

115TH CONGRESS
1ST SESSION

S. 597

AN ACT

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Children of Fallen He-
3 roes Scholarship Act”.

4 **SEC. 2. CALCULATION OF ELIGIBILITY.**

5 Section 473(b) of the Higher Education Act of 1965
6 (20 U.S.C. 1087mm(b)) is amended—

7 (1) in paragraph (2)—

8 (A) in the matter preceding subparagraph
9 (A), by inserting “(in the case of a student who
10 meets the requirement of subparagraph (B)(i)),
11 or academic year 2017–2018 (in the case of a
12 student who meets the requirement of subpara-
13 graph (B)(ii)),” after “academic year 2009–
14 2010”; and

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

17 “(B) whose parent or guardian was—

18 “(i) a member of the Armed Forces of
19 the United States and died as a result of
20 performing military service in Iraq or Af-
21 ghanistan after September 11, 2001; or

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

25 (2) in paragraph (3)—

1 (A) by striking “Notwithstanding” and in-
 2 serting the following:

3 “(A) ARMED FORCES.—Notwithstanding”;

4 (B) by striking “paragraph (2)” and in-
 5 serting “subparagraphs (A), (B)(i), and (C) of
 6 paragraph (2)”; and

7 (C) by adding at the end the following:

8 “(B) PUBLIC SAFETY OFFICERS.—Not-
 9 withstanding any other provision of law, unless
 10 the Secretary establishes an alternate method
 11 to adjust the expected family contribution, for
 12 each student who meets the requirements of
 13 subparagraphs (A), (B)(ii), and (C) of para-
 14 graph (2), a financial aid administrator shall—

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

17 “(ii) adjust the expected family con-
 18 tribution in accordance with this sub-
 19 section; and

20 “(iii) notify the Secretary of the ad-
 21 justment and the student’s eligibility for
 22 the adjustment.”; and

23 (3) by adding at the end the following:

24 “(4) TREATMENT OF PELL AMOUNT.—Notwith-
 25 standing section 1212 of the Omnibus Crime Control

1 and Safe Streets Act of 1968 (42 U.S.C. 3796d–1),
 2 in the case of a student who receives an increased
 3 Federal Pell Grant amount under this section, the
 4 total amount of such Federal Pell Grant, including
 5 the increase under this subsection, shall not be con-
 6 sidered in calculating that student’s educational as-
 7 sistance benefits under the Public Safety Officers’
 8 Benefits program under subpart 2 of part L of title
 9 I of such Act.

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

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

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

19 “(i) is serving in accordance with
 20 State or local law as an officially recog-
 21 nized or designated member of a legally or-
 22 ganized public safety agency;

23 “(ii) is not a law enforcement officer,
 24 a firefighter, a chaplain, or a member of a
 25 rescue squad or ambulance crew; and

“(iii) provides scene security or directs traffic—

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

“(II) at a planned special event.”.

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

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

12 (1) in subparagraph (A), in the matter pre-
13 ceding clause (i), by striking “The Amount” and in-
14 serting “Subject to subparagraph (C), the amount”;
15 and

16 (2) by adding at the end the following new sub-
17 paragraph:

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

21 “(i) clause (ii) of subparagraph (A) of
22 this paragraph shall be applied by sub-
23 stituting ‘from the amounts appropriated
24 in the last enacted appropriation Act appli-
25 cable to that award year, an amount equal

to the amount of the increase calculated under paragraph (7)(B) for that year’ for ‘the amount of the increase calculated under paragraph (7)(B) for that year’; and

“(ii) such student—

“(I) shall be provided an amount under clause (i) of this subparagraph only to the extent that funds are specifically provided in advance in an appropriation Act to such students for that award year; and

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

(b) RULE OF CONSTRUCTION.—A student who is eligible to receive a Federal Pell Grant for the academic year for which the determination is made, whose parent or guardian was actively serving as a public safety officer and died in the line of duty while performing as a public safety officer, and who, at the time of the parent or guardian’s death, was less than 24 years of age, or enrolled at an institution of higher education on a part-time or full-time basis shall receive a calculation of a Federal Pell Grant amount according to the amendment made by subsection

1 (a) for the academic year only to the extent that funds
2 are specifically provided in advance in an appropriation
3 Act to such students for that award year.

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

5 The budgetary effects of this Act, for the purpose of
6 complying with the Statutory Pay-As-You-Go Act of 2010,
7 shall be determined by reference to the latest statement
8 titled “Budgetary Effects of PAYGO Legislation” for this
9 Act, submitted for printing in the Congressional Record
10 by the Chairman of the Senate Budget Committee, pro-
11 vided that such statement has been submitted prior to the
12 vote on passage.

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

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

Passed the Senate September 7, 2017.

Attest:

Secretary.

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