

111TH CONGRESS
1ST SESSION

H. R. 959

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

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 10, 2009

Mr. PATRICK J. MURPHY of Pennsylvania (for himself and Mr. PLATTS) introduced the following bill; which was referred to the Committee on Education and Labor, and in addition to the Committee on 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

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 “Officer Daniel Faulk-
5 ner Children of Fallen Heroes Scholarship Act of 2009”.

1 **SEC. 2. CALCULATION OF FEDERAL PELL GRANT ELIGI-**
2 **BILITY.**

3 Section 401(f) of the Higher Education Act of 1965
4 (20 U.S.C. 1070a(f)) is amended by adding at the end
5 the following new paragraph:

6 “(5)(A) Notwithstanding paragraph (1) or any
7 other provision of this section, the expected family
8 contribution of each student described in subpara-
9 graph (C) shall be deemed to be zero for the period
10 during which each such student is eligible to receive
11 a Federal Pell Grant under subsection (c).

12 “(B) The amount by which a Federal Pell
13 Grant is increased to any student under subpara-
14 graph (A) shall not be considered in determining
15 that student’s need for any other grant or work as-
16 sistance under this title, except that in no case shall
17 the total amount of student financial assistance
18 awarded to a student under this title exceed that
19 student’s cost of attendance, as defined in section
20 472.

21 “(C) Subparagraph (A) shall apply to any stu-
22 dent at an institution of higher education—

23 “(i) whose parent or legal guardian—

24 “(I) was actively serving as a public
25 safety officer; and

1 “(II) died in the line of duty while
2 performing as a public safety officer; and

3 “(ii) who was 18 years of age or less, or
4 was enrolled as a full-time or part-time student
5 at an institution of higher education, as of the
6 time of such parent or legal guardian’s death.

7 “(D) For purposes of this paragraph—

8 “(i) the term ‘public safety officer’ means
9 an individual serving a public agency in an offi-
10 cial capacity, with or without compensation, as
11 a law enforcement officer, as a firefighter, or as
12 a member of a rescue squad or ambulance crew;

13 “(ii) the term ‘law enforcement officer’
14 means an individual who—

15 “(I) is authorized by law to engage in
16 or supervise the prevention, detection, in-
17 vestigation, or prosecution of, or the incar-
18 ceration of any person for, any violation of
19 law; and

20 “(II) has statutory powers of arrest or
21 apprehension;

22 “(iii) the term ‘firefighter’ means an indi-
23 vidual who is trained in the suppression of fire
24 or hazardous-materials response and has the
25 legal authority to engage in these duties;

1 “(iv) the term ‘member of a rescue squad
2 or ambulance crew’ means an individual who is
3 an officially recognized or designated public em-
4 ployee member of a rescue squad or ambulance
5 crew; and

6 “(v) the term ‘public agency’ means the
7 United States, any State of the United States,
8 the District of Columbia, the Commonwealth of
9 Puerto Rico, the Virgin Islands of the United
10 States, Guam, American Samoa, the Trust Ter-
11 ritory of the Pacific Islands, the Commonwealth
12 of the Northern Mariana Islands, any territory
13 or possession of the United States, or any unit
14 of local government, department, agency, or in-
15 strumentality of any of the foregoing, and the
16 Amtrak Police and Federal Reserve Police de-
17 partments.”.

18 **SEC. 3. CALCULATION OF EDUCATIONAL ASSISTANCE TO**
19 **DEPENDENTS OF PUBLIC SAFETY OFFICERS.**

20 Section 1212(a) of title I of the Omnibus Crime Con-
21 trol and Safe Streets Act of 1968 (42 U.S.C. 3796d–1(a))
22 is amended—

23 (1) in paragraph (2), striking “paragraph (3)”
24 and inserting “paragraphs (3) and (4)”;

1 (2) in paragraph (3)(A), by striking “sources to
2 which the eligible dependent would otherwise be enti-
3 tled to receive” and inserting “sources the eligible
4 dependent receives, except as provided in paragraph
5 (4)”; and

6 (3) by adding at the end the following new
7 paragraph:

8 “(4) The amount described in subparagraph
9 (A) of paragraph (3) shall not include the amount
10 by which a Federal Pell Grant to a student is in-
11 creased under section 401(f)(5)(A) of the Higher
12 Education Act of 1965.”.

13 **SEC. 4. EFFECTIVE DATE.**

14 The amendments made by this Act shall apply with
15 respect to Federal Pell Grants awarded for academic year
16 2010–2011, and each succeeding academic year.

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