

111TH CONGRESS
1ST SESSION

S. 466

To amend the National and Community Service Act of 1990 to establish a Summer of Service State grant program, a Summer of Service national direct grant program, and related national activities, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 24, 2009

Mr. DODD (for himself, Mr. COCHRAN, Mr. KENNEDY, Mr. CASEY, Mr. KERRY, Mr. ROCKEFELLER, and Mr. NELSON of Florida) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the National and Community Service Act of 1990 to establish a Summer of Service State grant program, a Summer of Service national direct grant program, and related national activities, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Summer of Service
5 Act of 2009”.

6 **SEC. 2. FINDINGS AND PURPOSES.**

7 (a) FINDINGS.—Congress finds the following:

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

4 (2) Americans desire to affirm common respon-
5 sibilities and shared values, and join together in
6 positive experiences, that transcend race, religion,
7 gender, age, disability, region, income, and edu-
8 cation.

9 (3) Americans of all ages can improve their
10 communities and become better citizens through
11 service to their communities.

12 (4) When youth participate in service activities
13 and see that they are able to improve the lives of
14 others, the youth feel better able to control their own
15 lives in a positive way, avoiding risky behaviors,
16 strengthening their community connections, and be-
17 coming more engaged in their own education.

18 (5) When youth service is tied to learning objec-
19 tives, that service is shown to decrease alienation
20 and behavior problems, and increase knowledge of
21 community needs, commitment to an ethic of service,
22 and understanding of politics and morality.

23 (6) When service is tied to what students are
24 learning in school, the students make gains on

1 achievement tests, complete their homework more
2 often, and increase their grade point averages.

3 (7) Students who engage in service-learning im-
4 prove their communication skills, increase their
5 awareness of career possibilities, have a deeper un-
6 derstanding of social and economic issues that face
7 the United States, and develop more positive work-
8 place attitudes, preparing them to take their places
9 as future leaders of the United States.

10 (8) In a national poll, more than 80 percent of
11 parents said that their child would benefit from an
12 after school program that offered community service
13 and 95 percent of teens agreed that is important to
14 volunteer time to community efforts.

15 (b) PURPOSE.—The purposes of this Act are to—

16 (1) offer youth the chance to spend a summer
17 in service to their communities as a rite of passage
18 before high school;

19 (2) teach civic participation skills to youth and
20 help youth see themselves as resources and leaders
21 for their communities;

22 (3) expand educational opportunities and dis-
23 courage “summer slide” by engaging youth in sum-
24 mer service-learning opportunities;

1 (4) encourage youth, regardless of age, income,
2 or disability, to engage in community service;

3 (5) provide tangible benefits to the communities
4 in which Summer of Service programs are per-
5 formed; and

6 (6) enhance the social-emotional development of
7 youth of all backgrounds.

8 **SEC. 3. SUMMER OF SERVICE PROGRAMS.**

9 Title I of the National and Community Service Act
10 of 1990 (42 U.S.C. 12511 et seq.) is amended—

11 (1) by redesignating subtitles F, G, H, and I as
12 subtitles G, H, I, and J, respectively;

13 (2) by redesignating sections 160 through 166
14 as sections 159A through 159G, respectively; and

15 (3) by inserting after subtitle E the following:

16 **“Subtitle F—Summer of Service**
17 **Programs**

18 **“SEC. 161. DEFINITIONS.**

19 “In this subtitle:

20 “(1) EDUCATIONAL AWARD.—The term ‘edu-
21 cational award’ means an award disbursed under
22 section 162B(d) or 163B(d).

23 “(2) ELIGIBLE ENTITY.—The term ‘eligible en-
24 tity’ means a public or private nonprofit organiza-
25 tion, an institution of higher education, a local edu-

educational agency, a public elementary school or public secondary school, or a consortium of 2 or more of the entities described in this paragraph.

“(3) ELIGIBLE YOUTH.—The term ‘eligible youth’ means a youth who will be enrolled in the sixth, seventh, eighth, or ninth grade at the end of the summer for which the youth would participate in community service under this subtitle.

**“PART I—SUMMER OF SERVICE STATE GRANT
PROGRAM**

“SEC. 162. GRANTS TO STATES.

“(a) GRANTS.—

“(1) IN GENERAL.—The Chief Executive Officer shall award grants on a competitive basis to States, to enable the State Commissions—

“(A) to carry out State-level activities under subsection (d); and

“(B) to award subgrants on a competitive basis under section 162A to eligible entities to pay for the Federal share of the cost of carrying out community service projects.

“(2) FUNDS FOR EDUCATIONAL AWARDS.—The Chief Executive Officer shall decide whether funds appropriated to carry out this part and available for

1 educational awards (referred to in this part as ‘edu-
 2 cational award funds’) shall be—

3 “(A) included in the funds for such grants
 4 to States and subgrants to eligible entities; or

5 “(B) reserved by the Chief Executive Offi-
 6 cer, deposited in the National Service Trust for
 7 educational awards, and disbursed according to
 8 paragraphs (1) and (3) of section 162B(d).

9 “(3) PERIODS OF GRANTS.—The Chief Execu-
 10 tive Officer shall award the grants for periods of 3
 11 years.

12 “(4) AMOUNTS OF GRANTS.—The Chief Execu-
 13 tive Officer shall award such a grant to a State for
 14 a program in a sum equal to—

15 “(A) the amount obtained by multiplying
 16 \$500 and the number of youth who will partici-
 17 pate in the program (to be used for program
 18 expenses);

19 “(B) unless the Chief Executive Officer de-
 20 cides to deposit funds for educational awards in
 21 the National Service Trust, as described in
 22 paragraph (2)(B), an additional amount equal
 23 to the amount described in subparagraph (A)
 24 (to be used for educational awards); and

1 “(C) an amount sufficient to provide for
 2 the reservation for State-level activities de-
 3 scribed in subsection (d).

4 “(b) STATE APPLICATION.—To be eligible to receive
 5 a grant under this section, a State shall submit an applica-
 6 tion to the Chief Executive Officer at such time, in such
 7 manner, and containing such information as the Chief Ex-
 8 ecutive Officer may require, including information that—

9 “(1) designates the State Commission as the
 10 agency responsible for the administration and super-
 11 vision of the community service program carried out
 12 under this part in the State;

13 “(2) describes how the State Commission will
 14 use funds received under this part, including funds
 15 reserved for State-level activities under subsection
 16 (d);

17 “(3) describes the procedures and criteria the
 18 State Commission will use for reviewing applications
 19 and awarding subgrants on a competitive basis
 20 under section 162A to eligible entities for projects,
 21 including how the State Commission will give pri-
 22 ority to an entity that—

23 “(A) offers a quality plan for or has an es-
 24 tablished track record of carrying out the activi-
 25 ties described in the entity’s application;

1 “(B) has a leadership position in the com-
 2 munity from which the youth participating in
 3 the project described in the application will be
 4 drawn;

5 “(C) proposes a project that focuses on
 6 service by the participants during the transition
 7 year before high school;

8 “(D) plans to ensure that at least 50 per-
 9 cent of the participants are low-income eligible
 10 youth;

11 “(E) proposes a project that encourages or
 12 enables youth to continue participating in com-
 13 munity service throughout the school year;

14 “(F) plans to involve the participants in
 15 the design and operation of the project, includ-
 16 ing involving the participants in conducting a
 17 needs-based assessment of community needs;

18 “(G) proposes a project that involves youth
 19 of different ages, races, sexes, ethnic groups, re-
 20 ligions, disability categories, or economic back-
 21 grounds serving together; and

22 “(H) proposes a project that provides high
 23 quality service-learning experiences;

24 “(4) describes the steps the State Commission
 25 will take, including the provision of ongoing tech-

1 nical assistance described in subsection (d)(2) and
 2 training, to ensure that projects funded under sec-
 3 tion 162A will implement effective strategies; and

4 “(5) describes how the State Commission will
 5 evaluate the projects, which shall include, at a min-
 6 imum—

7 “(A) a description of the objectives and
 8 benchmarks that will be used to evaluate the
 9 projects; and

10 “(B) a description of how the State Com-
 11 mission will disseminate the results of the eval-
 12 uations, as described in subsection (d)(4)(C).

13 “(c) APPLICANT REVIEW.—

14 “(1) SELECTION CRITERIA.—The Chief Execu-
 15 tive Officer shall evaluate applications for grants
 16 under this section based on the quality, innovation,
 17 replicability, and sustainability of the State pro-
 18 grams proposed by the applicants.

19 “(2) REVIEW PANELS.—The Chief Executive
 20 Officer shall employ the review panels established
 21 under section 165A in reviewing the applications.

22 “(3) NOTIFICATION OF APPLICANTS.—If the
 23 Chief Executive Officer rejects an application sub-
 24 mitted under this section, the Chief Executive Offi-

1 cer shall promptly notify the applicant of the reasons
 2 for the rejection of the application.

3 “(4) RESUBMISSION AND RECONSIDERATION.—

4 The Chief Executive Officer shall provide an appli-
 5 cant notified of rejection with a reasonable oppor-
 6 tunity to revise and resubmit the application. At the
 7 request of the applicant, the Chief Executive Officer
 8 shall provide technical assistance to the applicant as
 9 part of the resubmission process. The Chief Execu-
 10 tive Officer shall promptly reconsider an application
 11 resubmitted under this paragraph.

12 “(d) STATE-LEVEL ACTIVITIES.—A State that re-
 13 ceives a grant under this section may reserve up to 5 per-
 14 cent of the grant funds for State-level activities, which
 15 may include—

16 “(1) hiring staff to administer the program car-
 17 ried out under this part in the State;

18 “(2) providing technical assistance, including
 19 technical assistance concerning the professional de-
 20 velopment and training of personnel, to eligible enti-
 21 ties that receive subgrants under section 162A;

22 “(3) conducting outreach and dissemination of
 23 program-related information to ensure the broadest
 24 possible involvement of eligible entities and local eli-

1 gible youth in the program carried out under this
2 part; and

3 “(4)(A) conducting an evaluation of the
4 projects carried out by eligible entities under this
5 part;

6 “(B) using the results of the evaluation to col-
7 lect and compile information on best practices and
8 models for such projects; and

9 “(C) disseminating widely the results of the
10 evaluation.

11 **“SEC. 162A. SUBGRANTS TO ELIGIBLE ENTITIES.**

12 “(a) SUBGRANTS.—

13 “(1) IN GENERAL.—A State that receives a
14 grant under section 162 shall use the grant funds to
15 award subgrants on a competitive basis to eligible
16 entities to pay for the Federal share of the cost of
17 carrying out community service projects.

18 “(2) PERIODS OF SUBGRANTS.—The State shall
19 award the subgrants for periods of 3 years.

20 “(3) AMOUNTS OF SUBGRANTS.—The State
21 shall award such a subgrant to an eligible entity for
22 a project in a sum equal to—

23 “(A) the amount obtained by multiplying
24 \$500 and the number of youth who will partici-

1 pate in the project (to be used for project ex-
2 penses); and

3 “(B) unless the Chief Executive Officer de-
4 cides to deposit funds for educational awards in
5 the National Service Trust, as described in sec-
6 tion 162(a)(2)(B), an additional amount equal
7 to the amount described in subparagraph (A)
8 (to be used for educational awards).

9 “(b) APPLICATIONS.—To be eligible to receive a
10 subgrant under this section for a project, an entity shall
11 submit an application to the State Commission at such
12 time, in such manner, and containing such information as
13 the State Commission may require, including information
14 that—

15 “(1) designates the community in which the en-
16 tity will carry out the project, which community may
17 be the service area of an elementary school or sec-
18 ondary school, a school district, a city, town, village,
19 or other locality, a county, the area in which a pub-
20 lic housing project is located, a neighborhood, or an-
21 other geographically or politically designated area;

22 “(2) describes the manner in which the entity
23 will—

24 “(A) engage a substantial portion of the
25 youth in the designated community;

1 “(B) engage a variety of entities and indi-
2 viduals, such as youth organizations, elemen-
3 tary schools or secondary schools, elected offi-
4 cials, organizations offering summer camps,
5 civic groups, nonprofit organizations, and other
6 entities within the designated community to
7 offer a variety of summer service opportunities
8 as part of the project;

9 “(C) ensure that the youth participating in
10 the project engage in service-learning;

11 “(D) engage as volunteers in the project
12 business, civic, or community organizations or
13 individuals, which may include older individuals,
14 volunteers in the National Senior Volunteer
15 Corps established under title II of the Domestic
16 Volunteer Service Act of 1973 (42 U.S.C. 5000
17 et seq.), participants in the school-based and
18 community-based service-learning programs car-
19 ried out under parts I and II of subtitle B, par-
20 ticipants in the AmeriCorps program carried
21 out under subtitle C, or students enrolled in
22 secondary schools or institutions of higher edu-
23 cation;

1 “(E) ensure that youth participating in the
2 project provide at least 100 hours of community
3 service for the project;

4 “(F) recruit eligible youth to participate in
5 the project;

6 “(G) recruit service sponsors for commu-
7 nity service activities carried out through the
8 project, if the eligible entity intends to enter
9 into an arrangement with such sponsors to pro-
10 vide project placements for the youth;

11 “(H) promote leadership development and
12 build an ethic of civic responsibility among the
13 youth;

14 “(I) provide team-oriented, adult-super-
15 vised experiences through the project;

16 “(J) conduct opening and closing cere-
17 monies honoring participants in the project;

18 “(K) involve youth who are participating in
19 the project in the design and planning of the
20 project; and

21 “(L) provide training, which may include
22 life skills, financial education, and employment
23 training, in addition to training concerning the
24 specific community service to be provided
25 through the project, for the youth; and

1 “(3)(A) specifies project outcome objectives re-
 2 lating to youth development or education achieve-
 3 ment, community strengthening, and community im-
 4 provement;

5 “(B) describes how the eligible entity will estab-
 6 lish annual benchmarks for the objectives, and annu-
 7 ally conduct an evaluation to measure progress to-
 8 ward the benchmarks; and

9 “(C) provides an assurance that the eligible en-
 10 tity will annually make the results of such evaluation
 11 available to the State.

12 “(c) CONTINUED ELIGIBILITY.—To be eligible to re-
 13 ceive funds under this section for a second or subsequent
 14 year of a subgrant period, an entity shall demonstrate that
 15 the entity has met the annual benchmarks for the objec-
 16 tives described in subsection (b)(3).

17 “(d) SELECTION OF SUBGRANT RECIPIENTS.—In
 18 awarding subgrants under this section, the State shall en-
 19 sure that projects are funded in a variety of geographic
 20 areas, including urban and rural areas.

21 **“SEC. 162B. SUMMER OF SERVICE PROJECTS.**

22 “(a) USE OF FUNDS.—

23 “(1) IN GENERAL.—An eligible entity that re-
 24 ceives a subgrant under section 162A shall use the

1 subgrant funds to carry out a community service
2 project.

3 “(2) SPECIFIC USES.—The eligible entity may
4 use the subgrant funds to pay for—

5 “(A) hiring staff to administer the project;

6 “(B) developing or acquiring service-learn-
7 ing curricula for the project, to be integrated
8 into academic programs, including making
9 modifications for students who are individuals
10 with disabilities and students with limited
11 English proficiency;

12 “(C) forming local partnerships to develop
13 and offer a variety of service-learning programs
14 for local youth participating in the project;

15 “(D) establishing benchmarks, conducting
16 evaluations, and making evaluation results
17 available, as described in subparagraphs (B)
18 and (C) of section 162A(b)(3);

19 “(E) conducting outreach and dissemina-
20 tion of program-related information to ensure
21 the broadest possible involvement of local eligi-
22 ble youth and community partners in the
23 project;

24 “(F) conducting ceremonies as described in
25 section 162A(b)(2)(J);

1 “(G) carrying out basic implementation of
2 the community service project; and

3 “(H) carrying out planning activities, dur-
4 ing an initial 6 to 9 months of the subgrant pe-
5 riod.

6 “(3) NON-FEDERAL SHARE.—An eligible entity
7 that receives a subgrant under section 162A shall
8 provide the non-Federal share of the costs described
9 in section 162A(a)(1) from private or public sources
10 other than the subgrant funds. The sources may in-
11 clude fees charged to the parents of the youth par-
12 ticipating in the community service project involved
13 and determined on a sliding scale based on income.

14 “(b) SERVICE PROJECTS.—

15 “(1) ELIGIBLE SERVICE CATEGORIES.—The eli-
16 gible entity may use the subgrant funds to carry out
17 a community service project to meet unmet human,
18 educational, environmental, or public safety needs.

19 “(2) INELIGIBLE SERVICE CATEGORIES.—The
20 eligible entity may not use the subgrant funds to
21 carry out a service project in which participants per-
22 form service described in section 132(a).

23 “(c) PERIOD OF SERVICE PROJECTS.—The eligible
24 entity—

1 “(1) shall carry out the community service
 2 project funded under section 162A during a period,
 3 the majority of which occurs in the months of June,
 4 July, and August; and

5 “(2) may carry out the project in conjunction
 6 with a related after school or in-school service-learn-
 7 ing project operated during the remaining months of
 8 the year.

9 “(d) EDUCATIONAL AWARD.—

10 “(1) ELIGIBILITY.—Each eligible youth who
 11 provides at least 100 hours of community service for
 12 a project carried out under this part shall be eligible
 13 to receive an educational award of not more than
 14 \$500. An eligible youth may participate in more
 15 than 1 such project but shall not receive in excess
 16 of \$1,000 in total for such participation.

17 “(2) DISBURSEMENTS BY ELIGIBLE ENTITY.—
 18 If the Chief Executive Officer decides under section
 19 162(a)(2)(A) to include educational award funds in
 20 subgrants under this part, the eligible entity car-
 21 rying out the project shall—

22 “(A) disburse an educational award de-
 23 scribed in paragraph (1) in accordance with
 24 regulations issued by the Chief Executive Offi-
 25 cer, which—

1 “(i) may permit disbursal of the
 2 award to the parents of the youth that
 3 have established a qualified tuition pro-
 4 gram account under section 529 of the In-
 5 ternal Revenue Code of 1986, for deposit
 6 into the account; but

7 “(ii) shall not otherwise permit dis-
 8 bursal of the award to the parents; or

9 “(B) enter into a contract with a private
 10 sector organization to hold the educational
 11 award funds and disburse the educational
 12 award as described in subparagraph (A).

13 “(3) DISBURSEMENTS BY CHIEF EXECUTIVE
 14 OFFICER.—If the Chief Executive Officer decides
 15 under section 162(a)(2)(B) to reserve educational
 16 award funds, the Chief Executive Officer shall dis-
 17 burse the educational award as described in para-
 18 graph (2)(A).

19 **“SEC. 162C. SUPPLEMENTAL GRANTS.**

20 “(a) IN GENERAL.—The Chief Executive Officer may
 21 award a supplemental grant to an eligible entity that dem-
 22 onstrates the matters described in subsection (b), to assist
 23 the entity in carrying out a community service project in
 24 accordance with the requirements of this part, as deter-
 25 mined appropriate by the Chief Executive Officer.

1 “(b) APPLICATION.—To be eligible to receive a sup-
 2 plemental grant under subsection (a), an entity shall sub-
 3 mit an application to the Chief Executive Officer, at such
 4 time, in such manner, and containing such information as
 5 the Chief Executive Officer may require, including infor-
 6 mation demonstrating—

7 “(1) that the entity received a subgrant under
 8 section 162A for a community service project; and

9 “(2) that the entity would be unable to carry
 10 out the project without substantial hardship unless
 11 the entity received a supplemental grant under sub-
 12 section (a).

13 “(c) AMOUNT OF GRANT.—The Chief Executive Offi-
 14 cer shall award such a grant to an eligible entity for the
 15 project in the amount obtained by multiplying \$250 and
 16 the number of youth who will participate in the project
 17 (to be used for project expenses).

18 **“SEC. 162D. INDIAN TRIBES AND TERRITORIES.**

19 “From the funds made available to carry out this
 20 part under section 165(b)(2)(A) for any fiscal year, the
 21 Chief Executive Officer shall reserve an amount of not
 22 more than 3 percent for payments to Indian tribes, the
 23 United States Virgin Islands, Guam, American Samoa,
 24 and the Commonwealth of the Northern Mariana Islands,
 25 to be used in accordance with the requirements of this

1 part, as determined appropriate by the Chief Executive
2 Officer.

3 **“PART II—SUMMER OF SERVICE NATIONAL**
4 **DIRECT GRANT PROGRAM**

5 **“SEC. 163. NATIONAL DIRECT GRANTS.**

6 “(a) GRANTS.—

7 “(1) IN GENERAL.—The Chief Executive Offi-
8 cer shall award grants on a competitive basis to pub-
9 lic or private organizations (referred to individually
10 in this part as an ‘organization’)—

11 “(A) to carry out quality assurance activi-
12 ties under subsection (d); and

13 “(B) to pay for the Federal share of the
14 cost of carrying out a community service pro-
15 gram—

16 “(i) in a State where the State Com-
17 mission does not apply for funding under
18 part I; or

19 “(ii) in multiple States.

20 “(2) FUNDS FOR EDUCATIONAL AWARDS.—The
21 Chief Executive Officer shall decide whether funds
22 appropriated to carry out this part and available for
23 educational awards (referred to in this part as ‘edu-
24 cational award funds’) shall be—

1 “(A) included in the funds for such grants
2 to organizations and any subgrants to local pro-
3 viders; or

4 “(B) reserved by the Chief Executive Offi-
5 cer, deposited in the National Service Trust for
6 educational awards, and disbursed according to
7 paragraphs (1) and (3) of section 163B(d).

8 “(3) PERIODS OF GRANTS.—The Chief Execu-
9 tive Officer shall award the grants for periods of 3
10 years.

11 “(4) AMOUNTS OF GRANTS.—The Chief Execu-
12 tive Officer shall award such a grant to an organiza-
13 tion for a program in a sum equal to—

14 “(A) the amount obtained by multiplying
15 \$500 and the number of youth who will partici-
16 pate in the program (to be used for program
17 expenses);

18 “(B) unless the Chief Executive Officer de-
19 cides to deposit funds for educational awards in
20 the National Service Trust, as described in
21 paragraph (2)(B), an additional amount equal
22 to the amount described in subparagraph (A)
23 (to be used for educational awards); and

1 “(C) an amount sufficient to provide for
2 the reservation for quality assurance activities
3 described in subsection (d).

4 “(b) NATIONAL DIRECT APPLICATIONS.—To be eligi-
5 ble to receive a grant under this section for a community
6 service program, an organization shall submit an applica-
7 tion to the Chief Executive Officer at such time, in such
8 manner, and containing such information as the Chief Ex-
9 ecutive Officer may require, including information that—

10 “(1) describes how the organization will use
11 funds received under this part, including funds re-
12 served for quality assurance activities under sub-
13 section (d);

14 “(2)(A) describes the procedures and criteria
15 the organization will use for reviewing applications
16 and awarding subgrants on a competitive basis
17 under section 163A to local providers for projects,
18 including how the organization will give priority to
19 a provider that, with respect to each project de-
20 scribed in the application—

21 “(i) offers a quality plan for or has an es-
22 tablished track record of carrying out the activi-
23 ties described in the provider’s application;

1 “(ii) has a leadership position in the com-
 2 munity from which the youth participating in
 3 the project will be drawn;

4 “(iii) proposes a project that focuses on
 5 service by the participants during the transition
 6 year before high school;

7 “(iv) plans to ensure that at least 50 per-
 8 cent of the participants are low-income eligible
 9 youth;

10 “(v) proposes a project that encourages or
 11 enables youth to continue participating in com-
 12 munity service throughout the school year;

13 “(vi) plans to involve the participants in
 14 the design and operation of the project, includ-
 15 ing involving the participants in conducting a
 16 needs-based assessment of community needs;

17 “(vii) proposes a project that involves
 18 youth of different ages, races, sexes, ethnic
 19 groups, religions, disability categories, or eco-
 20 nomic backgrounds serving together; and

21 “(viii) proposes a project that provides
 22 high quality service-learning experiences; or

23 “(B) if the organization will carry out the com-
 24 munity service program directly, demonstrates that
 25 the organization meets the requirements of clauses

1 (i) through (viii) of subparagraph (A) with respect
 2 to each project described in the application;

3 “(3) describes the steps the organization will
 4 take, including the provision of ongoing technical as-
 5 sistance described in subsection (d)(2)) and training,
 6 to ensure that projects funded under this part will
 7 implement effective strategies; and

8 “(4) describes how the organization will evalu-
 9 ate the projects funded under this part, which shall
 10 include, at a minimum—

11 “(A) a description of the objectives and
 12 benchmarks that will be used to evaluate the
 13 projects; and

14 “(B) a description of how the organization
 15 will disseminate widely the results of the eval-
 16 uations, as described in subsection (d)(3)(C).

17 “(c) APPLICANT REVIEW.—

18 “(1) SELECTION CRITERIA.—The Chief Execu-
 19 tive Officer shall evaluate applications for grants
 20 under this section based on the quality, innovation,
 21 replicability, and sustainability of the programs pro-
 22 posed by the applicants.

23 “(2) REVIEW PANELS.—The Chief Executive
 24 Officer shall employ the review panels established
 25 under section 165A in reviewing the applications.

1 “(3) NOTIFICATION OF APPLICANTS.—If the
 2 Chief Executive Officer rejects an application sub-
 3 mitted under this section, the Chief Executive Offi-
 4 cer shall promptly notify the applicant of the reasons
 5 for the rejection of the application.

6 “(4) RESUBMISSION AND RECONSIDERATION.—
 7 The Chief Executive Officer shall provide an appli-
 8 cant notified of rejection with a reasonable oppor-
 9 tunity to revise and resubmit the application. At the
 10 request of the applicant, the Chief Executive Officer
 11 shall provide technical assistance to the applicant as
 12 part of the resubmission process. The Chief Execu-
 13 tive Officer shall promptly reconsider an application
 14 resubmitted under this paragraph.

15 “(d) QUALITY ASSURANCE ACTIVITIES.—An organi-
 16 zation that receives a grant under this section may reserve
 17 up to 5 percent of the grant funds for quality assurance
 18 activities, which may include—

19 “(1) hiring staff to administer the program car-
 20 ried out under this part by the organization;

21 “(2) providing technical assistance, including
 22 technical assistance concerning the professional de-
 23 velopment and training of personnel, to local pro-
 24 viders that receive subgrants under section 163A;
 25 and

1 “(3)(A) conducting an evaluation of the
2 projects carried out by local providers of the organi-
3 zation under this part;

4 “(B) using the results of the evaluation to col-
5 lect and compile information on best practices and
6 models for such projects; and

7 “(C) disseminating widely the results of the
8 evaluation.

9 **“SEC. 163A. SUBGRANTS TO LOCAL PROVIDERS.**

10 “(a) SUBGRANTS.—

11 “(1) IN GENERAL.—An organization that re-
12 ceives a grant under section 163 may use the grant
13 funds to award subgrants on a competitive basis to
14 local providers to pay for the Federal share of the
15 cost of carrying out community service projects.

16 “(2) PERIODS OF SUBGRANTS.—The organiza-
17 tion shall award the subgrants for periods of 3
18 years.

19 “(3) AMOUNTS OF SUBGRANTS.—The organiza-
20 tion shall award such a subgrant to a local provider
21 for a project in a sum equal to—

22 “(A) the amount obtained by multiplying
23 \$500 and the number of youth who will partici-
24 pate in the project (to be used for project ex-
25 penses); and

1 “(B) unless the Chief Executive Officer de-
 2 cides to deposit funds for educational awards in
 3 the National Service Trust, as described in sec-
 4 tion 163(a)(2)(B), an additional amount equal
 5 to the amount described in subparagraph (A)
 6 (to be used for educational awards).

7 “(b) LOCAL PROVIDER APPLICATION.—To be eligible
 8 to receive a subgrant under this section, a local provider
 9 shall submit an application to the organization at such
 10 time, in such manner, and containing such information as
 11 the organization may require, including information
 12 that—

13 “(1) designates the communities in which the
 14 local provider will carry out projects under the
 15 subgrant, each of which communities may be the
 16 service area of an elementary school or secondary
 17 school, a school district, a city, town, village, or
 18 other locality, a county, the area in which a public
 19 housing project is located, a neighborhood, or an-
 20 other geographically or politically designated area;

21 “(2) for each project described in such applica-
 22 tion, describes the manner in which the local pro-
 23 vider will—

24 “(A) engage a substantial portion of the
 25 youth in the designated community involved;

1 “(B) engage a variety of entities and indi-
2 viduals, such as youth organizations, elemen-
3 tary schools or secondary schools, elected offi-
4 cials, organizations offering summer camps,
5 civic groups, nonprofit organizations, and other
6 entities within the designated community to
7 offer a variety of summer service opportunities
8 as part of the project;

9 “(C) ensure that the youth participating in
10 the project engage in service-learning;

11 “(D) engage as volunteers in the project
12 business, civic, or community organizations or
13 individuals, which may include older individuals,
14 volunteers in the National Senior Volunteer
15 Corps established under title II of the Domestic
16 Volunteer Service Act of 1973 (42 U.S.C. 5000
17 et seq.), participants in the school-based and
18 community-based service-learning programs car-
19 ried out under parts I and II of subtitle B, par-
20 ticipants in the AmeriCorps program carried
21 out under subtitle C, or students enrolled in
22 secondary schools or institutions of higher edu-
23 cation;

1 “(E) ensure that youth participating in the
2 project provide at least 100 hours of community
3 service for the project;

4 “(F) recruit eligible youth to participate in
5 the project;

6 “(G) recruit service sponsors for commu-
7 nity service activities carried out through the
8 project, if the local provider intends to enter
9 into an arrangement with such sponsors to pro-
10 vide project placements for the youth;

11 “(H) promote leadership development and
12 build an ethic of civic responsibility among the
13 youth;

14 “(I) provide team-oriented, adult-super-
15 vised experiences through the project;

16 “(J) conduct opening and closing cere-
17 monies honoring participants in the project;

18 “(K) involve youth who are participating in
19 the project in the design and planning of the
20 project; and

21 “(L) provide training, which may include
22 life skills, financial education, and employment
23 training, in addition to training concerning the
24 specific community service to be provided
25 through the project, for the youth; and

1 “(3)(A) specifies project outcome objectives re-
 2 lating to youth development or education achieve-
 3 ment, community strengthening, and community im-
 4 provement;

5 “(B) describes how the local provider will estab-
 6 lish annual benchmarks for the objectives, and annu-
 7 ally conduct an evaluation to measure progress to-
 8 ward the benchmarks; and

9 “(C) provides an assurance that the local pro-
 10 vider will annually make the results of such evalua-
 11 tion available to the organization.

12 “(c) CONTINUED ELIGIBILITY.—To be eligible to re-
 13 ceive funds under this section for a second or subsequent
 14 year of a subgrant period, a local provider shall dem-
 15 onstrate that all the projects for which the subgrant was
 16 awarded met the annual benchmarks for the objectives de-
 17 scribed in subsection (b)(3).

18 “(d) SELECTION OF SUBGRANT RECIPIENTS.—In
 19 awarding subgrants under this section, the organization
 20 shall ensure that projects are funded in a variety of geo-
 21 graphic areas, including urban and rural areas.

22 **“SEC. 163B. SUMMER OF SERVICE PROJECTS.**

23 “(a) USE OF FUNDS.—

24 “(1) IN GENERAL.—A local provider that re-
 25 ceives a subgrant under section 163A shall use the

1 subgrant funds to carry out a community service
2 project.

3 “(2) SPECIFIC USES.—The local provider may
4 use the subgrant funds, to pay for—

5 “(A) hiring staff to administer the project;

6 “(B) developing or acquiring service-learn-
7 ing curricula for the project, to be integrated
8 into academic programs, including making
9 modifications for students who are individuals
10 with disabilities and students with limited
11 English proficiency;

12 “(C) forming local partnerships to develop
13 and offer a variety of service-learning programs
14 for local youth participating in the project;

15 “(D) establishing benchmarks, conducting
16 evaluations, and making evaluation results
17 available, as described in subparagraphs (B)
18 and (C) of section 163A(b)(3);

19 “(E) conducting outreach and dissemina-
20 tion of program-related information to ensure
21 the broadest possible involvement of local eligi-
22 ble youth and community partners in the
23 project;

24 “(F) conducting ceremonies as described in
25 section 163A(b)(2)(J);

1 “(G) carrying out basic implementation of
2 the community service project; and

3 “(H) carrying out planning activities, dur-
4 ing an initial 6 to 9 months of the grant period.

5 “(3) NON-FEDERAL SHARE.—A local provider
6 that receives a subgrant under section 163A shall
7 provide the non-Federal share of the cost described
8 in section 163A(a)(1) from private or public sources
9 other than the subgrant funds. The sources may in-
10 clude fees charged to the parents of the youth par-
11 ticipating in the community service project involved
12 and determined on a sliding scale based on income.

13 “(b) SERVICE PROJECTS.—

14 “(1) ELIGIBLE SERVICE CATEGORIES.—The
15 local provider may use the subgrant funds to carry
16 out a community service project to meet unmet
17 human, educational, environmental, or public safety
18 needs.

19 “(2) INELIGIBLE SERVICE CATEGORIES.—The
20 local provider may not use the subgrant funds to
21 carry out a service project in which participants per-
22 form service described in section 132(a).

23 “(c) PERIOD OF SERVICE PROJECTS.—The local pro-
24 vider—

1 “(1) shall carry out the community service
 2 project funded under section 163A during a period,
 3 the majority of which occurs in the months of June,
 4 July, and August; and

5 “(2) may carry out the project in conjunction
 6 with a related after school or in-school service-learn-
 7 ing project operated during the remaining months of
 8 the year.

9 “(d) EDUCATIONAL AWARD.—

10 “(1) ELIGIBILITY.—Each eligible youth who
 11 provides at least 100 hours of community service for
 12 a project carried out under this part shall be eligible
 13 to receive an educational award of not more than
 14 \$500. An eligible youth may participate in more
 15 than 1 such project but shall not receive in excess
 16 of \$1,000 in total for such participation.

17 “(2) DISBURSEMENTS BY LOCAL PROVIDER.—If
 18 the Chief Executive Officer decides under section
 19 163(a)(2)(A) to include educational award funds in
 20 subgrants under this part, the local provider car-
 21 rying out the project shall—

22 “(A) disburse an educational award de-
 23 scribed in paragraph (1) in accordance with
 24 regulations issued by the Chief Executive Offi-
 25 cer, which—

1 “(i) may permit disbursal of the
 2 award to the parents of the youth that
 3 have established a qualified tuition pro-
 4 gram account under section 529 of the In-
 5 ternal Revenue Code of 1986, for deposit
 6 into the account; but

7 “(ii) shall not otherwise permit dis-
 8 bursal of the award to the parents; or

9 “(B) enter into a contract with a private
 10 sector organization to hold the educational
 11 award funds and disburse the educational
 12 award as described in subparagraph (A).

13 “(3) DISBURSEMENTS BY CHIEF EXECUTIVE
 14 OFFICER.—If the Chief Executive Officer decides
 15 under section 163(a)(2)(B) to reserve educational
 16 award funds, the Chief Executive Officer shall dis-
 17 burse the educational award as described in para-
 18 graph (2)(A).

19 “(e) APPLICATION OF SECTION.—References in this
 20 section to local providers, with respect to the use of
 21 subgrant funds received under section 163A, apply equally
 22 to organizations that carry out community service projects
 23 directly, with respect to the use of grant funds received
 24 under section 163.

1 **“SEC. 163C. SUPPLEMENTAL GRANTS.**

2 “(a) IN GENERAL.—The Chief Executive Officer may
3 award a supplemental grant to a local provider that dem-
4 onstrates the matters described in subsection (b), to assist
5 the provider in carrying out a community service project
6 in accordance with the requirements of this part, as deter-
7 mined appropriate by the Chief Executive Officer.

8 “(b) APPLICATION.—To be eligible to receive a sup-
9 plemental grant under subsection (a), a provider shall sub-
10 mit an application to the Chief Executive Officer, at such
11 time, in such manner, and containing such information as
12 the Chief Executive Officer may require, including infor-
13 mation demonstrating—

14 “(1) that the provider received a subgrant
15 under section 163A for a community service project;
16 and

17 “(2) that the provider would be unable to carry
18 out the project without substantial hardship unless
19 the provider received a supplemental grant under
20 subsection (a).

21 “(c) AMOUNT OF GRANT.—The Chief Executive Offi-
22 cer shall award such a grant to a local provider for the
23 project in the amount obtained by multiplying \$250 and
24 the number of youth who will participate in the project
25 (to be used for project expenses).

1 **“PART III—SUMMER OF SERVICE NATIONAL**
 2 **ACTIVITIES**

3 **“SEC. 164. NATIONAL ACTIVITIES.**

4 “(a) NATIONAL QUALITY AND OUTREACH ACTIVI-
 5 TIES.—The Chief Executive Officer may use funds re-
 6 served under section 165(b)(1), either directly or through
 7 grants and contracts, to—

8 “(1) provide technical assistance and training
 9 to recipients of grants and subgrants under parts I
 10 and II;

11 “(2) conduct outreach and dissemination of
 12 program-related information to ensure the broadest
 13 possible involvement of States, eligible entities, orga-
 14 nizations, local providers, and eligible youth in pro-
 15 grams carried out under parts I and II; and

16 “(3) to carry out other activities designed to
 17 improve the quality of programs carried out under
 18 parts I and II.

19 **“(b) NATIONAL EVALUATION.—**

20 “(1) RESERVATION.—For each fiscal year, the
 21 Chief Executive Officer shall reserve not more than
 22 the greater of \$500,000, or 1 percent, of the funds
 23 described in subsection (a) for the purposes de-
 24 scribed in paragraph (2).

25 “(2) EVALUATION.—The Chief Executive Offi-
 26 cer shall use the reserved funds—

1 “(A) to arrange for an independent evalua-
2 tion of the programs carried out under parts I
3 and II, to be conducted in the second and third
4 years in which the programs are implemented;
5 and

6 “(B) using the results of the evaluation, to
7 collect and compile information on models and
8 best practices for such programs; and

9 “(C) to disseminate widely the results of
10 the evaluation.

11 “(3) REPORT.—The Chief Executive Officer
12 shall annually submit to the Committee on Health,
13 Education, Labor, and Pensions of the Senate and
14 the Committee on Education and the Workforce of
15 the House of Representatives, a report concerning
16 the results of the evaluations conducted under para-
17 graph (2). Such reports shall also contain informa-
18 tion on models of best practices and any other find-
19 ings or recommendations developed by the Chief Ex-
20 ecutive Officer based on such evaluations. Such re-
21 ports shall be made available to the general public.

1 **“PART IV—GENERAL PROVISIONS**

2 **“SEC. 165. AUTHORIZATION OF APPROPRIATIONS AND**
 3 **AVAILABILITY.**

4 “(a) AUTHORIZATION OF APPROPRIATIONS.—There
 5 are authorized to be appropriated to carry out this subtitle
 6 \$100,000,000 for fiscal year 2010 and such sums as may
 7 be necessary for each subsequent fiscal year.

8 “(b) AVAILABILITY.—Of the funds appropriated
 9 under subsection (a) for a fiscal year, the Chief Executive
 10 Officer—

11 “(1) shall reserve not more than 4 percent to
 12 carry out activities under part III (relating to na-
 13 tional activities); and

14 “(2) from the remainder of such funds, shall
 15 make available—

16 “(A) a portion equal to $66\frac{2}{3}$ percent of
 17 such funds for programs carried out under part
 18 I (relating to the State grant program), includ-
 19 ing programs carried out under section 162D;
 20 and

21 “(B) a portion equal to $33\frac{1}{3}$ percent of
 22 such funds for programs carried out under part
 23 II (relating to the national direct grant pro-
 24 gram).

25 “(c) REALLOCATION.—If the Chief Executive Officer
 26 determines that funds from the portion described in sub-

1 section (b)(2)(A) will not be needed to carry out programs
 2 under part I for a fiscal year, the Chief Executive Officer
 3 shall make the funds available for programs under part
 4 II for that fiscal year.

5 **“SEC. 165A. REVIEW PANELS.**

6 “The Chief Executive Officer shall establish panels
 7 of experts for the purpose of reviewing applications sub-
 8 mitted under sections 162, 162C, 162D, and 163.

9 **“SEC. 165B. CONSTRUCTION.**

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

14 **SEC. 4. CONFORMING AMENDMENTS.**

15 (a) REDESIGNATION OF SUBTITLES.—

16 (1) Section 118(a) of the National and Commu-
 17 nity Service Act of 1990 (42 U.S.C. 12551(a)) is
 18 amended by striking “subtitle H” and inserting
 19 “subtitle I”.

20 (2) Section 122(a)(2) of such Act (42 U.S.C.
 21 12572(a)(2)) is amended by striking “subtitle I”
 22 and inserting “subtitle J”.

23 (3) Section 193A(f)(1) of such Act (42 U.S.C.
 24 12651d(f)(1)) is amended by striking “subtitles C
 25 and I” and inserting “subtitles C and J”.

1 (4) Section 501(a)(2) of such Act (42 U.S.C.
2 12681(a)(2)) is amended—

3 (A) in the paragraph heading, by striking
4 “SUBTITLES C, D, AND H” and inserting “SUB-
5 TITLES C, D, AND I”;

6 (B) in subparagraph (A), by striking “sub-
7 titles C and H” and inserting “subtitles C and
8 I”; and

9 (C) in subparagraph (B), by striking “sub-
10 title H” and inserting “subtitle I”.

11 (b) REDESIGNATION OF SECTIONS.—

12 (1) Section 155(d)(3) of such Act (42 U.S.C.
13 12615(d)(3)) is amended by striking “section
14 162(a)(3)” and inserting “section 159C(a)(3)”.

15 (2) Section 156(d) of such Act (42 U.S.C.
16 12616(d)) is amended by striking “section
17 162(a)(3)” and inserting “section 159C(a)(3)”.

18 (3) Section 159(c) of such Act (42 U.S.C.
19 12619(c)) is amended—

20 (A) in paragraph (2)(C)(i), by striking
21 “section 162(a)(2)” and inserting “section
22 159C(a)(2)”; and

23 (B) in paragraph (3), by striking “section
24 162(a)(2)(A)” and inserting “section
25 159C(a)(2)(A)”.

1 (4) Section 159B(b)(1)(B) of such Act (as re-
 2 designated by section 3(2)) is amended by striking
 3 “section 162(a)(3)” and inserting “section
 4 159C(a)(3)”.

5 (c) RELATIONSHIP TO NATIONAL SERVICE EDU-
 6 CATIONAL AWARD PROVISIONS.—

7 (1) NATIONAL SERVICE TRUST.—Section 145 of
 8 the National and Community Service Act of 1990
 9 (42 U.S.C. 12601) is amended—

10 (A) in subsection (a)—

11 (i) in paragraph (2), by striking
 12 “and” at the end;

13 (ii) in paragraph (3), by striking the
 14 period and inserting “, other than interest
 15 or proceeds described in paragraph (4)(B);
 16 and”; and

17 (iii) by adding at the end the fol-
 18 lowing:

19 “(4)(A) any amounts deposited in the Trust
 20 under subtitle F; and

21 “(B) the interest on, and proceeds from the
 22 sale or redemption of, any obligations held by the
 23 Trust for a program carried out under subtitle F.”;
 24 and

1 (B) in subsection (c), by inserting “(other
2 than any amounts deposited in the Trust under
3 subtitle F)” after “Amounts in the Trust”.

4 (2) AVAILABILITY OF AMOUNTS IN NATIONAL
5 SERVICE TRUST.—Section 148(a) of the National
6 and Community Service Act of 1990 (42 U.S.C.
7 12604(a)) is amended by inserting “(other than any
8 amounts deposited in the Trust under subtitle F)”
9 after “Amounts in the Trust”.

○