

109TH CONGRESS
1ST SESSION

S. 1228

To amend the Higher Education Act of 1965 to modify the computation of eligibility for certain Federal Pell Grants, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 13, 2005

Ms. CANTWELL introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Higher Education Act of 1965 to modify the computation of eligibility for certain Federal Pell Grants, 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 “Federal Pell Grant
5 Eligibility Clarification Act of 2005”.

6 **SEC. 2. CONSIDERATION OF CURRENT YEAR CIR-**
7 **CUMSTANCES.**

8 Section 480(a) of the Higher Education Act of 1965
9 (20 U.S.C. 1087vv(a)) is amended—

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

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

4 “(3) CONSIDERATION OF CURRENT YEAR CIR-
5 CUMSTANCES FOR CERTAIN PELL GRANT AWARDS.—

6 “(A) IN GENERAL.—If a student is a resi-
7 dent of a State that is in an extended benefit
8 period (as determined under subparagraph (C)),
9 then for purposes of calculating total income
10 under paragraph (1) for a student seeking as-
11 sistance under subpart 1 of part A, the Sec-
12 retary shall reduce the student’s total income
13 by an amount by which—

14 “(i) the adjusted gross income plus
15 untaxed income and benefits for the pre-
16 ceding tax year minus excludable income
17 (as defined in subsection (e)), exceeds

18 “(ii) the projected gross income plus
19 untaxed income and benefits for the cur-
20 rent tax year minus the projected exclud-
21 able income (as defined in subsection (e)).

22 “(B) ANTI-FRAUD PROCEDURES.—The
23 Secretary shall establish procedures to ensure
24 that computations made pursuant to subpara-
25 graph (A) are not fraudulent.

1 “(C) EXTENDED BENEFIT PERIOD.—For
2 purposes of subparagraph (A), a State shall be
3 considered to be in an extended benefit period
4 if—

5 “(i) such a period is then in effect for
6 such State under the Federal-State Ex-
7 tended Unemployment Compensation Act
8 of 1970; or

9 “(ii) such a period would then be in
10 effect for such State under such Act if sec-
11 tion 203(d) of such Act were applied as if
12 it had been amended by striking ‘5’ each
13 place it appears and inserting ‘4.’.”

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