

AMENDMENT

OFFERED BY MR. PLATTS OF PENNSYLVANIA

After section 104, insert the following:

1 **SEC. 105. OFFICER DANIEL FAULKNER CHILDREN OF FALL-**
2 **EN HEROES SCHOLARSHIP.**

3 (a) **SHORT TITLE.**—This section may be cited as the
4 “Officer Daniel Faulkner Children of Fallen Heroes
5 Scholarship Act of 2009”.

6 (b) **CALCULATION OF FEDERAL PELL GRANT ELIGI-**
7 **BILITY.**—Section 401(f) (20 U.S.C. 1070a(f)) is amended
8 by adding at the end the following new paragraph:

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

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

1 awarded to a student under this title exceed that
2 student's cost of attendance, as defined in section
3 472.

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

6 “(i) whose parent or legal guardian—

7 “(I) was actively serving as a public
8 safety officer; and

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

11 “(ii) who was 18 years of age or less, or
12 was enrolled as a full-time or part-time student
13 at an institution of higher education, as of the
14 time of such parent or legal guardian's death.

15 “(D) For purposes of this paragraph—

16 “(i) the term ‘public safety officer’ means
17 an individual serving a public agency in an offi-
18 cial capacity, with or without compensation, as
19 a law enforcement officer, as a firefighter, or as
20 a member of a rescue squad or ambulance crew;

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

23 “(I) is authorized by law to engage in
24 or supervise the prevention, detection, in-
25 vestigation, or prosecution of, or the incar-

1 ceration of any person for, any violation of
2 law; and

3 “(II) has statutory powers of arrest or
4 apprehension;

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

9 “(iv) the term ‘member of a rescue squad
10 or ambulance crew’ means an individual who is
11 an officially recognized or designated public em-
12 ployee member of a rescue squad or ambulance
13 crew; and

14 “(v) the term ‘public agency’ means the
15 United States, any State of the United States,
16 the District of Columbia, the Commonwealth of
17 Puerto Rico, the Virgin Islands of the United
18 States, Guam, American Samoa, the Trust Ter-
19 ritory of the Pacific Islands, the Commonwealth
20 of the Northern Mariana Islands, any territory
21 or possession of the United States, or any unit
22 of local government, department, agency, or in-
23 strumentality of any of the foregoing, and the
24 Amtrak Police and Federal Reserve Police de-
25 partments.”.

1 (c) CONFORMING AMENDMENTS.—Section 1212(a) of
2 title I of the Omnibus Crime Control and Safe Streets Act
3 of 1968 (42 U.S.C. 3796d–1(a)) is amended—

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

6 (2) in paragraph (3)(A), by striking “sources to
7 which the eligible dependent would otherwise be enti-
8 tled to receive” and inserting “sources the eligible
9 dependent receives, except as provided in paragraph
10 (4)”;

11 (3) by adding at the end the following new
12 paragraph:

13 “(4) The amount described in subparagraph
14 (A) of paragraph (3) shall not include the amount
15 by which a Federal Pell Grant to a student is in-
16 creased under section 401(f)(5)(A) of the Higher
17 Education Act of 1965.”.

18 (d) EFFECTIVE DATE.—The amendments made by
19 this section shall apply with respect to Federal Pell Grants
20 awarded for academic year 2010–2011, and each suc-
21 ceeding academic year.

Conform the table of contents accordingly.

