

## HR 4854

Citizen Service Act of 2002

**Congress:** 107 (2001–2003, Ended)

**Chamber:** House

**Policy Area:** Social Welfare

**Introduced:** May 24, 2002

**Current Status:** Placed on the Union Calendar, Calendar No. 312.

**Latest Action:** Placed on the Union Calendar, Calendar No. 312. (Jun 20, 2002)

**Official Text:** <https://www.congress.gov/bill/107th-congress/house-bill/4854>

### Sponsor

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**Name:** Rep. Hoekstra, Peter [R-MI-2]

**Party:** Republican • **State:** MI • **Chamber:** House

Cosponsors (31 total)

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Committee Activity

| Committee                         | Chamber | Activity    | Date        |
|-----------------------------------|---------|-------------|-------------|
| Education and Workforce Committee | House   | Reported by | Jun 5, 2002 |

Subjects & Policy Tags

Policy Area:

Social Welfare

**Related Bills**

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*No related bills are listed.*

Citizen Service Act of 2002 - Amends the National and Community Service Act of 1990 (NCSA) and the Domestic Volunteer Service Act of 1973 (DVSA) to reauthorize appropriations and revise programs administered by the Corporation for National and Community Service (CNCS).

Includes among NCSA programs: (1) Learn and Serve America (Service-Learning); (2) AmeriCorps (AC) Grants; (3) AC-National Civilian Community Corps (NCCC). Includes among DVSA programs: (1) AC-Volunteers in Service to America (VISTA); and (2) National Senior Service Corps (NSSC), including Foster Grandparents, Senior Companions, and Retired and Senior Volunteer Program (RSVP).

**Title I: Amendments to the National and Community Service Act of 1990 - Subtitle A: Amendments to Subtitle A (General Provisions)** - Revises NCSA purposes and definitions.

**Subtitle B: Amendments to Subtitle B (Service-Learning)** - Revises service-learning programs for elementary and secondary students which are funded through school-based allotments to State educational agencies, territories, and Indian tribes.

(Sec. 1202) Directs CNCS to give special consideration to grant applications from historically Black colleges, Hispanic-serving institutions, and tribal colleges and universities for service-learning programs at higher education institutions.

Prohibits higher education institutions, in providing a matching non-Federal share for such programs, from using any Federal funds (current law allows use of Federal sources other than funds under national service programs).

Requires higher education institutions, to be eligible for such service-learning assistance, to demonstrate that they meet minimum requirements under the Higher Education Act of 1965 for participation of Federal work-study students in community service activities or have received a waiver of such requirements from the Secretary of Education.

(Sec. 1203) Authorizes CNCS to make grants, contracts, or cooperative agreements to various entities for: (1) community-based programs of human, educational, environmental, or public safety service by school-age participants; (2) training or technical assistance to support service-learning; (3) involve students in emergency preparedness and homeland security activities; (4) recognize students and schools for outstanding community service and service-learning programs; and (5) demonstration programs, research, and evaluation related to service-learning.

(Sec. 1204) Transfers service-learning clearinghouse provisions of NCSA title I subtitle B from the current part I subtitle C to a new part IV.

**Subtitle C: Amendments to Subtitle C (National Service Trust Program)** - Prohibits CNCS from providing grants to a Federal agency under provisions which authorize contracts or cooperative agreements to support national service programs carried out by such agencies. Eliminates CNCS assistance to such other Federal agency programs through approval of national service educational awards to their participants and deposits in the National Service Trust for such awards. Directs CNCS to provide such approval and deposits for educational awards in conjunction with approving member-based national service positions established by this Act.

(Sec. 1302) Revises provisions for types of national service programs eligible for program assistance. Allows low-income individuals up to age 25 (currently up to age 24) to participate in a service-learning program to provide housing and community facilities.

Authorizes assistance for the following new service programs: (1) an E-Corps to develop and assist technology programs in communities; (2) citizen involvement in public safety, public health, and disaster relief and preparedness, including recruiting and placing qualified participants as trainees as law enforcement officers, firefighters and rescue personnel, search and rescue personnel, emergency medical service workers, and/or disaster services workers; and (3) expanding the number of young people with mentors, through direct mentoring services or capacity-building activities for mentoring organizations.

Requires tutoring programs, if they receive assistance, to use tutors who have high school degrees or equivalents or are enrolled to get such degrees. Requires literacy programs, if they receive assistance, to provide: (1) reading instruction based on types of research and essential components outlined in the No Child Left Behind Act of 2001; and (2) tutors with training that incorporates recommendations of the National Reading Panel and research from the National Institute of Child Health and Human Development. Sets forth requirements relating to citizenship training and oaths for individuals enrolled in approved national service positions.

(Sec. 1303) Eliminates participation in a program carried out by a Federal agency from among the types of positions eligible for national service educational awards.

(Sec. 1304) Authorizes CNCS to provide certain training and technical assistance to all programs assisted under national service laws. Requires addressing the training and technical assistance needs of programs which focus on and provide service opportunities for underserved rural and urban areas and populations.

(Sec. 1305) Increases minimum and maximum amounts of challenge grants to assist State Commissions on National and Community Service. Eliminates certain limitations on such grant amounts, but adds matching requirements.

(Sec. 1306) Revises provisions for allocation of assistance and approved national service positions to States and other eligible entities. Requires CNCS to reserve the following portions of such assistance: (1) up to 20 percent for national grants to nonprofit organizations to operate a program in two or more States; (2) at least 35 percent for competitive innovative grants to States; (3) 45 percent for formula grants to applicant States based on relative populations; and (4) one percent each (as under current law) for territories and Indian tribes. Increases the maximum amount of funds which may be reserved (but not the minimum required one percent portion) for supplemental and outreach grants to help place and recruit individuals with disabilities as service program participants.

(Sec. 1307) Establishes a pilot program for member service positions. Authorizes CNCS to reserve, on a pilot basis, up to five percent of the funds allocated for certain assistance for a fiscal year to test new approaches to increasing and diversifying opportunities to serve in approved national service positions in communities throughout the United States, including allowing individuals to serve in such positions other than through certain program operational grants. Allows CNCS, after making selections on a competitive basis, to award such funds to up to 15 State commissions. Sets forth requirements for such grantees with respect to such programs.

Authorizes CNCS to provide certain operational assistance to programs that receive approved national service positions but do not receive specified funds.

Authorizes various types of grants to be made in fixed amounts under certain conditions.

(Sec. 1309) Includes the extent to which a program generates involvement of volunteers among considerations in evaluating applications for assistance, if CNCS determines it applicable. Eliminates provisions for application review panels.

(Sec. 1310) Eliminates a requirement that an individual's term of service in a program will be before, during, or after attendance at a higher education institution. Allows individuals to self-certify that they are 17 years old or older at the time they begin a term of service. Allows 16-year-olds to participate in a youth corps program only if they are out of school.

(Sec. 1312) Revises provisions for participant terms of service.

(Sec. 1313) Revises provisions for participant living allowances to require: (1) adjustments for Federal work-study wage earners; and (2) grantee reports on any non-CNCS funds used to pay living allowances.

**Subtitle D: Amendments to Subtitle D (National Service Trust and Provision of National Service Educational Awards)** - Authorizes CNCS to designate National Service Trust funds to pay for the Federal share of service-based scholarships for high school students and for senior service scholarships (as well as for national service educational awards and for certain interest expenses during forbearance of student loan repayment).

(Sec. 1402) Revises provisions for national service educational awards with respect to: (1) individual eligibility; (2) determination of amount; and (3) disbursement.

(Sec. 1405) Allows the Trust to disburse some or all of a national educational service award directly to any participant with disabilities, for education, training, or work-related activities to make such individual self-sufficient.

Sets a limit on the individual maximum amount of the Federal share of service-based scholarships to recognize high school juniors and seniors engaging in outstanding community service and scholarship. Allows CNCS to use Trust funds to pay such Federal share. Requires an equal or greater local share.

**Subtitle E: Amendments to Subtitle E (National Civilian Community Corps)** - Renames and revises the Civilian Community Corps Demonstration Program as a National Civilian Community Corps (NCCC) which is no longer a demonstration program. Authorizes NCCC to operate and support residential and other service programs that combine the best practices of civilian service with the best aspects of military service, including leadership and team building, to meet national and community needs, including those related to natural and other disasters (to be addressed in coordination with the Federal Emergency Management Agency and other public and private organizations).

(Sec. 1502) Allows NCCC's national service program and summer national service program to each include a residential component.

(Sec. 1503) Requires a NCCC national service program participants (except in summer programs) to be at least 18 years old by the end of the calendar year in which the individual enrolls in the program (Current law requires individuals to be at least 16 and not more than 24 years old.) Eliminates current minimum and maximum limits on the period of participation.

(Sec. 1504) Authorizes scholarships for postsecondary education for those enrolled in NCCC summer national service programs while in high school, as an alternative benefit for those who do not meet minimum age requirements for a national service educational award.

(Sec. 1505) Revises provisions relating to team leaders, consultation with State commissions, a permanent cadre, contract and grant authority, and other departments.

(Sec. 1510) Repeals provisions authorizing an advisory board and limiting funding.

(Sec. 1512) Authorizes CNCS to make grants, and provide an allotment of educational awards, to State and local public

agencies and private nonprofit organizations, including higher education institutions, to support developing and operating emergency response corps programs as part of NCCC. Requires grant recipients to conduct such a program, in which individuals at least 18 years of age receive training and are deployed to respond to natural and other disasters and otherwise support local communities in public safety, public health, and emergency preparedness. Allows such programs to include: (1) a residential component; and (2) national service opportunities for participants to be trainees as law enforcement officers, firefighters and rescue personnel, search and rescue personnel, emergency medical service workers, and disaster services workers.

**Subtitle F: Amendments to Subtitle F (Administrative Provisions)** - Provides that participants in a project authorized under the national service laws shall not be considered employees for purposes of determining whether a service sponsor is an employer under certain family and medical leave provisions.

(Sec. 1602) Prohibits a program from receiving assistance under the national service laws for the sole purpose of referring individuals to Federal assistance programs or State assistance programs funded in part by the Federal government.

Prohibits assistance made available under the national service laws from being used to: (1) develop or distribute materials or operate programs or courses of instruction directed at youth that are designed to promote or encourage sexual activity; (2) distribute or aid in the distribution by any organization of obscene materials to minors on school grounds; (3) provide in schools sex education, unless such education is age appropriate and includes discussion of the health benefits of abstinence, and HIV-prevention instruction, unless such instruction is age appropriate, includes discussion of the health benefits of abstinence, and includes discussion of the health risks of the human papillomavirus (HPV), consistent with specified provisions of the Public Health Service Act; or (4) operate a program of contraceptive distribution in schools.

(Sec. 1603) Revises provisions relating to notice, hearing, and grievance procedures.

(Sec. 1604) Revises provisions relating to resolution of displacement complaints. Requires programs receiving assistance under the national service laws to: (1) establish and stringently enforce standards of conduct at the program site to promote proper moral and disciplinary conditions; (2) consult with the parents or legal guardians of children in developing and operating programs that include and serve children; and (3) consistent with State law, before transporting minor children, provide the reason for and obtain written permission of the children's parents.

(Sec. 1605) Requires State commissions on national and community service to include a representative of the volunteer sector. Revises requirements for State commissions' national service plans. Subjects such plans to the approval of CNCS, and authorizes CNCS to waive or specify alternatives to administrative requirements otherwise applicable to States under the national service laws.

(Sec. 1606) Revises provisions for evaluation and accountability.

(Sec. 1608) Adds administrative provisions relating to: (1) consolidated application and reporting requirements; (2) accountability for results; (3) program sustainability; (4) use of recovered funds; (5) capacity building; (6) expenses of attending meetings; (7) fees; (8) grant periods; (9) generation of volunteers; (10) program grant costs limitation; (11) notice requirements; and (12) audits and reports.

**Subtitle G: Amendments to Subtitle G (Corporation for National and Community Service)** - Revises provisions relating to the CNCS, including terms of office, authorities, and duties of its Board of Directors.

(Sec. 1703) Directs the Chief Executive Officer (CEO) of CNCS to obtain the opinions of peer reviewers in evaluating applications for assistance.

(Sec. 1704) Provides that a CNCS representative designated for a State or group of States shall also serve as a non-voting member (current law, member) of the State Commission in the State or States. Authorizes CNCS to enter into personal services contracts to carry out research, evaluation, and public awareness related to the national service laws.

(Sec. 1705) Authorizes CNCS to solicit and accept the services of organizations and individuals, other than participants, to assist it in carrying out its duties under the national service laws, and may provide travel expenses to such individuals.

**Subtitle H: Amendments to Subtitle H** - Authorizes CNCS to make matching grants to: (1) entities eligible for assistance under the national service laws, to support greater engagement of citizens in service and volunteerism; and (2) Internet volunteer recruiting entities, to locate, promote, and match volunteers to with local service and volunteer organizations.

(Sec. 1802) Repeals provisions for a special demonstration project for the Yukon-Kuskokwim delta region of Alaska..

**Subtitle I: Additional Authorities** - Establishes a program of Senior Service Scholarships. Authorizes CNCS to: (1) make grants to States, Indian tribes, other public agencies, and nonprofit organizations to carry out or sponsor mentoring, tutoring, and other programs, for up to \$600 per senior volunteer age 55 or older; and (2) approve provision of senior service scholarships for volunteers who serve in such programs or other similar programs, at \$1,000 for 500 hours of service in a year.

(Sec. 1902) Authorizes CNCS to make grants to the organization America's Promise: The Alliance for Youth to support its activities relating to mobilizing communities to ensure that young people become productive, responsible adults. Authorizes the CEO of CNCS to serve as an ex officio nonvoting member of the Board of Directors of such organization.

**Subtitle J: Title III (Points of Light Foundation)** - Authorizes the CEO of CNCS to serve as an ex officio nonvoting member of the Board of Directors of Points of Light Foundation (POLF).

(Sec. 1913) Directs CNCS to make certain grants to POLF. Allows certain amounts to be used for an endowment fund for POLF. Authorizes POLF to make grants to: (1) community-based organizations for the purpose of facilitating the development of volunteer centers; and (2) community-based volunteer centers to support their ability to recruit, manage, and retain volunteers.

**Subtitle K: Amendments to Title V (Authorization of Appropriations)** - Authorizes appropriations for FY 2003 through 2007 for various programs under NCSA, including the title III Points of Light Foundation, and the following subtitles under title I: (1) B, service-learning ; (2) C, National Service Trust Program; (3) D, the Trust and provision of National Service Educational Awards; and (4) H, investment for quality and innovation.

**Title II: Amendments to the Domestic Volunteer Service Act of 1973 - Subtitle A: Amendments to Title I (National Volunteer Antipoverty Programs)** - Adds to a statement of volunteerism policy expanding relationships with, and support for, the efforts of civic, community, and educational organizations.

(Sec. 2102) Revises provisions for Volunteers in Service to America (VISTA) under part A of title I of DVSA.

(Sec. 2103) Authorizes the VISTA Director to enter into agreements under which public and private nonprofit organizations with sufficient financial capacity and size pay for all or a portion of the costs of supporting the service of



volunteers under this DVSA, consistent with specified provisions of NCSA.

(Sec. 2104) Revises provisions for VISTA terms and periods of service. Provides that certain requirements involving a full-time personal commitment by volunteers shall not apply to up to 25 percent of volunteers enrolled in FY 2003 and 50 percent of those enrolled in FY 2004. Directs GAO to report to Congress as to whether such exemptions have had a material and adverse impact on VISTA's ability to combat poverty and related problems. Provides, if they have not had such an effect, that such exemptions be extended to up to 75 percent of volunteers in FY2005 and up to 100 percent of those in FY 2006 and thereafter.

(Sec. 2105) Repeals provisions for: (1) a VISTA Literacy Corps; and (2) literacy challenge grants.

(Sec. 2106) Revises provisions the University Year for VISTA program and for special volunteer programs to specifically include civic, community, and educational institutions among the agencies in which such types of service may be carried out.

**Subtitle B: Amendments to Title II (National Senior Volunteer Corps)** - Changes the name of the National Senior Volunteer Corps to the National Senior Service Corps (NSSC).

(Sec. 2202) Provides that NSSC will give service opportunities to individuals 55 years of age and older, through the Foster Grandparents program, Senior Companions program, and Retired and Senior Volunteer Program (RSVP), and research, training, demonstration, and other program activities to meet unmet needs in their communities, including ones related to emergency preparedness, public safety, public health, and disaster relief.

(Sec. 2203) Provides that grants and contracts for volunteer service projects shall help retired individuals and older working individuals to share their experiences, abilities, and skills for the betterment of their communities and themselves. Eliminates a priority for project enrollment of individuals 60 years old or older. Eliminates a requirement for State agency review of such grant and contract awards.

(Sec. 2204) Revises provisions for Foster Grandparent Program grants. Allows program enrollment of low-income and other persons aged 55 or over (currently, low-income persons aged 60 or over). Permits individuals who are not low-income persons to serve as such volunteers, subject to specified restrictions. Authorizes the CEO of CNCS (called the Director under DVSA) to: (1) also provide a stipend or allowance in an amount not to exceed ten percent more than the amount established for volunteers to leaders who, on the basis of past experience as volunteers, special skills, and demonstrated leadership abilities, may coordinate activities, including training, and otherwise support the service of volunteers; and (2) provide payments for up to 15 percent of volunteers serving in a project for a fiscal year who are not low-income, upon certification by the grant or contract recipient that it is unable to effectively recruit and place low-income volunteers in the number of placements approved for the project.

(Sec. 2205) Revises provisions for Senior Companion Program grants. Allows program enrollment of low-income and other persons aged 55 or over (currently, low-income persons aged 60 or over). Permits senior companion volunteer trainers and leaders to receive a stipend or allowance consistent with certain provisions and approved by the CEO of CNCS (the Director).

(Sec. 2207) Includes among programs of national significance programs that strengthen community efforts in support of homeland security.

(Sec. 2208) Requires that participation in NSSC programs and activities be open to seniors regardless of income level.

Directs CNCS to take appropriate steps, including conducting outreach at the national level and requiring measures at the local level, to ensure the inclusion of low-income persons in such programs and activities.

Directs CNCS, in making NSSC grants, to take actions to maintain service assignments for seniors and ensure continuity of service for communities served by Retired and Senior Volunteer programs, Foster Grandparent programs, and Senior Companion programs prior to enactment of this Act.

Authorizes CNCS to reserve specified amounts to support research and training designed to improve the effectiveness of NSSC programs.

**Subtitle C: Amendments to Title IV (Administration and Coordination)** - Extends nondisplacement provisions to cover volunteers (other than participants under national service laws), as well as employed workers.

(Sec. 2304) Allows each organization that receives assistance under DVSA to verify the income eligibility of volunteers based on a confidential declaration of income and with no requirements for verification.

(Sec. 2305) Repeals certain provisions relating to: (1) suspension and termination of financial assistance; and (2) evaluation of programs and projects.

**Subtitle D: Amendments to Title V (Authorization of Appropriations)** - Authorizes appropriations for FY 2003 through 2007 for: (1) VISTA; (2) NSSC; and (3) administration and coordination under DVSA.

**Title III: Amendments to Other Laws** - Revises a reference under the Inspector General Act.

**Title IV: Technical Amendments to Tables of Contents** - Amends the tables of contents of the NCSA and the DVSA.

**Title V: Effective Date and Sense of Congress** - Sets forth the effective date of this Act.

(Sec. 5102) Sets forth rules for applicability of revisions made by this Act to service assignments and agreements.

(Sec. 5103) Expresses the sense of Congress that CNCS should distinguish individuals receiving stipends from volunteers by referring to: (1) participants in AmeriCorps under NCSA as members; (2) Foster Grandparents; and (3) Senior Companions.

(Sec. 5104) Expresses the sense of Congress encouraging provision of recruitment and application materials in languages other than English, in order to serve communities of limited English proficiency, by programs under this Act, and under NCSA and DVSA as revised by this Act.

## **Actions Timeline**

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- **Jun 20, 2002:** Reported (Amended) by the Committee on Education and the Workforce. H. Rept. 107-521.
- **Jun 20, 2002:** Reported (Amended) by the Committee on Education and the Workforce. H. Rept. 107-521.
- **Jun 20, 2002:** Placed on the Union Calendar, Calendar No. 312.
- **Jun 12, 2002:** Committee Consideration and Mark-up Session Held.
- **Jun 12, 2002:** Ordered to be Reported (Amended) by Voice Vote.
- **Jun 5, 2002:** Subcommittee Consideration and Mark-up Session Held.
- **Jun 5, 2002:** Forwarded by Subcommittee to Full Committee (Amended) by Voice Vote.
- **May 29, 2002:** Referred to the Subcommittee on Select Education.
- **May 24, 2002:** Introduced in House
- **May 24, 2002:** Introduced in House
- **May 24, 2002:** Sponsor introductory remarks on measure. (CR E932-933)
- **May 24, 2002:** Referred to the House Committee on Education and the Workforce.