

111TH CONGRESS
1ST SESSION

S. 467

To amend the National and Community Service Act of 1990 to establish Encore Service Programs, Encore Fellowship Programs, and Silver Scholarship Programs, 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. KOHL, 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 Encore Service Programs, Encore Fellowship Programs, and Silver Scholarship Programs, 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 “Encore Service Act
5 of 2009”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) Programs funded under the National and
2 Community Service Act of 1990 (42 U.S.C. 12501
3 et seq.) have the potential to dramatically increase
4 the number of individuals age 50 or older engaged
5 in national service, applying decades of experience to
6 solving community problems.

7 (2) The potential pool of older individuals who
8 could provide national service is enormous and rap-
9 idly growing. The population of people age 50 or
10 older, which today is more than 94,000,000 individ-
11 uals, is expected to grow by over 22 percent in the
12 next 10 years, to almost 115,000,000 individuals.

13 (3) Studies show that over half of the
14 78,000,000 individuals considered part of the Baby
15 Boomer generation, those turning 50 between 1996
16 and 2014, are interested in providing meaningful
17 service to their communities.

18 (4) Research further shows that older individ-
19 uals are not adequately connected to national service
20 or work opportunities in the public sector.

21 (5) For some individuals age 50 or older, par-
22 ticipation in national service can serve as an impor-
23 tant pathway and transition experience, leading
24 them into second careers in the public or nonprofit
25 sector.

1 (6) Today's Retired and Senior Volunteer Pro-
2 gram (RSVP) helps baby boomers anxious to make
3 use of their education, skills, and expertise to pro-
4 tect seniors against fraud, work on a national falls
5 prevention campaign, and volunteer to green the
6 economy. Research shows that individuals enrolled in
7 the program volunteer more hours of service per
8 year than those not in the program.

9 (7) The National Senior Volunteer Corps pro-
10 grams, which are national service programs that cur-
11 rently engage older individuals, have deployed mil-
12 lions of individuals in the United States in service to
13 their communities but are currently at capacity and
14 in need of resources to grow.

15 **SEC. 3. REFERENCES.**

16 Except as otherwise expressly provided, wherever in
17 this Act an amendment or repeal is expressed in terms
18 of an amendment to, or repeal of, a section or other provi-
19 sion, the reference shall be considered to be made to a
20 section or other provision of the National and Community
21 Service Act of 1990 (42 U.S.C. 12501 et seq.).

1 **TITLE I—ENCORE SERVICE**
2 **PROGRAM**

3 **SEC. 101. DEFINITIONS.**

4 Section 101 (42 U.S.C. 12511) is amended by adding
5 at the end the following:

6 “(30) ENCORE SERVICE PROGRAM.—The term
7 ‘Encore Service Program’ means a national service
8 program authorized under section 122(a)(15).

9 “(31) ENCORE SERVICE PARTICIPANT.—The
10 term ‘Encore Service Participant’ means an indi-
11 vidual age 50 or older who is a participant in an ap-
12 proved Encore Service Program.”.

13 **SEC. 102. ELIGIBILITY.**

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

15 (1) by redesignating paragraph (15) as para-
16 graph (16); and

17 (2) by inserting after paragraph (14) the fol-
18 lowing:

19 “(15) A service program that engages only indi-
20 viduals age 50 or older, or individuals age 50 or
21 older and other individuals in intergenerational serv-
22 ice activities, serving in service positions to address
23 a specific community need.”.

1 **SEC. 103. PRIORITY.**

2 Section 122 (42 U.S.C. 12572), as amended by sec-
3 tion 102, is further amended—

4 (1) in subsection (b), by adding at the end the
5 following:

6 “(5) ENCOURAGEMENT OF ENCORE SERVICE
7 PROGRAMS.—The Corporation shall encourage na-
8 tional service programs, in appropriate cases, to es-
9 tablish, using evidence-based approaches, Encore
10 Service Programs, and to apply for assistance under
11 subsection (a) for such programs.”; and

12 (2) by adding at the end the following:

13 “(d) PRIORITY FOR CERTAIN ENCORE SERVICE PRO-
14 GRAMS.—In establishing priorities regarding the types of
15 national service programs to be assisted under subsection
16 (b) or (d) of section 129, the Corporation shall give pri-
17 ority to an Encore Service Program that has—

18 “(1) proven success in engaging, or detailed
19 plans to begin engaging, individuals who are age 50
20 or older in service;

21 “(2) a strong focus on pre-service and in-service
22 training for participants in order to obtain measur-
23 able results that meet the needs of the community
24 served; and

1 “(3) conducted a thorough evaluation of the
2 benefits of the Encore Service Program to both the
3 participants and the community.

4 “(e) CONSULTATION.—In awarding assistance or ap-
5 proved national service positions for Encore Service Pro-
6 grams, the Corporation shall consult with organizations
7 and individuals with extensive experience in developing
8 and administering robust national service programs that
9 are producing measurable results and outstanding experi-
10 ences for participants.

11 “(f) SENSE OF CONGRESS.—It is the sense of Con-
12 gress that, by 2019, 25 percent of individuals partici-
13 pating in national service programs specified in this sub-
14 title should be older individuals who are age 50 or older.”.

15 **SEC. 104. TERMS OF SERVICE.**

16 Section 139(b) (42 U.S.C. 12593(b)) is amended by
17 adding at the end the following:

18 “(4) TERMS OF SERVICE FOR ENCORE SERVICE
19 PROGRAMS.—

20 “(A) IN GENERAL.—Notwithstanding any
21 other provision of this title, an individual age
22 50 or older performing national service in an
23 approved national service position in an Encore
24 Service Program shall agree to participate in
25 the program for a term of service described in

1 of clauses (i) through (v) of subparagraph
2 (B).

3 “(B) TERMS OF SERVICE.—

4 “(i) FULL-TIME SERVICE.—If such an
5 individual is performing full-time service,
6 the individual shall agree to participate in
7 the program for the term described in
8 paragraph (1).

9 “(ii) HALF-TIME SERVICE.—If such
10 an individual is performing half-time serv-
11 ice, the individual shall agree to participate
12 in the program for not less than 900 hours
13 during a period of not more than 1 year or
14 not more than 2 years, as indicated in the
15 approved application for the program.

16 “(iii) REDUCED HALF-TIME SERV-
17 ICE.—If such an individual is performing
18 reduced half-time service, the individual
19 shall agree to participate in the program
20 for not less than 675 hours during a pe-
21 riod of not more than 1 year.

22 “(iv) QUARTER-TIME SERVICE.—If
23 such an individual is performing quarter-
24 time service, the individual shall agree to
25 participate in the program for not less

1 than 450 hours during a period of not
2 more than 1 year.

3 “(v) MINIMUM TIME SERVICE.—If
4 such an individual is performing minimum
5 time service, the individual shall agree to
6 participate in the program for not less
7 than 300 hours during a period of not
8 more than 1 year.”.

9 **SEC. 105. LIVING ALLOWANCE.**

10 Section 140(h) (42 U.S.C. 12594(h)) is amended by
11 adding at the end the following: “In the case of an indi-
12 vidual who began the individual’s first term of service in
13 a national service program under this subtitle after the
14 individual attained the age of 50, and who is or has been
15 an Encore Service Participant, the individual may not re-
16 ceive, through such assistance or funds, an aggregate
17 amount that is more than twice the maximum amount
18 available under subsections (a), (d), and (e) for a term
19 of full-time service described in section 139(b)(1).”.

20 **SEC. 106. EDUCATIONAL AWARD LIMIT AND TERM OF**
21 **TRANSFERRED AWARDS.**

22 (a) EDUCATIONAL AWARD LIMIT.—Section 146 (42
23 U.S.C. 12602) is amended by striking subsection (c) and
24 inserting the following:

1 “(c) LIMITATION ON RECEIPT OF NATIONAL SERV-
 2 ICE EDUCATIONAL AWARDS.—An individual may not re-
 3 ceive, through national service educational awards, an ag-
 4 gregate amount that is more than the value of 2 such
 5 awards for terms of full-time service described in section
 6 139(b)(1).”.

7 (b) TERM FOR TRANSFERRED EDUCATIONAL
 8 AWARDS.—Section 146(d) of the National and Commu-
 9 nity Service Act of 1990 (42 U.S.C. 12602) is amended
 10 by adding at the end the following:

11 “(3) TERM FOR TRANSFERRED EDUCATIONAL
 12 AWARDS.—For purposes of applying paragraphs (1)
 13 and (2)(A) to an individual who is eligible to receive
 14 an educational award as a designated individual (as
 15 defined in section 148(f)(3)), references to a seven-
 16 year period shall be considered to be references to a
 17 20-year period that begins on the date the individual
 18 who transferred the educational award to the des-
 19 ignated individual completed the term of service in
 20 the approved national service position that is the
 21 basis of the award.”.

22 **SEC. 107. DETERMINATION OF THE AMOUNT OF THE NA-**
 23 **TIONAL SERVICE EDUCATIONAL AWARD.**

24 Section 147 (42 U.S.C. 12603) is amended by adding
 25 at the end the following:

1 “(d) AWARD FOR ENCORE SERVICE PARTICI-
 2 PANTS.—An individual who is an Encore Service Partici-
 3 pant and who successfully completes the term of service
 4 described in section 139(b)(4) that is specified in the indi-
 5 vidual’s agreement under such section, shall be provided
 6 with a national service educational award in an amount
 7 that bears the same relation to the amount of a full-time
 8 national service educational award as the number of hours
 9 of service provided in the position under the agreement
 10 bears to the number of hours of service required to be
 11 provided under section 139(b)(1) to receive a full-time na-
 12 tional service educational award.”.

13 **SEC. 108. TRANSFER OF THE AWARDS.**

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

15 (1) by redesignating subsections (f) and (g) as
 16 subsections (g) and (h), respectively; and

17 (2) by inserting after subsection (e) the fol-
 18 lowing:

19 “(f) TRANSFER OF EDUCATIONAL AWARDS.—

20 “(1) IN GENERAL.—An individual who is eligi-
 21 ble to receive a national service educational award
 22 under a program described in paragraph (2) may
 23 transfer the award to a designated individual, and
 24 subsections (b), (c), (d), and (e) shall apply to the
 25 designated individual in lieu of the individual who is

1 eligible to receive the national service educational
2 award, except that—

3 “(A) amounts refunded to the account
4 under subsection (c)(5) on behalf of a des-
5 ignated individual may be used by the Corpora-
6 tion to fund additional placements in the na-
7 tional service program in which the eligible indi-
8 vidual who transferred the national service edu-
9 cational award participated for such award; and

10 “(B) a borrower of a qualified student loan
11 (as defined in subsection (b)(7)) shall be eligible
12 to have the Corporation pay, on behalf of the
13 borrower, the interest that accrues during a pe-
14 riod for which the borrower has obtained for-
15 bearance in accordance with subsection (e), if
16 the eligible individual successfully completes the
17 eligible individual’s required term of service for
18 a national service educational award and trans-
19 fers the award to the borrower as a designated
20 individual.

21 “(2) CONDITIONS FOR TRANSFER.—A national
22 service educational award may be transferred under
23 this subsection if—

1 “(A) the educational award is for service in
 2 a national service program that is an Encore
 3 Service Program; and

4 “(B) the eligible individual began the indi-
 5 vidual’s first term of service in the Encore
 6 Service Program after the individual attained
 7 the age of 50.

8 “(3) DEFINITION OF A DESIGNATED INDI-
 9 VIDUAL.—In this subsection, the term ‘designated
 10 individual’ is an individual—

11 “(A) whom an individual who is eligible to
 12 receive a national service educational award
 13 under a program described in paragraph (2)
 14 designates to receive the educational award; and

15 “(B) who meets the eligibility requirements
 16 of paragraphs (3) and (4) of subsection (a),
 17 and subsection (e), of section 146.”.

18 **SEC. 109. CORPORATION REQUIREMENTS.**

19 (a) PLANNING FOR IMPLEMENTATION.—In order to
 20 carry out the objectives of section 122(f) of the National
 21 and Community Service Act of 1990 (42 U.S.C.
 22 12572(f)), the Corporation shall examine national service
 23 programs carried out under subtitle C of title I of that
 24 Act (42 U.S.C. 12571 et seq.) and identify and address

1 the barriers to engaging individuals age 50 or older in na-
 2 tional service, including examining—

3 (1) how the programs are marketed to individ-
 4 uals age 50 or older versus young adults;

5 (2) the extent to which the living allowance de-
 6 scribed in section 140 of that Act (42 U.S.C. 12594)
 7 is a factor;

8 (3) the extent to which the educational award
 9 described in subtitle D of that Act (42 U.S.C. 12601
 10 et seq.) is a factor;

11 (4) the correlation between the extent of the
 12 pre-service and in-service training provided and the
 13 perceived investment by the participants;

14 (5) the correlation between the extent of the
 15 pre-service and in-service training provided and pro-
 16 gram impact;

17 (6) the extent to which job transition resources
 18 and training are provided; and

19 (7) the outreach efforts required to carry out
 20 the objectives of section 122(f) of that Act (42
 21 U.S.C. 12572(f)).

22 (b) REPORTS TO CONGRESS.—

23 (1) REPORT ON IMPLEMENTATION.—Not later
 24 than 90 days after the date of enactment of this
 25 Act, the Corporation shall prepare and submit to

1 Congress a report on implementation of this subtitle,
 2 including addressing barriers described in subsection
 3 (a) and any necessary recommendations on how to
 4 enhance programming to carry out the objectives of
 5 section 122(f) of the National and Community Serv-
 6 ice Act of 1990 (42 U.S.C. 12572(f)).

7 (2) ANNUAL REPORTING.—The Corporation
 8 shall include, in its annual report to Congress under
 9 section 172(b) of the National and Community Serv-
 10 ice Act of 1990 (42 U.S.C. 12632(b)), a detailed de-
 11 scription of the Encore Service Programs that have
 12 been carried out and the progress of the Corporation
 13 in carrying out those objectives.

14 (c) DEFINITION.—In this section, the term “Encore
 15 Service Programs” has the meaning given the term in sec-
 16 tion 101 of the National and Community Service Act of
 17 1990 (42 U.S.C. 12511).

18 **TITLE II—ENCORE FELLOWS**

19 **SEC. 201. DEFINITIONS.**

20 Section 101 (42 U.S.C. 12511), as amended by sec-
 21 tion 101 of this Act, is further amended by adding at the
 22 end the following:

23 “(32) ENCORE FELLOW.—The term ‘Encore
 24 Fellow’ means an individual who is age 50 or older

1 and who is a participant in an approved Encore Fel-
 2 lowship Program.

3 “(33) ENCORE FELLOWSHIP PROGRAM.—The
 4 term ‘Encore Fellowship Program’ means a program
 5 authorized under section 198E.”.

6 **SEC. 202. SUPPORT.**

7 (a) IN GENERAL.—Subtitle H (42 U.S.C. 12653 et
 8 seq.) is amended by adding at the end the following:

9 **“SEC. 198E. ENCORE FELLOWSHIP PROGRAMS.**

10 “(a) STATEMENT OF PURPOSE.—The purpose of this
 11 section is to provide for Encore Fellowship Programs, in
 12 order to—

13 “(1) address the need for increased professional
 14 capacity in public agencies and nonprofit private or-
 15 ganizations that are engaged in meeting unmet
 16 human, educational, environmental, or public safety
 17 needs; and

18 “(2) address the need for compelling learning
 19 and service opportunities to assist experienced indi-
 20 viduals age 50 and older in shifting from their mid-
 21 life careers to suitable and rewarding careers in the
 22 public or nonprofit sector that benefit society and
 23 provide continued income to the individuals.

24 “(b) ASSISTANCE AUTHORIZED.—

1 “(1) IN GENERAL.—The Corporation may make
2 grants under this section to eligible entities to pay
3 for the Federal share of the cost of carrying out En-
4 core Fellowship Programs.

5 “(2) PROGRAMS.—The Encore Fellowship Pro-
6 grams shall—

7 “(A) recruit individuals age 50 or older
8 who meet the requirements of subsection (f)(2)
9 to serve as Encore Fellows;

10 “(B) provide specialized preplacement
11 training and additional training for the Encore
12 Fellows;

13 “(C) provide other activities designed to
14 foster transitions to second careers in the public
15 or nonprofit sector by the Encore Fellows; and

16 “(D) place the Encore Fellows in profes-
17 sional positions with employers that will serve
18 as sponsoring organizations for the programs,
19 and that meet the requirements of subsection
20 (f)(1).

21 “(3) PERMISSIBLE SUBGRANTS.—The entities
22 may carry out the programs directly or through sub-
23 grants to other eligible entities.

24 “(c) ELIGIBLE ENTITIES.—To be eligible to receive
25 a grant under this section, an entity shall—

1 “(1) be a State Commission, or national non-
2 profit organization, with demonstrated experience in
3 establishing and carrying out a project to recruit,
4 train, and place participants or volunteers, and that
5 is qualified to receive assistance under section 121;

6 “(2) demonstrate the ability to disseminate in-
7 formation about the Encore Fellowship Program
8 that promotes the concept of mid-life transitions to
9 public or nonprofit sector work;

10 “(3) demonstrate the expertise and capacity to
11 provide meaningful management and leadership
12 training opportunities; and

13 “(4) demonstrate knowledge of public or non-
14 profit sector professional needs and capacity to help
15 meet the needs through an Encore Fellowship Pro-
16 gram.

17 “(d) APPLICATION.—To be eligible to receive a grant
18 under this section, an entity shall submit an application
19 to the Corporation at such time, in such manner, and con-
20 taining such information as the Corporation may require.

21 “(e) USE OF FUNDS.—An entity that receives a grant
22 (or, as applicable, a subgrant) under this section may use
23 the assistance made available through the grant (or
24 subgrant) to assist with the activities described in sub-

1 section (b)(2). The entity may use the assistance for the
 2 allowances described in subsection (g).

3 “(f) SELECTION CRITERIA.—

4 “(1) SPONSORING ORGANIZATION.—The recipi-
 5 ent of a grant under subsection (b) shall develop cri-
 6 teria for the selection of sponsoring organizations,
 7 who shall—

8 “(A) be public agencies or private non-
 9 profit organizations;

10 “(B) be engaged in meeting unmet human,
 11 educational, environmental, or public safety
 12 needs;

13 “(C) demonstrate need and capacity for
 14 the professional skills of Encore Fellows;

15 “(D) agree to sponsor Encore Fellows in
 16 full-time professional positions for a period of
 17 not less than 9 months and not more than 1
 18 year;

19 “(E) demonstrate experience in estab-
 20 lishing and implementing, or detailed plans to
 21 begin establishing and implementing, meaning-
 22 ful professional development opportunities; and

23 “(F) agree to collaborate on, and partici-
 24 pate in, the provision of specialized preplace-
 25 ment training and additional training for the

1 participants, and provision of other activities
 2 designed to foster transitions to second careers
 3 in the public or nonprofit sector by participants.

4 “(2) PARTICIPANTS.—The recipient of a grant
 5 under subsection (b) shall develop criteria for the se-
 6 lection of participants, who shall be individuals age
 7 50 or older who—

8 “(A) intend to engage in work that meets
 9 unmet human, educational, environmental, or
 10 public safety needs upon completion of their fel-
 11 lowships;

12 “(B) demonstrate professional qualifica-
 13 tions or experience; and

14 “(C) agree to participate in the Encore
 15 Fellowship Program involved on a full-time
 16 basis for not less than 9 months and not more
 17 than 1 year.

18 “(g) PROVISION OF LIVING ALLOWANCE AND RE-
 19 LATED MATTERS.—

20 “(1) LIVING ALLOWANCE.—An entity that re-
 21 ceives a grant (or, as applicable, a subgrant) under
 22 this section for an Encore Fellowship Program shall
 23 provide to each Encore Fellow in the program a liv-
 24 ing allowance for a fiscal year in an amount equal
 25 to 200 percent of the average subsistence allowance

1 provided to VISTA volunteers under section 105 of
2 the Domestic Volunteer Service Act of 1973 (42
3 U.S.C. 4955) for that fiscal year.

4 “(2) PERMISSIBLE SALARY AND BENEFITS.—

5 “(A) IN GENERAL.—An Encore Fellow
6 may receive a salary in excess of the maximum
7 living allowance authorized in paragraph (1),
8 and employment benefits, subject to subpara-
9 graph (B).

10 “(B) PROVISION BY SPONSORING ORGANI-
11 ZATION.—The sponsoring organization shall
12 pay 100 percent of the amount of the salary
13 that exceeds the amount of the maximum living
14 allowance, and 100 percent of the cost of the
15 benefits.

16 “(3) INELIGIBILITY FOR NATIONAL SERVICE
17 EDUCATIONAL AWARD.—An Encore Fellow shall be
18 ineligible for a national service educational award
19 under subtitle D.

20 “(h) MATCHING FUNDS REQUIREMENTS.—The Fed-
21 eral share of the cost of carrying out an Encore Fellowship
22 Program that receives assistance under this section,
23 whether the assistance is provided directly or as a
24 subgrant from the original recipient of the assistance, may
25 not exceed 70 percent of such cost. The provisions of sec-

tion 121(e)(2) shall apply to the program, for purpose of providing for the remaining share of the cost.

“(i) LIMIT ON ADMINISTRATIVE COST.—Not more than 6 percent of the amount of assistance provided to the recipient of a grant (or, as applicable, a subgrant) under this section for a fiscal year may be used to pay for administrative costs incurred by—

“(1) the recipient of the grant (or, as applicable, a subgrant); and

“(2) sponsoring organizations for Encore Fellowship Programs carried out or supported by the assistance.

“(j) EVALUATION.—The Corporation shall evaluate the programs carried out under this section, and include the results of the evaluations in the Corporation’s annual report to Congress under section 172(b).”.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 501(a)(2) of the National and Community Service Act of 1990 (42 U.S.C. 12681(a)(2)) is amended—

(1) by inserting “(other than section 198E)” after “H of title I” each place it appears; and

(2) by adding at the end the following:

“(C) ENCORE FELLOWSHIP PROGRAMS.—

There are authorized to be appropriated to carry out section 198E, \$20,000,000 for fiscal

1 year 2010 and such sums as may be necessary
 2 for each succeeding fiscal year.”.

3 (c) TABLE OF CONTENTS.—The table of contents of
 4 the National and Community Service Act of 1990 is
 5 amended in the items relating to subtitle H of title I, by
 6 adding at the end the following:

“Sec. 198E. Encore Fellowship Programs.”.

7 **TITLE III—SILVER SCHOLARS**

8 **SEC. 301. SILVER SCHOLARSHIP PROGRAMS.**

9 (a) IN GENERAL.—Subtitle H of title I (42 U.S.C.
 10 12653 et seq.), as amended by section 202 of this Act,
 11 is further amended by adding at the end the following:

12 **“SEC. 198F. SILVER SCHOLARSHIP PROGRAMS.**

13 “(a) ESTABLISHMENT.—The Corporation is author-
 14 ized to award grants to eligible entities, to enable the eligi-
 15 ble entities to provide volunteers participating in service
 16 projects in accordance with this section with scholarships
 17 that may be used by the volunteers or by individuals des-
 18 ignated by the volunteers.

19 “(b) ELIGIBLE ENTITIES.—To be eligible to receive
 20 a grant under this section, an entity shall be a public agen-
 21 cy or private nonprofit organization with experience in ad-
 22 ministering service programs (including the programs de-
 23 scribed in or administered under title II of the Domestic
 24 Volunteer Service Act of 1973 (42 U.S.C. 5000 et seq.)).

1 “(c) APPLICATIONS.—To be eligible to receive a grant
 2 under this section, an entity shall submit to the Corpora-
 3 tion an application at such time, in such manner, and con-
 4 taining such information as the Corporation may reason-
 5 ably require.

6 “(d) CRITERIA AND PRIORITIES FOR GRANTS.—The
 7 Corporation shall establish criteria and priorities for
 8 awarding grants under this section.

9 “(e) REQUIREMENTS FOR SCHOLARSHIP.—An entity
 10 that receives a grant under subsection (a) shall use the
 11 funds made available through the grant to award a schol-
 12 arship described in subsection (a) to recipients, each of
 13 whom—

14 “(1) is, or has been designated for the scholar-
 15 ship by, a volunteer who—

16 “(A) has performed not less than 500
 17 hours of volunteer service, of a type specified by
 18 the Corporation under subsection (f)(1), during
 19 a 12-month period that is—

20 “(i) after the volunteer at issue has
 21 attained age 55; and

22 “(ii) after the date of the enactment
 23 of this section; or

24 “(B) has performed not less than 250
 25 hours but less than 500 hours of volunteer serv-

1 ice of that type during such a 12-month period,
 2 based on compelling personal circumstances;
 3 and

4 “(2) has received, during the 5-year period pre-
 5 ceding the date that the scholarship is awarded,
 6 fewer than 2 scholarships under this section.

7 “(f) SERVICES, CRITERIA, AND PRIORITIES FOR
 8 SCHOLARSHIPS.—The Corporation shall—

9 “(1) specify the types of volunteer service a vol-
 10 unteer may engage in to meet the term of service re-
 11 quirements for a scholarship under this section,
 12 which shall include—

13 “(A) tutoring or mentoring in a school,
 14 after-school program, or other community-based
 15 educational setting; and

16 “(B) assisting persons with special needs,
 17 including persons who are homebound, to con-
 18 tinue living independently; and

19 “(2) establish criteria and priorities for eligible
 20 entities to use in awarding scholarships under this
 21 section.

22 “(g) AMOUNT OF SCHOLARSHIP.—The entities shall
 23 award the scholarships—

24 “(1) in an amount of not more than \$1,000; or

1 “(2) in the case of an individual who meets the
2 requirements of subsection (e) with a term of service
3 described in subsection (e)(1)(B), in an amount that
4 is prorated based on the individual’s hours of serv-
5 ice.

6 “(h) USE OF SCHOLARSHIPS.—A scholarship award-
7 ed under this section may be used—

8 “(1) by the volunteer or the person designated
9 by the volunteer, in accordance with subsection (e);

10 “(2) only for qualified tuition and related ex-
11 penses, as defined in section 117 of the Internal
12 Revenue Code of 1986, and only under such condi-
13 tions as are set forth by the Corporation through
14 regulation; and

15 “(3) not later than 20 years after the date of
16 the award of the scholarship, to allow time for an in-
17 dividual designated under subsection (e)(1) to use
18 the scholarship.

19 “(i) AUTHORIZATION OF APPROPRIATIONS.—Of the
20 funds appropriated to carry out this section—

21 “(1) not more than 15 percent shall be used for
22 administrative purposes by the Corporation;

23 “(2) not less than 50 percent shall be made
24 available for grants under subsection (a) and used to
25 award scholarships to volunteers who have met the

1 term of service requirements for the scholarships by
 2 providing tutoring or mentoring described in sub-
 3 section (f)(1)(A);

4 “(3) not less than 10 percent shall be made
 5 available for grants under subsection (a) and used to
 6 award scholarships to volunteers who have met the
 7 requirements by providing assistance described in
 8 subsection (f)(1)(B); and

9 “(4) not more than 10 percent shall be made
 10 available for such grants and used for administrative
 11 purposes by the eligible entities receiving the
 12 grants.”.

13 (b) AUTHORIZATION OF APPROPRIATIONS.—Section
 14 501(a)(2), as amended by section 202(b) of this Act, is
 15 further amended—

16 (1) by striking “section 198E” each place it ap-
 17 pears and inserting “sections 198E and 198F”; and

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

19 “(D) SILVER SCHOLARSHIP PROGRAM.—
 20 There are authorized to be appropriated to
 21 carry out section 198F, \$20,000,000 for fiscal
 22 year 2010 and such sums as may be necessary
 23 for each succeeding fiscal year.”.

24 (c) TABLE OF CONTENTS.—The table of contents of
 25 the National and Community Service Act of 1990 is fur-

1 ther amended in the items relating to subtitle H of title
 2 I, by adding at the end the following:

“Sec. 198F. Silver Scholarship Programs.”.

3 **TITLE IV—EXPANSION OF** 4 **SENIOR CORPS**

5 **SEC. 401. EXPANDED ELIGIBILITY CRITERIA.**

6 (a) FOSTER GRANDPARENT PROGRAM.—Section 211
 7 of the Domestic Volunteer Service Act of 1973 (42 U.S.C.
 8 5011) is amended—

9 (1) in subsection (a), by striking “sixty” and
 10 inserting “55”; and

11 (2) in subsection (e)(1), by striking “125” and
 12 inserting “200”.

13 (b) SENIOR COMPANION PROGRAM.—Section 213(a)
 14 of the Domestic Volunteer Service Act of 1973 (42 U.S.C.
 15 5013(a)) is amended by striking “60” and inserting “55”.

16 (c) GENERAL PROVISIONS.—Section 223 of the Do-
 17 mestic Volunteer Service Act of 1973 (42 U.S.C. 5023)
 18 is amended by striking “sixty” and inserting “55”.

19 **SEC. 402. AUTHORIZATION OF APPROPRIATIONS.**

20 Section 502 of the Domestic Volunteer Service Act
 21 of 1973 (42 U.S.C. 5082) is amended—

22 (1) in subsection (a), by striking
 23 “\$45,000,000” and all that follows through the pe-
 24 riod at the end and inserting “\$136,700,000 for fis-

1 cal year 2010, and such sums as may be necessary
2 for each succeeding fiscal year.”;

3 (2) in subsection (b), by striking
4 “\$85,000,000” and all that follows through the pe-
5 riod at the end and inserting “\$228,000,000 for fis-
6 cal year 2010, and such sums as may be necessary
7 for each succeeding fiscal year.”; and

8 (3) in subsection (c), by striking “\$40,000,000”
9 and all that follows through the period at the end
10 and inserting “\$92,000,000 for fiscal year 2010,
11 and such sums as may be necessary for each suc-
12 ceeding fiscal year.”.

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