



National Service Inclusion Project Fact Sheet

Heroes Earning Assistance and Relief Tax (HEART) Act

On June 17, 2008, President Bush signed into law H.R. 6081, the Heroes Earnings Assistance and Relief Tax Act of 2008 (“the HEART Act”), making AmeriCorps more accessible to people with disabilities.

How does the HEART Act make AmeriCorps more accessible to people with disabilities?

Supplemental Security Income (SSI) is a Federal program that provides a monthly cash benefit to low-income individuals who are aged, blind, or who have a disability. In the past, receiving an AmeriCorps living allowance could disqualify an individual from eligibility. The new law directs the Social Security Administration to ignore an individual's receipt of AmeriCorps benefits for purposes of SSI eligibility.

Why did Congress make this change?

This brings all AmeriCorps members under one treatment of benefits rule for SSI. In the past, law from countable income for SSI purposes excluded only AmeriCorps VISTA benefits.

Which AmeriCorps benefits are excluded from countable income?

The Heart Act excludes “any benefit (whether cash or in-kind)” and so covers the living allowance, health insurance, childcare, and the education award (and related interest payments).

What other items are excluded from countable income under the SSI program?

The SSI program rules exclude specific amounts of earned income, unearned income such as tuition scholarship and disaster relief payments, and resources such as a residence or household automobile.

Why doesn't the law cover both SSI and SSDI?

Social Security Disability Insurance (SSDI) is a Federal program that provides money to individuals with disabilities based on their having paid into the insurance program. There

are separate laws and regulations for SSDI eligibility and the HEART Act moved through Congress too quickly to include SSDI. We hope that Congress will extend the AmeriCorps exclusion to SSDI in the near-future.

When does the new law take effect?

The exclusion of AmeriCorps benefits takes effect for benefits payable after August 16, 2008.

Does the HEART Act affect former AmeriCorps members as well as current members?

Yes, the exclusion covers benefits beginning on the effective date, regardless of the status of the AmeriCorps member.

How many people will this help?

We don't have exact figures, but because a relatively higher percentage of VISTA members self-report as having a disability, we expect that expanding the VISTA SSI rule will result in an increase of several hundred individuals with disabilities serving in AmeriCorps State/National and NCCC each year.

Will the Corporation be issuing guidance?

We are working with the Social Security Administration to update guidance and will provide guidance resources on the Corporation's Accessibility page at http://www.nationalservice.gov/home/site_information/accessibility.asp.



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