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S. 1165

To amend the national service laws to prioritize national service programs and projects that are directly related to the response to and recovery from the COVID–19 public health emergency, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 15, 2021

Mr. COONS (for himself, Mr. WICKER, Mr. REED, Mr. BLUNT, Ms. DUCKWORTH, Mrs. HYDE-SMITH, Mr. BOOKER, Ms. COLLINS, Ms. KLOBUCHAR, Mr. RUBIO, Ms. BALDWIN, Mr. GRAHAM, Mr. KING, Mr. CORNYN, Mr. KELLY, Mr. CASSIDY, and Mr. DURBIN) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend the national service laws to prioritize national service programs and projects that are directly related to the response to and recovery from the COVID–19 public health emergency, 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 “Cultivating Oppor-
5 tunity and Recovery from the Pandemic through Service
6 Act” or the “CORPS Act”.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) The United States has a strong history of
4 citizen response to national calls to service in order
5 to help the Nation recover in times of crisis.

6 (2) More than 80 years ago, the Nation rose to
7 the challenge of the Great Depression with the cre-
8 ation of citizen service programs like the Civilian
9 Conservation Corps (referred to in this section as
10 the “CCC”) and the Works Progress Administration
11 (referred to in this section as the “WPA”).

12 (3) Millions of participants benefitted from paid
13 employment and opportunities to develop their skills
14 while constructing national parks and public lands
15 infrastructure and producing cultural works still en-
16 joyed today.

17 (4) Following decades of evolution, incor-
18 porating policies of both political parties, today’s na-
19 tional service programs carry on the legacy of the
20 CCC and WPA.

21 (5) Founded in 1990, the Corporation for Na-
22 tional and Community Service today coordinates na-
23 tional service by individuals in the United States
24 across every State and territory, partnering with
25 State-level commissions and supporting locally driv-

1 en services in partnership with nongovernmental or-
2 ganizations and State governments.

3 (6) National service programs provide public
4 health, education, employment training, and nutri-
5 tion services for which the Nation has a critical need
6 in the current crisis.

7 (7) The signature programs of the Corporation
8 for National and Community Service, which are the
9 AmeriCorps State and National, AmeriCorps Na-
10 tional Civilian Community Corps, AmeriCorps Vol-
11 unteers in Service to America (referred to in this
12 Act as “VISTA”), and National Senior Service
13 Corps programs, can and should be expanded to
14 meet current needs.

15 (8) The novel coronavirus pandemic has in-
16 fected and killed individuals in every State and terri-
17 tory, causing more than 31,000,000 cases and
18 560,000 deaths so far.

19 (9) In response, States, Tribal governments,
20 and cities across the country have closed down busi-
21 nesses, schools, and public events, leading to dra-
22 matic swings in the economy.

23 (10) Millions of people in the United States
24 have filed for unemployment benefits since the start

1 of the pandemic, with unemployment rates peaking
2 at an unprecedented level.

3 (11) More than 1 in every 10 adults in the
4 United States has applied for unemployment insur-
5 ance since the crisis began.

6 (12) The pandemic and the associated economic
7 consequences have disproportionately impacted peo-
8 ple of color across many States.

9 (13) To recover, the Nation needs meaningful
10 employment opportunities, as well as a significant
11 expansion of the human capital working to address
12 community needs around public health, behavioral
13 health, hunger, education, and conservation.

14 (14) Experience has demonstrated the cen-
15 trality of community participation in pandemic re-
16 sponse, to overcome stigma and structural barriers
17 and meet the full needs of all members of a diverse
18 community.

19 (15) As the Nation works to respond to and re-
20 cover from the current twin challenges of a public
21 health pandemic and an economic crisis, national
22 service presents a unique opportunity for flexible, lo-
23 cally driven responses to meet State and local em-
24 ployment and recovery needs.

1 **SEC. 3. PURPOSES.**

2 The purposes of this Act are—

3 (1) to provide for annual growth in the number
4 of participants, over 3 years, in national service pro-
5 grams that will provide services in response to the
6 pandemic and economic crisis;

7 (2) to ensure that participant allowances cover
8 the reasonable cost of participation and provide par-
9 ticipants with economic and educational opportunity;

10 (3) to stabilize such national service programs
11 during economic crisis, including by supporting ad-
12 aptations to service models in light of the crisis; and

13 (4) to support opportunities for all individuals
14 in the United States to engage in service, including
15 through the recruitment of increasingly diverse and
16 representative participants.

17 **SEC. 4. DEFINITIONS.**

18 In this Act:

19 (1) NATIONAL AND COMMUNITY SERVICE ACT
20 DEFINITIONS.—The terms “approved national serv-
21 ice position”, “Corporation”, “disadvantaged
22 youth”, “national service laws”, “participant”,
23 “service sponsor”, and “State Commission” have the
24 meanings given such terms in section 101 of the Na-
25 tional and Community Service Act of 1990 (42
26 U.S.C. 12511).

1 (2) COVID–19 EMERGENCY RECOVERY PE-
 2 RIOD.—The term “COVID–19 emergency recovery
 3 period” means the period beginning on the date of
 4 enactment of this Act and ending at the end of fiscal
 5 year 2024.

6 (3) HIGH-POVERTY AREA.—The term “high-
 7 poverty area” means a census tract defined as high-
 8 poverty by the Bureau of the Census.

9 **SEC. 5. ECONOMIC EQUITY AND OPPORTUNITY.**

10 (a) LIVING ALLOWANCE.—

11 (1) IN GENERAL.—Notwithstanding section
 12 105(b) of the Domestic Volunteer Service Act of
 13 1973 (42 U.S.C. 4955(b)) and section 140 of the
 14 National and Community Service Act of 1990 (42
 15 U.S.C. 12594), during the COVID–19 emergency re-
 16 covery period, the minimum subsistence or living al-
 17 lowance for an individual under section 105 of the
 18 Domestic Volunteer Service Act of 1973 and section
 19 140 of the National and Community Service Act of
 20 1990 shall, subject to paragraph (3), be an amount
 21 equal to 175 percent of the poverty line (as defined
 22 in section 673(2) of the Community Services Block
 23 Grant Act (42 U.S.C. 9902(2))) for a single indi-
 24 vidual as expected for each fiscal year.

1 (2) GRANTS FOR LIVING ALLOWANCE IN-
 2 CREASES.—Notwithstanding the limits described in
 3 subsections (a) and (e) of section 189 of the Na-
 4 tional and Community Service Act of 1990 (42
 5 U.S.C. 12645c) or any other limitation imposed by
 6 the Corporation, during the COVID–19 emergency
 7 recovery period, the Corporation shall, for purposes
 8 of paragraph (1), award supplemental grant funds
 9 to entities operating a program receiving grant
 10 funds under the national service laws (referred to in
 11 this paragraph as “grantees”), including continuing
 12 grantees, to—

13 (A) increase the minimum subsistence or
 14 living allowance provided under section 105(b)
 15 of the Domestic Volunteer Service Act of 1973
 16 (42 U.S.C. 4955(b)) or section 140 of the Na-
 17 tional and Community Service Act of 1990 (42
 18 U.S.C. 12594); and

19 (B) cover additional costs associated with
 20 the increase to the minimum subsistence or liv-
 21 ing allowance required under paragraph (1).

22 (3) LIMITATION.—

23 (A) IN GENERAL.—Subject to subpara-
 24 graph (B), a stipend or allowance under section
 25 105 of the Domestic and Volunteer Service Act

1 of 1973 (42 U.S.C. 4955) or an allowance
2 under section 140 of the National and Commu-
3 nity Service Act of 1990 (42 U.S.C. 12594)
4 shall not be increased by this Act unless the
5 funds appropriated for carrying out part A of
6 the Domestic and Volunteer Service Act of
7 1973 (42 U.S.C. 4951 et seq.) or subtitle C of
8 the National and Community Service Act of
9 1990 (42 U.S.C. 12571 et seq.), respectively,
10 are sufficient to maintain, for the fiscal year in-
11 volved, a number of participants to serve under
12 that part A or that subtitle C, respectively, that
13 is at least equal to the number of such partici-
14 pants so serving during the fiscal year pre-
15 ceding such fiscal year involved.

16 (B) ADJUSTMENT FOR INSUFFICIENT AP-
17 PROPRIATIONS.—In the event that sufficient ap-
18 propriations for any fiscal year are not available
19 to increase any stipend or allowance under sec-
20 tion 105 of the Domestic and Volunteer Service
21 Act of 1973 or allowance under section 140 of
22 the National and Community Service Act of
23 1990 to the minimum amount specified under
24 paragraph (1), the Corporation shall increase
25 the stipend or allowance involved to such

1 amount as appropriations for such year permit
2 consistent with subparagraph (A).

3 (b) CONCURRENT COVID–19 EDUCATIONAL
4 AWARD.—

5 (1) IN GENERAL.—The Corporation shall award
6 to any individual who successfully completes a term
7 of service resulting in an educational award under
8 section 147 of the National and Community Service
9 Act (42 U.S.C. 12603), with any part of such term
10 of service occurring within the COVID–19 emer-
11 gency recovery period, a concurrent COVID–19 edu-
12 cational award for an amount described under para-
13 graph (2).

14 (2) AMOUNT OF AWARD.—The concurrent
15 COVID–19 educational award awarded under this
16 subsection shall be in an amount which bears the
17 same proportion to the full amount of the education
18 award the individual received under section 147 of
19 such Act as the length of time of the term of service
20 of such individual that occurs within the COVID–19
21 emergency recovery period bears to the total length
22 of time of the term of service of such individual.

23 (c) NATIONAL SENIOR SERVICE CORPS.—Notwith-
24 standing section 201, subsections (d) and (e) of section
25 211, and section 213(a) of the Domestic Volunteer Service

1 Act of 1973 (42 U.S.C. 5001, 5011, 5013(a)), to address
 2 the critical needs of local communities across the United
 3 States, during the COVID–19 pandemic emergency recov-
 4 ery period—

5 (1) individuals age 45 or older may be enrolled
 6 as volunteers to provide services under part A of
 7 title II of the Domestic Volunteer Service Act of
 8 1973 (42 U.S.C. 5001); and

9 (2) for purposes of parts B and C of title II of
 10 the Domestic Volunteer Service Act of 1973 (42
 11 U.S.C. 5002, 5003), the terms “low-income person”
 12 and “person of low income” mean a person whose
 13 income is not more than 400 percent of the poverty
 14 line defined in section 673(2) of the Community
 15 Services Block Grant (42 U.S.C. 9902(2)) and ad-
 16 justed by the Director of the Retired and Senior
 17 Volunteer and Foster Grandparent programs in the
 18 manner described in such parts.

19 (d) TAX PROVISIONS.—

20 (1) INCOME TAX EXCLUSION FOR LIVING AL-
 21 LOWANCE.—

22 (A) IN GENERAL.—Part III of subchapter
 23 B of chapter 1 of the Internal Revenue Code of
 24 1986 is amended by inserting after section 139I
 25 the following new section:

1 **“SEC. 139J. LIVING ALLOWANCE FOR NATIONAL SERVICE**
 2 **PARTICIPANTS.**

3 “Gross income does not include the amount of any
 4 living allowance provided under section 105(b) of the Do-
 5 mestic Volunteer Service Act of 1973 (42 U.S.C. 4955(b))
 6 or section 140(a) or 158(b) of the National and Commu-
 7 nity Service Act of 1990 (42 U.S.C. 12594(a),
 8 12618(b)).”.

9 (B) CLERICAL AMENDMENT.—The table of
 10 sections for part III of subchapter B of chapter
 11 1 of the Internal Revenue Code of 1986 is
 12 amended by inserting after the item relating to
 13 section 139I the following new item:

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

14 (C) EFFECTIVE DATE.—The amendments
 15 made by this paragraph shall apply to taxable
 16 years beginning after the date of the enactment
 17 of this Act.

18 (2) EXCLUSION FROM GROSS INCOME OF NA-
 19 TIONAL SERVICE EDUCATIONAL AWARDS.—

20 (A) IN GENERAL.—Section 117 of the In-
 21 ternal Revenue Code of 1986 (relating to quali-
 22 fied scholarships) is amended by adding at the
 23 end the following new subsection:

24 “(e) NATIONAL SERVICE EDUCATIONAL AWARDS.—
 25 Gross income shall not include any payments from the Na-

1 tional Service Trust established under section 145 of the
 2 National and Community Service Act of 1990 (42 U.S.C.
 3 12601), including the national service educational award
 4 described in subtitle D of title I of such Act (42 U.S.C.
 5 12601 et seq.).”.

6 (B) EXCLUSION OF DISCHARGE OF STU-
 7 DENT LOAN DEBT.—Subsection (f) of section
 8 108 of such Code is amended by adding at the
 9 end the following new paragraph:

10 “(6) PAYMENTS UNDER NATIONAL SERVICE
 11 EDUCATIONAL AWARD PROGRAMS.—In the case of
 12 an individual, gross income shall not include any
 13 amount received as a national service educational
 14 award under subtitle D of title I of the National and
 15 Community Service Act of 1990 (42 U.S.C. 12601
 16 et seq.).”.

17 (C) EFFECTIVE DATE.—The amendments
 18 made by this paragraph shall apply to taxable
 19 years ending after the date of the enactment of
 20 this Act.

21 **SEC. 6. SUPPORTING EXPANSION.**

22 (a) GRANTS AND PILOT PROGRAM.—

23 (1) PRIORITY.—The Corporation, in awarding
 24 grants under paragraph (2), and State Commissions,

1 in directly placing individuals in approved national
2 service positions under paragraph (3), shall—

3 (A) give priority to—

4 (i) entities serving communities—

5 (I) disproportionately impacted
6 by COVID–19;

7 (II) using culturally competent
8 and multilingual strategies in the pro-
9 vision of services; and

10 (III) with proposals for activities
11 directly related to recovery from the
12 COVID–19 public health emergency
13 and the attendant economic and social
14 consequences of such public health
15 emergency, such as—

16 (aa) work that furthers the
17 capacity of nonprofit and commu-
18 nity-based organizations to re-
19 spond to the immediate needs of
20 individuals affected by COVID–
21 19;

22 (bb) services that support
23 economic opportunity;

1 (cc) educational activities,
2 including enrichment and adult
3 education and literacy activities;

4 (dd) services to address
5 housing and food insecurity; and

6 (ee) jobs for youth in pre-
7 serving and restoring nature, in-
8 cluding ensuring environmental
9 resiliency; and

10 (ii) community-based organizations lo-
11 cated in rural or high-poverty areas, or
12 community-based organizations that serve
13 Tribal communities, with greater priority
14 for community-based organizations that
15 propose recruiting applicants for positions
16 to serve in the same metropolitan or
17 micropolitan statistical area or county as
18 the area or county in which such appli-
19 cants attended a secondary school or insti-
20 tution of higher education; and

21 (B) take into account the diversity of com-
22 munities and participants served by entities
23 seeking funding under this Act, including racial,
24 ethnic, socioeconomic, linguistic, or geographic
25 diversity.

1 (2) AUGMENTATION AND EXPANSION
2 GRANTS.—Notwithstanding any other provision of
3 law, during the COVID–19 emergency recovery pe-
4 riod, the Corporation may award noncompetitive
5 augmentation grants to meet the compelling needs of
6 grantees or subgrantees and expansion grants under
7 the national service laws, at such time and in such
8 manner and from such funds as the Corporation de-
9 termines appropriate.

10 (3) PILOT PROGRAM.—

11 (A) IN GENERAL.—

12 (i) ESTABLISHMENT.—Notwith-
13 standing section 178(h) of the National
14 and Community Service Act of 1990 (42
15 U.S.C. 12638(h)), during the COVID–19
16 emergency recovery period, the Corporation
17 shall implement a pilot program under sec-
18 tion 121 and 122 of such Act allowing
19 State Commissions to directly place indi-
20 viduals in approved national service posi-
21 tions.

22 (ii) APPLICATION AND REVIEW PROC-
23 ESS.—Notwithstanding any other provision
24 of law, the Corporation may establish the
25 time, place, and manner of the application

1 and review process for the pilot program
2 established under this paragraph.

3 (B) PRIORITIES.—In addition to the prior-
4 ities under paragraph (1), State Commissions
5 participating in the pilot program shall, to the
6 extent practicable, prioritize the placement of
7 individuals in national service programs carried
8 out by entities that have not previously been
9 service sponsors for participants.

10 (C) REPORT.—The Corporation shall pre-
11 pare and submit a report to Congress at the
12 end of the pilot program described in subpara-
13 graph (A), containing recommendations about
14 whether and how to continue such a program of
15 direct placements.

16 (b) FLEXIBILITY DURING THE COVID–19 EMER-
17 GENCY RECOVERY PERIOD.—

18 (1) MATCH WAIVER.—Notwithstanding any
19 other provision of law, an entity (including a State
20 Commission and an entity receiving subgrant funds)
21 that receives assistance from the Corporation for
22 any program under the national service laws, includ-
23 ing under sections 5(a)(2) and 6(a)(2), during the
24 COVID–19 emergency recovery period shall not be
25 subject to any requirements to provide matching

1 funds for any such program, and the Federal share
2 of such assistance for a recipient (including for a
3 State Commission and a subgrant recipient) may be
4 100 percent.

5 (2) VISTA LIMITATION APPLICABILITY.—Not-
6 withstanding subsections (a) and (b) of section 108
7 of the Domestic Volunteer Service Act of 1973 (42
8 U.S.C. 4958), during the COVID–19 emergency re-
9 covery period, in order to address the needs of un-
10 derserved communities related to the COVID–19
11 pandemic, of funds appropriated for the purposes of
12 part A of title I of such Act (42 U.S.C. 4951 et
13 seq.) under section 501 of such Act (42 U.S.C.
14 5081), not more than 75 percent may be obligated
15 for the direct cost of supporting volunteers in pro-
16 grams and projects (including new programs and
17 projects that begin after the date of enactment of
18 this Act) carried out pursuant to part A of title I
19 of such Act, and such funds may be obligated re-
20 gardless of when grant recipients commenced such
21 programs and projects.

22 (3) SEASONAL PROGRAM.—Notwithstanding
23 sections 152(b)(2) and 154 of the National and
24 Community Service Act of 1990 (42 U.S.C.
25 12612(b)(2), 12614), during the COVID–19 emer-

1 agency recovery period, members of the National Ci-
 2 vilian Community Corps established under subtitle E
 3 of title I of such Act (42 U.S.C. 12611 et seq.) may
 4 receive training and perform service in a seasonal
 5 national service program established under section
 6 154 of such Act (42 U.S.C. 12614) with service last-
 7 ing for a period of not less than 3 months and not
 8 more than 6 months, as specified by the Director ap-
 9 pointed pursuant to section 159(c)(1) of such Act
 10 (42 U.S.C. 12619(c)(1)).

11 (4) INCREASE IN LIMITATION ON TOTAL GRANT
 12 AMOUNT FOR EDUCATIONAL AWARD ONLY PROGRAM
 13 DURING COVID-19 EMERGENCY RECOVERY PE-
 14 RIOD.—Notwithstanding the limit described in sec-
 15 tion 129A(b) of the National and Community Serv-
 16 ice Act of 1990 (42 U.S.C. 12581a(b)), during the
 17 COVID-19 emergency recovery period, the Corpora-
 18 tion may provide operational support under section
 19 129A of such Act for a program in an amount that
 20 is not more than \$1,600 per individual enrolled and
 21 serving in an approved national service position, or
 22 not more than \$2,000 per such individual if at least
 23 50 percent of the persons enrolled and serving in the
 24 program are disadvantaged youth.

25 (5) NO SUMMER LIMITATION.—

1 (A) ENROLLMENT.—Notwithstanding any
2 other provision of part A of title I of the Do-
3 mestic Volunteer Service Act (42 U.S.C. 4951
4 et seq.), during the COVID–19 emergency re-
5 covery period, the Director of the VISTA pro-
6 gram may enroll full-time VISTA associates in
7 a program, during any months of the year,
8 under such terms and conditions as such Direc-
9 tor shall determine to be appropriate. Such in-
10 dividuals shall be assigned to projects that ad-
11 dress the needs of underserved communities im-
12 pacted by the COVID–19 public health emer-
13 gency.

14 (B) REPORTS.—In preparing reports relat-
15 ing to programs under the Domestic Volunteer
16 Service Act (42 U.S.C. 4950 et seq.), the Direc-
17 tor of the VISTA program shall report on par-
18 ticipants, costs, and accomplishments under the
19 program under this subsection separately.

20 (C) LIMITATION.—The limitation on funds
21 appropriated for grants and contracts, as con-
22 tained in section 108 of the Domestic Volunteer
23 Service Act (42 U.S.C. 4958), shall not apply
24 to the program under this subsection.

1 (c) REPORT.—Not later than 90 days after the enact-
 2 ment of this Act, the Chief Executive Officer of the Cor-
 3 poration for National and Community Service shall pre-
 4 pare and submit a report to the Committee on Health,
 5 Education, Labor, and Pensions of the Senate and the
 6 Committee on Education and Labor of the House of Rep-
 7 resentatives containing recommendations on—

8 (1) how to improve grant programs related to
 9 the national service laws, including those under sub-
 10 title C of the National and Community Service Act
 11 of 1990 (42 U.S.C. 12571 et seq.), such as any rec-
 12 ommended changes to—

13 (A) the requirements of section 121(e)
 14 such Act and section 2521.60 of title 45, Code
 15 of Federal Regulations (as in effect on the day
 16 before the date of enactment of this Act); and

17 (B) the fixed-amount grants awarded
 18 under section 129(l) of such Act (42 U.S.C.
 19 12581(l)), including improvements to account
 20 for start-of-year costs and to ensure robust
 21 member benefits and the long-term strength
 22 and viability of such program;

23 (2) whether a new unit within the Corporation
 24 for National and Community Service should be es-
 25 tablished to provide additional assistance or manage

1 the enrollment process to ensure compliance with
2 sections 189D and 199I of such Act (42 U.S.C.
3 12645g; 12655i) for incoming participants in na-
4 tional service programs, particularly new national
5 service programs receiving program assistance for
6 the first time; and

7 (3) actions to maximize flexibility for State
8 Commissions that would strengthen the work of
9 State Commissions and their grantees.

10 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

11 In addition to any amounts appropriated to carry out
12 activities or programs under the national service laws (in-
13 cluding under the American Rescue Plan Act of 2021
14 (Public Law 117–2)), there is authorized to be appro-
15 priated to carry out this Act \$8,000,000,000 for fiscal
16 year 2021, which shall remain available to be expended
17 through fiscal year 2024.

○