

1 less such entity does not want to enter into such agree-
2 ment.

3 SEC. 309. Notwithstanding section 102(a)(4)(A) of
4 the Higher Education Act of 1965, the Secretary of Edu-
5 cation shall not take into account a bankruptcy petition
6 filed in the United States Bankruptcy Court for the
7 Northern District of New York on February 21, 2001, in
8 determining whether a nonprofit educational institution
9 that is a subsidiary of an entity that filed such petition
10 meets the definition of an "institution of higher edu-
11 cation" under section 102 of that Act.

12 This title may be cited as the "Department of Edu-
13 cation Appropriations Act, 2008".

14 TITLE IV

15 RELATED AGENCIES

16 COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE

17 BLIND OR SEVERELY DISABLED

18 SALARIES AND EXPENSES

19 For expenses necessary of the Committee for Pur-
20 chase From People Who Are Blind or Severely Disabled
21 established by Public Law 92-28, \$4,994,000.

22 CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

23 OPERATING EXPENSES

24 (INCLUDING TRANSFER OF FUNDS)

25 For necessary expenses for the Corporation for Na-
26 tional and Community Service to carry out the Domestic

1 Volunteer Service Act of 1973 ("1973 Act") and the Na-
2 tional and Community Service Act of 1990 ("1990 Act"),
3 \$798,065,000, of which \$313,054,000 is to carry out the
4 1973 Act and \$485,011,000 is to carry out the 1990 Act:
5 *Provided*, That up to 1 percent of program grant funds
6 may be used to defray the costs of conducting grant appli-
7 cation reviews, including the use of outside peer reviewers
8 and electronic management of the grants cycle: *Provided*
9 *further*, That none of the funds made available under this
10 heading for activities authorized by section 122 and part
11 E of title II of the 1973 Act shall be used to provide sti-
12 pends or other monetary incentives to program partici-
13 pants or volunteer leaders whose incomes exceed the in-
14 come guidelines in subsection 211(e) and 213(b) of the (S
15 1973 Act: *Provided further*, That notwithstanding subtitle
16 H of title I of the 1990 Act, none of the funds provided
17 for quality and innovation activities shall be used to sup-
18 port salaries and related expenses (including travel) attrib-
19 utable to Corporation for National and Community Serv-
20 ice employees: *Provided further*, That of the amounts pro-
21 vided under this heading: (1) not less than \$126,121,000,
22 to remain available until expended, to be transferred to
23 the National Service Trust for educational awards author-
24 ized under subtitle D of title I of the 1990 Act: *Provided*
25 *further*, That in addition to these funds, the Corporation

1 may transfer funds from the amount provided for
2 AmeriCorps grants under the National Service Trust Pro-
3 gram, to the National Service Trust authorized under sub-
4 title D of title I of the 1990 Act, upon determination that
5 such transfer is necessary to support the activities of na-
6 tional service participants and after notice is transmitted
7 to the Congress; (2) not more than \$55,000,000 of fund-
8 ing provided for grants under the National Service Trust
9 program authorized under subtitle C of title I of the 1990
10 Act may be used to administer, reimburse, or support any
11 national service program authorized under section
12 129(d)(2) of such Act; (3) \$12,000,000 shall be to provide
13 assistance to State commissions on national and commu-
14 nity service, under section 126(a) of the 1990 Act and
15 notwithstanding section 501(a)(4) of the 1990 Act; and
16 (4) not less than \$5,000,000 shall be for the acquisition,
17 renovation, equipping and startup costs for a campus lo-
18 cated in Vinton, Iowa and a campus in Vicksburg, Mis-
19 sissippi to carry out subtitle G of title I of the 1990 Act.

20

SALARIES AND EXPENSES

21 For necessary expenses of administration as provided
22 under section 501(a)(4) of the National and Community
23 Service Act of 1990 and under section 504(a) of the Do-
24 mestic Volunteer Service Act of 1973, including payment
25 of salaries, authorized travel, hire of passenger motor vehi-
26 cles, the rental of conference rooms in the District of Co-

1 lumbia, the employment of experts and consultants au-
2 thorized under 5 U.S.C. 3109, and not to exceed \$2,500
3 for official reception and representation expenses,
4 \$68,964,000.

5 OFFICE OF INSPECTOR GENERAL

6 For necessary expenses of the Office of Inspector
7 General in carrying out the Inspector General Act of 1978,
8 \$6,900,000.

9 ADMINISTRATIVE PROVISIONS

10 SEC. 401. Notwithstanding any other provision of
11 law, the term "qualified student loan" with respect to na-
12 tional service education awards shall mean any loan deter-
13 mined by an institution of higher education to be nec-
14 essary to cover a student's cost of attendance at such in-
15 stitution and made, insured, or guaranteed directly to a
16 student by a State agency, in addition to other meanings
17 under section 148(b)(7) of the National and Community
18 Service Act.

19 SEC. 402. Notwithstanding any other provision of
20 law, funds made available under section 129(d)(5)(B) of
21 the National and Community Service Act of 1990 to assist
22 entities in placing applicants who are individuals with dis-
23 abilities may be provided to any entity that receives a
24 grant under section 121 of the Act.

25 SEC. 403. The Inspector General of the Corporation
26 for National and Community Service shall conduct ran-

1 dom audits of the grantees that administer activities under
2 the AmeriCorps programs and shall levy sanctions in ac-
3 cordance with standard Inspector General audit resolution
4 procedures which include, but are not limited to, debar-
5 ment of any grantee (or successor in interest or any entity
6 with substantially the same person or persons in control)
7 that has been determined to have committed any substan-
8 tial violation of the requirements of the AmeriCorps pro-
9 grams, including any grantee that has been determined
10 to have violated the prohibition of using Federal funds to
11 lobby the Congress: *Provided*, That the Inspector General
12 shall obtain reimbursements in the amount of any misused
13 funds from any grantee that has been determined to have
14 committed any substantial violation of the requirements
15 of the AmeriCorps programs.

16 SEC. 404. The Corporation for National and Commu-
17 nity Service shall make any significant changes to pro-
18 gram requirements, service delivery or policy only through
19 public notice and comment rulemaking. For fiscal year
20 2008, during any grant selection process, an officer or em-
21 ployee of the Corporation shall not knowingly disclose any
22 covered grant selection information regarding such selec-
23 tion, directly or indirectly, to any person other than an
24 officer or employee of the Corporation that is authorized
25 by the Corporation to receive such information.

1 SEC. 405. Professional Corps programs described in
2 section 122(a)(8) of the National and Community Service
3 Act of 1990 may apply to the Corporation for a waiver
4 of application of section 140(c)(2).

5 SEC. 406. Notwithstanding section 1342 of title 31,
6 United States Code, the Corporation may solicit and ac-
7 cept the services of organizations and individuals (other
8 than participants) to assist the Corporation in carrying
9 out the duties of the Corporation under the national serv-
10 ice laws: *Provided*, That an individual who provides serv-
11 ices under this section shall be subject to the same protec-
12 tions and limitations as volunteers under section 196(a)
13 of the National and Community Service Act of 1990.

14 SEC. 407. Organizations operating projects under the
15 AmeriCorps Education Awards Program shall do so with-
16 out regard to the requirements of sections 121(d) and (e),
17 131(e), 132, and 140(a), (d), and (e) of the National and
18 Community Service Act of 1990.

19 SEC. 408. AmeriCorps programs receiving grants
20 under the National Service Trust program shall meet an
21 overall minimum share requirement of 24 percent for the
22 first three years that they receive AmeriCorps funding,
23 and thereafter shall meet the overall minimum share re-
24 quirement as provided in section 2521.60 of title 45, Code
25 of Federal Regulations, without regard to the operating

1 costs match requirement in section 121(e) or the member
2 support Federal share limitations in section 140 of the
3 National and Community Service Act of 1990, and subject
4 to partial waiver consistent with section 2521.70 of title
5 45, Code of Federal Regulations.

6 ~~SEC. 409. Notwithstanding any other provision of~~
7 ~~law, formula-based grants to States and territories under~~
8 ~~section 129(a)(1)-(2) of the 1990 Act to operate~~
9 ~~AmeriCorps programs may be made if the application de-~~
10 ~~scribes proposed positions into which participants will be~~
11 ~~placed, the proposed minimum qualifications of such par-~~
12 ~~ticipants, and an assurance that the State will select na-~~
13 ~~tional service programs for subgrants on a competitive~~
14 ~~basis, and an assurance that the aforementioned informa-~~
15 ~~tion will be provided for each subgrant awarded prior to~~
16 ~~the execution of such subgrants.~~

17 CORPORATION FOR PUBLIC BROADCASTING

18 For payment to the Corporation for Public Broad-
19 casting, as authorized by the Communications Act of
20 1934, an amount which shall be available within limita-
21 tions specified by that Act, for the fiscal year 2010,
22 \$420,000,000: *Provided*, That no funds made available to
23 the Corporation for Public Broadcasting by this Act shall
24 be used to pay for receptions, parties, or similar forms
25 of entertainment for Government officials or employees: