

GIVE Act, H.R. 2857 (House Mark-up)

Executive Summary

On June 27, 2007, the House Education and Labor committee approved the Generations Invigorating Volunteerism and Education Act (H.R. 2857). The committee-passed bill reauthorizes the Corporation for National and Community Service and its programs through fiscal year 2012. The bill includes significant provisions advancing each of the Administration Principles for Reauthorization:

- Mobilizing citizen volunteers to meet the pressing challenges of our communities;
- Making Federal funds more responsive to State and local needs;
- Providing flexibility to leverage Federal resources, make Federal support more accountable and cost-effective, and increasing the effectiveness of the Corporation and its programs; and
- Meeting the immediate and long-term needs of communities facing a large-scale disaster.

Areas of emphasis include those in line with the Corporation's strategic initiatives: (1) mobilizing volunteers; (2) engaging students in service; (3) focusing on youth from disadvantaged circumstances; (4) providing service opportunities for Baby Boomers; and (5) meeting the needs of communities facing disasters.

H.R. 2857 adds language in the overall purpose statement to expand service learning, coordinate citizen service in emergencies or disasters, increase service opportunities for retiring professionals, encourage continued service of alums, and encourage service by Baby Boomers. In a non-binding expression of the "Sense of Congress," the bill sets a goal for 100,000 AmeriCorps members (State/National, NCCC, and VISTA) by 2012.

What follows is a list of substantive provisions. They are not intended to state any particular position.

Learn & Serve America

- Reserves up to 3% of Learn & Serve America funds for competitive grants to partnerships to development service-learning programs to promote civic engagement among elementary and secondary students.
- After reserving up to 3%, school-based funding remains at 63.75%, but includes only Formula grants to State Education Agencies and new authority for a summer of service program providing a \$500 summer of service education award for rising 6-12 graders who complete 100 hours in an approved position. Within School-Based, a current law restriction on the percentage of funds that may be used for training, curriculum development, and other capacity-building is removed, and the cap on administrative costs is increased from 5% to 6%.
- Higher Education remains at 25%, with institutions of higher education (individually or as a consortia or in partnership with public or private nonprofit organizations) eligible for funding. To be eligible for assistance, an institution of higher education must meet minimum Federal Work Study requirements relating to community service.
- Community-based funding is folded into a new Part III, Innovative Service-Learning Program and Research, at 11.25%, along with new funding authority to integrate service-learning into science, technology, engineering, and mathematics (STEM) curricula, energy conservation, emergency and disaster preparedness, reducing the digital divide, high school student mentors of middle school youth, and research and evaluation.

AmeriCorps State/National

- From funds appropriated for subtitles C, D, and H, up to 3 percent are to be reserved for Competitive grants to State/National applicants for programs that recruit veterans into service opportunities, assist military families when a family member is deployed.
- Codifies National Directs at 23%, with State Formula and Competitive at 37.5% each. Indian Tribes and U.S. Territories at 1% each. Codifies small state minimum in Formula at \$600,000. Permits States to apply before selecting sub-grantees.
- Combines member support and operating costs into one match requirement, 24 percent for first three years, increasing thereafter until 50 percent match beginning year 10. Alternative schedule for programs in rural or severely economically distressed communities.
- Codifies cost per Full-time Equivalent member (currently “Member Service Year”, and excludes child care and education award) ceiling for each grant at \$16,000, with waiver authority up to \$18,000 to meet compelling needs of program, such as disadvantaged youth, individuals with disabilities, and start-up. Ceiling to be adjusted for inflation in future years.
- Increases cap on administrative expenses from five to six percent of the amount of Corporation assistance.
- Permits use of subtitle C funds to make Education Awards Only Program fixed amount grants of no more than \$600 per member, with authority to increase to \$800 per member for programs serving at least 50% disadvantaged youth. This codifies authority given in recent appropriations statutes.
- Permits Professional Corps programs to apply through AmeriCorps State Formula and Competitive as well as National Direct (under current law, professional corps programs that pay a living allowance greater than the maximum for non-professional corps programs may apply only through State Competitive and National Direct).
- Codifies 2005 rulemaking on tutoring --HS diploma or proficiency test required for AmeriCorps members serving as tutors, with standards set for curriculum and training.

State Commissions

- Increases minimum from \$125,000 to \$200,000 (and ceiling from \$750,000 to \$825,000) for administrative grants to support each Commission's operations.
- Revises matching requirements for Federal grant funds as follows: 0-100k: 0%; 100-200k-50%; and above 200k -- 100% (current requirement is 100% for entire grant).
- Authorizes plan to serve as basis for considering waivers of administrative (non-statutory) requirements a State identifies as impeding efficiency of service programs. Eligibility for Learn & Serve and AmeriCorps grants is contingent upon a State submitting to CNCS a comprehensive plan for volunteer and paid service by members of the Baby Boom generation and older adults.

Challenge and Disability Grants

- Expands to all national service programs (current law limits to AmeriCorps State/National).

National Service Trust

- Increases Segal AmeriCorps Education Award by \$100 each year until \$5,225 in 2012 and thereafter.
- Authorizes \$500 summer of service education awards for rising 6-12th graders based on 100 hours of service. Sets maximum of two summer of service education awards, neither of which affects an individual's eligibility for Segal AmeriCorps Education Award. Summer of service education award may be used for same uses as Segal AmeriCorps Education Award as well as to pay for college preparatory course costs.
- Allows an individual to receive up to the value of two full-time education awards (current law caps at first two, regardless of length).
- In addition to currently authorized uses, allows education award to be used (1) at educational institutions eligible for GI Bill educational benefits; (2) to repay loans made by State agencies and other lenders considered eligible under the Higher Education Act (codifying long-standing appropriations authority) or otherwise approved by the Corporation; and (3) for education expenses at a Title IV institution outside definition of "cost of attendance" (such as elder hostel).

National Civilian Community Corps

- Strikes reference to "demonstration" and focuses on disaster relief along with infrastructure development, environment, energy conservation, and urban and rural development.
- Provides authority for non-residential program activities (current law limits NCCC to residential activities)..
- Strengthens focus on recruiting disadvantaged youth as participants.
- Directs NCCC to consult with State Commissions in developing projects.
- Adds FEMA Administrator, Secretary of Transportation, Chief of U.S. Forest Service, and EPA Administrator to NCCC Advisory Board and focuses Board on coordinating Corps members as first responders to disasters and mobilizing volunteers.

Administrative Provisions

- Prohibits displacement of volunteers (in addition to current law prohibition of displacement of employees), codifying 2005 AmeriCorps rulemaking.
- Adds requirement for national service programs to consult with parents in developing and operating programs that serve children; requires written permission from parents before transporting minor children.
- Focuses national evaluation activities on performance measures, with more service delivery evaluation focus on effective use of participants' time and cost-effectiveness. In addition to funds appropriated under evaluation section 179, authorizes Corporation to reserve up to one percent of total program funds to support program accountability activities.

- Directs Corporation to (1) establish, in consultation with grantees, performance measures for each program, (2) require corrective plans for those not meeting goals, and (3) reduce or terminate assistance if correction is not made.
- Allows Corporation to consolidate or modify application procedures and reporting requirements (but would leave unchanged provisions concerning legal applicants).
- Authorizes CNCS, in collaboration with Commissions and in consultation with grantees, to set sustainability goals relating to lessening grantee dependence on Federal funds.
- Authorizes Corporation to repay grantees 3/4 of disallowed funds following an audit upon correction of noncompliance.
- Authorizes Corporation to pay directly for travel expenses of NCSA grantee personnel to attend Corporation-sponsored training events.
- Specifies that, unless otherwise provided, CNCS grants are up to 3 years.
- All Board of Directors terms five years (current law reflects initial staggered terms of varying lengths)
- Permits Board members to serve for one year beyond expiration of term while awaiting successor.
- Provides that Board has overall policy responsibility, retains current law operational authorities, and adds authority to review agency's annual budget submission and to review the CEO performance and recommend to the President whether to retain or remove the CEO.
- Adds more specific authority for cost-share agreement funds advanced or received to be credited to current appropriations.
- Directs CEO to include, as part of the strategic plan submitted to the Board of Directors for approval, a plan for achieving 50 percent full time AmeriCorps members (including S/N, NCCC, and VISTA).
- Directs CEO to submit an annual report to the Board and Congress on actions taken to achieve the 50 percent fulltime goal.
- Directs CEO to use peer reviewers in evaluating applications for assistance under title I of the NCSA (including L&S, AmeriCorps, Subtitle H grants).
- Authorizes personal services contracts for research, evaluation, and public awareness functions.
- Establishes CNCS Office of Outreach and Recruitment.
- Directs CNCS to study service programs for veterans, with a report to Congress within one year. Authorizes a pilot program based on findings.
- CNCS to establish requirements for CNCS grantees to promote citizenship and civic engagement, consistent with U.S. Citizenship and Immigration Services citizenship programs, for AmeriCorps members and Summer of Service participants.

Subtitle H

- Drops several provisions, including summer programs, while retaining authority for conferences, youth leadership, service-learning.
- Adds authority within subtitle H to provide support – via one-time grants (including fixed amount grants) of up to 4 years -- to innovative and model programs, including those with a focus on disadvantaged youth, 21st century learning and thinking skills, youth under the age of 17, health and wellness of low-income and rural communities, reducing recidivism, and engaging court-involved youth and adults in service.
- Adds authority within subtitle H to disseminate information through clearinghouses on service-learning needs assessments, planning, research, evaluation, leadership training, communication, curriculum, accessibility to individuals with disabilities, and best practices; disseminate applications in languages other than English; promote an alumni network and a Reserve Corps who are ready to serve in times of national need; and engage disadvantaged youth.
- Repeals several authorities (clearinghouse, military installation conversion, and Yukon-Kuskokwim Delta of Alaska demo).

Training and Technical Assistance

- Eliminates current law references to funding training and technical assistance in NCSA subtitle C and H, and DVSA, and authorizes a new subtitle J for Training and Technical Assistance for programs under the national service laws.
- CNCS shall reserve up to 2.5% of Learn & Serve, AmeriCorps State/National, Subtitle H, and DVSA program funds.

Points of Light Foundation

- Repeals Title III authority to make grants to the Points of Light Foundation.

AmeriCorps VISTA

- In VISTA purpose statement, adds emphasis on long-term sustainability of projects and strengthening local agencies and community organizations.
- Includes additional programming models: re-entry; financial skills for low-income communities, before- and after-school programming, micro-enterprises, veterans, childhood obesity and other health issues.
- Adds priority in recruitment for disadvantaged youth, low-income adults, and retired professionals.
- Provides for Family and Medical Leave Act coverage for VISTA members in line with current law coverage for State/National members.
- Requires CNCS to spend 2% of VISTA program funds on public outreach and recruitment.
- Eliminates Governor 45-day project approval process.

- For those VISTA members who opt for a post-service cash stipend in lieu of an education award, increases the amount (which accrues on a monthly basis) from current law range of \$100-\$125 to range of \$125-175, with up to \$250 for leaders.
- Directs CNCS to use 1/3 of funds above current services to support “programs of national significance” including financial skills, before- and after-school programs, community economic development, veterans, childhood obesity and other health issues.
- Repeals VISTA Literacy Corps, VISTA Challenge Grants, and University Year for VISTA.

Senior Corps

- Codifies “National Senior Service Corps” as program name
- Lowers minimum age from 60 to 55 for Foster Grandparents and Senior Companions in line with current law RSVP volunteers.
- For RSVP, institutes competition after fiscal year 2009, provided that service areas maintain level volunteer service years, program distribution remains stable, disruption of volunteers is minimized, and “some form of priority consideration” is given to existing grantees in good standing.
- Directs CNCS to maintain continuity of service for RSVP, SCP, FGP volunteers and communities.
- Federal share of stipend may not exceed \$2.65 with one adjustment for inflation before 12/31/2012.
- Individuals up to 200 percent of poverty may be eligible for stipend.
- Permits up to 15% of FGP and SCP stipended volunteers to be over income **if** local programs are unable to fill available slots, and permits use of Federal funds for recruitment and management of over-income volunteers. Directs CNCS outreach office to ensure inclusion of low-income persons. Prohibits displacement of low-income volunteers.
- Authorizes stipend up to 10% over regular amount for FGP and SCP leaders.
- At least 50 percent of grants under Programs of National Significance (PNS) must be to organizations currently not receiving CNCS assistance and when possible in locations where no Senior Corps projects operate. Adds to list of PNS programs: Alzheimer’s disease; life skills; and mentoring disadvantaged youth. Removes from list of PNS programs: Boarder babies; child care; environmental needs; outreach to labor unions and other national organizations; criminal justice; and augmenting State human service agency work.
- In demonstration authority, removes programming models except those identified in Programs of National Significance and carried out through RSVP, SCP, and FGP programs. Among demonstration programs, priority for those that include reciprocal service or service exchange (such as service credit banking, timebanking) and those that incorporate service-learning, AmeriCorps, VISTA, RSVP, FGP, SCP, or Older Americans Act programs.
- Shortens denial of refunding notice period from 75 days to 60 days and eliminates requirements for informal hearing.

Authorization of Appropriations

- Learn and Serve America: \$65M for FY 08, including \$10M for summer of service grants and \$10M for summer of service education awards, and such sums as may be necessary FY 09-2012.
- Subtitles C, D, & H, and audits/evaluations: \$485M for FY 08, and such sums as may be necessary FY 09-2012, of which up to 15 percent shall be available for disaster and challenge grants.
- Subtitle C AmeriCorps State/National: \$324M for FY 08; \$357M for FY 09; \$397M for FY 2010; and such sums as may be necessary for FY 2011 and FY 2012.
- Subtitle E AmeriCorps NCCC: \$25M for FY 08 and such sums as may be necessary for FY 09 – 2012
- Program Administration (including State Commission admin grants and outreach office): \$51M for FY 08 and such sums as may be necessary for FY 09-2012, split 69/21 between CNCS and Commissions.
- AmeriCorps VISTA: \$100M for FY 08 and such sums as may be necessary for FY 09-2012.
- DVSA Title I Special Volunteer Programs: Such sums as may be necessary for FY 08-2012.
- RSVP: \$67.5M for FY 08, such sums for FY 09-2012.
- FGP: \$115M for FY 08, such sums for FY 09-2012.
- SCP: \$52M for FY 08, such sums for FY 09-2012.
- Senior Demo: \$500K for FY 08, such sums for FY 09-2012.
- Program Admin: \$35M for 08, such sums for 09-2012.