

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.

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## 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

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## 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-

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

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

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

11 **“SEC. 162. GRANTS TO STATES.**

12 “(a) GRANTS.—

13 “(1) IN GENERAL.—The Chief Executive Offi-  
14 cer shall award grants on a competitive basis to  
15 States, to enable the State Commissions—

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

18 “(B) to award subgrants on a competitive  
19 basis under section 162A to eligible entities to  
20 pay for the Federal share of the cost of car-  
21 rying out community service projects.

22 “(2) FUNDS FOR EDUCATIONAL AWARDS.—The  
23 Chief Executive Officer shall decide whether funds  
24 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 relating 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 disbursement 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           bursement 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 relating 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 disbursement 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           bursement 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)”;

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”;

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”.

○