

110TH CONGRESS
1ST SESSION

S. 960

To establish the United States Public Service Academy.

IN THE SENATE OF THE UNITED STATES

MARCH 22, 2007

Mrs. CLINTON (for herself, Mr. SPECTER, Ms. MIKULSKI, Mrs. BOXER, Mr. BIDEN, Ms. LANDRIEU, Mr. KENNEDY, and Mrs. HUTCHISON) 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 2007”.

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) In the aftermath of Hurricane
19 Katrina, personnel shortages were “perhaps
20 [the] most difficult challenge” for the Federal
21 Emergency Management Agency, according to a
22 Congressional report on the Federal Govern-
23 ment’s response to the disaster.

24 (E) The Border Patrol has struggled to re-
25 cruit and retain college-educated agents who

1 can speak Spanish and navigate the delicate
2 cross-cultural interactions inherent in the job.

3 (4) There is a large pool of untapped potential
4 among young women who want to serve our country.
5 Although the military service academies are only 15
6 percent female, women constitute a majority (57
7 percent) of college students nationwide. In service
8 organizations, women are an even larger majority:
9 58 percent of Peace Corps, 61 percent of City Year,
10 and 71 percent of Teach for America participants
11 are women.

12 (5) American college students lack adequate
13 preparation in fields crucial to public service, includ-
14 ing international education and civic education, as
15 evidenced by the following:

16 (A) According to the bipartisan Commis-
17 sion on the Abraham Lincoln Study Abroad
18 Fellowship Program established under section
19 104 of division H of the Consolidated Appro-
20 priations Act, 2004 (Public Law 108–199; 118
21 Stat. 435), students of the United States often
22 graduate from college without knowing a for-
23 eign language or having any experience abroad.
24 In the past 3 decades, the percentage of under-
25 graduate students of the United States study-

1 ing a foreign language has dropped from 16
2 percent to 8.7 percent, and approximately 1
3 percent of such students participate in a study
4 abroad program.

5 (B) Young adults of the United States
6 scored next to last in a recent National Geo-
7 graphic/Roper survey of geographic knowledge.

8 (C) A University of Connecticut survey of
9 14,000 undergraduate students found a wide-
10 spread lack of civic literacy, with seniors barely
11 outscored freshmen on a test of basic multiple
12 choice questions about the history, foreign pol-
13 icy, economics, and government of the United
14 States.

15 (D) The most recent National Assessment
16 of Educational Progress assessment of civic
17 knowledge in grade 12 found that only 25 per-
18 cent of high school seniors had an “adequate”
19 knowledge of civics and government and 35 per-
20 cent of high school seniors had little or no
21 knowledge of civics and government at all.

22 (6) 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 providing an annual influx of career-motivated pub-
6 lic servants and future leaders into the Nation’s
7 public institutions;

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-focused undergraduate education to
12 students from across the United States and the
13 world.

14 **SEC. 4. DEFINITIONS.**

15 In this Act:

16 (1) PUBLIC SERVICE.—The term “public serv-
17 ice” means employment with, or work for, a public
18 institution that is funded primarily by the Federal
19 Government or by a State or local government.

20 (2) STATE.—The term “State” means each of
21 the several States of the United States and the Dis-
22 trict of Columbia.

23 **SEC. 5. ESTABLISHMENT.**

24 (a) ESTABLISHMENT.—There is established, in the
25 Department of Homeland Security, a United States Public
26 Service Academy (referred to in this Act as the “Acad-

1 emy”), at the location to be determined by an Act of Con-
2 gress, for the instruction in and preparation for public
3 service of selected individuals, who shall be called Academy
4 students.

5 (b) ORGANIZATION.—The Secretary of the Depart-
6 ment of Homeland Security shall prescribe the organiza-
7 tion of the Academy, in accordance with the requirements
8 of this section.

9 (c) KEY POSITIONS.—There shall be at the Academy
10 the following:

11 (1) A Superintendent.

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

14 (3) A Director of Admissions.

15 (4) A Director of Placement.

16 (d) SUPERINTENDENT.—

17 (1) APPOINTMENT.—The President shall, by
18 and with the advice and consent of the Senate, ap-
19 point the Superintendent of the Academy, who shall
20 serve for a 6-year term.

21 (2) DUTIES.—The Superintendent shall be re-
22 sponsible for the day-to-day operation of the Acad-
23 emy and the welfare of the students, and staff of the
24 Academy.

25 (e) DEAN OF THE ACADEMIC BOARD.—

1 (1) APPOINTMENT.—The Superintendent shall
 2 appoint the Dean of the Academic Board as an addi-
 3 tional permanent professor from the permanent pro-
 4 fessors who have served as heads of departments of
 5 instruction at the Academy, except that for the first
 6 year of the Academy the Superintendent shall ap-
 7 point the Dean of the Academic Board from quali-
 8 fied applicants.

9 (2) DUTIES.—The Dean of the Academic Board
 10 shall perform such duties as the Superintendent may
 11 prescribe, with the approval of the Board of Visitors.

12 **SEC. 6. FACULTY AND DEPARTMENTS.**

13 (a) NUMBER OF FACULTY.—The Superintendent of
 14 the Academy may employ as many professors, instructors,
 15 and lecturers at the Academy as the Superintendent con-
 16 siders necessary to achieve academic excellence.

17 (b) FACULTY COMPENSATION.—The Superintendent
 18 may prescribe the compensation of persons employed
 19 under this section. Compensation and benefits for faculty
 20 members of the Academy shall be sufficiently competitive
 21 to achieve academic excellence, as determined by the Su-
 22 perintendent.

23 (c) FACULTY EXPECTATIONS.—Faculty members
 24 shall—

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 a rep-
8 resentative 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 of the Academy and approved by the
14 Board of Visitors. A violation of the honor code may con-
15 stitute a basis for dismissal from the Academy.

16 **SEC. 8. APPOINTMENT OF STUDENTS.**

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

23 (b) APPOINTMENTS.—

24 (1) NOMINEES FOR CONGRESSIONAL SEATS.—

1 (A) NUMBER OF SEATS.—For each incom-
2 ing first-year class at the Academy, the Direc-
3 tor of Admissions shall reserve a number of
4 congressional seats in such class that is twice
5 the number of electoral votes for all States, ex-
6 cept that such number of seats may be reduced
7 if the Superintendent of the Academy deter-
8 mines that a smaller class size is necessary in
9 order to gradually build the Academy to its full
10 capacity.

11 (B) NOMINEES REQUIRED PER EACH SEN-
12 ATOR AND REPRESENTATIVE.—Each member of
13 the Senate or the House of Representatives
14 shall nominate a minimum of 5 candidates from
15 the State that the member represents for each
16 incoming first-year class of the Academy.

17 (C) COMPETITION.—In selecting students
18 for the congressional seats in a first-year in-
19 coming class, the Director of Admissions
20 shall—

21 (i) proportionally allocate the congres-
22 sional seats reserved under subparagraph
23 (A) among the States based on the number
24 of electoral votes of each State; and

1 (ii) for each congressional seat allo-
2 cated to a State, select a candidate that
3 has been nominated by a member of Con-
4 gress from the State under subparagraph
5 (B).

6 (2) INTERNATIONAL STUDENTS.—

7 (A) SEATS.—The Director of Admissions
8 shall reserve, from the total number of seats in
9 each incoming first-year class of the Academy,
10 not less than 5 percent of such total for inter-
11 national students.

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

15 (i) be responsible for subsidizing the
16 student's tuition, fees, room and board,
17 and other expenses at the Academy; and

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

20 (3) EXECUTIVE BRANCH NOMINEES.—

21 (A) SEATS.—The Director of Admissions
22 shall reserve in each incoming first-year class of
23 the Academy not more than 25 seats for execu-
24 tive branch nominees.

1 (B) NOMINEES.—The President shall
2 nominate a minimum of 75 candidates to com-
3 pete for the executive branch seats.

4 (4) OTHER NOMINEES.—The Director of Ad-
5 missions shall reserve in each incoming first-year
6 class of the Academy not more than 75 seats for at-
7 large selections from the remaining pool of congres-
8 sional nominees described in paragraph (1)(B).

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

11 (a) CURRICULUM; LEADERSHIP.—

12 (1) CURRICULUM.—Each Academy student
13 shall follow a structured curriculum that is self-rein-
14 forcing to emphasize leadership development (in ac-
15 cordance with paragraph (2)) and public service.

16 (2) LEADERSHIP.—The purposes of the leader-
17 ship development system are to motivate Academy
18 students to seek leadership responsibilities upon
19 graduation and enable Academy students to think
20 clearly, decide wisely, and act decisively under pres-
21 sure and in a variety of leadership situations. Direct
22 support to leadership development shall be provided
23 by concurrent and relevant coursework to create an
24 interplay between learning the science of leadership

1 in the classroom, while learning the art of leadership
2 outside the classroom.

3 (b) DEGREE.—

4 (1) DEGREE CONFERRED UPON GRADUATION.—

5 Under such conditions as the Board of Visitors may
6 prescribe, the Superintendent of the Academy may
7 confer a baccalaureate of science or baccalaureate of
8 arts degree upon a graduate of the Academy.

9 (2) MAJORS.—Each Academy student shall
10 pursue a program of study for a baccalaureate of
11 arts or a baccalaureate of sciences degree in tradi-
12 tional liberal arts subjects.

13 (c) BREADTH OF REQUIRED SUBJECT AREAS STUD-
14 IED.—Each Academy student shall take courses in a
15 broad array of subject areas as part of the student's pro-
16 gram of study.

17 (d) PUBLIC SERVICE CONCENTRATION.—Not later
18 than the completion of the fourth semester, each Academy
19 student shall choose a public service concentration, which
20 shall be the field in which the student ultimately will serve
21 upon graduation.

22 (e) PUBLIC SERVICE REQUIREMENTS BEFORE
23 GRADUATION.—

24 (1) PUBLIC SERVICE PROGRAMMING.—Each
25 Academy student shall participate in regular pro-

1 gramming related to public service, as determined by
2 the Dean of the Academic Board.

3 (2) PUBLIC SERVICE PROJECT.—Each Academy
4 student shall plan and implement a 1-year public
5 service project during the student’s final year at the
6 Academy.

7 (f) STUDY ABROAD REQUIREMENTS.—

8 (1) IN GENERAL.—Each Academy student shall
9 spend not less than 6 weeks engaged in a study
10 abroad program approved by the Dean of the Aca-
11 demic Board.

12 (2) CLASSES IN PREPARATION FOR STUDY
13 ABROAD.—In preparation for the study abroad pro-
14 gram, each Academy student shall take courses in
15 foreign languages and international relations.

16 (g) SUMMER LEARNING PROGRAM REQUIRE-
17 MENTS.—For each year of attendance at the Academy,
18 each Academy student shall spend 8 weeks each summer
19 participating in a structured learning program established
20 by the Superintendent of the Academy and the Dean of
21 the Academic Board.

22 **SEC. 10. PUBLIC SERVICE REQUIREMENTS FOLLOWING**
23 **GRADUATION.**

24 (a) PUBLIC SERVICE AGREEMENT.—Each Academy
25 student from the United States shall sign an agreement

1 with respect to the student's length of public service to
2 the United States. The agreement shall provide that the
3 student agrees to the following:

4 (1) The student will complete the course of in-
5 struction at the Academy, culminating in graduation
6 from the Academy.

7 (2) Unless the student pursues graduate edu-
8 cation under subsection (h), upon graduation from
9 the Academy, the student—

10 (A) will accept a public service assignment
11 under subsection (g), if tendered, at the as-
12 signed location; and

13 (B) will serve in the public service assign-
14 ment for not less than the 5 years immediately
15 following the first day of the assignment.

16 (b) INTERNATIONAL STUDENT AGREEMENT.—Each
17 international Academy student who was selected for the
18 Academy under section 8(b)(2) shall sign an agreement
19 with the student's home country regarding employment in
20 the national or local government of the country that meets
21 the same conditions set forth in subsection (a).

22 (c) FAILURE TO GRADUATE.—

23 (1) IN GENERAL.—An Academy student who
24 has completed a minimum of 4 semesters at the

1 Academy but fails to fulfill the Academy's require-
2 ments for graduation within 4 years shall be—

3 (A) dishonorably discharged from the
4 Academy; and

5 (B) obligated to repay the Academy for the
6 cost of the delinquent student's education in the
7 amount described in paragraph (2).

8 (2) AMOUNT OF REPAYMENT.—The delinquent
9 student shall be financially responsible for the costs
10 relating to each semester that the student was offi-
11 cially enrolled in the Academy.

12 (d) FAILURE TO ACCEPT OR COMPLETE ASSIGNED
13 PUBLIC SERVICE.—

14 (1) IN GENERAL.—A delinquent graduate shall
15 be—

16 (A) dishonorably discharged from the
17 Academy; and

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

21 (2) AMOUNT OF REPAYMENT.—In the case of a
22 delinquent graduate who fails to complete all years
23 of public service required under subsection (a)(2)
24 (including any additional years required for graduate
25 education under subsection (h)), the delinquent

1 graduate shall be financially responsible for the cost
 2 of the delinquent graduate's education (including the
 3 costs of any graduate education), except that the
 4 amount of financial responsibility under this para-
 5 graph shall be reduced by 10 percent for each year
 6 of public service under subsection (a)(2) that the de-
 7 linquent graduate did complete.

8 (3) DEFINITION OF DELINQUENT GRADUATE.—

9 In this subsection, the term “delinquent graduate”
 10 means a graduate of the Academy who violates the
 11 agreement entered into under subsection (a) by—

12 (A) not accepting the graduate's public
 13 service assignment upon graduation from the
 14 Academy; or

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

17 (i) voluntarily quitting the assign-
 18 ment; or

19 (ii) being fired from the assignment.

20 (e) EXCEPTIONS.—The Superintendent may provide
 21 for the partial or total waiver or suspension of any public
 22 service or payment obligation by an individual under this
 23 section whenever compliance by the individual with the ob-
 24 ligation is impossible or deemed to involve extreme hard-

1 ship to the individual, or if enforcement of such obligation
2 with respect to the individual would be unconscionable.

3 (f) STUDENT SALARIES AND BENEFITS.—The Acad-
4 emy shall not be responsible for the salaries and benefits
5 of graduates of the Academy while the graduates are ful-
6 filling the public service assignment under this section. All
7 salaries and benefits shall be paid by the employer with
8 whom the Academy graduate is placed.

9 (g) DETERMINING STUDENT PUBLIC SERVICE AS-
10 SIGNMENTS.—

11 (1) IN GENERAL.—The Superintendent, acting
12 through the Academy Placement Office, shall place
13 each graduating student in a public service assign-
14 ment, which shall consist of—

15 (A) civil service employment at the Fed-
16 eral, State, or local level; or

17 (B) civilian service in the United States
18 Armed Forces.

19 (2) FACTORS.—In making an assignment under
20 paragraph (1), the Academy Placement Office shall
21 assess the following factors:

22 (A) National security needs.

23 (B) State and local community needs.

24 (C) The student's experience.

25 (D) The student's academic performance.

1 (3) REVIEW AND APPROVAL OF STUDENT AS-
 2 SIGNMENTS.—The Superintendent of the Academy
 3 shall review and approve each Academy graduating
 4 student’s public service assignment.

5 (h) GRADUATE EDUCATION.—An Academy student
 6 and the Superintendent may modify the agreement under
 7 subsection (a) to provide that—

8 (1) the Academy shall—

9 (A) subsidize an Academy student’s grad-
 10 uate education at a public institution; and

11 (B) postpone the public service assignment
 12 required under subsection (a)(2); and

13 (2) the student shall—

14 (A) accept a public service assignment
 15 under subsection (g) upon the student’s comple-
 16 tion of the graduate program; and

17 (B) add 2 additional years to the student’s
 18 public service commitment required under the
 19 agreement described in subsection (a) for every
 20 year of subsidized graduate education.

21 **SEC. 11. REVIEW AND OVERSIGHT.**

22 (a) BOARD OF VISITORS.—

23 (1) ESTABLISHMENT.—There shall be estab-
 24 lished a Board of Visitors for the Academy (referred
 25 to in this Act as the “Board of Visitors”) to oversee

1 the Academy and to inquire into the efficiency and
2 effectiveness of the operations of the Academy.

3 (2) MEMBERSHIP.—The Board of Visitors shall
4 consist of not more than 15 members, including the
5 Secretary of the Department of Homeland Security.
6 The remaining members of the Board of Visitors
7 shall be appointed by the President, by and with the
8 advice and consent of the Senate.

9 (3) VISITS; REPORTS.—

10 (A) ANNUAL VISITS.—In order to ensure
11 the efficiency and effectiveness of the Academy,
12 the Board of Visitors shall annually visit the
13 Academy.

14 (B) ADDITIONAL VISITS.—The Board, or a
15 member of the Board, may visit the Academy in
16 addition to the annual visit described in sub-
17 paragraph (A) with the approval of the Super-
18 intendent of the Academy.

19 (C) ANNUAL REPORTS.—Not later than 60
20 days after an annual visit described in subpara-
21 graph (A), the Board of Visitors shall prepare
22 and submit an annual report regarding the op-
23 erations of the Academy to the President and
24 Congress.

1 (b) SUPERINTENDENT.—Not later than November 30
2 of each year, using data as of September 30 of such year,
3 the Superintendent shall provide to the President and
4 Congress a report assessing the progress of, and changes
5 at, the Academy in the following areas:

6 (1) Recruitment and admissions.

7 (2) Faculty compensation.

8 (3) Curriculum.

9 (4) Resources and facilities.

10 (5) Attrition and graduation.

11 (6) Public service placement.

12 **SEC. 12. FUNDING THE UNITED STATES PUBLIC SERVICE**

13 **ACADEMY.**

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

17 (b) PUBLIC-PRIVATE PARTNERSHIP.—The Academy
18 will be a public-private partnership funded by the fol-
19 lowing:

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

22 (2) PRIVATE FUNDS.—The Academy officials
23 shall raise 20 percent of the Academy’s annual
24 budget in private funds.

1 (c) INITIAL APPROPRIATIONS.—For each of the first
2 2 fiscal years for which funds are appropriated under sec-
3 tion 14, the Superintendent shall use such funds, and any
4 matching private funds, to acquire land, construct facili-
5 ties, recruit faculty and students, hire employees, and de-
6 velop curricula in preparation for the opening of the Acad-
7 emy.

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

15 **SEC. 13. USE OF CERTAIN GIFTS TO THE ACADEMY.**

16 (a) GIFTS NOT EXCEEDING \$20,000.—Under regula-
17 tions prescribed by the Secretary of the Department of
18 Homeland Security, the Superintendent of the Academy
19 may accept, hold, administer, invest, and spend any gift,
20 devise, or bequest of personal property of a value of
21 \$20,000 or less made to the United States on the condi-
22 tion that such gift, devise, or bequest be used for the ben-
23 efit of the Academy or any entity thereof. The Super-
24 intendent may pay or authorize the payment of all reason-
25 able and necessary expenses in connection with the convey-

1 ance or transfer of a gift, devise, or bequest under this
2 section.

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

13 **SEC. 14. AUTHORIZATION OF APPROPRIATIONS.**

14 There is authorized to be appropriated to carry out
15 this Act \$164,000,000 for fiscal year 2008 and each of
16 the 5 succeeding fiscal years.

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