

109TH CONGRESS
2^D SESSION

S. 3958

To establish the United States Public Service Academy.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 27, 2006

Mrs. CLINTON (for herself, Mr. SPECTER, Mr. KENNEDY, and Ms. MIKULSKI) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To establish the United States Public Service Academy.

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 Acad-
5 emy Act of 2006”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) National disasters such as September 11,
9 2001, and Hurricane Katrina, along with the United
10 States’ struggle against international terrorism, have
11 highlighted the importance of public service and the

1 need for the United States to improve its capacity
2 to effectively handle future catastrophes, as well as
3 the daily challenges of life in a global society.

4 (2) Young Americans, particularly after the
5 September 11, 2001 attacks, have a strong ethic of
6 public service. According to the Higher Education
7 Research Institute, more than $\frac{2}{3}$ of the 2005 fresh-
8 man class at institutions of higher education in the
9 United States expressed a desire to serve others, the
10 highest rate in a generation. Applications to private
11 programs such as Teach for America and City Year,
12 publicly funded public service programs within USA
13 Freedom Corps, and religious mission trips have in-
14 creased dramatically since 2001. Yet with the in-
15 crease in college tuition causing the average college
16 graduate to owe about \$20,000, many students often
17 can afford to pursue public service only for short pe-
18 riods of time and avoid public service careers in
19 favor of more lucrative fields.

20 (3) The aging of the population of the United
21 States and the subsequent retirement of the Baby
22 Boomer generation will create serious shortages in
23 critically needed public service positions at all levels
24 of our society, as evidenced by the following:

1 (A) A recent study by the Congressional
2 Budget Office highlighted “the graying of the
3 Federal work force,” while the Partnership for
4 Public Service warns of a “Federal brain drain”
5 as 44 percent of all Federal workers become eli-
6 gible to retire in the next 5 years.

7 (B) The National Center for Education
8 Statistics estimates that more than 2,000,000
9 teachers will be needed in the next 10 years due
10 to teacher retirement and increased student en-
11 rollment. The teacher shortages will particularly
12 affect high-need rural and inner-city local edu-
13 cational agencies.

14 (C) More than 80 percent of the Nation’s
15 17,000 law enforcement agencies report that
16 they cannot fill needed positions due to a lack
17 of qualified candidates.

18 (D) The Bridgespan Group reports that
19 nonprofit organizations will need to attract and
20 develop 640,000 new senior managers by 2016,
21 nearly 2½ times the number in 2006.

22 (4) The United States does not have a national
23 undergraduate institution to promote public service
24 and develop well-trained, highly qualified civilian
25 leaders.

1 **SEC. 3. PURPOSE.**

2 The purpose of this Act is to establish a United
3 States Public Service Academy that will—

4 (1) strengthen and protect the United States by
5 creating a corps of well-trained, highly qualified ci-
6 vilian leaders willing to devote themselves to leader-
7 ship through patriotic public service;

8 (2) be the first national civilian institution of
9 higher education in the United States; and

10 (3) provide competitive, federally subsidized,
11 public service-driven undergraduate education to stu-
12 dents from across the United States and the world.

13 **SEC. 4. DEFINITIONS.**

14 In this Act:

15 (1) PUBLIC SERVICE.—

16 (A) IN GENERAL.—The term “public serv-
17 ice” includes a variety of public, private, and
18 non-profit endeavors that strengthen and pro-
19 tect living conditions, create opportunities, and
20 enhance the civic well-being of communities
21 across the United States and the world.

22 (B) PREAPPROVED PUBLIC SERVICE EN-
23 DEAVORS.—The following fields shall be deemed
24 to meet the requirement of subparagraph (A):

25 (i) Economy.

26 (ii) Education.

- 1 (iii) Emergency management.
- 2 (iv) Environment.
- 3 (v) Foreign policy.
- 4 (vi) Health care.
- 5 (vii) Law enforcement.
- 6 (viii) Public infrastructure.

7 (2) BOARD OF VISITORS.—The term “Board of
8 Visitors” means an appointed board of not more
9 than 15 members, including the Secretary of the De-
10 partment of Homeland Security, to oversee the Pub-
11 lic Service Academy established under section 5. The
12 remaining board members shall be appointed by the
13 President with the advice and consent of the Senate.

14 (3) STATE.—The term “State” means each of
15 the several States of the United States and the Dis-
16 trict of Columbia.

17 **SEC. 5. ESTABLISHMENT.**

18 (a) ESTABLISHMENT.—There is established, in the
19 Department of Homeland Security, a United States Public
20 Service Academy (referred to in this Act as the “Acad-
21 emy”), at the location to be determined by an Act of Con-
22 gress, for the instruction in and preparation for public
23 service of selected individuals, who shall be called Academy
24 students.

1 (b) ORGANIZATION.—The Secretary of the Depart-
2 ment of Homeland Security shall prescribe the organiza-
3 tion of the Academy, in accordance with the requirements
4 of this section.

5 (c) KEY POSITIONS.—There shall be at the Academy
6 the following:

7 (1) A Superintendent.

8 (2) A Dean of the Academic Board, who is a
9 permanent professor.

10 (3) A Director of Admissions.

11 (4) A Director of Placement.

12 (d) SUPERINTENDENT.—The Superintendent shall
13 oversee the immediate government of the Academy.

14 (e) DEAN OF THE ACADEMIC BOARD.—

15 (1) APPOINTMENT.—The Superintendent shall
16 appoint the Dean of the Academic Board as an addi-
17 tional permanent professor from the permanent pro-
18 fessors who have served as heads of departments of
19 instruction at the Academy, except that for the first
20 year of the Academy the Superintendent shall ap-
21 point the Dean of the Academic Board from quali-
22 fied applicants.

23 (2) DUTIES.—The Dean of the Academic Board
24 shall perform such duties as the Superintendent of

1 the Academy may prescribe, with the approval of the
2 Board of Visitors.

3 **SEC. 6. FACULTY AND DEPARTMENTS.**

4 (a) NUMBER OF FACULTY.—The Superintendent
5 may employ as many professors, instructors, and lecturers
6 at the Academy as the Secretary of the Department of
7 Homeland Security considers necessary to ensure that the
8 student-faculty ratio is not more than 16 to 1.

9 (b) FACULTY COMPENSATION.—The Superintendent
10 may prescribe the compensation of persons employed
11 under this section.

12 (c) DEPARTMENT TITLES.—The Superintendent may
13 prescribe the titles of each of the departments of instruc-
14 tion and the professors of the Academy.

15 (d) DEPARTMENT HEAD.—Upon becoming the senior
16 professor in a department, a permanent professor becomes
17 the head of that department.

18 **SEC. 7. STUDENT QUALIFICATIONS AND REQUIREMENTS**

19 **FOR ADMISSION.**

20 (a) STUDENT QUALIFICATIONS.—A student wishing
21 to be admitted to the Academy shall—

22 (1) be 17 years of age or older;

23 (2) be unmarried; and

24 (3) have no dependents, as defined in section
25 152(a) of the Internal Revenue Code of 1986.

1 (b) ADMISSION REQUIREMENTS.—A student wishing
 2 to be admitted to the Academy shall fulfill the following
 3 requirements:

4 (1) Earn a secondary school diploma.

5 (2) Take the SAT or ACT or an equivalent col-
 6 lege-level aptitude test.

7 (3) Sit for a personal interview with representa-
 8 tives of the Academy.

9 (4) Any further admissions requirements, as de-
 10 termined by the Director of Admissions.

11 (c) HONOR CODE.—A student wishing to be admitted
 12 to the Academy shall sign an Honor Code developed by
 13 the Superintendent and approved by the Board of Visitors.

14 **SEC. 8. APPOINTMENT OF STUDENTS.**

15 (a) NOMINATION PROCESS.—Prospective applicants
 16 to the Academy for seats described in paragraphs (1) and
 17 (3) of subsection (b) shall follow a nomination process es-
 18 tablished by the Director of Admissions that is similar to
 19 the process used for admission to the military academies
 20 of the United States Armed Forces.

21 (b) APPOINTMENTS.—

22 (1) CONGRESSIONAL SEATS.—

23 (A) SEATS ALLOCATED PER STATE.—The
 24 Director of Admissions shall allocate the con-
 25 gressional seats for incoming first-year students

1 of the Academy by State on the basis of 2 seats
2 per electoral vote from each State.

3 (B) NOMINEES REQUIRED PER EACH SEN-
4 ATOR AND REPRESENTATIVE.—Each member of
5 the Senate or the House of Representatives
6 shall nominate a minimum of 5 candidates from
7 the State that the member represents for each
8 incoming first-year class of the Academy.

9 (C) COMPETITION.—In selecting nominees
10 for a first-year incoming class for the congres-
11 sional seats reserved for a State, the Director
12 of Admissions shall only consider the candidates
13 nominated by members of Congress from the
14 State.

15 (2) INTERNATIONAL STUDENTS.—

16 (A) SEATS.—The Director of Admissions
17 shall reserve in each incoming first-year class of
18 the Academy 100 seats for international stu-
19 dents.

20 (B) TUITION; AGREEMENT.—In order for
21 an international student to attend the Academy,
22 the student's home country shall—

23 (i) be responsible for subsidizing the
24 student's tuition, fees, room and board,
25 and other expenses at the Academy; and

1 (ii) enter into an agreement described
2 in section 10(b) with the student.

3 (3) EXECUTIVE BRANCH NOMINEES.—

4 (A) SEATS.—The Director of Admissions
5 shall reserve in each incoming first-year class of
6 the Academy 25 seats for executive branch
7 nominees.

8 (B) NOMINEES.—The President shall
9 nominate a minimum of 75 candidates to com-
10 pete for the 25 executive branch seats.

11 (4) OTHER.—The Director of Admissions shall
12 reserve in each incoming first-year class of the Acad-
13 emy 75 seats for at-large selections from the remain-
14 ing pool of congressional nominees described in
15 paragraph (1)(B).

16 **SEC. 9. ACADEMIC FOCUS OF THE UNITED STATES PUBLIC**
17 **SERVICE ACADEMY.**

18 (a) CURRICULUM.—Each Academy student shall fol-
19 low a structured curriculum that is self-reinforcing to em-
20 phasize leadership development and public service.

21 (b) DEGREE.—

22 (1) DEGREE CONFERRED UPON GRADUATION.—
23 Under such conditions as the Board of Visitors may
24 prescribe, the Superintendent of the Academy may

1 confer a baccalaureate of science or baccalaureate of
2 arts degree upon a graduate of the Academy.

3 (2) MAJORS.—Each Academy student shall
4 pursue a program of study for a baccalaureate of
5 arts or a baccalaureate of sciences degree in tradi-
6 tional liberal arts subjects.

7 (c) BREADTH OF REQUIRED SUBJECT AREAS STUD-
8 IED.—Each Academy student shall take courses in a
9 broad array of subject areas as part of the student’s pro-
10 gram of study.

11 (d) PUBLIC SERVICE CONCENTRATION.—Not later
12 than the completion of the fourth semester, each Academy
13 student shall choose a public service concentration from
14 the fields described in section 4(1)(B), which shall be the
15 field in which the student ultimately will serve upon grad-
16 uation.

17 (e) PUBLIC SERVICE REQUIREMENTS BEFORE
18 GRADUATION.—

19 (1) PUBLIC SERVICE PROGRAMMING.—Each
20 Academy student shall participate in daily public
21 service programming, to be determined by the Dean
22 of the Academic Board.

23 (2) PUBLIC SERVICE PROJECT.—Each Academy
24 student shall plan and implement a 1-year public

1 service project during the student's final year at the
2 Academy.

3 (f) STUDY ABROAD REQUIREMENTS.—

4 (1) IN GENERAL.—Each Academy student shall
5 spend the student's junior year in a study abroad
6 program approved by the Dean of the Academic
7 Board.

8 (2) CLASSES IN PREPARATION FOR STUDY
9 ABROAD.—In preparation for the junior year study
10 abroad program, each Academy student shall take
11 courses in foreign languages and international rela-
12 tions.

13 (3) INTERNSHIP DURING STUDY ABROAD.—As
14 part of an Academy student's junior year study
15 abroad program, each Academy student shall partici-
16 pate in an internship at the United States mission
17 in the student's junior year study abroad program
18 location.

19 (g) SUMMER LEARNING PROGRAM REQUIRE-
20 MENTS.—For each year of attendance at the Academy,
21 each Academy student shall spend 8 weeks each summer
22 participating in the following structured learning pro-
23 grams:

24 (1) Following the first year at the Academy,
25 emergency response training.

1 (2) Following the second year, a civilian intern-
2 ship in the United States Armed Forces.

3 (3) Following the third year, an internship with
4 a preapproved organization described in section
5 10(g)(3)(B).

6 **SEC. 10. PUBLIC SERVICE REQUIREMENTS FOLLOWING**
7 **GRADUATION.**

8 (a) **PUBLIC SERVICE AGREEMENT.**—Each Academy
9 student from the United States shall sign an agreement
10 with respect to the student’s length of public service to
11 the United States. The agreement shall provide that the
12 student agrees to the following:

13 (1) That the student will complete the course of
14 instruction at the Academy, culminating in gradua-
15 tion from the Academy.

16 (2) That upon graduation from the Academy,
17 the student—

18 (A) will accept an appointment, if ten-
19 dered, in the location assigned, as a public serv-
20 ant of the United States; and

21 (B) will serve as a public servant of the
22 United States for not less than 5 years imme-
23 diately after such appointment, unless the stu-
24 dent continues the student’s education in ac-
25 cordance with subsection (h).

1 (b) INTERNATIONAL STUDENT AGREEMENT.—Each
2 international Academy student shall sign an agreement
3 with the student's home country regarding public service
4 in the student's home country that meets the same condi-
5 tions set forth in subsection (a).

6 (c) FAILURE TO GRADUATE.—

7 (1) IN GENERAL.—An Academy student who
8 has completed a minimum of 4 semesters at the
9 Academy but fails to fulfill the Academy's require-
10 ments for graduation within 4 years shall be—

11 (A) dishonorably discharged from the
12 Academy; and

13 (B) obligated to repay the Academy for the
14 cost of the delinquent student's education in the
15 amount described in paragraph (2).

16 (2) AMOUNT OF REPAYMENT.—The delinquent
17 student shall be financially responsible for each se-
18 mester that the student was officially enrolled in the
19 Academy.

20 (d) FAILURE TO ACCEPT OR COMPLETE ASSIGNED
21 PUBLIC SERVICE.—

22 (1) IN GENERAL.—A delinquent graduate shall
23 be—

24 (A) dishonorably discharged from the
25 Academy; and

1 (B) obligated to repay the Academy for the
2 cost of the delinquent graduate's education in
3 the amount described in paragraph (2).

4 (2) AMOUNT OF REPAYMENT.—In the case of a
5 delinquent graduate who fails to complete all years
6 of public service required under subsection (a)(2)
7 (including any additional years required for graduate
8 education under subsection (h)), the delinquent
9 graduate shall be financially responsible for the cost
10 of the delinquent graduate's education (including the
11 costs of any graduate education), except that the
12 amount of financial responsibility under this para-
13 graph shall be reduced by 10 percent for each year
14 of public service under subsection (a)(2) that the de-
15 linquent graduate did complete.

16 (3) DEFINITION OF DELINQUENT GRADUATE.—
17 In this subsection, the term “delinquent graduate”
18 means a graduate of the Academy who violates the
19 agreement entered into under subsection (a) by—

20 (A) not accepting the graduate's public
21 service assignment upon graduation from the
22 Academy; or

23 (B) not completing the required years of
24 public service in the assignment due to—

1 (i) voluntarily quitting the assign-
2 ment; or

3 (ii) being fired from the assignment.

4 (e) EXCEPTIONS.—The Superintendent may provide
5 for the partial or total waiver or suspension of any public
6 service or payment obligation by an individual under this
7 section whenever compliance by the individual with the ob-
8 ligation is impossible or deemed to involve extreme hard-
9 ship to the individual, or if enforcement of such obligation
10 with respect to the individual would be unconscionable.

11 (f) STUDENT SALARIES AND BENEFITS.—The Acad-
12 emy shall not be responsible for the salaries and benefits
13 of graduates of the Academy while the graduates are ful-
14 filling the public service requirement under this section.
15 All salaries and benefits shall be paid by the employer with
16 whom the Academy graduate is placed.

17 (g) DETERMINING STUDENT ASSIGNMENTS.—

18 (1) IN GENERAL.—The Superintendent, acting
19 through the Academy Placement Office, shall assign
20 graduates to appropriate public service employment
21 that satisfies the public service requirements of this
22 section.

23 (2) CONSIDERATIONS.—The Academy Place-
24 ment Office shall assess the following when deter-

1 mining the appropriate public service employment
2 for a graduate:

3 (A) National security needs.

4 (B) State and local community needs.

5 (C) Student experience.

6 (D) Student academic performance.

7 (3) PREAPPROVED PUBLIC SERVICE PLACE-
8 MENTS.—Postgraduation public service requirements
9 under this subsection shall be fulfilled through place-
10 ments in public service employment in any of the fol-
11 lowing sectors:

12 (A) PUBLIC.—

13 (i) Civil service employment at the
14 Federal, State, or local level.

15 (ii) Civilian service in the United
16 States Armed Forces.

17 (B) PRIVATE.—Employment in an organi-
18 zation that—

19 (i) is described in section 501(c)(3) of
20 the Internal Revenue Code of 1986;

21 (ii) is exempt from tax under section
22 501(a) of the Internal Revenue Code of
23 1986; and

1 (iii) provides a service determined by
 2 the Board of Visitors to meet critical na-
 3 tional needs.

4 (4) REVIEW AND APPROVAL OF STUDENT AS-
 5 SIGNMENTS.—The Superintendent shall review and
 6 approve each Academy graduate’s assignment.

7 (h) GRADUATE EDUCATION.—

8 (1) SUBSIDY.—The Academy may subsidize an
 9 Academy student’s graduate education in return for
 10 an extended public service commitment.

11 (2) EXTENDED PUBLIC SERVICE.—For every
 12 year of subsidized graduate education, the Academy
 13 student shall agree to add 2 additional years to such
 14 Academy student’s public service commitment re-
 15 quired under the agreement described in subsection
 16 (a).

17 **SEC. 11. FUNDING THE UNITED STATES PUBLIC SERVICE**
 18 **ACADEMY.**

19 (a) FULLY-SUBSIDIZED EDUCATION.—Each Acad-
 20 emy student’s tuition at the Academy shall be fully sub-
 21 sidized.

22 (b) PUBLIC-PRIVATE PARTNERSHIP.—The Academy
 23 will be a public-private partnership funded by the fol-
 24 lowing:

1 (1) PUBLIC FUNDS.—Congress shall fund 80
2 percent of the Academy’s annual budget.

3 (2) PRIVATE FUNDS.—The Academy officials
4 shall raise 20 percent of the Academy’s annual
5 budget in private funds.

6 (c) INITIAL APPROPRIATIONS.—For each of the first
7 2 fiscal years for which funds are appropriated under sec-
8 tion 13, the Superintendent shall use such funds, and any
9 matching private funds, to acquire land, construct facili-
10 ties, recruit faculty and students, hire employees, and de-
11 velop curricula in preparation for the opening of the Acad-
12 emy.

13 (d) SUBSEQUENT APPROPRIATIONS.—For each of
14 the 4 subsequent fiscal years following the second fiscal
15 year described in subsection (c) and for which funds are
16 appropriated under section 13, the Superintendent shall
17 use such funds, and any matching private funds, to fund
18 the Academy as it grows 1 class at a time into a 4-year
19 institution.

20 **SEC. 12. USE OF CERTAIN GIFTS TO THE ACADEMY.**

21 (a) GIFTS NOT EXCEEDING \$20,000.—Under regula-
22 tions prescribed by the Secretary of the Department of
23 Homeland Security, the Superintendent of the Academy
24 may accept, hold, administer, invest, and spend any gift,
25 devise, or bequest of personal property of a value of

1 \$20,000 or less made to the United States on the condi-
2 tion that such gift, devise, or bequest be used for the ben-
3 efit of the Academy or any entity thereof. The Super-
4 intendent may pay or authorize the payment of all reason-
5 able and necessary expenses in connection with the convey-
6 ance or transfer of a gift, devise, or bequest under this
7 section.

8 (b) GIFTS EXCEEDING \$20,000.—The Board of Visi-
9 tors may accept, hold, administer, invest, and spend any
10 gift, devise, or bequest of personal property of a value of
11 more than \$20,000 made to the United States on the con-
12 dition that such gift, devise, or bequest be used for the
13 benefit of the Academy or any entity thereof. The Board
14 of Visitors may pay or authorize the payment of all rea-
15 sonable and necessary expenses in connection with the
16 conveyance or transfer of a gift, devise, or bequest under
17 this section.

18 **SEC. 13. AMOUNTS APPROPRIATED.**

19 There is authorized to be appropriated, and there is
20 appropriated, \$164,000,000 for fiscal year 2007 and each
21 of the 5 succeeding fiscal years.

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