

115TH CONGRESS  
1ST SESSION

# H. R. 949

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

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 7, 2017

Mr. FITZPATRICK (for himself and Mr. BRENDAN F. BOYLE of Pennsylvania) introduced the following bill; which was referred to the Committee on Education and the Workforce, and in addition to the Committees on the Budget, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## 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—

1 (1) in paragraph (2)—

2 (A) in the matter preceding subparagraph  
3 (A), by inserting “(in the case of a student who  
4 meets the requirement of subparagraph (B)(i)),  
5 or academic year 2015–2016 (in the case of a  
6 student who meets the requirement of subpara-  
7 graph (B)(ii)),” after “academic year 2009–  
8 2010”; and

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

11 “(B) whose parent or guardian was—

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

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

19 (2) in paragraph (3)—

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

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

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

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

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

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

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

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

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

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

1       sistance benefits under the Public Safety Officers’  
2       Benefits program under subpart 2 of part L of title  
3       I of such Act.

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

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

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

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

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

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

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

1 “(II) at a planned special  
2 event.”.

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

4 Section 401(b)(2) of the Higher Education Act of  
5 1965 (20 U.S.C. 1070a(b)(2)) is amended—

6 (1) by striking the matter preceding clause (i)  
7 of subparagraph (A) and inserting the following:

8 “(2)(A) Subject to subparagraph (C), the  
9 amount of the Federal Pell Grant for a student eligi-  
10 ble under this part shall be—”; and

11 (2) by adding at the end the following new sub-  
12 paragraph:

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

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

25 “(ii) such student—

1 “(I) shall be provided an amount  
2 under clause (i) of this subparagraph  
3 only to the extent that funds are spe-  
4 cifically provided in advance in an ap-  
5 propriation Act to such students for  
6 that award year; and

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

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

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

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

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

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