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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.

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

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## **A BILL**

To amend the Higher Education Act of 1965 to extend Federal Pell Grant eligibility to certain short-term workforce 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); and

18 “(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—

19                         “(I) satisfies the requirements of sub-  
20                         paragraph (A)(ii) of section 481(b)(3); and

21                         “(II) provides academic content, an  
22                         amount of instructional time, and com-  
23                         petencies to satisfy any applicable edu-  
24                         cational requirement so that a student who  
25                         completes the program and seeks employ-

1                   ment is qualified to practice or work in the  
2                   sectors or occupations that the program  
3                   prepares students to enter;”.

4           (b) ADDITIONAL NACIQI REVIEW MEETINGS.—For  
5 the purpose of preparing for the implementation of the  
6 Workforce Pell Grant program under section 401(k) of the  
7 Higher Education Act of 1965 (as added by section 4),  
8 in addition to the meetings required under section  
9 114(d)(1) of the Higher Education Act of 1965 (20  
10 U.S.C. 1011c(d)(1)), the National Advisory Committee on  
11 Institutional Quality and Integrity (as established by such  
12 section 114) shall, through 2025, hold meetings to evalu-  
13 ate the additions to the scope of recognition of accrediting  
14 agencies and associations with respect to an eligible pro-  
15 gram for purposes of the Workforce Pell Grants program  
16 (in accordance with section 481(b)(3) of the Higher Edu-  
17 cation 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 insti-  
23 tutions 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—

3 (A) submits to the Secretary a notification  
4 of the agency's or association's intent to add  
5 the evaluation of such institutions to its scope  
6 of recognition; and

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:

18                   (A) The term “qualified accrediting agency  
19                   or association” means an accrediting agency or  
20                   association recognized by the Secretary under  
21                   section 496 of the Higher Education Act of  
22                   1965 (20 U.S.C. 1099b) that seeks, for the  
23                   first time, to add to its scope of recognition the  
24                   evaluation of the quality of institutions offering

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.