

118TH CONGRESS  
1ST SESSION

**S.** \_\_\_\_\_

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

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IN THE SENATE OF THE UNITED STATES

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Mr. BUDD introduced the following bill; which was read twice and 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”.

6 **SEC. 2. PROGRAM ELIGIBILITY FOR WORKFORCE PELL**  
7 **GRANTS.**

8 Section 481(b) of the Higher Education Act of 1965  
9 (20 U.S.C. 1088(b)) is amended—

1 (1) by redesignating paragraphs (3) and (4) as  
2 paragraphs (4) and (5), respectively; and

3 (2) by inserting after paragraph (2) the fol-  
4 lowing:

5 “(3)(A) A program is an eligible program for  
6 purposes of the Workforce Pell Grants program  
7 under section 401(k) only, if—

8 (i) it leads to a recognized educational  
9 credential at an institution of higher education,  
10 which may include a recognized postsecondary  
11 credential, as defined in section 3 of the Work-  
12 force Innovation and Opportunity Act;

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

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

21 (I) provide an education aligned with  
22 the requirements of in-demand industry  
23 sectors or occupations, as defined in sec-  
24 tion 3 of the Workforce Innovation and  
25 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                  “(iv) for each award year, the total amount  
17                  of the published tuition and fees of the program  
18                  for such year is an amount that does not exceed  
19                  the value-added earnings of students who re-  
20                  ceived Federal financial aid under this title and  
21                  who completed the program 3 years prior to the  
22                  award year, as such earnings are determined by  
23                  calculating the difference between—

24                         “(I) the median earnings of such stu-  
25                         dents, as adjusted by the State and metro-

1           politan area regional price parities of the  
2           Bureau of Economic Analysis based on the  
3           location of such program; and

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

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

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

19                   “(II) in lieu of the determination of me-  
20          dian earnings under subclause (I) of subpara-  
21          graph (A)(iv), provides to the Secretary for pur-  
22          poses of meeting the requirements of subpara-  
23          graph (A)(iii), alternate earnings of students  
24          who complete the program, which are statis-  
25          tically rigorous, accurate, comparable, and rep-

1           representative of students who complete such pro-  
2           gram.

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

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

19   **SEC. 3. DATA COLLECTION AND DISSEMINATION RELATED**  
20                   **TO WORKFORCE PELL.**

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

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

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

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

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

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

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

20                           “(ii) 200 percent of the normal time  
21                           for completion of such program;

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

25                   “(E) the percentage of individuals—

1 “(i) who have completed such eligible  
2 program; and

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

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

16 **SEC. 4. WORKFORCE PELL GRANTS.**

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

22 “(k) WORKFORCE PELL GRANTS PROGRAM.—

23 “(1) IN GENERAL.—For the award year begin-  
24 ning on July 1, 2024, and each subsequent award  
25 year, the Secretary shall award grants (referred to

1 as a ‘Workforce Pell Grants’) to eligible students  
2 under paragraph (2) in accordance with this sub-  
3 section.

4 “(2) ELIGIBLE STUDENTS.—For award year  
5 2024–2025 and each succeeding award year, to be  
6 eligible to receive a Workforce Pell Grant under this  
7 subsection for any period of enrollment, a student  
8 shall meet the eligibility requirements for a Federal  
9 Pell Grant under this section, except that the stu-  
10 dent—

11 “(A) shall be enrolled, or accepted for en-  
12 rollment, in an eligible program—

13 “(i) that leads to a recognized edu-  
14 cational credential at an institution of  
15 higher education, which may include a rec-  
16 ognized postsecondary credential, as de-  
17 fined in section 3 of the Workforce Innova-  
18 tion and Opportunity Act; and

19 “(ii) that meets the other require-  
20 ments described in section 481(b)(3); and

21 “(B) may not have received a  
22 postbaccalaureate degree.

23 “(3) TERMS AND CONDITIONS OF AWARDS.—  
24 The Secretary shall award Workforce Pell Grants  
25 under this subsection in the same manner and with



1 the same terms and conditions as the Secretary  
2 awards Federal Pell Grants under subsection (b), ex-  
3 cept that a student who is eligible for a grant equal  
4 to less than the amount of the minimum Federal  
5 Pell Grant because the eligible workforce develop-  
6 ment program in which the student is enrolled or ac-  
7 cepted for enrollment is less than an academic year  
8 (in hours of instruction or weeks of duration) may  
9 still be eligible for a Workforce Pell Grant.

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

15 (b) EFFECTIVE DATE.—The amendment made by  
16 subsection (a) shall take effect as if included in section  
17 703 of the FAFSA Simplification Act (title VII of division  
18 FF of Public Law 116–260; 134 Stat. 3191) and in ac-  
19 cordance with section 701(b) of such Act.

20 **SEC. 5. ACCREDITING AGENCY DETERMINATION OF ELIGI-**  
21 **BILITY REQUIREMENTS FOR THE WORK-**  
22 **FORCE PELL GRANTS PROGRAM.**

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



1           petencies to satisfy any applicable edu-  
2           cational requirement so that a student who  
3           completes the program and seeks employ-  
4           ment is qualified to practice or work in the  
5           sectors or occupations that the program  
6           prepares students to enter;”.

7           (b) ADDITIONAL NACIQI REVIEW MEETINGS.—For  
8           the purpose of preparing for the implementation of the  
9           Workforce Pell Grant program under section 401(k) of the  
10          Higher Education Act of 1965 (as added by section 4),  
11          in addition to the meetings required under section  
12          114(d)(1) of the Higher Education Act of 1965 (20  
13          U.S.C. 1011c(d)(1)), the National Advisory Committee on  
14          Institutional Quality and Integrity (as established by such  
15          section 114) shall, through 2025, hold meetings to evalu-  
16          ate the additions to the scope of recognition of accrediting  
17          agencies and associations with respect to an eligible pro-  
18          gram for purposes of the Workforce Pell Grants program  
19          (in accordance with section 481(b)(3) of the Higher Edu-  
20          cation Act of 1965, as added by section 2).

21          (c) INTERIM ACCREDITATION AUTHORITY.—

22                 (1) NOTIFICATION.—Beginning on the date of  
23                 enactment of this Act, a qualified accrediting agency  
24                 or association which seeks to include within its scope  
25                 of recognition the evaluation of the quality of insti-

1       tutions offering eligible programs for the purposes of  
2       the Workforce Pell Grants program, may include  
3       within its scope of recognition the evaluation of such  
4       institutions if the accrediting agency or associa-  
5       tion—

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

10              (B) includes with such notification an ex-  
11              planation of how the agency or association in-  
12              tends to meet the criteria under section  
13              496(a)(4)(C) of the Higher Education Act of  
14              1965 (as added by subsection (a)) with respect  
15              to the evaluation of institutions for purposes of  
16              the Workforce Pell Grants program.

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

1 to advise the Secretary with respect to whether the  
2 agency or association meets the criteria under sec-  
3 tion 496(a)(4)(C) of the Higher Education Act of  
4 1965 (as added by subsection (a)).

5 (3) TERMINATION OF INTERIM AUTHORITY.—  
6 The interim authority under this subsection for an  
7 agency or association to include within its scope of  
8 recognition the evaluation of the quality of institu-  
9 tions offering eligible programs for the purposes of  
10 the Workforce Pell Grants program shall terminate  
11 on the earlier of—

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

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

19 (4) DEFINITIONS.—In this subsection:

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

1 evaluation of the quality of institutions offering  
2 an eligible program for purposes of the Work-  
3 force Pell Grants program.

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

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

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