

114TH CONGRESS
1ST SESSION

S. 1352

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

IN THE SENATE OF THE UNITED STATES

MAY 14, 2015

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)—

1 (A) in the matter preceding subparagraph
 2 (A), by inserting “(in the case of a student who
 3 meets the requirement of subparagraph (B)(i)),
 4 or academic year 2015–2016 (in the case of a
 5 student who meets the requirement of subpara-
 6 graph (B)(ii)),” after “academic year 2009–
 7 2010”; and

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

10 “(B) whose parent or guardian was—

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

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

18 (2) in paragraph (3)—

19 (A) by striking “Notwithstanding” and in-
 20 serting the following:

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

22 (B) by striking “paragraph (2)” and in-
 23 serting “subparagraphs (A), (B)(i), and (C) of
 24 paragraph (2)”;

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

1 “(B) PUBLIC SAFETY OFFICERS.—Not-
2 withstanding any other provision of law, unless
3 the Secretary establishes an alternate method
4 to adjust the expected family contribution, for
5 each student who meets the requirements of
6 subparagraphs (A), (B)(ii), and (C) of para-
7 graph (2), a financial aid administrator shall—

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

10 “(ii) adjust the expected family con-
11 tribution in accordance with this sub-
12 section; and

13 “(iii) notify the Secretary of the ad-
14 justment and the student’s eligibility for
15 the adjustment.”; and

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

17 “(4) TREATMENT OF PELL AMOUNT.—Notwith-
18 standing section 1212 of the Omnibus Crime Control
19 and Safe Streets Act of 1968 (42 U.S.C. 3796d–1),
20 in the case of a student who receives an increased
21 Federal Pell Grant amount under this section, the
22 total amount of such Federal Pell Grant, including
23 the increase under this subsection, shall not be con-
24 sidered in calculating that student’s educational as-
25 sistance 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 Section 401(b)(2) of the Higher Education Act of
3 1965 (20 U.S.C. 1070a(b)(2)) is amended—

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

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

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

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

22 “(ii) such student—

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

1 appropriation Act to such students for
2 that award year; and

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

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

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

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

17 This Act, and the amendments made by this Act,
18 shall take effect on July 1, 2015.

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