school graduation, to complete a substantial service experience; and

"(2) provide high-quality opportunities to meet such requirement through—

"(A) 1 or more mandatory service-learning courses in an academic curriculum;

"(B) service-learning programs that—

"(i) require students to perform service after school, on weekends, or during summer vacations; and

"(ii) utilize appropriately trained adults to identify service opportunities for students within the community involved, to disseminate information about such opportunities, and to ensure that students have substantial

structured opportunities for reflection on their service experiences;

"(C) service-learning programs that enroll students in teams or corps after school, on weekends, or during summer vacations; or

"(D) other types of service-learning programs approved by the Corporation.

"(c) APPLICATIONS.—To be eligible to receive a grant under this section, an entity shall prepare, submit to the Corporation, and obtain approval of, an application at such time and in such manner as the Corporation may reasonably require. Such application shall include a 5-year strategic plan for developing high-quality opportunities of the type specified in subsection (b).

"(d) ELIGIBLE ENTITY.—To be eligible to receive a grant under this section, an entity shall be—

"(1) a State, acting through the State educational agency;

"(2) an Indian tribe;

"(3) a local educational agency; or

"(4) a nonprofit organization meeting such requirements as the Corporation may specify, acting in partnership with 1 or more States, Indian tribes, or local educational agencies.

"(e) PRIORITIES.—In awarding grants under this section, the Secretary shall give priority to applicants with programs that—

"(1) meet unmet human, educational, environmental, or public safety needs;

"(2) foster an ethic of civic responsibility, personal character development, and leadership skills;

"(3) serve jurisdictions or portions of jurisdictions having a high percentage of low-income families; or

"(4) meet such other criteria as the Corporation may by regulation specify.

"(f) REPORT.—Not later than 2 years after the date of enactment of the Call to Service Act, the Corporation shall submit a report to Congress regarding the degree to which programs carried out under this section have succeeded in meeting the goals specified in paragraphs (1) and (2) of subsection (e).

"(g) FUNDING.—From funds appropriated to carry out this part for fiscal years 2003 through 2007, the Corporation shall reserve not less than \$12,000,000 for each fiscal year to carry out this section."

SEC. 1202. HIGHER EDUCATION PROVISIONS.

Section 119 (42 U.S.C. 12561) is amended—

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

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

"(1) FEDERAL SHARE.—

"(A) IN GENERAL.—The Federal share of the cost described in subsection (b) may not exceed 50 percent.

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

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

"(ii) may provide for such share through State sources or local sources.

"(2) WAIVER.—The Chief Executive Officer may waive the requirements of paragraph (1) in whole or in part with respect to any such program for any fiscal year if the Corporation determines that such a waiver would be equitable due to a lack of available financial resources at the local level."; and

(2) by striking subsections (e) through (g) and inserting the following:

"(e) FEDERAL WORK-STUDY.—To be eligible for assistance under this part, an institution of higher education shall demonstrate that the institution meets the minimum requirements under section 443(b)(2)(B) of the High-

er Education Act of 1965 (42 U.S.C. 2753(b)(2)(B)) relating to the participation in community service activities of students participating in work-study programs, or has received a waiver of those requirements from the Secretary of Education.

"(f) PRIORITY.—In making grants and entering into contracts under subsection (b), the Corporation—

"(1) shall give priority to an applicant that submits an application containing a proposal that—

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

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

"(C) specifies the manner in which the institution will provide service to the community through organized programs, including, where appropriate, clinical programs for students in professional schools;

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

"(i) the institution;

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

"(II) a local government agency; or

"(III) a nonprofit entity that serves or involves school-age youth or older adults; and

"(iii) a student organization;

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

"(F) describes research designed to identify best practices and other methods to improve service-learning;

"(G) specifies that the institution will use the assistance made available through such a grant or contract to strengthen the service infrastructure in institutions of higher education; or

"(H) with respect to a project involving delivery of services, specifies a project that involves leadership development of school-age youth;

"(2) shall give priority to an institution or partnership that can demonstrate a commitment to community service through measures such as—

"(A) carrying out ongoing community service projects involving students or facilities;

"(B) exceeding the requirements of section 443(b)(2)(B) of the Higher Education Act of 1965 (20 U.S.C. 2753(b)(2)(B)) relating to the percentage of certain work-study funds used for community service; or

"(C) carrying out integrated service-learning programs or training teachers and community leaders in service-learning; and

"(3) shall, to the extent practicable, give special consideration to applicants who are historically Black colleges or universities, Hispanic-serving institutions, and tribally controlled colleges or universities.

"(g) DEFINITIONS.—In this part:

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

"(2) HISTORICALLY BLACK COLLEGE OR UNIVERSITY.—The term 'historically Black college or university' means a part B institution, as defined in section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061).

"(3) STUDENT.—Notwithstanding section 101, the term 'student' means an individual who is enrolled in an institution of higher education on a full- or part-time basis.

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

SEC. 1203. COMMUNITY-BASED PROGRAMS, TRAINING, AND OTHER INITIATIVES.

Subtitle B of title I (42 U.S.C. 12521 et seq.) is amended by adding at the end the following:

“PART III—COMMUNITY-BASED PROGRAMS, TRAINING, AND OTHER INITIATIVES

“SEC. 120. COMMUNITY-BASED PROGRAMS, TRAINING, AND OTHER INITIATIVES.

“(a) IN GENERAL.—From the funds appropriated to carry out this part for a fiscal year, the Corporation may make grants to, or enter into contracts or cooperative agreements with, eligible entities.

“(b) ELIGIBLE ENTITIES.—To be eligible to receive assistance under this part, an entity shall be—

“(1) a public or private nonprofit organization, a State educational agency, a State Commission, or an institution of higher education; or

“(2) a consortium of entities described in paragraph (1).

“(c) AUTHORIZED ACTIVITIES.—An entity that receives assistance under this part may use the assistance to—

“(1) conduct community-based programs that provide for meaningful human, educational, environmental, or public safety service by school-age youth;

“(2) provide training or technical assistance to support service-learning;

“(3) involve students in emergency preparedness and homeland security activities;

“(4) promote the recognition of students who perform outstanding community service and schools that have implemented outstanding service-learning programs; and

“(5) carry out demonstration programs, research, and evaluation related to service-learning.

“(d) LIMITATION ON FEDERAL SHARE OF COMMUNITY-BASED ACTIVITY COSTS.—

“(1) FEDERAL SHARE.—

“(A) IN GENERAL.—Except as provided in paragraph (3), the Federal share of the cost of carrying out an activity for which a grant is made, or a contract or cooperative agreement is entered into, under this part may not exceed 50 percent of the total cost of carrying out the program.

“(B) NON-FEDERAL CONTRIBUTION.—In providing for the remaining share of the cost of carrying out such an activity, each recipient of assistance under this part—

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

“(ii) may provide for such share through State sources or local sources.

“(2) WAIVER.—The Chief Executive Officer may waive the requirements of paragraph (1) in whole or in part with respect to any such program for any fiscal year if the Corporation determines that such a waiver would be equitable due to a lack of available financial resources at the local level.

“(3) EXEMPTION.—The requirements of paragraph (1) shall not apply to an entity that receives a grant or enters into a contract or cooperative agreement to provide training or technical assistance, promote recognition, or carry out demonstration programs, research, or evaluation under this part.”

SEC. 1204. SERVICE-LEARNING CLEARINGHOUSE.

Subtitle B of title I (42 U.S.C. 12521 et seq.), as amended by section 1203, is further amended by adding at the end the following:

“PART IV—CLEARINGHOUSE

“SEC. 120A. SERVICE-LEARNING CLEARINGHOUSE.

“(a) IN GENERAL.—The Corporation shall provide financial assistance, from funds appropriated under section 501(a)(2) to carry out subtitle H, to organizations described in subsection (b) to establish a clearinghouse, which shall carry out activities, either directly or by arrangement with another such organization, with respect to information about service-learning.

“(b) PUBLIC OR PRIVATE NONPROFIT ORGANIZATIONS.—Public or private nonprofit organizations that have extensive experience with service-learning, including use of adult volunteers to foster service-learning, shall be eligible to receive assistance under subsection (a).

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

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

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

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

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

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

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

“(6) provide information regarding methods to make service-learning programs accessible to individuals with disabilities;

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

“(B) coordinate the activities of the clearinghouse established in accordance with subsection (a) with appropriate entities to avoid duplication of effort;

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

“(9) assist organizations in recruiting, screening, and placing service-learning coordinators; and

“(10) carry out such other activities as the Chief Executive Officer determines to be appropriate.”

Subtitle C—National Service Trust Program

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

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

(1) in subsection (b)—

(A) in the subsection heading, by inserting “RESTRICTIONS ON” before “AGREEMENTS WITH FEDERAL AGENCIES”; and

(B) in paragraph (1)—

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

(ii) by striking the second sentence;

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

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

(D) in paragraph (3)—

(i) by striking “receiving assistance under this subsection” and inserting “operating a national service program under such a contract or agreement”; and

(ii) by striking “using such assistance” and inserting “under the contract or agreement”;

(2) in subsection (c), in the matter preceding paragraph (1), by striking “assistance under subsections (a) and (b)” and inserting “assistance under subsection (a)”; and

(3) in subsection (d)—

(A) in paragraph (1), by striking “or (b)”; and

(B) in paragraph (2)(A), by striking “or (b)”.

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

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

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking “and each Federal agency receiving assistance under section 121(b)”;

(B) in paragraph (9), by striking “between the ages of 16 and 24 years of age” and inserting “age 16 through 25”;

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

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

“(15) An E-Corps program that involves participants who provide service in a community by developing and assisting in carrying out technology programs.

“(16) A program that engages citizens in public safety, public health, homeland security, and disaster relief and preparedness activities.

“(17) A program (including an initiative or a partnership program) that seeks to expand the number of young people with mentors, either through provision of direct mentoring services or through activities that build the capacity of mentoring organizations to serve more young people.

“(18) A community service program that—

(A) enables secondary school students to carry out service activities in their communities during the summer or throughout the year;

(B) may be a residential program;

(C) is administered by a political subdivision of a State, a secondary school, an institution of higher education, a community-based agency, or a faith-based organization; and

(D) is carried out in a low-income rural or urban area.”;

(2) in subsection (c)(1)—

(A) in subparagraph (A)—

(i) by striking “after reviewing the strategic plan approved under section 192A(g)(1)” and inserting “after reviewing the strategic plan approved under section 192A(g)(2).”; and

(ii) by striking “subsection (b) or (d) of”; and

(B) in subparagraph (B), by striking “section 129(a)(1)” and inserting “section 129(f)”; and

(3) by adding at the end the following:

“(d) HIGH SCHOOL DEGREE REQUIRED FOR TUTORS.—The Corporation shall require that recipients of assistance under this subtitle or subtitle A of title I of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.) to operate tutoring programs involving elementary school or secondary school students shall certify that each individual serving in an approved national service position as a tutor in such a program has obtained a high school diploma or its recognized equivalent, or is enrolled in a program leading to obtaining a high school diploma.

“(e) LITERACY PROGRAMS.—

“(1) PROGRAMS.—Literacy programs that receive assistance under this subtitle or subtitle A of title I of the Domestic Volunteer

Service Act of 1973 shall be based on scientifically based reading research and provide instruction based on the essential components of reading instruction as defined in section 1208 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6368).

“(2) TRAINING REQUIRED FOR READING TUTORS.—The Corporation shall require that recipients of assistance under this subtitle or subtitle A of title I of the Domestic Volunteer Service Act of 1973 to operate tutoring in reading programs shall provide training to participants serving in approved national service positions as tutors in such programs that incorporates the recommendations of the National Reading Panel.

“(f) CITIZENSHIP TRAINING.—The Corporation shall establish requirements, after consultation with State Commissions, for recipients of assistance under this subtitle or subtitle A of title I of the Domestic Volunteer Service Act of 1973 that—

“(1) relate to the promotion of citizenship and civic engagement among individuals serving in approved national service positions; and

“(2) are consistent with the principles on which citizenship programs administered by the Immigration and Naturalization Service are based.

“(g) OATH.—Any oath given under this subtitle shall be consistent with the principles of the Federal oath of office as provided in section 3331 of title 5, United States Code.

“(h) CONSULTATION.—The Corporation shall consult with the Secretary of Homeland Security to determine ways of promoting homeland security, including providing disaster relief and preparedness activities, and promoting public health and public safety, through national service programs carried out under this subtitle.”

SEC. 1303. TYPES OF POSITIONS.

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

(1) in paragraph (1), by striking “subsection (a) or (b) of section 121” and inserting “section 121(a)”;

(2) in paragraph (2)(A), by striking “an institution of higher education, or a Federal agency” and inserting “or an institution of higher education”; and

(3) in paragraph (5), by inserting “National” before “Civilian Community Corps”.

SEC. 1304. TRAINING AND TECHNICAL ASSISTANCE.

Section 125 (42 U.S.C. 12575) is amended by adding at the end the following:

“(c) UNDERSERVED AREAS AND POPULATIONS.—In complying with the requirements of this section, the Corporation shall ensure that the training and technical assistance needs of programs that focus on and provide service opportunities for underserved rural and urban areas and populations are addressed.”

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

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

(1) in subsection (a)—

(A) in paragraph (1), by striking “between \$125,000 and \$750,000” and inserting “not less than \$200,000 and not more than \$1,000,000”; and

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

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

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

“(B) AMOUNTS GREATER THAN \$100,000.—If the grant amount provided by the Corporation is more than \$100,000, for the portion of the

grant amount that is more than \$100,000 and not more than \$200,000, the State shall provide \$1 from non-Federal sources for every \$2 provided by the Corporation through the grant.

“(C) AMOUNTS GREATER THAN \$200,000.—If the grant amount provided by the Corporation is more than \$200,000, for the portion of the grant amount that is more than \$200,000, the State shall provide \$1 from non-Federal sources for every \$1 provided by the Corporation through the grant.

“(D) WAIVER OR ALTERATION OF REQUIREMENTS.—The Corporation may waive or alter the matching fund requirements described in subparagraphs (B) and (C) for a State if the State is under serious budget constraints.”; and

(2) in subsection (c)—

(A) in paragraph (1), by striking “to national service programs that receive assistance under section 121” and inserting “to recipients of assistance for programs supported under section 121 that expand service and volunteering by increasing and strengthening the capacity of community-based agencies (including increasing and strengthening that capacity through the use of regional organizations that facilitate the involvement of small community groups) or by promoting high-quality teaching programs serving low-income students”; and

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

“(3) AMOUNT OF ASSISTANCE.—

“(A) MATCHING FUNDS.—For a challenge grant made under this subsection, a recipient described in paragraph (1) shall provide (in addition to any amounts required to be provided by the recipient to satisfy other matching funds requirements under this subtitle)—

“(i) for an initial 3-year grant period, not less than \$1 in cash from private sources for every \$1 of Federal funds provided under the grant; and

“(ii) for a subsequent grant period, not less than \$2 in cash from private sources for every \$1 of Federal funds provided under the grant.

“(B) APPLICATION.—The Corporation may permit the use of local or State funds as matching funds under subparagraph (A) if the Corporation determines that such use would be equitable due to a lack of available funds from private sources at the local level.

“(C) LIMIT ON AMOUNT.—The Corporation shall establish a ceiling on the amount of assistance that may be provided to a recipient for a challenge grant made under this subsection.”

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

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

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

“(a) AMERICORPS POSITIONS.—The Corporation, after consultation with members of the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate shall increase, by 25,000 each year, the number of approved national service positions, with priority given to increasing the number of such positions for individuals performing full-time national service. Of the approved national service positions provided for a fiscal year, not more than 30 percent may be positions for which the participants are eligible to receive national service educational awards and no other benefits for service in the positions.

“(b) ONE PERCENT FOR ALLOTMENTS FOR CERTAIN TERRITORIES.—

“(1) IN GENERAL.—Of the funds allocated by the Corporation for provision of assistance

under section 121(a) for a fiscal year, the Corporation shall reserve 1 percent for grants to the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands. The Corporation may make such a grant from an allotment made under paragraph (2).

“(2) ALLOTMENTS.—The Corporation shall allot to each territory described in paragraph (1) for a fiscal year an amount that bears the same ratio to 1 percent of the allocated funds for that fiscal year as the population of the territory bears to the total population of such territories.

“(c) NOT LESS THAN ONE PERCENT FOR COMPETITIVE GRANTS FOR INDIAN TRIBES.—Of the funds allocated by the Corporation for provision of assistance under section 121(a) for a fiscal year, the Corporation shall reserve not less than 1 percent for grants to Indian tribes, awarded by the Corporation on a competitive basis in accordance with their respective needs.

“(d) NOT LESS THAN 20 PERCENT FOR NATIONAL GRANTS.—Of the funds allocated by the Corporation for provision of assistance under section 121(a) for a fiscal year, the Corporation shall reserve not less than 20 percent for grants to nonprofit organizations to operate a program in 2 or more States.

“(e) NOT MORE THAN 33 PERCENT FOR STATE COMPETITIVE GRANTS.—Of the funds allocated by the Corporation for provision of assistance under section 121(a) for a fiscal year, the Corporation shall reserve not more than 33 percent for grants to States, awarded by the Corporation on a competitive basis for innovative activities.

“(f) 45 PERCENT FOR ALLOTMENTS FOR CERTAIN STATES.—

“(1) GRANTS.—Using the funds allocated by the Corporation for provision of assistance under section 121(a) for a fiscal year, the Corporation shall make a grant, from an allotment made under paragraph (2), to each of the several States, the District of Columbia, and the Commonwealth of Puerto Rico.

“(2) ALLOTMENTS.—The Corporation shall allot to each such State for a fiscal year an amount that bears the same ratio to 45 percent of the allocated funds for that fiscal year as the population of the State bears to the total population of the several States, the District of Columbia, and the Commonwealth of Puerto Rico, subject to paragraph (3).

“(3) MINIMUM AMOUNT.—Notwithstanding paragraph (2), the minimum grant made available to each eligible State under paragraph (1) for each fiscal year shall be not less than \$500,000.

“(g) ADJUSTMENTS.—

“(1) RESERVATION OF FUNDS.—Notwithstanding subsections (e) and (f), the Corporation shall ensure that the Corporation reserves an aggregate amount of funds for allotments to States under subsection (f) for a fiscal year that is not less than the total amount of funds provided to all States described in subsection (f) for allotments under this subtitle for fiscal year 2002.

“(2) FORMULA GRANTS.—In order to meet the requirements of paragraph (1) during a fiscal year for which the aggregate amount of funds for allotments to States under subsection (f) is less than the total amount of funds provided to all States described in subsection (f) for allotments under this subtitle for fiscal year 2002, the Corporation shall reduce the amount available for State competitive grants under subsection (e).

“(h) EFFECT OF FAILURE TO APPLY.—If a State (including a territory described in subsection (b)) fails to apply for, or fails to give notice to the Corporation of its intent to apply for an allotment under subsection (b) or (f), the Corporation may use the amount that would have been allotted under subsection (b) or (f) to the State to—

“(1) make grants (including providing approved national service positions in connection with such grants) under section 121 to other eligible entities that propose to carry out national service programs in the State; and

“(2) make grants under section 121(a) from allotments made in accordance with subsections (b) and (f)(2) to other States with approved applications submitted under section 130.

“(i) APPLICATION REQUIRED.—The Corporation may provide assistance and approved national service positions to a recipient under section 121 only pursuant to an application submitted by a State or other applicant under section 130.

“(j) APPROVAL OF POSITIONS SUBJECT TO AVAILABLE FUNDS.—The Corporation may not approve positions as approved national service positions under this subtitle for a fiscal year in excess of the number of such positions for which the Corporation has sufficient available funds in the National Service Trust for that fiscal year, taking into consideration funding needs for national service educational awards under subtitle D based on completed service. If appropriations are insufficient to provide the maximum allowable number of national service educational awards under subtitle D for all eligible participants, the Corporation is authorized to make necessary and reasonable adjustments to program rules.

“(k) SPONSORSHIP OF APPROVED NATIONAL SERVICE POSITIONS.—

“(1) SPONSORSHIP AUTHORIZED.—The Corporation may enter into an agreement with a person or entity who offers to sponsor national service positions and be responsible for supplying the funds necessary to provide national service educational awards for the positions. The distribution of those approved national service positions shall be made pursuant to the agreement, and the creation of those positions shall not be taken into consideration in determining the number of approved national service positions to be available for distribution under section 121.

“(2) DEPOSIT OF CONTRIBUTION.—Funds provided pursuant to an agreement under paragraph (1) shall be deposited in the National Service Trust established in section 145 until such time as the funds are needed.

“(l) RESERVATION OF FUNDS FOR SPECIAL ASSISTANCE.—From amounts appropriated for a fiscal year pursuant to section 501(a)(2) and subject to the limitations in such section, the Corporation may reserve such amount as the Corporation considers to be appropriate for the purpose of making assistance available under sections 125 and 126.

“(m) RESERVATION OF FUNDS TO INCREASE THE PARTICIPATION OF INDIVIDUALS WITH DISABILITIES.—From amounts appropriated for a fiscal year pursuant to section 501(a)(2) and subject to the limitations in section 501(a)(2)(B), the Corporation shall reserve a portion that is not less than 1 percent of such amounts (except that the portion reserved may not exceed \$10,000,000), for the purpose of making grants under section 121(a) to public or private nonprofit organizations to increase the participation of individuals with disabilities in national service and for demonstration activities in furtherance of this purpose.”

SEC. 1307. ADDITIONAL AUTHORITY.

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

“SEC. 129A. EDUCATION AWARDS PROGRAM.

“(a) IN GENERAL.—From amounts appropriated for a fiscal year pursuant to section 501(a)(2) and consistent with the restriction in subsection (b), the Corporation may provide operational assistance to programs that

receive approved national service positions but do not otherwise receive funds under section 121(a).

“(b) LIMIT ON CORPORATION GRANT FUNDS.—Operational assistance provided under this section may not exceed \$400 per individual enrolled in an approved national service position.

“(c) INAPPLICABLE PROVISIONS.—The following provisions shall not apply to programs that receive operational assistance under this section:

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

“(2) The matching funds requirements under sections 121(e) and 140.

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

SEC. 1308. STATE SELECTION OF PROGRAMS.

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

(1) in subsection (a), by striking “the national service programs to be carried out using the assistance” and all that follows through “or Federal agency” and inserting “national service programs under this subtitle, an applicant”;

(2) in subsection (b)(11), by striking “receive” and inserting “be eligible to receive”;

(3) in subsection (c)(1), by striking “jobs or”;

(4) in subparagraphs (A) and (B) of subsection (d)(1), by striking “subsection (a) or (b) of section 121” and inserting “section 121(a) (other than operational assistance described in section 129A)”;

(5) in subsection (e)—

(A) by striking paragraph (2); and

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

(6) in subsection (f)—

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

(B) in paragraph (2)—

(i) in the paragraph heading, by striking “PROGRAM APPLICANT” and inserting “APPLICANT”;

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

(C) by striking “institution of higher education, or Federal agency” and inserting “or institution of higher education” each place it appears; and

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

SEC. 1309. CONSIDERATION OF APPLICATIONS.

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

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

(2) in subsection (c)—

(A) by redesignating paragraph (8) as paragraph (9); and

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

“(8) If applicable, as determined by the Corporation, the extent to which the program generates the involvement of volunteers.”;

(3) in subsection (d)—

(A) in paragraph (1), by striking “to be conducted in those urban and rural areas in a State with the highest rates of poverty” and inserting “in urban and rural areas with the highest rates of poverty”;

(B) in paragraph (2)—

(i) in the first sentence, by striking “section 129(d)(2)” and inserting “section 129(d)”;

(ii) by striking subparagraphs (A) and (G);

(iii) by redesignating subparagraphs (B) through (F) as subparagraphs (A) through (E), respectively;

(iv) in subparagraph (D) (as redesignated by clause (iii)), by adding “and” at the end; and

(v) in subparagraph (E) (as redesignated by clause (iii)), by striking “; and” and inserting a period; and

(C) in paragraph (3), by striking “section 129(d)(2)” and inserting “section 129(d)”;

(D) by striking paragraph (4);

(4) in subsection (e), in the matter preceding paragraph (1), by striking “subsections (a) and (d)(1) of section 129” and inserting “subsections (b), (c), (e), and (f) of section 129”; and

(5) in subsection (f)—

(A) in paragraph (1), by striking “section 129(a)(1)” and inserting “section 129(f)”;

(B) in paragraph (3), by striking “section 129(a)” and inserting “section 129(f)”.

SEC. 1310. DESCRIPTION OF PARTICIPANTS.

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

(1) in subsection (a)—

(A) by striking paragraph (3);

(B) in paragraph (4), by inserting “or will serve in an approved national service position with a program described in section 122(a)(18)” before the semicolon; and

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

(2) in subsection (b)—

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

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

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

“(c) SELF-CERTIFICATION AND WAIVER.—The Corporation may—

“(1) consider an individual to have satisfied the requirement of subsection (a)(4) if the individual informs the Corporation that such requirement has been satisfied; or

“(2) waive the requirement of subsection (a)(4) with respect to an individual if the program in which the individual seeks to become a participant conducts an independent evaluation demonstrating that the individual is incapable of obtaining a high school diploma or its recognized equivalent.”

SEC. 1311. REFERENCE TO FEDERAL AGENCY.

Section 138(a) (42 U.S.C. 12592(a)) is amended by striking “Federal agency.”

SEC. 1312. TERMS OF SERVICE.

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

(1) in subsection (a), by striking “full- or part-time”;

(2) in subsection (b)—

(A) in paragraph (1), by striking “not less than 9 months and”;

(B) in paragraph (2), by striking “during a period of—” and all that follows and inserting “during a period of not more than 2 years.”; and

(C) by adding at the end the following:

“(4) SECONDARY SCHOOL COMMUNITY SERVICE.—Notwithstanding paragraphs (1) through (3), an individual performing service in an approved national service position in a program described in section 122(a)(18) shall agree to participate in the program for not less than 300 hours during a period of not more than 1 year.”;

(3) in subsection (c)—

(A) in paragraph (1)(A), by striking “as demonstrated by the participant” and inserting “as determined by the recipient or program, if the participant has otherwise performed satisfactorily and has completed at least 15 percent of the original term of service”;

(B) in paragraph (2)—

(i) in subparagraph (A), by striking “provide to the participant that portion of the national service educational award” and inserting “certify the participant’s eligibility for that portion of the national service educational award”; and

(ii) in subparagraph (B)—

(I) by striking “to allow return to the program with which the individual was serving in order to”; and

(II) by striking “obtain” and inserting “become eligible for”; and

(C) in paragraph (3), by striking “not receive” and inserting “not be eligible to receive”.

SEC. 1313. ADJUSTMENTS TO LIVING ALLOWANCE.

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

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

“(7) OTHER FEDERAL FUNDS.—

“(A) RECIPIENT REPORT.—A recipient of assistance under section 121 that is subject to the limitation on the Federal share of the annual living allowance in paragraph (2) shall report to the Corporation the amount and source of any Federal funds other than those provided by the Corporation used to pay the annual living allowance under paragraph (1).

“(B) CORPORATION REPORT.—The Corporation shall report to Congress on an annual basis information regarding each recipient that uses Federal funds other than those provided by the Corporation to pay the annual living allowance under paragraph (1), including the amounts and sources of the other Federal funds.”; and

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

“(h) STIPENDS FOR SECONDARY SCHOOL COMMUNITY SERVICE PROGRAM.—A recipient of assistance under section 121 to carry out a program described in section 122(a)(18) may provide a stipend, transportation services, and educational support services to each participant in the program, in lieu of benefits described in subsections (a), (d), and (e).”.

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

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

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

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking “and”;

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

(iii) by adding at the end the following:

“(C) service-based scholarships for secondary school students, as described in section 149A.”; and

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

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

“(1) national service educational awards in accordance with section 148;

“(2) interest in accordance with section 148(e); and

“(3) the Federal share of service-based scholarships to secondary school students in accordance with section 149A.”; and

(3) in subsection (d)—

(A) in paragraph (3)(B), by striking “and”;

(B) in paragraph (4)—

(i) by striking “awards to” and inserting “awards for”; and

(ii) by striking the period and inserting “; and”;

(C) by adding at the end the following:

“(5) identify the number of students who have received service-based scholarships to secondary school students in accordance with section 149A, and specify the amount of Federal and matching funds expended on an annual basis on the service-based scholarships.”.

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

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

(1) in subsection (a)—

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

(i) by striking “receive” and inserting “be eligible to receive”; and

(ii) by striking “if the individual” and inserting “if the organization responsible for the individual’s supervision for a national service program certifies that the individual”;

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

“(1) met the applicable eligibility requirements for the approved national service position in which the individual served;

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

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

“(ii) completed at least 15 percent of the original required term of service described in subsection (b); and”;

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

(2) in subsection (b), by striking “full- or part-time”;

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

“(c) LIMITATION ON RECEIPT OF EDUCATIONAL AWARDS.—An individual may be eligible to receive, through national service educational awards made under this subtitle, a total amount that is not more than the aggregate value of 2 national service educational awards made for full-time service.”;

(4) in subsection (d)—

(A) in paragraph (1)—

(i) by inserting “(or a family member of the individual designated in accordance with subsection (g))” after “under this section”; and

(ii) by striking the period and inserting “(or, in the case of an individual who served in a program described in section 122(a)(18), the end of the 5-year period beginning on that date).”; and

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A)—

(I) by inserting “(or a family member of the individual designated in accordance with subsection (g))” after “an individual”; or

(II) by striking “that the individual—” and inserting “that—”;

(ii) in subparagraph (A)—

(I) by inserting “the individual (or family member)” after “(A)”; and

(II) by inserting “(or 5-year period)” before the semicolon; and

(iii) in subparagraph (C), by inserting “the individual” after “(B)”; and

(5) by adding at the end the following:

“(g) TRANSFERS.—

“(1) DEFINITION.—In this subsection, the term ‘family member’, used with respect to an individual, means a spouse, son, daughter, or grandchild of the individual.

“(2) ABILITY TO TRANSFER.—An individual who is eligible to receive a national service educational award in accordance with this section may designate a family member of the individual to use the award in accordance with section 148. The designated person may submit an application under section 148 for disbursement of the award. On verifying the eligibility of the individual under this section, and determining that the designated person is a family member of the individual and is otherwise eligible to receive the award under this section, the Corporation shall disburse the award on behalf of the designated person in accordance with section 148.”.

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

Section 147(a) is amended—

(1) in subsections (a) and (b), by striking “shall receive” and inserting “shall be eligible to receive”;

(2) in subsection (a), by striking “, for each of not more than 2 of such terms of service” and all that follows and inserting “of \$5,250.”;

(3) in subsection (c)—

(A) by striking “full-time or part-time”; and

(B) by striking “provide the individual with” and inserting “provide for the individual”;

(4) by adding at the end the following:

“(d) AMOUNT FOR SECONDARY SCHOOL COMMUNITY SERVICE.—Notwithstanding subsections (a), (b), and (c), an individual described in section 146(a) who successfully completes a required term of service described in section 139(b)(4) in an approved national service position in a program described in section 122(a)(18) shall receive a national service educational award having a value, for each of not more than 4 of such terms of service, equal to \$1000.”.

SEC. 1404. DISBURSEMENT OF NATIONAL SERVICE EDUCATIONAL AWARDS.

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

(1) in subsection (a)—

(A) in paragraph (3), by striking “and”;

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

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

“(4) to pay expenses incurred in enrolling in an educational institution or training establishment that meets the requirements of chapter 36 of title 38, United States Code; and”;

(2) in subsection (b)—

(A) in paragraph (2), by striking “has earned” and inserting “is eligible to receive”; and

(B) in paragraph (7)—

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

(ii) in subparagraph (B), by striking the period and inserting “; and”;

(iii) by adding at the end the following:

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

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

“(ii) under the direct student loan program under part D of title IV of such Act (20 U.S.C. 1087a et seq.); or

“(iii) by a State agency.”;

(3) in subsection (e), by striking “subsection (b)(6)” and inserting “subsection (b)(7)”;

(4) in subsection (f), by striking “Director” and inserting “Chief Executive Officer”; and

(5) by adding at the end the following:

“(h) RULE.—References in this section to an individual (other than the third and fourth such references in subsection (e)) shall be considered to include references to a family member of the individual designated under section 146(g).”.

SEC. 1405. ADDITIONAL USES OF NATIONAL SERVICE TRUST AMOUNTS.

Subtitle D of title I (42 U.S.C. 12601 et seq.) is amended by adding at the end the following:

“SEC. 149. USE BY PARTICIPANTS WITH DISABILITIES.

“Notwithstanding any other provision of this subtitle, the Corporation may disburse

from the National Service Trust some or all of a national service educational award directly to an individual (or a family member of the individual designated in accordance with section 146(g)) who provides a certification that—

“(1) the individual (or family member) is—

“(A) entitled to disability insurance benefits under section 223 of the Social Security Act (42 U.S.C. 423);

“(B) entitled to monthly insurance benefits under section 202 of the Social Security Act (42 U.S.C. 402) based on such individual’s (or family member’s) disability (as defined in section 223(d) of such Act (42 U.S.C. 423(d)); or

“(C) eligible for supplemental security income benefits under title XVI of the Social Security Act (42 U.S.C. 1381 et seq.) on the basis of blindness (as described in section 1614(a)(2) of such Act (42 U.S.C. 1382c(a)(2)) or disability (as described in section 1614(a)(3) of such Act (42 U.S.C. 1382c(a)(3)); and

“(2) the individual (or family member) will use the disbursed funds to pay for education, training, or work-related activities designed to make the individual (or family member) self-supporting.

“SEC. 149A. SERVICE-BASED SCHOLARSHIPS TO SECONDARY SCHOOL STUDENTS.

“(a) PROGRAM AUTHORIZED.—The Corporation may use amounts in the National Service Trust to support a service-based scholarship program to recognize secondary school juniors and seniors who are engaged in outstanding community service and scholarship.

“(b) APPROVED USE OF SCHOLARSHIPS.—In supporting the program, the Corporation may use the amounts to pay for not more than 50 percent of the costs of a scholarship that also receives local funding, 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 the program may not exceed \$500.

Subtitle E—National Civilian Community Corps

SEC. 1501. PURPOSE.

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

“SEC. 151. PURPOSE.

“It is the purpose of this subtitle to authorize the operation of, and support for, residential service programs that combine the best practices of civilian service with the best aspects of military service, including leadership and team building, to meet national and community needs, particularly concerns related to national security. The needs to be met under such programs include needs related to natural and other disasters, which shall be addressed through activities coordinated with the Federal Emergency Management Agency and other public and private organizations.”

SEC. 1502. NATIONAL CIVILIAN COMMUNITY CORPS.

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

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

“Subtitle E—National Civilian Community Corps”;

(2) by striking “Civilian Community Corps” each place it appears and inserting “National Civilian Community Corps”;

(3) by striking “CIVILIAN COMMUNITY CORPS” each place it appears and inserting “NATIONAL CIVILIAN COMMUNITY CORPS”; and

(4) in section 155(b) (42 U.S.C. 12615(b)), by striking “CIVILIAN COMMUNITY CORPS” and inserting “NATIONAL CIVILIAN COMMUNITY CORPS”.

SEC. 1503. PROGRAM COMPONENTS.

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

(1) in the section heading, by striking “**DEMONSTRATION**”;

(2) in subsections (a) and (b), by striking “Demonstration”; and

(3) in subsection (c), in the subsection heading, by striking “PROGRAMS” and inserting “COMPONENTS”.

SEC. 1504. ELIGIBLE PARTICIPANTS.

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

(1) in subsection (a), by striking “Demonstration”;

(2) in subsection (b), by striking “if the person” and all that follows and inserting “if the person will be at least age 18 by December 31 of the calendar year in which the individual enrolls in the program.”;

(3) in subsection (c), in the subsection heading, by striking “BACKGROUNDS” and inserting “BACKGROUND”; and

(4) by striking subsection (e).

SEC. 1505. SUMMER NATIONAL SERVICE PROGRAM.

Section 154(a) (42 U.S.C. 12614(a)) is amended by striking “Demonstration”.

SEC. 1506. TEAM LEADERS.

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

(1) in subsection (a), by striking “Demonstration”; and

(2) in subsection (b), by adding at the end the following:

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

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

“(B) be provided the rights and benefits applicable to Corps members, except that the amount of the living allowance provided to a team leader under section 158(b) shall be not more than 10 percent greater than the amount established under section 158(b).”

SEC. 1507. CONSULTATION WITH STATE COMMISSIONS.

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

(1) in subsection (b)—

(A) in paragraph (1)(B), by inserting “community-based agencies and” before “representatives of local communities”; and

(B) in paragraph (2), by inserting “State commissions,” before “and persons involved in other youth service programs.”; and

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

“(3) DISASTER ASSISTANCE.—In selecting the projects, the Director shall place appropriate emphasis on projects in support of disaster relief efforts.”

SEC. 1508. PERMANENT CADRE.

Section 159(a) (42 U.S.C. 12619(a)) is amended by striking “Demonstration”.

SEC. 1509. CONTRACT AND GRANT AUTHORITY.

Section 161(a) (42 U.S.C. 12621(a)) is amended by striking “perform any program function under this subtitle” and inserting “carry out the National Civilian Community Corps program”.

SEC. 1510. OTHER DEPARTMENTS.

Section 162(a)(2)(A) (42 U.S.C. 12622(a)(2)(A)) is amended—

(1) by striking “to be recommended for appointment” and inserting “from which individuals may be selected for appointment by the Director”; and

(2) by striking “members and former members of the Armed Forces referred to in section 151(3) who are commissioned officers, noncommissioned officers, former commissioned officers, or former noncommissioned officers.” and inserting “individuals who are—

“(i) (I) members and former members of the Armed Forces who are entitled or, except for

not having attained the minimum age required under section 12731(a) of title 10, United States Code, would be entitled to retired or retainer pay payable out of the Department of Defense Military Retirement Fund under section 1463 of such title or to retired pay referred to in subsection (a)(2) of such section 1463 that is payable by the Secretary of Homeland Security;

“(II) former members of the Armed Forces who were discharged from the Armed Forces or released from active duty during a period of a reduction in size of the Armed Forces;

“(III) former members of the Armed Forces who were discharged, and members of the Armed Forces who have been transferred, from the Selected Reserve of the Ready Reserve during a period of a reduction in size of the Armed Forces; or

“(IV) other members of the Armed Forces not on active duty and not actively participating in a reserve component of the Armed Forces; and

“(ii) commissioned officers, noncommissioned officers, former commissioned officers, or former noncommissioned officers of the Armed Forces.”.

SEC. 1511. REPEAL OF AUTHORITY FOR ADVISORY BOARD AND FUNDING LIMITATION.

Sections 163 and 165 (42 U.S.C. 12623 and 12625) are repealed.

SEC. 1512. DEFINITIONS.

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

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

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

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

“(2) CAMPUS.—The term ‘campus’ means the facility or central location established as the operational headquarters and boarding place for particular Corps units.

“(3) CAMPUS DIRECTOR.—The term ‘campus director’, with respect to a campus, means the head of the campus under section 155(d).”; and

(4) in paragraphs (4), (5), and (8) (as redesignated by paragraph (2)), by striking “Demonstration” each place it appears.

SEC. 1513. TERMINOLOGY.

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

(1) (A) in section 155 (42 U.S.C. 12615)—

(i) in subsection (d)(2), in the paragraph heading, by striking “CAMP SUPERINTENDENT” and inserting “CAMPUS DIRECTOR”; and

(ii) in subsection (f)—

(I) in paragraph (2)(A), by striking “superintendent’s” and inserting “director’s”; and

(II) in paragraph (3), by striking “camp superintendent” and inserting “campus director”;

(B) in section 157(c)(2) (42 U.S.C. 12617(c)(2)), by striking “camp superintendents” and inserting “campus directors”; and

(C) except as provided in subparagraphs (A) and (B), by striking “superintendent” each place it appears and inserting “campus director”; and

(2) (A) by striking “Corps camp” each place it appears and inserting “campus”;

(B) by striking “camp” each place it appears and inserting “campus”;

(C) by striking “camps” each place it appears and inserting “campuses”; and

(D) in section 155 (42 U.S.C. 12615)—

(i) in subsections (d) and (e), in the subsection headings, by striking “CAMPS” and inserting “CAMPUSES”; and

(ii) in subsection (d)—

(I) in paragraph (1), in the paragraph heading, by striking “CAMPS” and inserting “CAMPUSES”; and

(II) in paragraph (3), in the paragraph heading, by striking "CAMP" and inserting "CAMPUS".

Subtitle F—Administrative Provisions

SEC. 1601. FAMILY AND MEDICAL LEAVE.

Section 171 (42 U.S.C. 12631) is amended—

(1) in subsection (a)(1), by striking "with respect to a project" and inserting "with respect to a project authorized under subtitle C, or part A of title I of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.)";

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

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

"(b) SERVICE SPONSORS.—Participants or volunteers in a project authorized under subtitle C, or title II of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5000 et seq.), shall not be considered to be employees for purposes of determining whether a service sponsor is an employer under subsection (a)(2)."

SEC. 1602. ADDITIONAL PROHIBITIONS ON USE OF FUNDS.

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

"(d) SEX EDUCATION PROGRAMS.—No assistance made available under the national service laws shall be used—

"(1) to develop or distribute materials or operate programs or courses of instruction, directed at youth, that are designed to promote or encourage sexual activity;

"(2) to distribute or aid in the distribution by any organization of obscene materials to minors on school grounds;

"(3) to provide in schools—

"(A) sex education, unless such education is age appropriate and includes discussion of the health benefits of abstinence; and

"(B) HIV-prevention instruction, unless such instruction is age appropriate, includes discussion of the health benefits of abstinence, and includes discussion of the health risks of the human papillomavirus, consistent with the provisions of section 317P(c) of the Public Health Service Act (42 U.S.C. 247b-17(c)); or

"(4) to operate a program of contraceptive distribution in schools."

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

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

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

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

(3) in subsection (f)—

(i) in subparagraph (C), by striking "A State or local applicant" and inserting "An entity"; and

(b) in paragraph (6)—

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

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

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

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

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

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

SEC. 1604. RESOLUTION OF DISPLACEMENT COMPLAINTS.

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

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

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

"(e) STANDARDS OF CONDUCT.—

"(1) IN GENERAL.—Programs that receive assistance under the national service laws shall establish and stringently enforce standards of conduct at the program sites to promote proper moral and disciplinary conditions, and shall consult with the parents or legal guardians of children in developing and operating programs that include children as participants and serve children.

"(2) PARENTAL PERMISSION.—A program that receives assistance under the national service laws shall, consistent with State law, before transporting a minor child, provide the reason for the transportation to, and obtain written permission from, the child's parents."

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

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

(1) in subsection (c)—

(A) in paragraph (1), by adding at the end the following:

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

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

(2) in subsection (d)(6)(B), by striking "section 193A(b)(11)" and inserting "section 193A(b)(10)";

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

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

"(A)(i) is developed through an open and public process (such as through regional forums, hearings, and other means) that provides for maximum participation and input from nonprofit organizations and public agencies; and

"(ii) uses service and volunteerism as strategies to meet critical community needs, including service through programs funded under the national service laws;

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

"(C) is subject to approval by the Chief Executive Officer;

"(D) includes measurable goals and outcomes, including performance measures established under section 186;

"(E) ensures outreach to community and religious organizations, including such organizations that serve underrepresented populations;

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

"(G) identifies potential changes in practices and policies that would improve the coordination and effectiveness of Federal, State, and local resources for service and volunteerism within the State.";

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

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

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

SEC. 1606. EVALUATION AND ACCOUNTABILITY.

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

(1) in subsection (a), by striking "to determine—" and all that follows and inserting

"to determine the effectiveness of programs that received assistance under the national service laws in achieving stated goals and the costs associated with each of the programs, and for research and evaluation regarding the role of service and civic engagement as a means of fostering healthy civic organizations.";

(2) in subsection (g)—

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

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

(3) by adding at the end the following:

"(j) RESERVED PROGRAM FUNDS FOR ACCOUNTABILITY.—In addition to amounts appropriated under section 501 and made available to carry out this section, the Corporation may reserve up to 1 percent of total program funds appropriated for a fiscal year under the national service laws to support program accountability activities."

SEC. 1607. TECHNICAL AMENDMENT.

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

SEC. 1608. ADDITIONAL ADMINISTRATIVE PROVISIONS.

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

"SEC. 185. CONSOLIDATED APPLICATION AND REPORTING REQUIREMENTS.

"To promote efficiency and eliminate duplicative requirements, the Corporation, after consultation with State Commissions and the Director of the National Senior Service Corps may consolidate or modify application procedures and reporting requirements for programs and activities funded under the national service laws.

"SEC. 186. ACCOUNTABILITY FOR RESULTS.

"(a) MEASURES.—

"(1) ESTABLISHMENT OF MEASURES.—The Corporation shall establish, after consultation with recipients of assistance under the national service laws, performance measures for each recipient (or subrecipient).

"(2) CONTENT.—The performance measures described in paragraph (1)—

"(A) shall include, for each program carried out with such assistance—

"(i) the number of participants enrolled and completing terms of service;

"(ii) specific performance indicators showing the outcome of the service activity, such as—

"(I) the number of children tutored;

"(II) an indicator of academic gains, related to the degree of beneficiary participation in services provided through the service activity;

"(III) the number of housing units renovated;

"(IV) the number of vaccines administered;

"(V) the number of individuals assisted through disaster preparedness or response activities; or

"(VI) other quantitative and qualitative measures as determined to be appropriate by the recipient or subrecipient, as appropriate, for the program; and

"(iii) a measure of community support;

"(B) may include, for each program—

"(i) an indicator of change in attitude by beneficiaries of the program;

"(ii) the number of volunteers recruited; and

"(iii) the numbers of participants who failed to complete their terms of service; and

"(C) shall include an established level of performance for each measure described in subparagraph (A) or (B).

"(3) SOURCE.—The Corporation may determine whether a recipient (or subrecipient)

has achieved the performance measures described in paragraph (1) on the basis of self-reported data from the recipient (or subrecipient) and independent data collected by the Corporation.

“(b) PLAN FOR FAILURE TO ACHIEVE PERFORMANCE MEASURES.—

“(1) PROGRAMS IN EXISTENCE FOR 3 YEARS OR LONGER.—A recipient (or subrecipient) of assistance described in subsection (a)(1), for a program carried out under subtitle C that—

“(A) has been in existence for not less than 3 years; and

“(B) fails to achieve the performance measures described in subsection (a) during fiscal year 2004 or a subsequent fiscal year,

shall submit a corrective plan to the Corporation that addresses the performance measures that the program failed to achieve, with detailed information on how the recipient (or subrecipient) will ensure that the program will achieve the measures.

“(2) PROGRAMS IN EXISTENCE FOR LESS THAN 3 YEARS.—A recipient (or subrecipient) of assistance described in subsection (a)(1), for a program carried out under subtitle C that—

“(A) has been in existence for less than 3 years; and

“(B) fails to achieve the performance measures described in subsection (a) during—

“(i) the later of fiscal year 2004 or the first fiscal year in which the program is in existence; or

“(ii) a subsequent fiscal year,

shall receive technical assistance from the Corporation to address targeted performance problems relating to the performance measures that the program failed to achieve, and shall provide quarterly reports on the program's progress in achieving the performance measures described in subsection (a) to the appropriate State and the Corporation.

“(c) MEASURES FOR FAILURE TO ACHIEVE PERFORMANCE MEASURES.—

“(1) PROGRAMS IN EXISTENCE FOR 3 YEARS OR LONGER.—If, after a period for correction approved by the Corporation, a recipient (or subrecipient) described in subsection (b)(1) of assistance described in subsection (a)(1) fails to achieve the performance measures for a program, the Corporation shall—

“(A) reduce the annual amount of the assistance for the program to the underperforming recipient (or subrecipient) by not less than 25 percent; or

“(B) terminate assistance for the program to the underperforming recipient (or subrecipient), consistent with subsections (a), (b), (c), and (f) of section 176.

“(2) PROGRAMS IN EXISTENCE FOR LESS THAN 3 YEARS.—If, after 2 years, a recipient (or subrecipient) described in subsection (b)(2) fails to show progress in achieving the performance measures described in subsection (a) for a program, the Corporation shall make the reduction described in subparagraph (A), or the termination described in subparagraph (B), of paragraph (1).

“(d) REPORTS TO CONGRESS.—The Corporation shall submit a report to Congress not later than 2 years after the date of enactment of this section, and annually thereafter, containing information, for the year covered by the report, on the number of—

“(1) recipients and subrecipients implementing corrective plans under this section;

“(2) recipients and subrecipients for which the Corporation terminates assistance for a program under this section; and

“(3) recipients and subrecipients achieving (including exceeding) performance measures under this section.

“SEC. 187. SUSTAINABILITY.

“(a) GOALS.—To ensure that recipients of assistance under the national service laws are carrying out sustainable projects, the

Corporation, the Corporation, after collaboration with State Commissions and the Director of the National Senior Service Corps and after consultation with recipients of assistance under the national service laws, may set sustainability goals by establishing policies and procedures to—

“(1) build the capacity of the projects receiving the assistance to meet community needs;

“(2) provide technical assistance to assist the recipients in acquiring non-Federal funds for the projects; and

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

“(b) ENFORCEMENT.—If a recipient described in subsection (a) does not meet the sustainability goals for a project, the Corporation may suspend or terminate assistance for the project to the recipient, consistent with subsections (a), (b), (c), and (f) of section 176.

“SEC. 188. CAPACITY BUILDING.

“Participants in programs supported under the national service laws, including individuals serving in approved national service positions, may engage in activities, including recruiting and managing volunteers, that increase the capacity of organizations that receive assistance under the national service laws to address unmet human, educational, environmental, or public safety needs.

“SEC. 188A. EXPENSES OF ATTENDING MEETINGS.

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

“SEC. 188B. GRANT PERIODS.

“Unless otherwise specifically provided, the Corporation has authority to make a grant, or enter into a contract or cooperative agreement, under the national service laws for a period of 3 years.

“SEC. 188C. LIMITATION ON PROGRAM GRANT COSTS.

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

“(b) COSTS SUBJECT TO LIMITATION.—The limitation in subsection (a) applies to the Corporation's share of participant support costs, staff costs, and other costs borne by the recipient or a subrecipient of the funds to operate a program.

“(c) COSTS NOT SUBJECT TO LIMITATION.—The limitation in subsection (a) shall not apply to expenses that are not covered by the grant award.

“(d) ADJUSTMENTS FOR INFLATION.—The amount specified in subsection (a) shall be increased each year after 2004 for inflation as measured by the Consumer Price Index for All Urban Consumers published by the Secretary of Labor.

“(e) WAIVER AUTHORITY AND REPORTING REQUIREMENT.—

“(1) WAIVER.—The Chief Executive Officer may waive the requirements of subsections (a) through (d), if necessary to meet the compelling needs of a particular program, such as—

“(A) exceptional training needs for a program serving disadvantaged youth;

“(B) increased costs relating to the participation of individuals with disabilities; and

“(C) start-up costs associated with a first-time recipient of funds for a program described in subsection (a).

“(2) REPORTS.—The Chief Executive Officer shall submit reports to Congress annually on all waivers granted under this section, with explanations of the compelling needs justifying such waivers.

“SEC. 188D. NOTICE REQUIREMENT.

“(a) NOTICE.—The Corporation shall ensure that the following notice is included in all application materials, announcements of grants, contracts, and other agreements, and other materials containing information regarding application for assistance provided under the national service laws: ‘The Civil Rights Act of 1964 (42 U.S.C. 2000 et seq.) prohibits employers with 15 or more employees from engaging in employment practices that discriminate against an individual on the basis of religion. Under section 702(a) of the Civil Rights Act of 1964, this prohibition generally does not apply to a religious corporation, association, educational institution, or society. However, as a requirement of receiving funding under the national service laws, any such religious entity shall not discriminate on the basis of religion against a new employee who is paid with funds received under the national service laws, pursuant to section 175(c) of the National and Community Service Act of 1990 (42 U.S.C. 12635(c)) and section 417(c) of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5057(c)).’

“(b) CONFIRMATION.—Before providing assistance to a private entity referred to in the notice specified in subsection (a), the Corporation shall ensure that the entity provides written confirmation, separate from any other document required by law or regulation, acknowledging that the entity has read and understands that notice.

“(c) CONSTRUCTION.—Subsections (a) and (b) shall not be construed to amend, or supersede or otherwise affect rights, protections, or duties under, any law, other than this Act.

“SEC. 188E. AUDITS AND REPORTS.

“The Corporation shall comply with applicable audit and reporting requirements as provided in chapters 5 and 91 of title 31, United States Code (relating to the Office of Management and Budget and government corporations). The Corporation shall report to the Congress any failure to comply with the requirements relating to such audits.

“SEC. 188F. CONSTRUCTION.

“An individual participating in service in a program described in section 122(a)(18) shall not be considered to be an employee engaged in employment for purposes of the Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.).”

Subtitle G—Corporation for National and Community Service

SEC. 1701. TERMS OF OFFICE.

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

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

“(c) TERMS.—Subject to subsection (e), each appointed member of the Board shall serve for a term of 5 years.”; and

(2) by adding at the end the following:

“(e) SERVICE UNTIL APPOINTMENT OF SUCCESSOR.—An appointed 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.”.

SEC. 1702. BOARD OF DIRECTORS AUTHORITIES AND DUTIES.

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

- (1) by striking paragraph (2);
- (2) by redesignating paragraph (1) as paragraph (2);
- (3) by inserting before paragraph (2) (as redesignated by paragraph (2)) the following:
“(1) have responsibility for setting overall policy for the Corporation;”;
- (4) in paragraph (5)(B), by striking “the annual strategic plan referred to in paragraph (1), the proposals referred to in paragraphs (2) and (3)” and inserting “the annual strategic plan referred to in paragraph (2), the proposal referred to in paragraph (3)”;
- (5) in paragraph (9), by inserting “and” after “Corporation;”;
- (6) in paragraph (10), by striking “; and” and inserting a period; and
- (7) by striking paragraph (11).

SEC. 1703. PEER REVIEWERS.

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

- (1) in subsection (b)—
- (A) in paragraph (2)(B), by striking “after receiving and reviewing an approved proposal under section 192A(g)(2),”;
- (B) in paragraph (8)(B)—
- (i) in clause (i), by striking “section 192A(g)(1)” and inserting “section 192A(g)(2)”;
- (ii) in clause (ii), by striking “proposals approved by the Board under paragraph (2) or (3) of section 192A(g)” and inserting “proposal approved by the Board under section 192A(g)(3)”;
- (C) in paragraph (9)(C), by striking the semicolon and inserting “; and”;
- (D) by striking paragraph (10); and
- (E) by redesignating paragraph (11) as paragraph (10);
- (2) in subsection (c)—
- (A) in paragraph (9), by striking “and” at the end;
- (B) by redesignating paragraph (10) as paragraph (11); and
- (C) by inserting after paragraph (9) the following:
“(10) obtain the opinions of peer reviewers in evaluating applications to the Corporation for assistance under this title; and”;
- (3) by striking subsection (f); and
- (4) by redesignating subsection (g) as subsection (f).

SEC. 1704. OFFICERS.

Section 194(d) (42 U.S.C. 12651e(d)) is amended, in the subsection heading, by striking “NATIONAL SENIOR VOLUNTEER CORPS” and inserting “NATIONAL SENIOR SERVICE CORPS”.

SEC. 1705. NONVOTING MEMBERS; PERSONAL SERVICES CONTRACTS.

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

- (1) in subsection (c)(3)—
- (A) in the paragraph heading, by striking “MEMBER” and inserting “NON-VOTING MEMBER”; and
- (B) by inserting “non-voting” before “member”; and
- (2) by adding at the end the following:
“(g) PERSONAL SERVICES CONTRACTS.—The Corporation may enter into personal services contracts to carry out research, evaluation, and public awareness projects related to the national service laws.”.

SEC. 1706. DONATED SERVICES.

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

- (1) in paragraph (1)—
- (A) by striking subparagraph (A) and inserting the following:
“(A) ORGANIZATIONS AND INDIVIDUALS.—Notwithstanding section 1342 of title 31, United States Code, the Corporation may solicit and accept the voluntary services of organizations and individuals (other than participants) to assist the Corporation in carrying out the duties of the Corporation under the national service laws, and may

provide to members of such organizations and such individuals the travel expenses described in section 192A(d).”;

- (B) in subparagraph (B)—
- (i) in the matter preceding clause (i), by striking “Such a volunteer” and inserting “A person who is a member of an organization, or is an individual, covered by subparagraph (A)”;
- (ii) in clause (i), by striking “a volunteer under this subtitle” and inserting “such a person”;
- (iii) in clause (ii), by striking “volunteers under this subtitle” and inserting “such persons”;
- (iv) in clause (iii), by striking “such a volunteer” and inserting “such a person”; and
- (C) in subparagraph (C)(i), by striking “Such a volunteer” and inserting “Such a person”; and
- (2) by striking paragraph (3).

Subtitle H—Investment for Quality and Innovation

SEC. 1801. TECHNICAL AMENDMENTS TO SUBTITLE H.

Section 198 (42 U.S.C. 12653) is amended—

- (1) in subsection (a), by striking “subsection (r)” and inserting “subsection (q)”;
- (2) in subsection (e)—
- (A) in the subsection heading, by striking “IMPROVE ABILITY TO APPLY FOR ASSISTANCE” and inserting “TRAINING AND TECHNICAL ASSISTANCE”;
- (B) by striking “and other entities” and all that follows and inserting “and other entities, including those in underserved rural and urban areas, to enable them to apply for funding under one of the national service laws, to conduct high-quality programs, to evaluate such programs, to support efforts to improve the management of nonprofit organizations and community groups, and for other purposes.”;
- (3) in subsection (i)—
- (A) by striking “conduct a campaign to”;

(B) by striking “to promote” and inserting “may promote”;

(4) by striking subsection (q) and redesignating subsections (r) and (s) as subsections (q) and (r), respectively;

(5) in subsection (q) (as redesignated by paragraph (4)), in the subsection heading, by striking “ASSISTANCE FOR HEAD START” and inserting “AGREEMENTS CONCERNING FOSTER GRANDPARENT PROGRAMS”;

(6) by adding at the end the following:

“(s) VOLUNTEER SERVICE TECHNOLOGY PROGRAMS.—The Corporation may make available not more than \$5,000,000 per year to make grants to Internet volunteer recruiting entities, to pay for the Federal share of the cost of programs to assist the entities to locate, promote, and match volunteers with, local service and volunteer organizations. The Federal share of the cost shall be 75 percent. The non-Federal share of the cost shall be provided from State or local sources.”.

SEC. 1802. CLEARINGHOUSES.

Section 198A(a) (42 U.S.C. 12653a(a)) is amended by striking “section 118” and inserting “section 120A”.

SEC. 1803. REPEAL OF SPECIAL DEMONSTRATION PROJECT.

Section 198D (42 U.S.C. 12653d) is repealed.

Subtitle I—Additional Authorities

SEC. 1901. AMERICA'S PROMISE: THE ALLIANCE FOR YOUTH.

Title I (42 U.S.C. 12511) is amended by adding at the end the following:

“Subtitle J—America's Promise: The Alliance for Youth

“SEC. 199N. AUTHORITY TO PROVIDE ASSISTANCE.

“(a) IN GENERAL.—Subject to the availability of appropriations, the Corporation

may make a grant to America's Promise: The Alliance for Youth (referred to in this section as the “alliance”) to support its activities relating to mobilizing communities to ensure that young people become productive, responsible adults.

“(b) USE OF FUNDS.—The alliance may use the funds made available through the grant to pay for costs attributable to the development or operation of programs, consistent with the terms of the grant.

“(c) CHIEF EXECUTIVE OFFICER AS EX OFFICIO MEMBER OF BOARD OF DIRECTORS.—The Chief Executive Officer may serve as an ex officio, nonvoting member of the Board of Directors of the alliance.”.

Subtitle J—Points of Light Foundation

SEC. 1911. PURPOSES.

Section 302 (42 U.S.C. 12661) is amended to read as follows:

“SEC. 302. PURPOSES.

“The purposes of this title are—

“(1) to encourage every individual and every institution in the Nation to help solve critical social problems by volunteering time, energies, and services through community and volunteer service projects and initiatives;

“(2) to identify successful and promising community and volunteer service projects and initiatives, and to disseminate information, training, and technical assistance concerning such projects and initiatives to other communities in order to promote and sustain the adoption of the projects and initiatives nationwide;

“(3) to discover and encourage new leaders and develop individuals and institutions that serve as strong examples of a commitment to serving others, and to convince all people in the United States that a successful life includes serving others;

“(4) to encourage and facilitate the development of new volunteer centers in designated communities; and

“(5) to strengthen the aggregate infrastructure of our Nation's volunteer centers in order to maximize recruitment, management, and retention.”.

SEC. 1912. BOARD OF DIRECTORS.

Section 303 (42 U.S.C. 12662) is amended—

(1) in subsection (a), by striking “Corporation” and inserting “Corporation for National and Community Service (referred to in this title as the ‘Corporation’)”;

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

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

“(b) CHIEF EXECUTIVE OFFICER AS EX OFFICIO MEMBER OF BOARD OF DIRECTORS.—The Chief Executive Officer of the Corporation may serve as an ex officio nonvoting member of the Foundation's Board of Directors.”.

SEC. 1913. GRANTS TO THE FOUNDATION.

Section 304 (42 U.S.C. 12663) is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by striking “a department or agency in the executive branch” and all that follows through “the President—” and inserting “the Corporation—”; and

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

“(c) ENDOWMENT.—

“(1) IN GENERAL.—Notwithstanding any other provision of law, from the funds made available each fiscal year under sections 303 and 501(b), the Foundation may use not more than 25 percent to establish or support an endowment fund, the corpus of which shall remain intact and the interest income from which shall be used to support activities described in this title. The Foundation may invest the corpus and income only in federally insured bank savings accounts or comparable interest-bearing accounts, certificates of deposit, money market funds, mutual funds,

obligations of the United States, or other market instruments and securities, but not in real estate.

“(2) END OF OPERATIONS.—The Chief Executive Officer shall obtain from the Foundation complete and accurate records of Federal funds deposited in an endowment fund established or supported in accordance with paragraph (1). The corpus of such an endowment fund shall revert to the Treasury if the Chief Executive Officer determines that—

“(A) the Foundation has ceased operations; or

“(B) the Foundation is no longer capable of carrying out the activities described in section 302.

“(d) GRANTS TO SUPPORT COMMUNITY-BASED VOLUNTEER CENTERS.—From funds made available under sections 303 and 501(b), the Foundation may make grants to—

“(1) community-based organizations for the purpose of facilitating the development of volunteer centers; and

“(2) community-based volunteer centers to support their ability to recruit, manage, and retain volunteers.”

Subtitle K—Authorization of Appropriations
SEC. 1921. AUTHORIZATION.

Section 501 (42 U.S.C. 12681) is amended to read as follows:

“SEC. 501. AUTHORIZATION OF APPROPRIATIONS.

“(a) TITLE I.—

“(1) SUBTITLE B.—

“(A) IN GENERAL.—There are authorized to be appropriated to provide financial assistance under subtitle B of title I, \$55,000,000 for fiscal year 2004, \$58,000,000 for fiscal year 2005, \$61,000,000 for fiscal year 2006, \$65,000,000 for fiscal year 2007, and such sums as may be necessary for fiscal year 2008.

“(B) PROGRAMS.—Of the amount appropriated under subparagraph (A) for a fiscal year—

“(i) not more than 50 percent shall be available to provide financial assistance under part I of subtitle B of title I;

“(ii) not more than 25 percent shall be available to provide financial assistance under part II of such subtitle; and

“(iii) not less than 25 percent shall be available to provide financial assistance under part III of such subtitle.

“(2) SUBTITLES C, D, AND H.—

“(A) IN GENERAL.—There are authorized to be appropriated to provide financial assistance under subtitles C and H of title I, to administer the National Service Trust and provide national service educational awards and service-based scholarships for secondary school students under subtitle D of title I, and to carry out such audits and evaluations as the Chief Executive Officer or the Inspector General of the Corporation may determine to be necessary, \$415,000,000 for fiscal year 2004, and such sums as may be necessary for fiscal years 2005 through 2008.

“(B) PROGRAMS.—Of the amount appropriated under subparagraph (A) for a fiscal year, not more than 15 percent shall be made available to provide financial assistance under section 125, under subsections (b) and (c) of section 126, and under subtitle H of title I.

“(C) SUBTITLE C.—Of the amount appropriated under subparagraph (A) for fiscal year 2004, not more than \$315,000,000 shall be made available to provide financial assistance under section 121.

“(3) SUBTITLE E.—There are authorized to be appropriated to operate the Civilian Community Corps and provide financial assistance under subtitle E of title I, \$30,000,000 for fiscal year 2004 and such sums as may be necessary for each of fiscal years 2005 through 2008.

“(4) SUBTITLE J.—There are authorized to be appropriated to provide financial assist-

ance under subtitle J of title I \$7,500,000 for fiscal year 2004 and such sums as may be necessary for each of fiscal years 2005 through 2008.

“(5) ADMINISTRATION.—

“(A) IN GENERAL.—There are authorized to be appropriated for the administration of this Act, including the provision of financial assistance under section 126(a), \$34,000,000 for fiscal year 2004 and such sums as may be necessary for each of fiscal years 2005 through 2008.

“(B) CORPORATION.—Of the amounts appropriated under subparagraph (A) for a fiscal year—

“(i) not more than 60 percent shall be made available to the Corporation for the administration of this Act; and

“(ii) the remainder shall be available to provide financial assistance under section 126(a).

“(b) TITLE III.—There are authorized to be appropriated to carry out title III \$10,000,000 for fiscal year 2004 and such sums as may be necessary for each of fiscal years 2005 through 2008.

“(c) AVAILABILITY OF APPROPRIATIONS.—Funds appropriated under this section shall remain available until expended.”

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

SEC. 2001. REFERENCES.

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

Subtitle A—National Volunteer Antipoverty Programs

SEC. 2101. PURPOSE.

The second sentence of section 2(b) (42 U.S.C. 4950(b)) is amended by striking “local agencies” and inserting “local agencies, expand relationships with, and support for, the efforts of civic, community, and educational organizations.”

SEC. 2102. PURPOSE OF THE VISTA PROGRAM.

Section 101 (42 U.S.C. 4951) is amended—

(1) in the second sentence, by striking “afflicted with” and inserting “affected by”; and

(2) in the third sentence, by striking “local level” and all that follows and inserting “local level, to support efforts by local agencies and community organizations to achieve long-term sustainability of projects initiated or expanded under the VISTA program, and to strengthen local agencies and community organizations to carry out the purpose of this part, consistent with the provisions of section 187 of the National and Community Service Act of 1990.”

SEC. 2103. APPLICATIONS.

Section 103 (42 U.S.C. 4953) is amended—

(1) in subsection (a)(2)—

(A) by striking “handicapped” and inserting “disabled”; and

(B) by striking “handicaps” and inserting “disabilities”;

(2) in subsection (b)(1), by striking “recruitment and placement procedures” and inserting “recruitment and placement procedures that involve sponsoring organizations and”;

(3) in subsection (c)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking “personnel described in subsection (b)(2)(C)” and inserting “personnel described in subsection (b)(2)(C) and sponsoring organizations”; and

(ii) in subparagraph (F), by striking “National and Community Service Trust Act of 1993” and inserting “National and Commu-

nity Service Act of 1990 (42 U.S.C. 12501 et seq.)”; and

(B) in paragraph (3), by striking “this subsection with those” and inserting “this subsection, and related recruitment and public awareness activities carried out under the national service laws, with the recruitment and public awareness activities”;

(4) in subsection (g), by striking “and has been submitted to the Governor” and all that follows and inserting a period; and

(5) by adding at the end the following:

“(i) The Director may enter into agreements under which public and private nonprofit organizations with sufficient financial capacity and size pay for all or a portion of the costs of supporting the service of volunteers under this title, consistent with the provisions of section 187 of the National and Community Service Act of 1990.”

SEC. 2104. TERMS AND PERIODS OF SERVICE.

Section 104 (42 U.S.C. 4954) is amended—

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

“(a)(1) Except as provided in paragraphs (2) through (4), volunteers serving under this part shall be required to make a full-time personal commitment to combating poverty and poverty-related problems. To the maximum extent practicable, that requirement for a full-time personal commitment shall include a commitment to live among and at the economic level of the people served, and to remain available for service without regard to regular working hours, at all times during the periods of service, except for authorized periods of leave.

“(2) The Director may exempt volunteers serving under this part for fiscal year 2003 or 2004 from the requirements of paragraph (1), but the requirements shall apply to—

“(A) not less than 75 percent of such volunteers for fiscal year 2003; and

“(B) not less than 50 percent of such volunteers for fiscal year 2004.

“(3) Not later than September 30, 2004, the Comptroller General of the United States shall submit a report to Congress on whether the exemptions permitted under paragraph (2) have had a material and adverse effect on the ability of the VISTA program to combat poverty and poverty-related problems, such as an increased attrition rate among volunteers, and difficulty in recruiting volunteers, to serve under this part.

“(4)(A) Except as provided in subparagraph (B), the Director may exempt volunteers serving under this part for fiscal year 2005 or a subsequent fiscal year from the requirements of paragraph (1), but the requirements shall apply to not less than 25 percent of such volunteers for fiscal year 2005.

“(B) Subparagraph (A) shall not apply if the Comptroller General of the United States determines, in the report described in paragraph (3), that the exemptions permitted under paragraph (2) have had a material and adverse effect on the ability of the VISTA program to combat poverty and poverty-related problems.”;

(2) in subsection (b)(2), by striking “if the Director determines” and all that follows and inserting “if they are enrolled for periods of at least 1,700 hours for service to which the requirements of subsection (a)(1) do not apply.”; and

(3) in subsection (d)—

(A) in the first sentence, by striking “with the terms and conditions of their service.” and inserting “with the terms and conditions of their service or any adverse action, including termination, proposed by the sponsoring organization involved. The procedure shall provide for an appeal to the Director of any proposed termination from service.”; and

(B) in the last sentence, by striking “and the terms and conditions of their service”.

SEC. 2105. SECTIONS REPEALED.

Sections 109 and 124 (42 U.S.C. 4959 and 4995) are repealed.

SEC. 2106. REDESIGNATION.

Part A of title I (42 U.S.C. 4951 et seq.) is amended by redesignating section 110 as section 109.

SEC. 2107. UNIVERSITY YEAR FOR VISTA PROGRAM.

Section 111(b) (42 U.S.C. 4971(b)) is amended in the third sentence by striking "agencies, institutions, and situations" and inserting "agencies and institutions, including civic, community, and educational organizations."

SEC. 2108. CONFORMING AMENDMENT.

Section 121 is amended in the second sentence by striking "agencies, institutions, and situations" and inserting "agencies and institutions, including civic, community, and educational organizations."

Subtitle B—National Senior Service Corps**SEC. 2201. CHANGE IN NAME.**

Title II (42 U.S.C. 5000 et seq.) is amended in the title heading by striking "NATIONAL SENIOR VOLUNTEER CORPS" and inserting "NATIONAL SENIOR SERVICE CORPS".

SEC. 2202. PURPOSE.

Section 200 (42 U.S.C. 5000) is amended to read as follows:

"SEC. 200. STATEMENT OF PURPOSE.

"It is the purpose of this title to provide—
 "(1) opportunities for senior service to meet unmet local, State, and national needs in the areas of education, public safety, health and human needs, and the environment;

"(2) for the National Senior Service Corps, comprised of the Retired and Senior Volunteer Program, the Foster Grandparent Program, and the Senior Companion Program, and demonstration and other programs to empower older individuals to contribute to their communities through service, enhance the lives of those who serve and those whom they serve, and provide communities with valuable services;

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

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

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

"(6) for research, training, demonstration, and other program activities to increase and improve opportunities for seniors to meet unmet needs, including those related to emergency preparedness, public safety, public health, and disaster relief, in their communities."

SEC. 2203. GRANTS AND CONTRACTS FOR VOLUNTEER SERVICE PROJECTS.

Section 201 (42 U.S.C. 5001) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking "avail themselves of opportunities for volunteer service in their community" and inserting "share their experiences, abilities, and skills for the betterment of their communities and themselves"; and

(B) in paragraph (2), by striking ", and individuals 60 years of age or older will be given priority for enrollment";

(2) by striking subsection (c); and

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

SEC. 2204. FOSTER GRANDPARENT PROGRAM GRANTS.

Section 211 (42 U.S.C. 5011) is amended—

(1) in subsection (a), by striking "low-income persons aged sixty or over" and inserting "low-income and other persons aged 55 or over";

(2) in subsection (b)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking "shall have the exclusive authority to determine, pursuant to the provisions of paragraph (2) of this subsection—" and inserting "may determine—";

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

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

(iv) by adding at the end the following:

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

(B) by striking paragraph (2);

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

(D) in paragraph (2) (as redesignated by subparagraph (C) of this section), by striking "paragraphs (1) and (2)" and inserting "paragraph (1)"; and

(E) by adding at the end the following:

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

(3) in subsection (d)—

(A) in the first sentence, by striking "low-income persons serving as volunteers under this part, such allowances, stipends, and other support" and inserting "low-income persons and persons eligible under subsection (h) serving as volunteers under this part, such stipends or allowances"; and

(B) by striking the second sentence and all that follows and inserting the following: "Any stipend or allowance provided under this part shall not exceed 75 percent of the minimum wage under the Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.), with the Federal share not to exceed \$2.65 per hour, except that the Director shall adjust the Federal share once prior to December 31, 2008, to account for inflation.";

(4) in subsection (e)(1), by striking "125" and inserting "200";

(5) by striking subsection (f) and inserting the following:

"(f)(1) Subject to the restrictions in paragraph (3), individuals who are not low-income persons may serve as volunteers under this part. The regulations issued by the Director to carry out this part (other than regulations relating to stipends or allowances to individuals authorized by subsections (d) and (h)) shall apply to all volunteers under this part, without regard to whether such volunteers are eligible to receive a stipend or allowance under subsection (d) or (h).

"(2) Except as provided under paragraph (1), each recipient of a grant or contract to carry out a project under this part shall give equal treatment to all volunteers who participate in such project, without regard to whether such volunteers are eligible to receive a stipend or allowance under subsection (d) or (h).

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

(6) by adding at the end the following:

"(g) The Director may also provide a stipend or allowance in an amount not to exceed 10 percent more than the amount established under subsection (d) to leaders who, on the basis of past experience as volunteers, special skills, and demonstrated leadership abilities, may coordinate activities, including training, and otherwise support the service of volunteers under this part.

"(h) The Director may provide payments under subsection (d) for up to 15 percent of volunteers serving in a project under this part for a fiscal year who do not meet the definition of 'low-income' under subsection (e), upon certification by the recipient of a grant or contract that it is unable to effectively recruit and place low-income volunteers in the number of placements approved for the project."

SEC. 2205. SENIOR COMPANION PROGRAM GRANTS.

Section 213 (42 U.S.C. 5013) is amended—

(1) in subsection (a), by striking "low-income persons aged 60 or over" and inserting "low-income and other persons aged 55 or over";

(2) in subsection (b), by striking "Subsections (d), (e), and (f)" and inserting "Subsections (d) through (h)"; and

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

"(B) Senior companion volunteer trainers and leaders may receive a stipend or allowance consistent with subsections (d), (g), and (h) of section 211, as approved by the Director."

SEC. 2206. TECHNICAL AMENDMENTS.

(a) NATIONAL SENIOR SERVICE CORPS.—

(1) SECTION 221.—Section 221 (42 U.S.C. 5021) is amended in the heading by striking "VOLUNTEER" and inserting "SERVICE".

(2) SECTION 224.—Section 224 (42 U.S.C. 5024) is amended—

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

(B) by striking "Volunteer" and inserting "Service".

(b) CHANGE IN AGE ELIGIBILITY.—Section 223 (42 U.S.C. 5023) is amended by striking "sixty years and older" and inserting "55 years and older".

SEC. 2207. PROGRAMS OF NATIONAL SIGNIFICANCE.

Section 225(b) (42 U.S.C. 5025(b)) is amended by adding at the end the following:

"(19) Programs that strengthen community efforts in support of homeland security."

SEC. 2208. ADDITIONAL PROVISIONS.

Part D of title II (42 U.S.C. 5021 et seq.) is amended by adding at the end the following:

"SEC. 228. PARTICIPATION AND INCOME LEVEL.

"(a) RESTRICTION ON PARTICIPATION.—

"(1) IN GENERAL.—Except as provided in subsection (b), participation in programs and activities under this title shall be open to a senior whose income level does not exceed 200 percent of the poverty line for a single individual.

"(2) DEDUCTION FOR MEDICAL EXPENSES.—For purposes of determining the income level of a senior under paragraph (1), such income level shall be reduced by an amount that is equal to 50 percent of the amount of such senior's medical expenses during the year preceding the year during which the eligibility determination is made.

"(b) WAIVER.—The Corporation may waive the requirement of subsection (a) with respect to not to exceed 15 percent of the participants in programs and activities under this title for each fiscal year.

"SEC. 229. CONTINUITY OF SERVICE.

"To ensure the continued service of individuals in communities served by the Retired and Senior Volunteer Program, Foster

Grandparent Program, and Senior Companion Program prior to the date of enactment of this section, in making grants under this title the Corporation shall take actions it considers necessary to maintain service assignments for such seniors and to ensure continuity of service for communities.

“SEC. 229A. TRAINING AND RESEARCH.

“From funds appropriated each fiscal year to carry out this title, the Corporation may reserve not more than \$15,000,000 to support research and training designed to improve the effectiveness of programs supported under this title.”.

Subtitle C—Administration and Coordination

SEC. 2301. NONDISPLACEMENT.

Section 404(a) is amended by striking “displacement of employed workers” and inserting “displacement of employed workers or volunteers (other than participants under the national service laws)”.

SEC. 2302. DEFINITIONS.

Section 421 (42 U.S.C. 5061) is amended—

(1) in paragraph (11), by striking “417” and inserting “410”;

(2) in paragraph (13), by striking “National Senior Volunteer Corps” and inserting “National Senior Service Corps”; and

(3) in paragraph (14)—
(A) by striking “National Senior Volunteer Corps” and inserting “National Senior Service Corps”; and

(B) by striking “parts A, B, C, and E of”.

SEC. 2303. PROTECTION AGAINST IMPROPER USE.

Section 425 (42 U.S.C. 5065) is amended by striking “National Senior Volunteer Corps” and inserting “National Senior Service Corps”.

SEC. 2304. INCOME VERIFICATION.

Title IV (42 U.S.C. 5043 et seq.) is amended by adding at the end the following:

“SEC. 426. INCOME VERIFICATION.

“Each organization that receives assistance under this Act may verify the income eligibility of volunteers based on a confidential declaration of income and with no requirements for verification.”.

SEC. 2305. SECTIONS REPEALED.

Sections 412 and 416 (42 U.S.C. 5052 and 5056) are repealed.

SEC. 2306. REDESIGNATIONS.

Title IV (42 U.S.C. 5043 et seq.) is amended by redesignating sections 403, 404, 406, 408, 409, 410, 411, 414, 415, 417, 418, 419, 421, 422, 423, 424, 425, and 426 as sections 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, and 418, respectively.

Subtitle D—Authorization of Appropriations

SEC. 2401. AUTHORIZATION OF APPROPRIATIONS FOR VISTA AND OTHER PURPOSES.

Section 501 (42 U.S.C. 5081) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking “, excluding section 109” and all that follows and inserting “\$90,000,000 for fiscal year 2004 and such sums as may be necessary for each of fiscal years 2005 through 2008.”;

(B) by striking paragraphs (2) and (4) and redesignating paragraphs (3) and (5) as paragraphs (2) and (3), respectively; and

(C) in paragraph (2) (as redesignated by subparagraph (B) of this section), by striking “, excluding section 125” and all that follows and inserting “\$5,000,000 for fiscal year 2004 and such sums as may be necessary for each of fiscal years 2005 through 2008.”; and

(2) by striking subsection (e).

SEC. 2402. AUTHORIZATION OF APPROPRIATIONS FOR NATIONAL SENIOR SERVICE CORPS.

Section 502 (42 U.S.C. 5082) is amended to read as follows:

“SEC. 502. NATIONAL SENIOR SERVICE CORPS.

“(a) RETIRED AND SENIOR VOLUNTEER PROGRAM.—There are authorized to be appro-

priated to carry out part A of title II \$58,884,000 for fiscal year 2004 and such sums as may be necessary for each of fiscal years 2005 through 2008.

“(b) FOSTER GRANDPARENT PROGRAM.—There are authorized to be appropriated to carry out part B of title II \$110,000,000 for fiscal year 2004 and such sums as may be necessary for each of fiscal years 2005 through 2008.

“(c) SENIOR COMPANION PROGRAM.—There are authorized to be appropriated to carry out part C of title II \$46,563,000 for fiscal year 2004 and such sums as may be necessary for each of fiscal years 2005 through 2008.

“(d) DEMONSTRATION PROGRAMS.—There are authorized to be appropriated to carry out part E of title II \$400,000 for fiscal year 2004 and such sums as may be necessary for each of fiscal years 2005 through 2008.”.

SEC. 2403. ADMINISTRATION AND COORDINATION.

Section 504 (42 U.S.C. 5084) is amended to read as follows:

“SEC. 504. ADMINISTRATION AND COORDINATION.

“There are authorized to be appropriated for the administration of this Act \$33,568,000 for fiscal year 2004 and such sums as may be necessary for each of fiscal years 2005 through 2008.”.

SEC. 2404. REDESIGNATIONS.

Title V (42 U.S.C. 5081 et seq.) is amended by redesignating sections 504 and 505 as sections 503 and 504, respectively.

TITLE III—AMENDMENTS TO OTHER LAWS

SEC. 3001. INSPECTOR GENERAL ACT OF 1978.

Section 8F(a)(1) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by striking “National and Community Service Trust Act of 1993” and inserting “National and Community Service Act of 1990”.

TITLE IV—TECHNICAL AMENDMENTS TO TABLES OF CONTENTS

SEC. 4001. TABLE OF CONTENTS FOR THE NATIONAL AND COMMUNITY SERVICE ACT OF 1990.

Section 1(b) of the National and Community Service Act of 1990 (42 U.S.C. 12501 note) is amended to read as follows:

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

“Sec. 1. Short title and table of contents.

“Sec. 2. Findings and purpose.

“TITLE I—NATIONAL AND COMMUNITY SERVICE STATE GRANT PROGRAM

“Subtitle A—General Provisions

“Sec. 101. Definitions.

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

“PART I—PROGRAMS FOR ELEMENTARY AND SECONDARY SCHOOL STUDENTS

“SUBPART A—PROGRAMS FOR STUDENTS

“Sec. 111. Assistance to States and Indian tribes.

“Sec. 112. Allotments.

“Sec. 113. Applications.

“Sec. 114. Consideration of applications.

“Sec. 115. Federal, State, and local contributions.

“Sec. 116. Limitations on uses of funds.

“SUBPART B—COMMUNITY CORPS DEMONSTRATION PROGRAM

“Sec. 118. Demonstration program.

“PART II—HIGHER EDUCATION INNOVATIVE PROGRAMS FOR COMMUNITY SERVICE

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

“PART III—COMMUNITY-BASED PROGRAMS, TRAINING, AND OTHER INITIATIVES

“Sec. 120. Community-based programs, training, and other initiatives.

“PART IV—CLEARINGHOUSE

“Sec. 120A. Service-learning clearinghouse.

“Subtitle C—National Service Trust Program

“PART I—INVESTMENT IN NATIONAL SERVICE

“Sec. 121. Authority to provide assistance and approved national service positions.

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

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

“Sec. 124. Types of program assistance.

“Sec. 125. Training and technical assistance.

“Sec. 126. Other special assistance.

“PART II—APPLICATION AND APPROVAL PROCESS

“Sec. 129. Provision of assistance and approved national service positions.

“Sec. 129A. Education awards program.

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

“Sec. 131. National service program assistance requirements.

“Sec. 132. Ineligible service categories.

“Sec. 133. Consideration of applications.

“PART III—NATIONAL SERVICE PARTICIPANTS

“Sec. 137. Description of participants.

“Sec. 138. Selection of national service participants.

“Sec. 139. Terms of service.

“Sec. 140. Living allowances for national service participants.

“Sec. 141. National service educational awards.

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

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

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

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

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

“Sec. 149. Use by participants with disabilities.

“Sec. 149A. Service-based scholarships to secondary school students.

“Subtitle E—National Civilian Community Corps

“Sec. 151. Purpose.

“Sec. 152. Establishment of National Civilian Community Corps program.

“Sec. 153. National service program.

“Sec. 154. Summer national service program.

“Sec. 155. National Civilian Community Corps.

“Sec. 156. Training.

“Sec. 157. Service projects.

“Sec. 158. Authorized benefits for Corps members.

“Sec. 159. Administrative provisions.

“Sec. 160. Status of Corps members and Corps personnel under Federal law.

“Sec. 161. Contract and grant authority.

“Sec. 162. Responsibilities of other departments.

“Sec. 164. Annual evaluation.

“Sec. 166. Definitions.

“Subtitle F—Administrative Provisions

“Sec. 171. Family and medical leave.

“Sec. 172. Reports.

“Sec. 173. Supplementation.

“Sec. 174. Prohibition on use of funds.

“Sec. 175. Nondiscrimination.

“Sec. 176. Notice, hearing, and grievance procedures.

- "Sec. 177. Nonduplication and nondisplacement.
- "Sec. 178. State Commissions on National and Community Service.
- "Sec. 179. Evaluation.
- "Sec. 180. Engagement of participants.
- "Sec. 181. Contingent extension.
- "Sec. 182. Partnerships with schools.
- "Sec. 183. Rights of access, examination, and copying.
- "Sec. 184. Drug-free workplace requirements.
- "Sec. 185. Consolidated application and reporting requirements.
- "Sec. 186. Accountability for results.
- "Sec. 187. Sustainability.
- "Sec. 188. Capacity building.
- "Sec. 188A. Expenses of attending meetings.
- "Sec. 188B. Grant periods.
- "Sec. 188C. Limitation on program grant costs.
- "Sec. 188D. Notice requirement.
- "Sec. 188E. Audits and reports.
- "Subtitle G—Corporation for National and Community Service
- "Sec. 191. Corporation for National and Community Service.
- "Sec. 192. Board of Directors.
- "Sec. 192A. Authorities and duties of the Board of Directors.
- "Sec. 193. Chief Executive Officer.
- "Sec. 193A. Authorities and duties of the Chief Executive Officer.
- "Sec. 194. Officers.
- "Sec. 195. Employees, consultants, and other personnel.
- "Sec. 196. Administration.
- "Sec. 196A. Corporation State offices.
- "Subtitle H—Investment for Quality and Innovation
- "Sec. 198. Additional Corporation activities to support national service.
- "Sec. 198A. Clearinghouses.
- "Sec. 198B. Presidential awards for service.
- "Sec. 198C. Military installation conversion demonstration programs.
- "Subtitle I—American Conservation and Youth Service Corps
- "Sec. 199. Short title.
- "Sec. 199A. General authority.
- "Sec. 199B. Limitation on purchase of capital equipment.
- "Sec. 199C. State application.
- "Sec. 199D. Focus of programs.
- "Sec. 199E. Related programs.
- "Sec. 199F. Public lands or Indian lands.
- "Sec. 199G. Training and education services.
- "Sec. 199H. Preference for certain projects.
- "Sec. 199I. Age and citizenship criteria for enrollment.
- "Sec. 199J. Use of volunteers.
- "Sec. 199K. Living allowance.
- "Sec. 199L. Joint programs.
- "Sec. 199M. Federal and State employee status.
- "Subtitle J—America's Promise: The Alliance for Youth
- "Sec. 199N. Authority to provide assistance.
- "TITLE II—MODIFICATIONS OF EXISTING PROGRAMS
- "Subtitle A—Publication
- "Sec. 201. Information for students.
- "Sec. 202. Exit counseling for borrowers.
- "Sec. 203. Department information on deferments and cancellations.
- "Sec. 204. Data on deferments and cancellations.
- "Subtitle B—Youthbuild Projects
- "Sec. 211. Youthbuild projects.
- "Subtitle C—Amendments to Student Literacy Corps
- "Sec. 221. Amendments to Student Literacy Corps.
- "TITLE III—POINTS OF LIGHT FOUNDATION
- "Sec. 301. Short title.
- "Sec. 302. Purposes.
- "Sec. 303. Authority.
- "Sec. 304. Grants to the Foundation.
- "Sec. 305. Eligibility of the Foundation for grants.
- "TITLE IV—PROJECTS HONORING VICTIMS OF TERRORIST ATTACKS
- "Sec. 401. Projects.
- "TITLE V—AUTHORIZATION OF APPROPRIATIONS
- "Sec. 501. Authorization of appropriations.
- "TITLE VI—MISCELLANEOUS PROVISIONS
- "Sec. 601. Amtrak waste disposal.
- "Sec. 602. Exchange program with countries in transition from totalitarianism to democracy."
- SEC. 4002. TABLE OF CONTENTS FOR THE DOMESTIC VOLUNTEER SERVICE ACT OF 1973.**
- Section 1(b) of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4950 note) is amended to read as follows:
- "(b) TABLE OF CONTENTS.—The table of contents is as follows:
- "Sec. 1. Short title; table of contents.
- "Sec. 2. Volunteerism policy.
- "TITLE I—NATIONAL VOLUNTEER ANTIPOVERTY PROGRAM
- "PART A—VOLUNTEERS IN SERVICE TO AMERICA
- "Sec. 101. Statement of purpose.
- "Sec. 102. Authority to operate VISTA program.
- "Sec. 103. Selection and assignment of volunteers.
- "Sec. 104. Terms and periods of service.
- "Sec. 105. Support service.
- "Sec. 106. Participation of beneficiaries.
- "Sec. 107. Participation of younger and older persons.
- "Sec. 108. Limitation.
- "Sec. 109. Applications for assistance.
- "PART B—UNIVERSITY YEAR FOR VISTA
- "Sec. 111. Statement of purpose.
- "Sec. 112. Authority to operate University Year for VISTA program.
- "Sec. 113. Special conditions.
- "PART C—SPECIAL VOLUNTEER PROGRAMS
- "Sec. 121. Statement of purpose.
- "Sec. 122. Authority to establish and operate special volunteer and demonstration programs.
- "Sec. 123. Technical and financial assistance.
- "TITLE II—NATIONAL SENIOR SERVICE CORPS
- "Sec. 200. Statement of purposes.
- "PART A—RETIRED AND SENIOR VOLUNTEER PROGRAM
- "Sec. 201. Grants and contracts for volunteer service projects.
- "PART B—FOSTER GRANDPARENT PROGRAM
- "Sec. 211. Grants and contracts for volunteer service projects.
- "PART C—SENIOR COMPANION PROGRAM
- "Sec. 213. Grants and contracts for volunteer service projects.
- "PART D—GENERAL PROVISIONS
- "Sec. 221. Promotion of National Senior Service Corps.
- "Sec. 222. Payments.
- "Sec. 223. Minority group participation.
- "Sec. 224. Use of locally generated contributions in National Senior Service Corps.
- "Sec. 225. Programs of national significance.
- "Sec. 226. Adjustments to Federal financial assistance.
- "Sec. 227. Multiyear grants or contracts.
- "Sec. 228. Participation and income level.
- "Sec. 229. Continuity of service.
- "Sec. 229A. Training and research.
- "PART E—DEMONSTRATION PROGRAMS
- "Sec. 231. Authority of Director.
- "Sec. 232. Prohibition.
- "TITLE IV—ADMINISTRATION AND COORDINATION
- "Sec. 401. Political activities.
- "Sec. 402. Special limitations.
- "Sec. 403. Labor standards.
- "Sec. 404. Joint funding.
- "Sec. 405. Prohibition of Federal control.
- "Sec. 406. Coordination with other programs.
- "Sec. 407. Prohibition.
- "Sec. 408. Distribution of benefits between rural and urban areas.
- "Sec. 409. Application of Federal law.
- "Sec. 410. Nondiscrimination provisions.
- "Sec. 411. Eligibility for other benefits.
- "Sec. 412. Legal expenses.
- "Sec. 413. Definitions.
- "Sec. 414. Audit.
- "Sec. 415. Reduction of paperwork.
- "Sec. 416. Review of project renewals.
- "Sec. 417. Protection against improper use.
- "Sec. 418. Income verification.
- "TITLE V—AUTHORIZATION OF APPROPRIATIONS
- "Sec. 501. National volunteer antipoverty programs.
- "Sec. 502. National Senior Service Corps.
- "Sec. 503. Administration and coordination.
- "Sec. 504. Availability of appropriations.
- "TITLE VI—AMENDMENTS TO OTHER LAWS AND REPEALERS
- "Sec. 601. Supersedece of Reorganization Plan Number 1 of July 1, 1971.
- "Sec. 602. Creditable service for civil service retirement.
- "Sec. 603. Repeal of title VIII of the Economic Opportunity Act.
- "Sec. 604. Repeal of title VI of the Older Americans Act."
- TITLE V—EFFECTIVE DATE AND SENSE OF CONGRESS**
- SEC. 5001. EFFECTIVE DATE.**
- Unless specifically provided otherwise, the amendments made by this Act shall take effect on the date of enactment of this Act.
- SEC. 5002. SERVICE ASSIGNMENTS AND AGREEMENTS.**
- (a) SERVICE ASSIGNMENTS.—Changes pursuant to this Act in the terms and conditions of terms of service and other service assignments under the national service laws (including the amount of the education award) shall apply only to individuals who enroll or otherwise begin service assignments not earlier than the date that is 90 days after the date of enactment of this Act, except when agreed upon by all interested parties.
- (b) AGREEMENTS.—Changes pursuant to this Act in the terms and conditions of grants, contracts, or other agreements under the national service laws shall apply only to such agreements entered into not earlier than the date that is 90 days after the date of enactment of this Act, except when agreed upon by all the parties to such agreements.
- SEC. 5003. SENSE OF CONGRESS.**
- It is the sense of Congress that the Corporation should, in all of its communications, distinguish individuals receiving stipends or allowances from volunteers by—
- (1) referring to participants in AmeriCorps under the National and Community Service Act of 1990 (42 U.S.C. 12501 et seq.) as "members";
- (2) referring to participants in the Foster Grandparent Program as "Foster Grandparents"; and
- (3) referring to participants in the Senior Companion Program as "Companions".
- SEC. 5004. RECRUITMENT AND APPLICATION MATERIALS IN LANGUAGES OTHER THAN ENGLISH.**
- It is the sense of Congress that the programs established or authorized by this Act,

and those which receive funding under the National and Community Service Act of 1990 (42 U.S.C. 12501 et seq.) or the Domestic and Volunteer Service Act of 1973 (42 U.S.C. 4950 et seq.) are encouraged to provide recruitment and application materials in languages other than English, if applicable, in order to serve communities of limited English proficiency, and that such programs may use such funding to provide and distribute such materials.

Mr. MCCAIN. Mr. President, I am grateful to join my colleagues, Senators EVAN BAYH, TED KENNEDY, and BARBARA MIKULSKI in reintroducing the Call to Service Act of 2003. This important legislation significantly expands opportunities for citizens to serve their country as community volunteers and in homeland security functions.

This legislation expands legislation that I introduced with senator BAYH in 2001. A key component of the original McCain/Bayh proposal became law last year. To meet the changing personnel needs of today's military, the Defense Department will now have a new, shorter-term enlistment option. Individuals who volunteer to serve under this new program serve on active duty for 15 months after their initial military training and can complete the remainder of their obligation by choosing service on active duty, in the Selected Reserve or in the Individual Ready Reserve, which can be fulfilled by in a civilian national service program such as the Peace Corps or AmeriCorps). In return for service, the legislation provides loan up to \$18,000, an educational allowance under the Montgomery GI Bill. I am encouraged by the excitement expressed by the Pentagon in meetings about the implementation of the program.

Two months after our legislation was introduced, President Bush made service programs a centerpiece of his 2002 State of the Union address. Unfortunately, since the speech, there has not been much followthrough on the part of this Administration.

From the time President Bush was the Governor of Texas, through his experience as President, he has proudly pointed out the successes of this program. Yet the Fiscal Year 2003 Omnibus Appropriations bill he sent to the Congress forced cuts in the program. Combined with a 50,000 cap placed on the number of AmeriCorps volunteers, AmeriCorps now faces a crisis.

My office has been inundated by phone calls from nervous AmeriCorps volunteers in recent days. They are all expressing the same fear that they will not have the opportunity to continue their service to our communities. Idealistic young men and women in this country got excited when they heard the President promise increased opportunities to serve. It is now time for the Congress and the President to expand opportunities to serve.

There is no shortage of causes that volunteers are eager to fix. We have failing schools, desperate for good teachers. Children in our poorest com-

munities are growing up in need of mentors. Millions of elderly Americans desperately want to stay in their homes and out of nursing facilities, but cannot do so without help with the small tasks of daily life. More and more of our communities are being devastated by natural disasters. Many of the AmeriCorps volunteers work for chronically understaffed organizations such as Boys and Girls Clubs, Habitat for Humanity and the Red Cross. I have to ask why would anyone think we should do anything except increase AmeriCorps to provide opportunities for as many people as possible to serve?

Not only does the community as a whole suffer when AmeriCorps is cut, but those who are eager to serve are affected as well. Currently, over 490 individuals serve in Arizona. Many of Arizona's AmeriCorps volunteers take advantage of the educational opportunities that go along with their service. To date, over 2,100 Arizona residents have taken advantage of the \$4,725 to help pay for college or pay back student loans. The fewer the number of slots available for AmeriCorps volunteers, the fewer the number of men and women who will be able to take advantage of this important opportunity.

I am grateful Senators BOND and MIKULSKI are working to ensure that the OMB ruling on the use of the education trust fund is used. This will ensure that the cut in the number of volunteers is less than originally feared. However make no mistake, there will be far fewer volunteers in 2003.

Our legislation seeks to increase the opportunity to serve in AmeriCorps. The Call to Service Act increases the number of people who volunteer for AmeriCorps by 25,000 per year until 175,000 people are serving in AmeriCorps each year for a five year period. This is a 125,000 increase in volunteers over the current 50,000 volunteers. Many of these new positions will be dedicated to homeland security. This legislation links AmeriCorps to Homeland Defense by directing the Corporation for National Service to work with the Department of Homeland Security to determine ways of promoting national security through service programs.

This legislation also expands eligibility for willing and able seniors to volunteer in a variety of capacities through Senior Corps, including senior companion programs, tutoring, providing long-term care, and serving as foster grandparents.

During my failed Presidential campaign in 2000, I had the opportunity to meet with students all across the country. I was deeply moved by the strong desire these young men and women expressed to serve their country. While I encourage military service to those I meet, I recognize this type of service is not for all. Our legislation increases the opportunities for these citizens.

The response to the terrorist attacks of 9/11 brought out the best in the citizens of the United States. Americans

reached out to their friends, neighbors and those in their communities. Many examples of serving causes greater than their self interest abound. This dedication to volunteer service is still alive today. We cannot continue to wait to provide expanded opportunities for national service. Congress should no longer delay in taking action on legislation to provide opportunities for Americans to serve.

Mr. BAYH. Mr. President, I am privileged to reintroduce the "Call to Service Act" with my colleagues, Senator JOHN MCCAIN, Senator TED KENNEDY and Senator BARBARA MIKULSKI—all great leaders on national service. I am proud to join with them today to offer this significant expansion of national service opportunities for all Americans—young and old, affluent, people of more modest means, all united in their devotion to serving America.

In November 2001, Senator MCCAIN and I introduced the "Call to Service Act" in an attempt to harness the spirit and overwhelming patriotism of our citizens after September 11. We wanted to give concrete opportunities to the countless Americans who were asking what they could do to give back to their country.

Weeks after we introduced our bill, we were encouraged when the President made his own more modest service proposals a rhetorical centerpiece of his 2002 State of the Union address. In that speech, President Bush promised a significant expansion of the AmeriCorps program. He said, "We want to be a nation that serves goals larger than self. We've been offered a unique opportunity, and we must not let this moment pass."

Unfortunately, the President is in danger of letting the moment pass. And now, almost a year and a half later, the promises of that speech sound hollow. The administration's efforts to expand service have been disappointingly lackluster. National Service expansion was held hostage in the last Congress by members of the President's own party on the far right, while he stood idly by.

In fact, Americans now have fewer opportunities to serve than before. In my State of Indiana, we are facing a 92 percent cut in AmeriCorps positions. Last year, there were nearly 400 full-time equivalent positions available to serve in Indiana. This year, there will only be fewer than 40 positions. This will have a dramatic impact on the AmeriCorps programs throughout Indiana and on Hoosiers throughout the State. It is a very real possibility that Indiana will only have one AmeriCorps program this year. Children are not going to be tutored and mentored, homes are not going to be built, neighborhoods are not going to be cleaned up, and communities are going to be left behind. Indiana is not unique, States across the country are facing similar reductions in programs and services.

I am grateful to Senators MIKULSKI and BOND for their efforts to ensure

that the OMB method of accounting is used to determine the number of AmeriCorps positions available this year. With this change, there will still be large reductions in AmeriCorps, but the damage will not be quite as severe.

As AmeriCorps faces its greatest challenge since it was created, it is important to restate our commitment to this program. Our legislation will expand AmeriCorps by 25,000 additional members each year for a total of 175,000 members in five years. It will continue to utilize volunteers to support homeland security functions to help meet our Nation's new security challenges in a smart, cost-efficient manner. Our legislation includes strong accountability measures to ensure that the funds and the volunteers will be devoting themselves to activities and programs that really make a difference, really work. It expands opportunities for our seniors to serve, so that as the baby boom generation retires they can give back to their country.

We stand here today to offer this consensus approach because we know we have arrived at a critical juncture in the cause of expanding national service. We are at risk of missing the moment if we don't act.

Frankly, what is called for here is leadership. We are attempting to provide that today by offering this consensus approach, Republicans and Democrats, leader of the committee, those of us who are not on the committee.

But the President must get engaged. He's said all the right things, now it is important that he do the right thing. If we're going to get a significant commitment to national service it is going to take more than lip service, and I hope that he will step forward and provide the kind of leadership that is necessary before this opportunity slips away from us.

The moment has not yet passed us. Americans are eager to serve. We are eager to enact this legislation, put an end to this sad chapter for national service, and build toward a Nation where the great energies and good intentions of our citizens are put to productive use.

By Mr. LUGAR (by request):

S. 1275. A bill to establish a comprehensive federal program to provide benefits to U.S. victims of international terrorism, and for other purposes; to the Committee on Foreign Relations.

Mr. LUGAR. Mr. President, by request, I introduce for appropriate reference a bill to establish a comprehensive Federal program to provide benefits to U.S. victims of international terrorism.

This proposed legislation has been requested by the Department of State, and I am introducing it in order that there may be a specific bill to which members of the Senate and the public may direct their attention and comments.

I reserve my right to support or oppose this bill, as well as to make any suggested amendments to it, when the matter is considered by the Committee on Foreign Relations.

I ask unanimous consent that the bill be printed in the RECORD together with a letter addressed to me from the Assistant Secretary of State for Legislative Affairs.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1275

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

SEC. 101. SHORT TITLE.

This Act may be cited as the "Benefits for Victims of International Terrorism Act of 2003".

SEC. 102. ESTABLISHMENT OF PROGRAM.

There is established the Benefits for Victims of International Terrorism Program ("Program") under which monetary awards shall be made in accordance with this Act to eligible individuals who are physically injured, killed, or held hostage as a result of an act of international terrorism.

SEC. 103. DEFINITIONS.

In this Act, the following definitions apply:

(a) **ACT OF INTERNATIONAL TERRORISM.**—The term "act of international terrorism" means an activity that constitutes terrorism within the definition provided in Section 2(15) of the Homeland Security Act of 2002 and that was committed by foreign nationals for foreign governments (or the agents thereof) and directed, in whole or in part, at the United States or at an individual because of the individual's status as a national of the United States.

(b) **CLAIMANT.**—The term "claimant" means an individual filing a claim for benefits under this Act. In the case of an individual who died as the direct result of the act of international terrorism, any individual who is eligible to recover under section 107(a) may be a claimant. In the case of an individual who suffered physical injury or was held hostage as the direct result of an act of international terrorism, the claimant shall be the individual who suffered the physical injury or was held hostage, except that a parent or legal guardian may file a claim on behalf of an individual who is less than 18 years of age, incompetent or incapacitated.

(c) **CHILD.**—The term "child" shall have the meaning given to it by 42 U.S.C. 3796b(2).

(d) **DEPARTMENT.**—The term "Department" means the Department of State.

(e) **NATIONAL OF THE UNITED STATES.**—The term "national of the United States" has the meaning given in section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)).

(f) **PHYSICAL INJURY.**—The term "physical injury" means an injury to the body, from a source external to the body, that directly results in partial or total physical disability, incapacity, or disfigurement.

(g) **UNITED STATES.**—The term "United States" means the States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Mariana Islands, the territories and possession of the United States, the territorial sea of the United States, and the airspace above them.

SEC. 104. ADMINISTRATION.

(a) **THRESHOLD DETERMINATION.**—

(1) Upon the occurrence of a terrorist incident, the Secretary of State, in consultation with the Attorney General and the Secretaries of Defense, Homeland Security and the

Treasury, shall promptly determine in writing whether an act of international terrorism as defined in section 103(a) of this Act has taken place. Any such determination shall be published in the Federal Register.

(2) The Secretary of State's determination under this section shall be final and conclusive, and it shall not be subject to review in any judicial, administrative or other proceedings.

(b) **ADJUDICATION AND PAYMENT.**—When a threshold determination set forth in subsection (a) is made, the Department shall have jurisdiction to receive, examine, adjudicate, and render final decisions, and pay awards with respect to claims filed under section 105 in accordance with the provisions of this Act.

SEC. 105. FILING OF CLAIMS.

(a) **IN GENERAL.**—Claims for benefits under the Program shall be filed with the Department on the form developed under subsection (b).

(b) **CLAIM FORM.**—

(1) The Department shall develop a form that claimants shall use when submitting claims under subsection (a).

(2) The claim form at a minimum shall request—

(A) in the case of a claim filed for a death benefit with respect to a decedent, information demonstrating the decedent's death as a direct result of the act of international terrorism and information demonstrating that the claimant is eligible to recover under the Act;

(B) in the case of a claim not involving a death, information demonstrating the physical harm that the claimant suffered as a direct result of the act of international terrorism or information demonstrating the period the claimant was held hostage as a direct result of the act of international terrorism; and

(C) in the case of a claim filed by a parent or legal guardian, information demonstrating the claimant's status a parent or legal guardian.

(3) The claim form shall state clearly and conspicuously the information contained in section 112(c) of this Act.

SEC. 106. ELIGIBILITY.

(a) **IN GENERAL.**—The Department shall review each claim filed under this Program and determine whether the claimant is an eligible individual under subsection (b) of this section or has filed a claim on account of the death of an eligible individual under subsection (b).

(b) **ELIGIBLE INDIVIDUALS.**—An eligible individual is a victim who, as of the date on which the act of international terrorism occurred,

(1) was a national of the United States; and

(2) (A) died as the direct result of the act of international terrorism,

(B) suffered physical injury as the direct result of the act of international terrorism, or

(C) was held hostage as a direct result of an act of international terrorism and not solely for ransom.

(c) **EXCLUSION FOR PARTICIPANTS OR CONSPIRATORS IN ACTS OF TERRORISM.**—A participant or conspirator in any act of international terrorism, or a representative of such individual, shall not be an eligible individual.

(d) **EXCLUSION FOR MILITARY PERSONNEL.**—This Program does not apply to any claim arising out of injury, death, or period as a hostage sustained by a member of the U.S. Armed Forces while serving on active duty.

(e) **SEPTEMBER 11TH VICTIM COMPENSATION FUND.**—Notwithstanding any other provision in this Act, no individual who is or was eligible to recover under the September 11th Victim Compensation Fund of 2001 shall be eligible to recover under this Act.

SEC. 107. NATURE OF AWARDS.

(a) **DEATH BENEFITS.**—In any case in which the Department determines, under regulations issued pursuant to this Act, that an eligible individual has died as the direct and proximate result of an act of international terrorism, the Department shall award a benefit to the survivor or survivors in the same manner and the same amount as death benefits are paid pursuant to the Public Safety Officers' Benefits Program under subpart 1 of part L of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796 et seq.).

(b) **INJURY OR HOSTAGE BENEFIT.**—In the event the claimant was physically injured or held hostage as a direct result of an act of international terrorism, the Department shall award a benefit to the claimant in an amount determined by the Department up to, but not to exceed, the amount provided for under the preceding subsection. The Secretary of State may issue regulations regarding the amount of benefits to be provided under this subsection for categories of injuries or for durations of time as a hostage.

(c) **NO FAULT PROGRAM.**—Awards shall be made without regard to the negligence or any other theory of liability of the claimant or of the individual on whose behalf the claimant is filing a claim.

(d) **REVERSION OF AMOUNTS TO THE FUNDS.**—If no person is entitled to receive the amount awarded under the above subsections, the amount shall revert to the Fund.

SEC. 108. LIMITATIONS ON CLAIMS.

(a) **PROHIBITION ON DOUBLE RECOVERY.**—No benefit is payable under this Act with respect to a victim having been injured or held hostage if a benefit is payable under this Act with respect to the death of such victim. In the event that a payment is made under this Act on account of death or period as a hostage and a death benefit subsequently becomes payable for the death of the same victim, such death benefit shall be reduced by amounts previously awarded.

(b) **TIME LIMITATION FOR FILING.**—No claim may be filed on the basis of an act of international terrorism after the date that is 2 years after the date of publication in the Federal Register of the relevant determination under section 104(a) of this Act.

SEC. 109. INTERNATIONAL TERRORISM BEFORE EFFECTIVE DATE.

(a) **INTERNATIONAL TERRORISM BEFORE EFFECTIVE DATE.**—Benefits may be awarded under this Act, subject to the provisions of subsection (b) of this section, to eligible individuals for acts of international terrorism that took place before the effective date of this Act and which occurred on or after November 1, 1979.

(b) **DETERMINATION.**—The Secretary of State, in consultation with the Attorney General and the Secretaries of Defense, Homeland Security and the Treasury, shall issue, promptly upon the request of a claimant potentially covered under subsection (a), a determination whether an incident that occurred on or after November 1, 1979, and before the date of enactment of this Act was an act of international terrorism. Such requests will be considered only if made within one year after the date of enactment of this Act. Any such determination shall be published in the Federal Register.

SEC. 110. AUTHORIZATION.

(a) **AUTHORIZATION.**—There is established for the purpose of providing benefits under this Act a Victims of International Terrorism Benefits Fund ("Fund"). In addition to amounts otherwise authorized to be appropriated for the Department of State, there are authorized to be appropriated to the Department of State for deposit into the Fund such sums as may be necessary to pay

awards under this Act and to administer this Program.

(1) **Amounts in the Fund shall be available until expended.**

(2) **CONTRIBUTIONS.**—The Secretary of State is authorized to accept such amounts as may be contributed by individuals, business concerns, foreign governments, or other entities for the payment of awards certified under this Act and such amounts may be deposited directly into the Fund.

(3) **Unexpended balances of expired appropriations available to the Department of State may be transferred directly into the Fund for the payment of awards under this Act and, to the extent and in such amounts as provided in appropriations acts, for the costs to administer this Program.**

SEC. 111. SUBROGATION.

The United States shall be subrogated, to the extent of the payments, to any recovery in litigation or settlement of litigation related to an injury, death, or period of a hostage for which payment was made under the Program. Any amounts recovered under this subsection shall be deposited into the Fund established by section 110(a).

SEC. 112. ADMINISTRATIVE PROVISIONS.

(a) **RULE AND PROCEDURES.**—The Secretary of State may issue such rules and procedures as may be necessary to carry out this Act, including rules with respect to choice of law principles, admitting agents or other persons to representation before the Department of claimants under this Act, and the nature and maximum amount of fees that such agent or other person may charge for such representation.

(b) **ACTS COMMITTED TO OFFICER'S DISCRETION.**—Any action taken or omitted by an officer of the United States under this Act is committed to the discretion of such officer.

(c) **CIVIL ACTIONS AGAINST FOREIGN STATES.**—

(1) A person who by a civil action has obtained and received full satisfaction of a judgment against a foreign state or government or its agencies or instrumentalities, or against the United States or its agencies or instrumentalities, for death, injury, or period as a hostage due to an act of international terrorism shall not receive an award under this Act based on the same act of international terrorism.

(2) A person who has accepted benefits pursuant to an award under this Act relating to an act of international terrorism shall not thereafter commence or maintain in a court of the United States a civil action based on the same act of international terrorism against a foreign state or government or its agencies or instrumentalities or against the United States or its agencies or instrumentalities.

SEC. 113. NO JUDICIAL REVIEW.

Decisions made under this Act shall not be subject to review in any judicial, administrative or other proceeding.

SEC. 114. CONFORMING AMENDMENTS.

(a) Section 201 of the Terrorism Risk Insurance Act of 2002 (Public Law 107-297) is amended by adding the following as new subsection (e):

"(e) Subsection (a) shall not apply to any judgment obtained pursuant to a complaint filed after [the date of submission of the Benefits for Victims of International Terrorism Act of 2003]."

(b) Section 1610(f) of Title 28, United States Code (28 U.S.C. 1610(f)), is amended by adding the following at the end as new subparagraph (4):

"(4) Subsection (f) shall not apply to any judgment obtained pursuant to a complaint filed after [the date of submission of the Benefits for Victims of International Terrorism Act of 2003]."

U.S. DEPARTMENT OF STATE,
Washington, DC, June 5, 2003.

Hon. RICHARD G. LUGAR,
Chairman, Committee on Foreign Relations,
U.S. Senate.

DEAR MR. CHAIRMAN: We are transmitting for your consideration a draft bill to establish a program to provide benefits for United States victims of international terrorism.

The proposed legislation is based on the following three principles:

The program should provide the same benefits to those with low incomes as those with greater means;

Victims should receive compensation as quickly as possible; and

The amount of compensation should be on par with that provided to families of public safety officers killed in the line of duty (currently \$262,000).

Thus, the government program should not be designed as the primary means of compensating victims and victims' families for their losses, but rather should complement life insurance, savings, and other private financial measures.

In contrast to a mechanism that uses blocked assets and rewards those that can secure judgements before such assets are exhausted, a fund based on the above principles would provide compensation for all victims fairly and equitably. It also preserves the President's prerogatives in the area of foreign affairs.

The proposed fund would be administered within the Department of State. The legislation includes authorization for appropriations necessary to compensate victims. In addition to these costs, a benefits adjudication unit will be established within the Department soon after enactment.

The Office of Management and Budget advises that there is no objection from the standpoint of the Administration's program to the submission of this proposal to Congress.

We urge your support for passage of this legislation, which provides compensation for U.S. victims of international terrorism in a fair and rational way.

Sincerely,

PAUL V. KELLY,
Assistant Secretary,
Legislative Affairs.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 172—HONORING THE LIFE OF MEDIA REPORTING GIANT DAVID BRINKLEY, AND EXPRESSING THE DEEPEST CONDOLENCES OF THE SENATE TO HIS FAMILY ON HIS DEATH

Mr. MCCONNELL (for himself and Mrs. DOLE) submitted the following resolution; which was considered and agreed to:

S. RES. 172

Whereas the Senate has learned with sadness of the death of David Brinkley;

Whereas David Brinkley, born in Wilmington, NC, greatly distinguished himself as a newspaper reporter, radio correspondent, and television correspondent;

Whereas David Brinkley attended the University of North Carolina and served in the North Carolina National Guard;

Whereas David Brinkley's first job in Washington was covering the White House in 1943 for NBC as a radio reporter;

Whereas David Brinkley co-anchored "The Huntley-Brinkley Report," along with Chet