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(Original Signature of Member)

118TH CONGRESS
1ST SESSION

H. R.

To amend the Higher Education Act of 1965 to extend Federal Pell Grant
eligibility to certain short-term workforce programs.

Ms. STEFANIK introduced the following bill; which was referred to the
Committee on _____

A BILL

To amend the Higher Education Act of 1965 to extend
Federal Pell Grant eligibility to certain short-term work-
force programs.

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 “Promoting Employ-
5 ment and Lifelong Learning Act” or the “PELL Act”.

1 **SEC. 2. PROGRAM ELIGIBILITY FOR WORKFORCE PELL**

2 **GRANTS.**

3 Section 481(b) of the Higher Education Act of 1965

4 (20 U.S.C. 1088(b)) is amended—

5 (1) by redesignating paragraphs (3) and (4) as

6 paragraphs (4) and (5), respectively; and

7 (2) by inserting after paragraph (2) the fol-

8 lowing:

9 “(3) (A) A program is an eligible program for
10 purposes of the Workforce Pell Grants program
11 under section 401(k) only if—

12 “(i) it is at least 150 clock hours of in-
13 struction, but not more than 600 clock hours of
14 instruction, or an equivalent number of credit
15 hours, offered during a minimum of 8 weeks,
16 but not more than 15 weeks;

17 “(ii) it is determined by an accrediting
18 agency or association recognized by the Sec-
19 retary pursuant to section 496(a) to—

20 “(I) provide an education aligned with
21 the requirements of in-demand industry
22 sectors or occupations, as defined in sec-
23 tion 3 of the Workforce Innovation and
24 Opportunity Act;

1 “(II) meet the hiring requirements of
2 potential employers in the sectors or occu-
3 pations described in subclause (I);

4 “(III) have been offered by an institu-
5 tion for not less than 1 year prior to a de-
6 termination by such agency or association
7 under this paragraph;

8 “(IV) have a verified completion rate
9 of at least 70 percent, calculated so as to
10 ensure that a student shall be counted as
11 a completion if the student completes the
12 program within 150 percent of the normal
13 time for completion; and

14 “(V) have verified a job placement
15 rate of at least 70 percent; and

16 “(iii) for each award year, the total
17 amount of the published tuition and fees of the
18 program for such year is an amount that does
19 not exceed the value-added earnings of students
20 who received Federal financial aid under this
21 title and who completed the program 3 years
22 prior to the award year, as such earnings are
23 determined by calculating the difference be-
24 tween—

1 “(I) the median earnings of such stu-
2 dents, as adjusted by the State and metro-
3 politan area regional price parities of the
4 Bureau of Economic Analysis based on the
5 location of such program; and

6 “(II) 150 percent of the poverty line
7 applicable to a single individual as deter-
8 mined under section 673(2) of the Commu-
9 nity Services Block Grant Act (42 U.S.C.
10 9902(2)) for such year.

11 “(B)(i) In the case of a program that has not
12 previously participated in programs under this title
13 and is being determined eligible for the first time
14 under this paragraph, the Secretary may consider
15 such program to be an eligible program for purposes
16 of the Workforce Pell Grants program under section
17 401(k) for a provisional eligibility period that may
18 not exceed 3 years, if such program—

19 “(I) subject to subclause (II), meets the
20 requirements of subparagraph (A); and

21 “(II) in lieu of the determination of me-
22 dian earnings under subclause (I) of subpara-
23 graph (A)(iii), provides to the Secretary for
24 purposes of meeting the requirements of sub-
25 paragraph (A)(iii), alternate earnings of stu-

1 dents who complete the program, which are sta-
2 tistically rigorous, accurate, comparable, and
3 representative of students who complete such
4 program.

5 “(ii) In a case in which the Secretary deter-
6 mines that a program provided inaccurate earnings
7 data under clause (i)(II) for purposes of receiving
8 provisional eligibility under clause (i), such program
9 shall return to the Secretary any funds received
10 under this title during the period beginning on first
11 date of the provisional eligibility period and ending
12 on the date of determination under this clause.

13 “(C) The Secretary shall establish an appeals
14 process to permit eligible programs for purposes of
15 the Workforce Pell Grants program under section
16 401(k) to submit alternate earnings data to comply
17 with subparagraph (A)(iii), provided that such data
18 are statistically rigorous, accurate, comparable, and
19 representative of students who receive a Workforce
20 Pell Grant and complete the eligible program.”.

21 **SEC. 3. DATA COLLECTION AND DISSEMINATION RELATED
22 TO WORKFORCE PELL.**

23 Section 131 of the Higher Education Act of 1965 (20
24 U.S.C. 1015) is amended by adding at the end the fol-
25 lowing:

1 “(i) DATA COLLECTION AND DISSEMINATION RE-
2 LATED TO WORKFORCE PELL.—

3 “(1) IN GENERAL.—The Secretary shall, on an
4 annual basis, collect, verify, and make publicly avail-
5 able on the College Scorecard or any similar suc-
6 cessor website, the information required under
7 clause (i), subclauses (IV) and (V) of clause (ii), and
8 clause (iii), and of subsection (b)(3)(A) of section
9 481, with respect to each eligible program that
10 meets the requirements of section 481(b)(3), includ-
11 ing—

12 “(A) the length of the program (as meas-
13 ured in clock hours, credit hours, or weeks);

14 “(B) the number of students enrolled in
15 the eligible program during the most recent
16 academic year for which data is available;

17 “(C) the percentage of students who enroll
18 in the eligible program and who complete the
19 eligible program within—

20 “(i) 150 percent of the normal time
21 for completion of such program; and

22 “(ii) 200 percent of the normal time
23 for completion of such program;

1 “(D) the percentage of students who are
2 employed not later than 180 days after com-
3 pleting the eligible program; and

4 “(E) the percentage of individuals—
5 “(i) who have completed such eligible
6 program; and

7 “(ii) 3 years after such completion,
8 whose median earnings exceed 150 percent
9 of the poverty line applicable to a single in-
10 dividual, as determined under section
11 673(2) of the Community Services Block
12 Grant Act (42 U.S.C. 9902(2)).

13 “(2) EXCEPTIONS.—Notwithstanding any other
14 provision of this subsection, if disclosure of any data
15 under paragraph (1) is prohibited under State or
16 Federal privacy laws or regulations, the Secretary
17 shall take such steps as the Secretary determines
18 necessary to make publicly available such data in ac-
19 cordance with such laws and regulations.”.

20 **SEC. 4. WORKFORCE PELL GRANTS.**

21 (a) IN GENERAL.—Section 401 of the Higher Edu-
22 cation Act of 1965 (20 U.S.C. 1070a), as amended by sec-
23 tion 703 of the FAFSA Simplification Act (title VII of
24 division FF of Public Law 116–260), is amended by add-
25 ing at the end the following:

1 “(k) WORKFORCE PELL GRANTS PROGRAM.—

2 “(1) IN GENERAL.—For the award year begin-
3 ning on July 1, 2024, and each subsequent award
4 year, the Secretary shall award grants (referred to
5 as a ‘Workforce Pell Grants’) to eligible students
6 under paragraph (2) in accordance with this sub-
7 section.8 “(2) ELIGIBLE STUDENTS.—For award year
9 2024–2025 and each succeeding award year, to be
10 eligible to receive a Workforce Pell Grant under this
11 subsection for any period of enrollment, a student
12 shall meet the eligibility requirements for a Federal
13 Pell Grant under this section, except that the stu-
14 dent—15 “(A) shall be enrolled, or accepted for en-
16 rollment, in an eligible program described in
17 section 481(b)(3); and18 “(B) may not have received a
19 postbaccalaureate degree.20 “(3) TERMS AND CONDITIONS OF AWARDS.—
21 The Secretary shall award Workforce Pell Grants
22 under this subsection in the same manner and with
23 the same terms and conditions as the Secretary
24 awards Federal Pell Grants under subsection (b), ex-
25 cept that a student who is eligible for a grant equal

1 to less than the amount of the minimum Federal
2 Pell Grant because the eligible workforce develop-
3 ment program in which the student is enrolled or ac-
4 cepted for enrollment is less than an academic year
5 (in hours of instruction or weeks of duration) may
6 still be eligible for a Workforce Pell Grant.

7 “(4) PREVENTION OF DOUBLE BENEFITS.—No
8 eligible student described in paragraph (2) may, for
9 the same period of enrollment, receive both a grant
10 under this subsection and a Federal Pell Grant
11 under subsection (b).”.

12 (b) EFFECTIVE DATE.—The amendment made by
13 subsection (a) shall take effect as if included in section
14 703 of the FAFSA Simplification Act (title VII of division
15 FF of Public Law 116–260; 134 Stat. 3191) and in ac-
16 cordance with section 701(b) of such Act.

17 SEC. 5. ACCREDITING AGENCY DETERMINATION OF ELIGI-
18 BILITY REQUIREMENTS FOR THE WORK-
19 FORCE PELL GRANTS PROGRAM.

20 (a) IN GENERAL.—Section 496(a)(4) of the Higher
21 Education Act of 1965 (20 U.S.C. 1099b(a)(4)) is amend-
22 ed—

23 (1) in subparagraph (A), by striking “and” at
24 the end;

1 (2) in subparagraph (B)(ii), by inserting "and"
2 at the end; and

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

4 “(C) if such agency or association has or seeks
5 to include within its scope of recognition the evalua-
6 tion of the quality of institutions offering an eligible
7 program for purposes of the Workforce Pell Grants
8 program (in accordance with section 481(b)(3)),
9 such agency or association shall, in addition to meet-
10 ing the other requirements of this subpart, dem-
11 onstrate to the Secretary that, with respect to such
12 eligible programs—

13 “(i) the agency’s or association’s standards
14 include a process for determining if the institu-
15 tion has the capability to effectively offer such
16 an eligible program; and

17 “(ii) the agency or association requires a
18 demonstration that the program—

(b) ADDITIONAL NACIQI REVIEW MEETINGS.—For the purpose of preparing for the implementation of the Workforce Pell Grant program under section 401(k) of the Higher Education Act of 1965 (as added by section 4), in addition to the meetings required under section 114(d)(1) of the Higher Education Act of 1965 (20 U.S.C. 1011c(d)(1)), the National Advisory Committee on Institutional Quality and Integrity (as established by such section 114) shall, through 2025, hold meetings to evaluate the additions to the scope of recognition of accrediting agencies and associations with respect to an eligible program for purposes of the Workforce Pell Grants program (in accordance with section 481(b)(3) of the Higher Education Act of 1965, as added by section 2).

18 (c) INTERIM ACCREDITATION AUTHORITY.—

19 (1) NOTIFICATION.—Beginning on the date of
20 enactment of this Act, a qualified accrediting agency
21 or association which seeks to include within its scope
22 of recognition the evaluation of the quality of institu-
23 tions offering eligible programs for the purposes of
24 the Workforce Pell Grants program, may include
25 within its scope of recognition the evaluation of such

1 institutions if the accrediting agency or associa-
2 tion—

7 (B) includes with such notification an ex-
8 planation of how the agency or association in-
9 tends to meet the criteria under section
10 496(a)(4)(C) of the Higher Education Act of
11 1965 (as added by subsection (a)) with respect
12 to the evaluation of institutions for purposes of
13 the Workforce Pell Grants program.

14 (2) REVIEW OF SCOPE OF CHANGES.—Upon re-
15 ceipt of a notification from an accrediting agency or
16 association under paragraph (1), the Secretary shall
17 direct the National Advisory Committee on Institu-
18 tional Quality and Integrity (as established by sec-
19 tion 114 of the Higher Education Act of 1965 (20
20 U.S.C. 1011c)) to evaluate, at the next available
21 meeting of such Committee, the addition to the
22 scope of recognition of the agency or association and
23 to advise the Secretary with respect to whether the
24 agency or association meets the criteria under sec-

1 tion 496(a)(4)(C) of the Higher Education Act of
2 1965 (as added by subsection (a)).

3 (3) TERMINATION OF INTERIM AUTHORITY.—

4 The interim authority under this subsection for an
5 agency or association to include within its scope of
6 recognition the evaluation of the quality of institu-
7 tions offering eligible programs for the purposes of
8 the Workforce Pell Grants program shall terminate
9 on the earlier of—

10 (A) the date that is 5 years after the date
11 of enactment of this Act; or

12 (B) the date on which the Secretary deter-
13 mines whether such agency or association meets
14 the criteria under section 496(a)(4)(C) of the
15 Higher Education Act of 1965 (as added by
16 subsection (a)).

17 (4) DEFINITIONS.—In this subsection:

1 an eligible program for purposes of the Work-
2 force Pell Grants program.

3 (B) The term “Workforce Pell Grants pro-
4 gram” means the Workforce Pell Grant pro-
5 gram under section 401(k) of the Higher Edu-
6 cation Act of 1965 (as added by section 4).

7 **SEC. 6. ORDERLY IMPLEMENTATION OF WORKFORCE PELL**
8 **GRANT PROGRAM.**

9 The Secretary of Education shall have the authority
10 to take such steps as are necessary before July 1, 2024,
11 to provide for the orderly implementation on such date of
12 the amendments to the Higher Education Act of 1965
13 made by this Act.