

Public Law 102-10
102d Congress

An Act

To make certain technical amendments to the National and Community Service Act,
and for other purposes.

Mar. 12, 1991

[S. 379]

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

National and
Community
Service
Technical
Amendments
Act of 1991.
42 USC 12501
note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "National and Community Service
Technical Amendments Act of 1991".

SEC. 2. REFERENCES.

Except as otherwise provided, whenever in this Act an amend-
ment or repeal is expressed in terms of an amendment to, or repeal
of, a section or other provision, the reference shall be considered to
be made to a section or other provision of the National and Commu-
nity Service Act (Public Law 101-610).

SEC. 3. DEFINITIONS.

Section 101 (42 U.S.C. 1241) is amended—

42 USC 12511.

(1) by inserting after paragraph (6), the following new para-
graph:

"(7) INDIAN.—The term 'Indian' means a person who is a
member of an Indian tribe.";

(2) by redesignating paragraphs (7) through (29) as paragraphs
(8) through (30), respectively;

(3) in paragraph (8) (as so redesignated), by inserting "an
Indian or" before "Indian tribes" each place that such appears;

(4) in paragraph (14) (as so redesignated), by adding at the end
thereof the following new sentence: "Participants shall not be
considered employees of the program.";

(5) in paragraph (23) (as so redesignated), by striking out
"students or out of school youth" and inserting in lieu thereof
"participants";

(6) in paragraph (24) (as so redesignated)—

(A) by striking out "MEMBER" in the paragraph heading
and inserting in lieu thereof "PARTICIPANT"; and

(B) by striking out "member" and inserting in lieu
thereof "participant"; and

(7) in paragraph (30) (as so redesignated), by inserting "corps"
after "youth service".

SEC. 4. PROGRAMS FOR STUDENTS AND OUT-OF-SCHOOL YOUTH.

Subtitle B of title I (42 U.S.C. 12421 et seq.) is amended—

(1) by striking out the subtitle heading and the heading of
part I and inserting in lieu thereof the following:

“Subtitle B—Programs for Students and Out-of-School Youth

“PART I—SERVE-AMERICA”;

- 42 USC 12521. (2) in section 111(a)(2)(B)(i) (42 U.S.C. 12421(a)(2)(B)(i)), by striking out “, and that is representative of the community in which such services will be provided”;
- 42 USC 12522. (3) in section 112 (42 U.S.C. 12422)—
 (A) by inserting “the Virgin Islands,” before “Guam” in subsection (a);
 (B) by inserting “solely” after “activities” in subsection (c);
 (C) by striking out “section 111(a)(2)” in subsection (c) and inserting in lieu thereof “paragraphs (2), (3), or (4) of section 111(a)”;
- 42 USC 12524. (D) by inserting “and Indian Tribes” before “on a competitive basis” in subsection (e);
 (4) in section 114 (42 U.S.C. 12424)—
 (A) by striking out “Youth Service Corps and National Service” in subsection (c)(7); and
 (B) by striking out “role” and inserting in lieu thereof “volunteer and”;
- 42 USC 12527. (5) in section 117(b)(1) (42 U.S.C. 12427(b)(1)), by inserting “evaluations,” after “insurance,”; and
- 42 USC 12531. (6) in section 118(d)(7) (42 U.S.C. 12428(d)(7))—
 (A) by striking out “in the program”; and
 (B) by striking out “project” and inserting in lieu thereof “program”.

SEC. 5. AMERICAN CONSERVATION AND YOUTH SERVICE CORPS.

Subtitle C of title I (42 U.S.C. 12441 et seq.) is amended—

- (1) in the subtitle heading by inserting “Service” before “Corps”;
- 42 USC 12542. (2) in section 122(e) (42 U.S.C. 12442(e)), by inserting “service” after “youth”;
- 42 USC 12543. (3) in section 123(c) (42 U.S.C. 12443(c))—
 (A) by striking out “and” at the end of paragraph (13);
 (B) by redesignating paragraph (14) as paragraph (15);
 and
 (C) by inserting after paragraph (13) the following new paragraph:
 “(14) a plan for ensuring that post-service education and training benefits are used solely for the purposes designated in this subtitle; and”;
- 42 USC 12544. (4) in section 124 (42 U.S.C. 12444)—
 (A) by striking out “human services” in subsection (a)(2) and inserting in lieu thereof “youth service”; and
 (B) by striking out “services in any project” and all that follows through “projects” in subsection (c) and inserting in lieu thereof “any specific activity for more than a 6-month period. No participant shall remain enrolled in programs”;
- 42 USC 12548. (5) in section 128(a)(3) (42 U.S.C. 12448(a)(3)), by striking out “project or service” and inserting in lieu thereof “activity”;
- 42 USC 12553. (6) in section 133(d)(1) (42 U.S.C. 12453(a)(3)), by striking out “subsections (a) and (c)” and inserting in lieu thereof “subsection (a)”;

(7) by striking out section 136 (42 U.S.C. 12456).

42 USC 12556.

SEC. 6. NATIONAL AND COMMUNITY SERVICE.

(a) **ELIGIBILITY.**—Section 145(c) (42 U.S.C. 12475(c)) is amended— 42 USC 12575.

(1) by striking out “member” and inserting in lieu thereof “participant” in the matter preceding paragraph (1); and

(2) by striking out “membership” and inserting in lieu thereof “participation” in paragraph (2).

(b) **POST-SERVICE BENEFITS.**—Section 146(e)(2) (42 U.S.C. 12476(e)(2)) is amended by inserting “benefit” before “provided”. 42 USC 12576.

SEC. 7. INNOVATIVE AND DEMONSTRATION PROGRAMS AND PROJECTS.

Section 157(c) (42 U.S.C. 12502(c)) is amended— 42 USC 12602.

(1) in paragraph (7)—

(A) by striking out “in the program”; and

(B) by striking out “project” and inserting in lieu thereof “program”; and

(2) in paragraph (8), by striking out “in a program”.

SEC. 8. ADMINISTRATIVE PROVISIONS.

Subtitle F of title I (42 U.S.C. 12531 et seq.) is amended—

(1) in section 178(b)(1)(B) (42 U.S.C. 12538(b)(1)(B)) by striking out “youth service corps” and inserting in lieu thereof “youth corps”; and 42 USC 12638.

(2) by inserting after section 185 (42 U.S.C. 12545) the following new section:

“SEC. 186. REGULATIONS.

42 USC 12645.

“Prior to the end of the 180-day period beginning on the date of enactment of the National and Community Service Act of 1990, the Commission shall issue final rules or regulations necessary to implement the provisions of this title.”.

SEC. 9. COMMISSION ON NATIONAL AND COMMUNITY SERVICE.

Section 190 (42 U.S.C. 12551)—

42 USC 12651.

(1) in subsection (b)—

(A) by striking out “Senate,” in paragraph (1)(A) and all that follows and inserting in lieu thereof the following: “Senate. To the maximum extent practicable, an effort should be made to appoint members—

“(i) who have extensive experience in volunteer and service opportunity programs and who represent a broad range of viewpoints; and

“(ii) so that the Board shall be diverse according to race, ethnicity, age, gender, and political party membership.”; and

(B) by striking out paragraphs (2), (3), and (4) and inserting in lieu thereof the following new paragraph:

“(2) **TERMS.**—Each member of the Board shall serve for a term of 3 years, except that seven of the initial members of the Board shall serve for a term of 1 year and seven shall serve for a term of 2 years, as designated by the President.”;

(2) in subsection (c)(7), by striking out “national service demonstration program” and inserting “program authorized by subtitle D”; and

(4) in subsection (f)(3), by striking out “National and regional clearinghouses” and inserting in lieu thereof “Clearinghouses”.

SEC. 10. YOUTHBUILD.

42 USC 5091m.

Section 715 of the Domestic Volunteer Service Act of 1973 is amended by striking out “Secretary” and inserting “Director”.

Approved March 12, 1991.

LEGISLATIVE HISTORY—S. 379:

CONGRESSIONAL RECORD, Vol. 137 (1991):

Feb. 6, considered and passed Senate.

Feb. 26, considered and passed House.