

115TH CONGRESS
1ST SESSION

S. 597

To increase Federal Pell Grants for the children of fallen public safety officers, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 9, 2017

Mr. CASEY (for himself, Mr. TOOMEY, Mr. DONNELLY, and Ms. COLLINS) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To increase Federal Pell Grants for the children of fallen public safety officers, 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 “Children of Fallen He-
5 roes Scholarship Act”.

6 **SEC. 2. CALCULATION OF ELIGIBILITY.**

7 Section 473(b) of the Higher Education Act of 1965
8 (20 U.S.C. 1087mm(b)) is amended—

9 (1) in paragraph (2)—

(A) in the matter preceding subparagraph (A), by inserting “(in the case of a student who meets the requirement of subparagraph (B)(i)), or academic year 2017–2018 (in the case of a student who meets the requirement of subparagraph (B)(ii)),” after “academic year 2009–2010”; and

(B) by amending subparagraph (B) to read as follows:

“(B) whose parent or guardian was—

“(i) a member of the Armed Forces of the United States and died as a result of performing military service in Iraq or Afghanistan after September 11, 2001; or

“(ii) actively serving as a public safety officer and died in the line of duty while performing as a public safety officer; and”;

(2) in paragraph (3)—

(A) by striking “Notwithstanding” and inserting the following:

“(A) ARMED FORCES.—Notwithstanding”;

(B) by striking “paragraph (2)” and inserting “subparagraphs (A), (B)(i), and (C) of paragraph (2)”;

(C) by adding at the end the following:

“(B) PUBLIC SAFETY OFFICERS.—Notwithstanding any other provision of law, unless the Secretary establishes an alternate method to adjust the expected family contribution, for each student who meets the requirements of subparagraphs (A), (B)(ii), and (C) of paragraph (2), a financial aid administrator shall—

“(i) verify with the student that the student is eligible for the adjustment;

“(ii) adjust the expected family contribution in accordance with this subsection; and

“(iii) notify the Secretary of the adjustment and the student’s eligibility for the adjustment.”; and

(3) by adding at the end the following:

“(4) TREATMENT OF PELL AMOUNT.—Notwithstanding section 1212 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796d–1), in the case of a student who receives an increased Federal Pell Grant amount under this section, the total amount of such Federal Pell Grant, including the increase under this subsection, shall not be considered in calculating that student’s educational assistance benefits under the Public Safety Officers’

1 Benefits program under subpart 2 of part L of title
2 I of such Act.

3 “(5) DEFINITION OF PUBLIC SAFETY OFFI-
4 CER.—For purposes of this subsection, the term
5 ‘public safety officer’ means—

6 “(A) a public safety officer, as defined in
7 section 1204 of title I of the Omnibus Crime
8 Control and Safe Streets Act of 1968 (42
9 U.S.C. 3796b); or

10 “(B) a fire police officer, defined as an in-
11 dividual who—

12 “(i) is serving in accordance with
13 State or local law as an officially recog-
14 nized or designated member of a legally or-
15 ganized public safety agency;

16 “(ii) is not a law enforcement officer,
17 a firefighter, a chaplain, or a member of a
18 rescue squad or ambulance crew; and

19 “(iii) provides scene security or di-
20 rects traffic—

21 “(I) in response to any fire drill,
22 fire call, or other fire, rescue, or police
23 emergency; or

24 “(II) at a planned special
25 event.”.

1 **SEC. 3. CALCULATION OF PELL GRANT AMOUNT.**

2 (a) IN GENERAL.—Section 401(b)(2) of the Higher
3 Education Act of 1965 (20 U.S.C. 1070a(b)(2)) is amend-
4 ed—

5 (1) in subparagraph (A), in the matter pre-
6 ceding clause (i), by striking “The Amount” and in-
7 serting “Subject to subparagraph (C), the amount”;
8 and

9 (2) by adding at the end the following new sub-
10 paragraph:

11 “(C) In the case of a student who meets
12 the requirements of subparagraphs (A), (B)(ii),
13 and (C) of section 473(b)(2)—

14 “(i) clause (ii) of subparagraph (A) of
15 this paragraph shall be applied by sub-
16 stituting ‘from the amounts appropriated
17 in the last enacted appropriation Act appli-
18 cable to that award year, an amount equal
19 to the amount of the increase calculated
20 under paragraph (7)(B) for that year’ for
21 ‘the amount of the increase calculated
22 under paragraph (7)(B) for that year’; and

23 “(ii) such student—

24 “(I) shall be provided an amount
25 under clause (i) of this subparagraph
26 only to the extent that funds are spe-

1 cifically provided in advance in an ap-
 2 propriation Act to such students for
 3 that award year; and

4 “(II) shall not be eligible for the
 5 amounts made available pursuant to
 6 clauses (i) through (iii) of paragraph
 7 (7)(B).”.

8 (b) RULE OF CONSTRUCTION.—A student who is eli-
 9 gible to receive a Federal Pell Grant for the academic year
 10 for which the determination is made, whose parent or
 11 guardian was actively serving as a public safety officer and
 12 died in the line of duty while performing as a public safety
 13 officer, and who, at the time of the parent or guardian’s
 14 death, was less than 24 years of age, or enrolled at an
 15 institution of higher education on a part-time or full-time
 16 basis shall receive a calculation of a Federal Pell Grant
 17 amount according to the amendment made by subsection
 18 (a) for the academic year only to the extent that funds
 19 are specifically provided in advance in an appropriation
 20 Act to such students for that award year.

21 **SEC. 4. BUDGETARY EFFECTS.**

22 The budgetary effects of this Act, for the purpose of
 23 complying with the Statutory Pay-As-You-Go Act of 2010,
 24 shall be determined by reference to the latest statement
 25 titled “Budgetary Effects of PAYGO Legislation” for this

1 Act, submitted for printing in the Congressional Record
2 by the Chairman of the Senate Budget Committee, pro-
3 vided that such statement has been submitted prior to the
4 vote on passage.

5 **SEC. 5. EFFECTIVE DATE.**

6 This Act, and the amendments made by this Act,
7 shall take effect on July 1, 2017.

