

1 purposes of receiving funding under such program for fis-
2 cal year 2009.

3 SEC. 306. The Outlying Areas may consolidate funds
4 received under this Act as well as any remaining funds
5 received under the Department of Education Appropria-
6 tions Act, 2008, pursuant to 48 U.S.C. 1469a, under part
7 A of title V of the Elementary and Secondary Education
8 Act.

9 This title may be cited as the “Department of Edu-
10 cation Appropriations Act, 2009”.

11 TITLE IV

12 RELATED AGENCIES

13 COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE

14 BLIND OR SEVERELY DISABLED

15 SALARIES AND EXPENSES

16 For expenses necessary for the Committee for Pur-
17 chase From People Who Are Blind or Severely Disabled
18 established by Public Law 92–28, \$5,094,000.

19 CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

20 OPERATING EXPENSES

21 For necessary expenses for the Corporation for Na-
22 tional and Community Service to carry out the Domestic
23 Volunteer Service Act of 1973 (“1973 Act”) and the Na-
24 tional and Community Service Act of 1990 (“1990 Act”),
25 \$680,564,000, of which \$309,835,000 shall be to carry

1 out the 1973 Act and \$370,729,000 shall be to carry out
2 the 1990 Act: *Provided*, That \$27,500,000 of the amount
3 provided under this heading shall be available to carry out
4 subtitle E of the 1990 Act at five campuses throughout
5 the United States: *Provided further*, That up to 1 percent
6 of program grant funds may be used to defray the costs
7 of conducting grant application reviews, including the use
8 of outside peer reviewers and electronic management of
9 the grants cycle: *Provided further*, That none of the funds
10 made available under this heading for activities authorized
11 by section 122 and part E of title II of the 1973 Act shall
12 be used to provide stipends or other monetary incentives
13 to program participants or volunteer leaders whose in-
14 comes exceed the income guidelines in subsections 211(e)
15 and 213(b) of the 1973 Act: *Provided further*, That not-
16 withstanding subtitle H of title I of the 1990 Act, none
17 of the funds provided for quality and innovation activities
18 shall be used to support salaries and related expenses (in-
19 cluding travel) attributable to Corporation for National
20 and Community Service employees: *Provided further*, That
21 of the amounts provided under this heading: (1) not more
22 than \$55,000,000 of grants made under subtitle C of the
23 1990 Act may be used to administer, reimburse, or sup-
24 port any national service program authorized under sec-
25 tion 129(d)(2) of the 1990 Act; and (2) \$11,790,000 shall

1 be to provide assistance to State commissions on national
2 and community service, under section 126(a) of the 1990
3 Act and notwithstanding section 501(a)(4) of the 1990
4 Act.

5 NATIONAL SERVICE TRUST

6 (INCLUDING TRANSFER OF FUNDS)

7 For necessary expenses for the National Service
8 Trust established under subtitle D of title I of the Na-
9 tional and Community Service Act of 1990 (“1990 Act”),
10 \$131,075,000, to remain available until expended: *Pro-*
11 *vided*, That the Corporation for National and Community
12 Service may transfer additional funds from the amount
13 provided within “Operating Expenses” for grants made
14 under subtitle C of the 1990 Act to this appropriation
15 upon determination that such transfer is necessary to sup-
16 port the activities of national service participants and
17 after notice is transmitted to the Committees on Appro-
18 priations of the House of Representatives and the Senate:
19 *Provided further*, That amounts appropriated for or trans-
20 ferred to the National Service Trust may be invested
21 under section 145(b) of the 1990 Act without regard to
22 the requirement to apportion funds under 31 U.S.C.
23 1513(b).

24 SALARIES AND EXPENSES

25 For necessary expenses of administration as provided
26 under section 501(a)(4) of the National and Community

1 Service Act of 1990 and under section 504(a) of the Do-
2 mestic Volunteer Service Act of 1973, including payment
3 of salaries, authorized travel, hire of passenger motor vehi-
4 cles, the rental of conference rooms in the District of Co-
5 lumbia, the employment of experts and consultants au-
6 thorized under 5 U.S.C. 3109, and not to exceed \$2,500
7 for official reception and representation expenses,
8 \$71,715,000.

9 OFFICE OF INSPECTOR GENERAL

10 For necessary expenses of the Office of Inspector
11 General in carrying out the Inspector General Act of 1978,
12 \$6,512,000.

13 ADMINISTRATIVE PROVISIONS

14 SEC. 401. Notwithstanding any other provision of
15 law, the term “qualified student loan” with respect to na-
16 tional service education awards shall mean any loan deter-
17 mined by an institution of higher education to be nec-
18 essary to cover a student’s cost of attendance at such in-
19 stitution and made, insured, or guaranteed directly to a
20 student by a State agency, in addition to other meanings
21 under section 148(b)(7) of the National and Community
22 Service Act of 1990.

23 SEC. 402. Notwithstanding any other provision of
24 law, funds made available under section 129(d)(5)(B) of
25 the National and Community Service Act of 1990 (“1990
26 Act”) to assist entities in placing applicants who are indi-

1 individuals with disabilities may be provided to any entity that
2 receives a grant under section 121 of the 1990 Act.

3 SEC. 403. The Corporation for National and Commu-
4 nity Service (“the Corporation”) shall make any signifi-
5 cant changes to program requirements, service delivery or
6 policy only through public notice and comment rule-
7 making. For fiscal year 2009, during any grant selection
8 process, an officer or employee of the Corporation shall
9 not knowingly disclose any covered grant selection infor-
10 mation regarding such selection, directly or indirectly, to
11 any person other than an officer or employee of the Cor-
12 poration that is authorized by the Corporation to receive
13 such information.

14 SEC. 404. Professional Corps programs described in
15 section 122(a)(8) of the National and Community Service
16 Act of 1990 may apply to the Corporation for National
17 and Community Service for a waiver of application of sec-
18 tion 140(c)(2).

19 SEC. 405. Notwithstanding 31 U.S.C. 1342, the Cor-
20 poration for National and Community Service (“the Cor-
21 poration”) may solicit and accept the services of organiza-
22 tions and individuals (other than participants) to assist
23 the Corporation in carrying out the duties of the Corpora-
24 tion under the national service laws: *Provided*, That an
25 individual who provides services under this section shall

1 be subject to the same protections and limitations as vol-
2 unteers under section 196(a) of the National and Commu-
3 nity Service Act of 1990.

4 SEC. 406. Organizations operating projects under the
5 AmeriCorps Education Awards Program shall do so with-
6 out regard to the requirements of sections 121(d) and (e),
7 131(e), 132, and 140(a), (d), and (e) of the National and
8 Community Service Act of 1990.

9 SEC. 407. AmeriCorps programs receiving grants
10 under the National Service Trust program shall meet an
11 overall minimum share requirement of 24 percent for the
12 first three years that they receive AmeriCorps funding,
13 and thereafter shall meet the overall minimum share re-
14 quirement as provided in section 2521.60 of title 45, Code
15 of Federal Regulations, without regard to the operating
16 costs match requirement in section 121(e) or the member
17 support Federal share limitations in section 140 of the
18 National and Community Service Act of 1990, and subject
19 to partial waiver consistent with section 2521.70 of title
20 45, Code of Federal Regulations.

21 SEC. 408. Notwithstanding any other provision of
22 law, formula-based grants to States and territories under
23 section 129(a)(1)–(2) of the National and Community
24 Service Act of 1990 to operate AmeriCorps programs may
25 be made if the application describes proposed positions

1 into which participants will be placed, the proposed min-
2 imum qualifications of such participants, and includes an
3 assurance that the State will select national service pro-
4 grams for subgrants on a competitive basis, and an assur-
5 ance that the aforementioned information will be provided
6 for each subgrant awarded prior to the execution of such
7 subgrants.

8 (TRANSFER OF FUNDS)

9 SEC. 409. For fiscal year 2009 and thereafter, in ad-
10 dition to amounts otherwise provided to the National Serv-
11 ice Trust, at no later than the end of the fifth fiscal year
12 after the fiscal year for which funds are appropriated or
13 otherwise made available, unobligated balances of appro-
14 priations available for grants under the National Service
15 Trust Program under subtitle C of title I of the 1990 Act
16 during such fiscal year may be transferred to the National
17 Service Trust after notice is transmitted to the Commit-
18 tees on Appropriations of the House of Representatives
19 and the Senate, if such funds are initially obligated before
20 the expiration of their period of availability.

21 SEC. 410. Of the amounts provided in this Act which
22 the Corporation for National and Community Service
23 (“the Corporation”) allocates for the provision of assist-
24 ance under subsections 129(a) and (b) of the National and
25 Community Service Act of 1990 (“1990 Act”), the Cor-
26 poration shall apply the formula in section 129(a)(1) of

1 the 1990 Act in such a manner so as to ensure that each
2 State shall receive a minimum of \$500,000: *Provided,*
3 That, in no event shall the total amount allotted under
4 section 129(a)(1) exceed 33 $\frac{1}{3}$ percent of the funds allo-
5 cated by the Corporation for the provision of assistance
6 under subsections 129(a) and (b) of the 1990 Act.

7 SEC. 411. Notwithstanding section 139(b) of the Na-
8 tional and Community Service Act of 1990 (“1990 Act”),
9 an individual in an approved national service position per-
10 forming full-time or part-time national service directly re-
11 lated to disaster relief efforts may continue in that term
12 of service for a period of 6 months beyond the periods
13 otherwise specified in sections 139(b) and 153(e) of the
14 1990 Act or section 104 of the Domestic Volunteer Service
15 Act of 1973. Service in an extended term as provided
16 under this section shall constitute a single term of service
17 for purposes of sections 146(b) and (c) of the 1990 Act.

18 SEC. 412. Donations made to the Corporation for Na-
19 tional and Community Service (“the Corporation”) under
20 section 196 of the National and Community Service Act
21 of 1990 (“1990 Act”) for the purposes of financing pro-
22 grams and operations under titles I and II of the 1973
23 Act or subtitles B, C, D, or E of title I of the 1990 Act
24 shall be used to supplement and not supplant current pro-
25 grams and operations.