

110TH CONGRESS  
2D SESSION

# H. R. 6971

To establish a Public Service Scholarship Program, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 18, 2008

Mr. RYAN of Ohio (for himself, Mr. ISRAEL, Mr. WEINER, Mr. RODRIGUEZ, Ms. SHEA-PORTER, and Mrs. BOYDA of Kansas) introduced the following bill; which was referred to the Committee on Education and Labor

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## A BILL

To establish a Public Service Scholarship Program, 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 “Public Service Scholar-  
5 ship Act of 2008”.

6 **SEC. 2. ESTABLISHMENT OF PUBLIC SERVICE SCHOLAR-**  
7 **SHIP PROGRAM.**

8 Part A of title IV of the Higher Education Act of  
9 1965 (20 U.S.C. 1070 et seq.) is amended by adding at  
10 the end the following new subpart:

1    **“Subpart 10—Public Service Scholarship Program**

2    **“SEC. 420Q. SCHOLARSHIPS FOR PUBLIC SERVICE.**

3           “(a) STATEMENT OF PURPOSE.—It is the purpose of  
4 this subpart to establish a Public Service Scholarship Pro-  
5 gram to promote public service by exceptionally able stu-  
6 dents who show promise of continued excellence.

7           “(b) SCHOLARSHIPS AUTHORIZED.—

8                 “(1) PROGRAM AUTHORITY.—The Secretary is  
9 authorized, in accordance with the provisions of this  
10 subpart, to make grants to States to enable the  
11 States to award scholarships to individuals who have  
12 demonstrated outstanding academic achievement,  
13 who show promise of continued academic achieve-  
14 ment, and who enter into an agreement in accord-  
15 ance with subsection (e)(3).

16                 “(2) PERIOD OF AWARD.—Scholarships under  
17 this section shall be awarded for a period of not less  
18 than 1 or more than 4 years during the first 4 years  
19 of study at any institution of higher education eligi-  
20 ble to participate in any programs assisted under  
21 this title. The State educational agency admin-  
22 istering the program in a State shall have discretion  
23 to determine the period of the award (within the lim-  
24 its specified in the preceding sentence).

1           “(3) USE AT ANY INSTITUTION PERMITTED.—  
2           A student awarded a scholarship under this subpart  
3           may attend any institution of higher education.

4           “(4) PUBLIC SERVICE SCHOLARS.—Individuals  
5           awarded scholarships under this subpart shall be  
6           known as ‘Public Service Scholars’.

7           “(c) ALLOCATION AMONG STATES.—

8           “(1) ALLOCATION FORMULA.—From the sums  
9           appropriated pursuant to subsection (i) for any fis-  
10          cal year, the Secretary shall allocate to each State  
11          that has an agreement under subsection (d) an  
12          amount equal to \$10,000 multiplied by the number  
13          of scholarships determined by the Secretary to be  
14          available to such State in accordance with paragraph  
15          (2).

16          “(2) NUMBER OF SCHOLARSHIPS AVAILABLE.—  
17          The number of scholarships to be made available in  
18          a State for any fiscal year shall bear the same ratio  
19          to the number of scholarships made available to all  
20          States as the State’s population ages 5 through 17  
21          bears to the population ages 5 through 17 in all the  
22          States, except that not less than 10 scholarships  
23          shall be made available to any State.

24          “(3) USE OF CENSUS DATA.—For the purpose  
25          of this subsection, the population ages 5 through 17

1 in a State and in all the States shall be determined  
2 by the most recently available data, satisfactory to  
3 the Secretary, from the Bureau of the Census.

4 “(d) AGREEMENTS WITH STATES.—The Secretary  
5 shall enter into an agreement with each State desiring to  
6 participate in the scholarship program authorized by this  
7 subpart. Each such agreement shall include provisions de-  
8 signed to assure that—

9 “(1) the State educational agency will admin-  
10 ister the scholarship program authorized by this sub-  
11 part in the State;

12 “(2) the State educational agency will comply  
13 with the eligibility and selection provisions of this  
14 subpart;

15 “(3) the State educational agency will conduct  
16 outreach activities to publicize the availability of  
17 scholarships under this subpart to all eligible stu-  
18 dents in the State, with particular emphasis on ac-  
19 tivities designed to assure that students from low-in-  
20 come and moderate-income families have access to  
21 the information on the opportunity for full participa-  
22 tion in the scholarship program authorized by this  
23 subpart; and

24 “(4) the State educational agency will pay to  
25 each individual in the State who is awarded a schol-

1 arship for any academic year under this subpart  
2 \$10,000 for such academic year.

3 “(e) ELIGIBILITY OF SCHOLARS.—

4 “(1) HIGH SCHOOL GRADUATION OR EQUIVA-  
5 LENT AND ADMISSION TO INSTITUTION RE-  
6 QUIRED.—Each student awarded a scholarship  
7 under this subpart shall—

8 “(A) be a graduate of a public or private  
9 secondary school (or a home school, whether  
10 treated as a home school or a private school  
11 under State law) or have the equivalent of a  
12 certificate of graduation as recognized by the  
13 State in which the student resides; and

14 “(B) have been admitted for enrollment at  
15 an institution of higher education.

16 “(2) SELECTION BASED ON PROMISE OF ACA-  
17 DEMIC ACHIEVEMENT.—Each student awarded a  
18 scholarship under this subpart must demonstrate  
19 outstanding academic achievement and show promise  
20 of continued academic achievement.

21 “(3) PUBLIC SERVICE AGREEMENTS.—

22 “(A) IN GENERAL.—To be eligible to re-  
23 ceive a scholarship under this subpart, a stu-  
24 dent shall enter into a written agreement with  
25 the Secretary that specifies that—

1           “(i) the student will seek to obtain  
2           employment, and will remain employed, as  
3           an employee of the Federal Government  
4           for a required period of service of not less  
5           than 5 years, unless the student fails to  
6           obtain or is involuntarily separated from  
7           that employment;

8           “(ii) if the student fails to obtain such  
9           employment, or is involuntarily separated  
10          from such employment on account of mis-  
11          conduct, or voluntarily separates from such  
12          employment, before the end of the period  
13          specified in the agreement, the student will  
14          repay the Secretary the sum of the  
15          amounts of any scholarships received by  
16          such student under this subpart;

17          “(iii) if the student is required to  
18          repay an amount to the Secretary under  
19          clause (ii) and fails to repay such amount,  
20          a sum equal to that amount shall be recov-  
21          erable by the Federal Government from  
22          the student by such methods as are pro-  
23          vided by law for the recovery of amounts  
24          owed to the Federal Government; and

1           “(iv) the Secretary may waive, in  
2 whole or in part, a right of recovery under  
3 this subsection if the individual is perma-  
4 nently and totally disabled at the time of  
5 the waiver request or the Secretary deter-  
6 mines, on the basis of a demonstration  
7 submitted by or on behalf of the individual,  
8 that—

9                   “(I) recovery would cause the in-  
10                   dividual a substantial economic or  
11                   personal hardship; or

12                   “(II) recovery would be otherwise  
13                   contrary to the public interest;

14           “(B) REPAYMENTS.—

15                   “(i) IN GENERAL.—Any amount re-  
16                   paid by, or recovered from, an individual  
17                   under this paragraph shall be credited to  
18                   the appropriation account from which the  
19                   amount involved was originally paid as a  
20                   scholarship.

21                   “(ii) MERGER.—Any amount credited  
22                   under clause (i) shall be merged with other  
23                   sums in such account and shall be avail-  
24                   able for the same purposes and period, and  
25                   subject to the same limitations, if any, as

1           the sums with which the amount was  
2           merged.

3           “(f) SELECTION OF SCHOLARS.—

4           “(1) ESTABLISHMENT OF CRITERIA.—The  
5           State educational agency is authorized to establish  
6           the criteria for the selection of scholars under this  
7           subpart.

8           “(2) ADOPTION OF PROCEDURES.—The State  
9           educational agency shall adopt selection procedures  
10          designed to ensure an equitable geographic distribu-  
11          tion of awards within the State (and in the case of  
12          the Guam, the Virgin Islands, American Samoa, the  
13          Commonwealth of the Northern Mariana Islands, or  
14          the Freely Associated States, not to exceed 10 indi-  
15          viduals will be selected from such entities).

16          “(3) CONSULTATION REQUIREMENT.—In car-  
17          rying out its responsibilities under paragraphs (1)  
18          and (2), the State educational agency shall consult  
19          with school administrators, school boards, teachers,  
20          counselors, and parents.

21          “(4) TIMING OF SELECTION.—The selection  
22          process shall be completed, and the awards made,  
23          prior to the end of each secondary school academic  
24          year.

25          “(g) STIPENDS AND SCHOLARSHIP CONDITIONS.—

1           “(1) AMOUNT OF AWARD.—Each student  
2 awarded a scholarship under this subpart shall re-  
3 ceive a stipend of \$10,000 for each academic year of  
4 study for which the scholarship is awarded, except  
5 that in no case shall—

6           “(A) the total amount of financial aid  
7 awarded to such student exceed such student’s  
8 total cost-of-attendance for any such academic  
9 year; or

10           “(B) the total amount of financial aid  
11 awarded to such student under this subpart ex-  
12 ceed a total of \$40,000 for all such academic  
13 years.

14           “(2) USE OF AWARD.—The State educational  
15 agency shall establish procedures to assure that a  
16 scholar awarded a scholarship under this subpart  
17 pursues a course of study at an institution of higher  
18 education.

19           “(h) CONSTRUCTION OF NEEDS PROVISIONS.—Ex-  
20 cept as provided in section 471, nothing in this subpart,  
21 or any other Act, shall be construed to permit the receipt  
22 of a scholarship under this subpart to be counted for any  
23 needs test in connection with the awarding of any grant  
24 or the making of any loan under this Act or any other  
25 provision of Federal law relating to educational assistance.

1       “(i) AUTHORIZATION OF APPROPRIATIONS.—There  
2 are authorized to be appropriated to carry out this subpart  
3 for fiscal year 2009 and each of the 3 succeeding fiscal  
4 years such sums as may be necessary to award 10,000  
5 Public Service Scholarships during each of the academic  
6 years that begin in such fiscal years.”.

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