

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

1                   “(iii) provides scene security or di-  
2                   rects traffic—

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

6                   “(II) at a planned special  
7                   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 sserting “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

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

5 “(ii) such student—

6 “(I) shall be provided an amount  
7 under clause (i) of this subparagraph  
8 only to the extent that funds are spe-  
9 cifically provided in advance in an ap-  
10 propriation Act to such students for  
11 that award year; and

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

16 (b) RULE OF CONSTRUCTION.—A student who is eli-  
17 gible to receive a Federal Pell Grant for the academic year  
18 for which the determination is made, whose parent or  
19 guardian was actively serving as a public safety officer and  
20 died in the line of duty while performing as a public safety  
21 officer, and who, at the time of the parent or guardian’s  
22 death, was less than 24 years of age, or enrolled at an  
23 institution of higher education on a part-time or full-time  
24 basis shall receive a calculation of a Federal Pell Grant  
25 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.*

115<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

**S. 597**

---

**AN ACT**

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