

115TH CONGRESS  
2D SESSION

# S. 3665

To provide for a more inclusive voluntary civilian national service program to promote civic engagement, enhance national unity, and foster a sense of shared sacrifice by helping young Americans participate in national service, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

NOVEMBER 28, 2018

Ms. DUCKWORTH (for herself, Mrs. GILLIBRAND, Ms. KLOBUCHAR, Mr. BLUMENTHAL, and Ms. BALDWIN) introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To provide for a more inclusive voluntary civilian national service program to promote civic engagement, enhance national unity, and foster a sense of shared sacrifice by helping young Americans participate in national service, 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 “21st Century American  
5 Service Act”.

1 **SEC. 2. FINDINGS.**

2 Section 2(a) of the National and Community Service  
3 Act of 1990 (42 U.S.C. 12501(a)) is amended by adding  
4 at the end the following:

5 “(7) The number of Americans applying to par-  
6 ticipate in national service programs each year sig-  
7 nificantly exceeds the number of available positions,  
8 depriving hundreds of thousands of Americans from  
9 participating in national and community service.

10 “(8) By dramatically lowering the barriers to  
11 participating in national service and expanding the  
12 network of quality volunteer opportunities, the  
13 United States can address important national prior-  
14 ities and promote a sense of shared purpose among  
15 the citizenry, at a time when less than one percent  
16 of Americans are serving as members of the Armed  
17 Forces.”.

18 **SEC. 3. EXCLUSION FROM GROSS INCOME OF AMERICORPS**  
19 **EDUCATIONAL AWARDS.**

20 (a) IN GENERAL.—Section 117 of the Internal Rev-  
21 enue Code of 1986 (relating to qualified scholarships) is  
22 amended by adding at the end the following new sub-  
23 section:

24 “(e) AMERICORPS EDUCATIONAL AWARDS.—Gross  
25 income shall not include any national service educational  
26 award described in subtitle D of title I of the National

1 and Community Service Act of 1990 (42 U.S.C. 12601  
2 et seq.).”.

3 (b) EFFECTIVE DATE.—The amendment made by  
4 this section shall apply to taxable years ending after the  
5 date of the enactment of this Act.

6 **SEC. 4. INCOME TAX EXCLUSION FOR LIVING ALLOWANCE.**

7 (a) IN GENERAL.—Part III of subchapter B of chap-  
8 ter 1 of the Internal Revenue Code of 1986 is amended  
9 by inserting after section 139G the following new section:  
10 **“SEC. 139H. LIVING ALLOWANCE FOR NATIONAL SERVICE**  
11 **PARTICIPANTS.**

12 “Gross income does not include the amount of any  
13 living allowance provided under section 140 of the Na-  
14 tional and Community Service Act of 1990.”.

15 (b) CLERICAL AMENDMENT.—The table of sections  
16 for part III of subchapter B of chapter 1 of the Internal  
17 Revenue Code of 1986 is amended by inserting after the  
18 item relating to section 139G the following new item:

“Sec. 139H. Living allowance for national service participants.”.

19 (c) EFFECTIVE DATE.—The amendments made by  
20 this section shall apply to taxable years beginning after  
21 the date of the enactment of this Act.

22 **SEC. 5. 21ST CENTURY NATIONAL SERVICE PROGRAM.**

23 (a) DEFINITIONS.—In this section:

24 (1) CORPORATION.—The term “Corporation”  
25 has the meaning given the term in section 101 of the

1 National and Community Service Act of 1990 (42  
2 U.S.C. 12511).

3 (2) ELIGIBLE INDIVIDUAL.—The term “eligible  
4 individual” means an individual who is eligible for a  
5 national service program.

6 (3) NATIONAL SERVICE PROGRAM.—The term  
7 “national service program” means a voluntary civil-  
8 ian national service program authorized under the  
9 National and Community Service Act of 1990 (42  
10 U.S.C. 12501 et seq.) or the Domestic Volunteer  
11 Service Act of 1973 (42 U.S.C. 4950 et seq.).

12 (b) PROGRAM ESTABLISHED.—

13 (1) IN GENERAL.—The Corporation shall de-  
14 velop a plan to establish a 21st Century National  
15 Service Program to ensure that each eligible indi-  
16 vidual who applies to serve in a national service pro-  
17 gram will be provided an opportunity to serve in  
18 such program.

19 (2) DEVELOPMENT OF THE PROGRAM.—In de-  
20 veloping the 21st Century National Service Pro-  
21 gram, the Corporation shall—

22 (A) determine how the Corporation will  
23 work with Federal or State agencies and other  
24 entities to—

1 (i) contact each eligible individual  
2 upon such individual's 17th birthday to no-  
3 tify the individual about—

4 (I) the individual's eligibility for  
5 national service programs;

6 (II) such national service pro-  
7 grams and how to register for a spe-  
8 cific program;

9 (III) other service programs for  
10 which the individual may be eligible,  
11 including the Peace Corps (as estab-  
12 lished by the Peace Corps Act (22  
13 U.S.C. 2501 et seq.)) and military  
14 service; and

15 (IV) the individual's option to  
16 opt-out of receiving any notifications,  
17 or just notifications in a paper for-  
18 mat, under clause (ii); and

19 (ii) after contacting an eligible indi-  
20 vidual under clause (i), notify the eligible  
21 individual every 2 years thereafter of the  
22 information described in subclauses (I)  
23 through (IV) of clause (i), unless—

24 (I) the individual is serving in a  
25 national service program; or

1 (II) the individual has opted out  
2 of receiving such notifications under  
3 clause (i)(IV); and

4 (B) determine how the Corporation will en-  
5 able eligible individuals to register for a specific  
6 national service program and ensure that such  
7 registration process is the most effective process  
8 for the purpose of registering for such a pro-  
9 gram.

10 (3) STRATEGIC PLAN.—

11 (A) PLAN FOR IMPLEMENTATION.—The  
12 Corporation shall develop a strategic implemen-  
13 tation plan to fully implement the 21st Century  
14 National Service Program, which shall in-  
15 clude—

16 (i) concrete timelines and milestones  
17 for an effective and phased implementa-  
18 tion; and

19 (ii) beginning the notification under  
20 paragraph (2)(A)(i) not later than 1 year  
21 after the date of enactment of this Act, to  
22 the greatest extent practicable.

23 (B) PUBLICATION.—The Corporation shall  
24 publish on the website of the Corporation the  
25 information described in this paragraph.

1           (4) AUTHORIZATION OF APPROPRIATIONS.—  
2           There are authorized to be appropriated to the Cor-  
3           poration such sums as are necessary to carry out  
4           this section.

5 **SEC. 6. LIVING ALLOWANCE AMOUNTS.**

6           (a) DOMESTIC VOLUNTEER SERVICE ACT OF  
7 1973.—Section 105(b) of the Domestic Volunteer Service  
8 Act of 1973 (42 U.S.C. 4955(b)(2)) is amended—

9           (1) in paragraph (2)—

10                   (A) in subparagraph (A), by striking “95  
11                   percent” and inserting “150 percent”; and

12                   (B) in subparagraph (B), by striking “105  
13                   percent” and inserting “210 percent”; and

14           (2) by adding at the end the following:

15           “(4)(A) A stipend or allowance under this sub-  
16           section shall not be increased as a result of amend-  
17           ments made by the 21st Century American Service  
18           Act, or any other amendment made to this sub-  
19           section unless the funds appropriated for carrying  
20           out this part are sufficient to maintain for the fiscal  
21           year in question a number of participants to serve  
22           under this part at least equal to the number of such  
23           participants serving during the preceding fiscal year.

24           “(B) In the event that sufficient appropriations  
25           for any fiscal year are not available to increase any

1 such stipend or allowance provided to the minimum  
2 amount specified in paragraph (2), the Director  
3 shall increase the stipend or allowance to such  
4 amount as appropriations for such year permit con-  
5 sistent with subparagraph (A).”.

6 (b) NATIONAL AND COMMUNITY SERVICE ACT OF  
7 1990.—Section 189 of the National and Community Serv-  
8 ice Act of 1990 (42 U.S.C. 12645c) is amended—

9 (1) in subsection (a), by striking “\$18,000”  
10 and inserting “\$28,244”;

11 (2) in subsection (e)(1), by striking “\$19,500”  
12 and inserting “\$39,000”; and

13 (3) by adding at the end the following:

14 “(f) INSUFFICIENT APPROPRIATIONS.—Notwith-  
15 standing the increased limitation on grant amounts per  
16 full-time equivalent position described in subsection (a)  
17 and the increased limitation described in subsection (e)(1)  
18 as a result of amendments made by the 21st Century  
19 American Service Act, or any other amendment made to  
20 this section, the amount of funds per full-time equivalent  
21 position approved by the Corporation for a grant, as de-  
22 scribed in those subsections, shall not be increased unless  
23 the funds appropriated for carrying out this subtitle are  
24 sufficient to make such increase while maintaining for the  
25 fiscal year in question a number of approved national serv-



1 ice positions at least equal to the number of such positions  
2 during the preceding fiscal year.”.

3 **SEC. 7. EDUCATIONAL AWARD AMOUNTS.**

4 Section 147(a) of the National and Community Serv-  
5 ice Act of 1990 (42 U.S.C. 12603(a)) is amended—

6 (1) by striking “Except as provided” and in-  
7 serting the following:

8 “(1) IN GENERAL.—Except as provided”;

9 (2) by inserting “twice” before “the maximum  
10 amount of a Federal Pell Grant”; and

11 (3) by adding at the end the following:

12 “(2) INSUFFICIENT APPROPRIATIONS.—

13 “(A) NO INCREASE IN EDUCATIONAL  
14 AWARD.—Notwithstanding paragraph (1), the  
15 national service educational award under this  
16 subsection shall not be increased as a result of  
17 amendments made by the 21st Century Amer-  
18 ican Service Act, or any other amendment made  
19 to this subsection, unless the funds appro-  
20 priated for carrying out this subtitle are suffi-  
21 cient to maintain for the fiscal year in question  
22 a number of such national service educational  
23 awards that is at least equal to the number of  
24 such awards during the preceding fiscal year.

1           “(B) LIMITED INCREASE IN EDUCATIONAL  
2           AWARD.—In the event that sufficient appropria-  
3           tions for any fiscal year are not available to in-  
4           crease any such national service educational  
5           award provided to the amount specified in para-  
6           graph (1), the amount of such award shall be  
7           increased to such amount as appropriations for  
8           such year permit consistent with subparagraph  
9           (A).”.

10 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

11           Section 501(a)(2) of the National and Community  
12           Service Act of 1990 (42 U.S.C. 12681(a)(2)) is amended  
13           to read as follows:

14           “(2) SUBTITLES C AND D.—

15           “(A) IN GENERAL.—There are authorized  
16           to be appropriated, for each fiscal year, such  
17           sums as may be necessary to provide financial  
18           assistance under subtitle C of title I and to pro-  
19           vide national service educational awards under  
20           subtitle D of title I for—

21                   “(i) the number of positions specified  
22                   in section 121(f)(1) for such fiscal year, if  
23                   that number is so specified for that fiscal  
24                   year; or

1           “(ii) otherwise, the number of posi-  
2           tions specified in section 121(f)(1) for the  
3           most recent fiscal year.

4           “(B) MAINTAINING POSITIONS AND  
5           AWARDS.—For the purpose of authorizing ap-  
6           propriations under subparagraph (A) for a fis-  
7           cal year, there are authorized to be appro-  
8           priated—

9           “(i) for supporting (including pro-  
10          viding living allowances for) approved na-  
11          tional service positions, an amount suffi-  
12          cient to ensure that the amendments made  
13          by section 6 of the 21st Century American  
14          Service Act may be carried out, while sup-  
15          porting the number of positions determined  
16          under subparagraph (A) for the fiscal year  
17          involved; and

18          “(ii) for funding the national service  
19          educational awards associated with those  
20          positions, an amount sufficient to ensure  
21          that the amendments made by section 7 of  
22          the 21st Century American Service Act  
23          may be carried out.”.

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